**S.A.L.T. – PARSHAT KI-TETZE**

**By Rav David Silverberg**

Motzaei Shabbat

The Torah in Parashat Ki-Teitzei issues the command not to return fugitive slaves to their masters: “Do not hand over to his master a servant who escapes to you from his master; he shall reside with you in your midst, in the place which he chooses, in whichever of your towns that is good for him” (23:16-17).

The commentators explain that the Torah refers here to the case of a slave of a foreign master who seeks to join *Am Yisrael*, and who must be given the opportunity to do so, rather than being forcibly sent back to his master. The command to allow the servant to live “in the place which he chooses” is understood by the Ramban as a warning not to force this refugee into servitude. Once he seeks a life of freedom as a member of *Am Yisrael*, he must be granted his wish.

There might also be deeper significance to the phrase “*ba-makom asher yivchar*” (“in the place which he chooses”) in this verse. This phrase brings to mind other instances of this expression earlier, in Parashat Re’ei (chapter 12), as well as a later instance, in Parashat Ki-Tavo (26:2). Wherever this phrase is used, it refers to the site chosen by God as the exclusive site of sacrificial worship – the *Beit Ha-mikdash* – the only exception occurring here, in the context of the refugee slaves (an observation made by [Rav Amnon Bazak](https://www.facebook.com/amnon.d.bazak/posts/664623673674158)). Curiously, the Torah speaks of the slave’s right to choose a place of dwelling with the same formulation that is used in reference to God’s designation of a site of sacrificial worship. Through this parallel, the Torah perhaps seeks to underscore the extent of the respect we must have to the refugee’s wishes. Just as we recognize that only God decides where and how we must serve Him, and we have no right to choose on our own how He should be worshipped, similarly, we must not assume the right to impose our will upon the fugitive slave. We must respect his decisions of where to live and which profession to pursue, without imposing our will upon him. This special emphasis is required because people might have otherwise assumed that because of his stature as a servant, they have the right to assert control over him. The Torah therefore impresses upon us that all members of society, regardless of their socioeconomic status, deserve to have their wishes respected – no less than God demands that we respect and fulfill His wishes.

Sunday

Towards the end of Parashat Ki-Teitzei, the Torah presents the *mitzva* of *yibum*, requiring the brother of a childless husband who dies to marry the widow, or, if he refuses, to perform the special *chalitza* ceremony, after which the widow may then marry whomever she wishes (25:5-10).

The Gemara in Masekhet Makkot (23a) notes that this command appears immediately following a totally unrelated law – the prohibition against muzzling an ox on the threshing floor. The Torah commands allowing the ox to eat grain as it threshes the unprocessed kernels, rather than cause it distress by seeing food which is cannot eat. To explain the connection between this law and *yibum*, the Gemara comments, “A sister-in-law who came before a man smitten with boils [for levirate marriage] – we do not muzzle her.” This means that when the widow legitimately finds her brother-in-law, who is required to marry her, detestable, her complaints must not be ignored. Rather than demand that she remain silent, we must heed her concerns. As a practical matter, this refers to the law codified in the *Shulchan Arukh* (E.H. 165:4) that if the brother-in-law has unseemly features that the widow finds intolerable, she can demand *chalitza* in place of marriage, and she does not forfeit her *ketuba* payment. The deceased’s brother, who – since the deceased had no children – inherits his estate, cannot absolve himself of paying the woman the amount promised to her in the marriage contract, with the claim that he was prepared to marry her and she refused. Since the woman has legitimate reasons to refuse the marriage, she is entitled to her full *ketuba* payment. (The Rama adds, however, that it became accepted for the widow and brother-in-law to divide the deceased’s assets evenly when *chalitza* is performed.)

In light of the Gemara’s formulation of this law – “*ein chosmin otah*” (“wo do not muzzle her”), we might suggest that it reflects the broader message of empathy and sensitivity. When somebody confronts a difficult situation, we must not “muzzle” the person and insist that he or she keep silent. People facing hardship are entitled, and to be encouraged, to express their pain and anguish. The Gemara compares silencing a person in distress to muzzling an animal on the threshing floor, because both express a lack of sensitivity to a natural, instinctive need. We are to allow people experiencing pain and anxiety to speak about their problems, and should not insist that they remain silent about them.

Monday

Among the topics addressed in Parashat Ki-Teitzei is *malkot* – lashes administered to an offender by *Beit Din* as punishment for certain misdeeds. The Torah strictly forbids the officer administering the punishment from exceeding the prescribed amount of lashes, warning, “lest he be flogged further, in excess, and your brother will be degraded in your eyes” (25:3). Even a person determined to be deserving of corporal punishment must be respected, and may not be punished even slightly beyond that which the Torah prescribes.

The Mishna in Masekhet Makkot (3:15) notes the phrase in this verse, “*ve-nikla achikha le-einekha*” – “and your brother will be degraded in your eyes” – and finds it significant that the Torah refers to the offender as “your brother.” The implication of this term, the Mishna writes, is that “*keivan she-laka harei hu ke-achikha*” – “once he is beaten, he is hereby your brother.”  Although this person has committed a transgression that rendered him worthy of corporal punishment, nevertheless, after the punishment has been administered, he is to be treated as our “brother.” The Rambam, in Hilkhot Sanhedrin (17:7), codifies the Gemara’s comment as *halakha*, explaining that once a sinner receives the prescribed number of lashes, he fully regains his status as an upstanding member of *Am Yisrael*, a status which has several practical halakhic ramifications.

More broadly, the principle of “*keivan she-laka harei hu ke-achikha*” establishes that we must not hold people lifelong hostages to their mistakes.  We all make mistakes, and many of us make grave mistakes, oftentimes rightfully suffering the consequences of those mistakes. *Chazal* here teach us that we must afford people the opportunity for a new beginning. If they accept responsibility for their mistakes and commit themselves to improve, we must view them as “*achikha*,” as our “brother,” as full-fledged, respected members of *Am Yisrael*, recognizing their sincere commitment to avoid repeating their past failures.

There is also an additional message conveyed through the principle of “*keivan she-laka harei hu ke-achikha*.” Namely, when our fellow experiences “*malkot*” and suffers pain, we are to treat that person as our “brother,” regardless of his or her past history.  Even if the pain was self-inflicted, the result of that person’s irresponsibility or indiscretion, the very fact that he or she is now in distress requires a perspective of “*harei hu ke-achikha*,” a disposition of sensitivity and compassion. We must not revel in the pain and humiliation suffered by wrongdoers as a result of their due punishment.  Instead, we are to look upon them as we would our own family member suffering pain, notwithstanding our disapproval of the wrongs which brought this pain upon them.

In truth, all people endure various forms of “*malkot*” on numerous occasions throughout their lives.  We all carry around a great deal of “baggage” of one sort or another, and we all deal with various forms of struggles, frustrations and disappointments.  In a sense, then, the message of “*keivan she-laka harei hu ke-achikha*” is relevant to our relationship with each and every person we encounter.  Everyone is, to one extent or another, in a state of “*keivan she-laka*,” enduring some degree of pain of hardship, and we must therefore treat people with kindness and sensitivity despite their mistakes, faults and failings.

Tuesday

Parashat Ki-Teitzei begins with the law of the *eishet yefat to’ar*, outlining the procedure that must be followed when a soldier wishes to marry a woman taken captive from the enemy during battle. The Torah requires allowing the woman one month during which she “weeps for her father and mother” before the soldier marries her (21:13).

The *Zohar*, commenting on this verse, writes that this monthlong process of weeping corresponds to the month of Elul. Somehow, the period of the woman’s bemoaning her state of captivity is associated with the period of Elul, when we are to focus our minds on introspection and repentance. How might we explain this association?

One answer, perhaps, is that the *Zohar* here seeks to underscore an important aspect of the repentance process, namely, the experience of longing and pining. Reflecting upon our misdeeds is to make us feel distant from God like a young woman forcibly taken from her home and brought to live in a foreign country. The first step in the process of repentance is the feeling of alienation and unease, to recognize that we are “far from home,” that we do not belong in our current spiritual condition, and to feel a passionate longing to return to our state of closeness with God. The verse from Shir Hashirim (6:3) famously associated with Rosh Hashanah – “*Ani le-dodi ve-dodi li*” (“I am for my beloved, and my beloved is for me”) – speaks of the powerful sense of longing felt by lovers who are currently distant from one another. Although they are not together, they are very much on each other’s mind, and they desperately long for the time when they will be reunited. Elul, the period of preparation for the Days of Awe, is when we are to engender this feeling of longing. This begins with the recognition that we are like a captive girl, that we have drifted far from where we ought to be, that we do not live the life we want to live and should be living. Just as the captive girl bemoans her having been driven to a foreign land, similarly, we must feel uneasy and distressed over our having left the path of subservience and devotion to God and thus having been distanced from Him. And we must feel a desperate longing to return to His service, no less than a young captive desperately yearns to return to her family and homeland.

There might also be an additional point of similarity between the experience of the captive girl and the experience of Elul. Rabbi Akiva (cited in the *Sifrei* and in Masekhet Semachot, as noted by the Ramban in his Torah commentary) understood the verse’s description of the captive’s longing for her parents as an allusion to her longing for her idolatrous practice. The captive is given a month to detach herself from her faith before she undergoes her process of conversion and marries the soldier. The Torah understood that the woman cannot be expected to instantaneously break free of her pagan past and embrace our faith. And so before she is converted to Judaism, she is given one month during which she grieves and gradually withdraws from the religious lifestyle to which she was accustomed.

It has been suggested that the association drawn by the *Zohar* between Elul and the captive girl may be explained in light of Rabbi Akiva’s interpretation. The entire designation of Elul as a period of introspection and repentance stems from the fact that change cannot happen instantaneously. In order to arrive at the judgment of Rosh Hashanah in a state of repentance, we need to first undergo a process similar to that of the captive girl, gradually overcoming our negative habits and tendencies and preparing ourselves for change. From this perspective, the *Zohar*’s comment is jarring, as it compares the process of change we must undergo to the drastic transformation from paganism to Torah Judaism which the captive girl is expected to undergo. The point being made is that change of any kind requires time and patience, and thus we are to set out to work towards improving ourselves already at the beginning of Elul, so that we arrive at Rosh Hashanah ready and prepared to live during the coming year on a higher level of religious devotion.

Wednesday

The Torah in Parashat Ki-Teitzei presents several laws relevant to loans, including a command regarding case of collateral taken from an underprivileged borrower. If the lender took as security a blanket or garment which the needy borrower normally uses for sleeping, the lender is required to return it each night. The Torah adds, “…so that he may sleep with his garment and bless you; and for you this will be a source of merit before the Lord your God” (24:13).

Rashi, based on the *Sifrei*, explains the concluding phrase in this verse – “for you this will be a source of merit” – as reassuring the lender that he will receive reward for this act of sensitivity even if the borrower does not “bless” him. Although the Torah writes that the pauper will bless the lender, which the *Sifrei* interprets to mean that the pauper is required to offer a blessing to his lender, nevertheless, if the poor person fails to offer such a blessing, the lender is assured that he will be blessed by the Almighty.

The simple message being conveyed by the *Sifrei* in this passage is that we must feel gratified over the good deeds we perform even if they go unappreciated. Although feeling and expressing gratitude is a vitally important value in Torah life, nevertheless, from the benefactor’s standpoint, it should not matter whether or not he receives the appreciation he desires. We must trust that God will pay us our due reward for the kindness we extend to other people, even if those people fail to show the gratitude they should be expressing.

Moreover, it is worth reflecting for a moment on the scenario anticipated by the Torah of a pauper failing to show appreciation. The Torah foresaw this eventuality likely because people in distress often feel entitled to other people’s generous assistance. People facing financial straits might look at their wealthy peers and feel they rightfully deserve their generous support. And thus when they receive that support, they might fail to show any appreciation. Particularly in the situation described here in the Torah, the pauper might feel resentful that the wealthy lender demanded collateral in the first place, and so he will not be moved to offer a blessing thanking him for returning it each night. Although the Torah requires the pauper to overcome these feelings of entitlement and to extend a blessing to his lender, it also requires the lender to show sensitivity and understanding if the gratitude is not forthcoming. He is to understand that people enduring hardship might have trouble feeling any kind of debt of gratitude, and should feel happy and content with his charitable work regardless of the cold response on the part of his beneficiary.

Thursday

The Torah in Parashat Ki-Teitzei (22:11) presents the prohibition of *sha’atnez*, forbidding wearing a garment made from both wool and linen. Chizkuni, based on the *Midrash Tanchuma* (Bereishit 9), comments that this prohibition hearkens back to the story of Kayin and Hevel. He writes, “Since a calamity resulted from the two of them, they are forbidden to be together.” As the Torah writes in Sefer Bereishit (4:2), Hevel was a shepherd who tended to sheep, while Kayin worked as a farmer, and according to tradition, Kayin grew flax. In order to commemorate the tragedy of Hevel’s murder at the hands of his brother, Chizkuni explains, the Torah forbade wearing a combination of the two materials associated with these two men – wool and linen.

Symbolically, this Torah law – as understood by Chizkuni – requiring that we separate “Kayin” and “Hevel” perhaps relates to the fundamental mistake underlying the tragic episode of Hevel’s murder. In the Torah’s brief account of this tragedy, it emphasizes that Hevel brought his offering purely for the sake of competition, to mimic his brother’s offering: “*Ve-Hevel heivi* ***gam hu***” – “And Hevel **also** brought…” (Bereishit 4:4). Indeed, the *Sheim Mi’Shmuel*, in an astounding passage (Parashat Korach, 5670), suggests that Hevel deserved his tragic fate specifically because he mimicked his brother, rather than charting his own, individual path in the service of the Almighty. This same competitive mindset is what drove Kayin to his violent response to his rejection. He simply could not tolerate the experience of being rejected while his brother earned acceptance. Both Kayin and Hevel were guilty of competitiveness: Hevel felt compelled to bring an offering because Kayin did, and Kayin felt that if Hevel’s offering was accepted, then his must be accepted, too.

In commemoration of this tragic mistake, we forever keep wool and linen apart, keeping “Kayin” separate from “Hevel.” The command of *sha’atnez* teaches us that the solution to the “Kayin-Hevel syndrome,” to strife, envy and competitiveness, is to recognize and respect the different roles, different proclivities and different lifestyles of different people. Kayin and Hevel were two distinct human beings, one producing wool and one producing linen, who should have each felt perfectly content and found contentment by fulfilling his role and following his individual course. There is no need for us to feel pressured by our peers’ achievements to follow their lead, as Hevel did, and there is no need for us to feel slighted and frustrated when our peers enjoy the kinds of success that elude us, as Kayin did. We need to instead focus on living the lives we are best suited to live, on working to achieve the most we can, whether it is with “wool” or “linen,” without feeling pressured or threatened by the success of others. If we live with this mindset of separating “Kayin” and “Hevel,” recognizing that each person is given his or her unique talents to nurture, his or her unique challenges to overcome, and his or her unique role to fulfill in the world, we will be able to experience joy, contentment and fulfillment, without damaging feelings of inferiority that could lead to stressful competition and jealousy.

Friday

The prohibition of *sha’atnez*, which the Torah presents in Parashat Ki-Teitzei (22:11), forbids wearing garments made from both wool and linen. The Mishna in Masekhet Kil’ayim (9:8) interprets the word “*sha’atnez*” as a contraction of the words “*shu’a*, “*tavui*” and “*nuz*,” which refer to the three basic stages of producing garments: combing the wool or flax, making threads, and weaving the threads together. Rabbi Shimon ben Elazar then adds that the final of these three words – *nuz* – also alludes to the severity of violating the law of *sha’atnez*. He suggests that the word “*nuz*” may be understood as, “*naluz u-meiliz hu et Aviv she-bashamayim alav*.” The Rambam explains this to mean, “He deviates from the truth and distances from himself the Almighty’s compassion.”

Why do *Chazal* so strongly emphasize the special severity of violating this prohibition? What is it about *sha’atnez*, in particular, that causes “the Almighty’s compassion” to be “distanced”?

The Rambam explains that wearing *sha’atnez* does not satisfy any particular desire, and for this reason it is considered especially sinful. Since fulfilling this law does not require resisting temptation or overcoming natural instincts, *Chazal* viewed *sha’atnez* violations with particular severity.

Rav Yehuda Leib Ginsburg, in his *Mussar Ha-mishna*, adds another possibility. The Gemara in Masekhet Shabbat (113b) tells that Rabbi Yochanan would refer to his clothing as “*mekhabudetai*” – “that which gives me dignity.” It is through the clothing we wear that we bring ourselves dignity and respect. For this reason, Rav Ginsburg suggests, *Chazal* viewed *sha’atnez* violations with such severity. By wearing *sha’atnez*, at least symbolically, one in effect seeks to bring himself respect through a violation of God’s laws. The gravity of *sha’atnez* lies in the belief that one can bring honor to himself by acting in a way that God proscribes. According to this understanding, *Chazal* here teach us that we cannot possibly ever view a violation of God’s will as “respectable” in any sense of the term. Violating God’s will is a source of shame, not honor, and we must never conceive of the possibility of earning respect by transgressing the Torah’s laws.

Rav Ginsburg then proceeds to add another possible explanation. Chizkuni, in his Torah commentary here in Parashat Ki-Teitzei, suggests that the Torah forbade wearing *sha’atnez* because the *kohanim*’s special garments consisted of wool and linen. The Torah seeks to preserve, in a sense, the *kohanim*’s special status of distinction by forbidding others from wearing attire that has a quality resembling that of the priestly garments. If so, Rav Ginsburg suggests, then wearing *sha’atnez* symbolically represents a person’s assuming a stature of distinction that he does not deserve, and this is why *Chazal* viewed the violation of this law with such severity. Rav Ginsburg writes, “One who dresses in these garments, which are especially designated for the *kohanim*, dresses in a distinguished cloak that is not befitting for him, and there is no more despicable quality than this, for every person must know his place, and one who does not know his place is abominable in the eyes of the Almighty.”

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