

# THE COMMUNITY PARSHA SHEET



PARSHAT KI TEITZEI

London's Leading Young Professionals Platform and Jewish Communal Centre



**RABBI JONATHAN TAWIL**  
*TAL Founder & Director*

## FULFILLING YOUR DESTINY

In Parshas Ki Seitzei the Torah tells us the difficult story of the Ben Sorer Umoreh, the wayward son. This rare boy has misbehaved to the point that we have given up hope on him. We assume that he will grow up to be a bandit and a murderer. The Torah tells us to put him to death. He should die as an innocent soul and not as a guilty criminal.

Death seems to be a harsh punishment for this young man. In fact R' Shimon (in Maseches Sanhedrin) opines that it is inconceivable that the Beis Din would actually stone somebody who has not yet committed a crime. We cannot kill him for stealing some wine and some meat from his parents. R' Shimon concludes that, indeed, the case of the Ben Sorer Umoreh never actually took place. The Torah wrote it so that we could receive reward for Torah study by learning it. Reb Yonasan argues and insists that the case of Ben Sorer Umoreh did take place. 'I saw him', he says, 'and sat on his grave'.

The Talmud has a similar discussion about the Ir Hanidachas - the city that becomes completely idolatrous. The Torah commands us to destroy this city. This time R' Eliezer insists that the Torah records this law only for the sake of Torah study. It never actually happened. Reb Yonasan argues once again: I saw it and sat on its ruins.

Reb Yonasan's position is intriguing. Not only does he insist that these cases took place, he seems to have gone out of his way to visit the gravesites of these people. Reb Akiva Eiger understands the statement 'I sat on his grave'

literally. Reb Yonasan literally sat on the graves of these people. Why would Reb Yonasan visit their graves and then (seemingly) disgrace them?

Reb Yonasan's position brings to mind a different Gemara in Masechtas Brachos (18a). The gemara tells of the time that Rav Chiya and Rav Yonasan were walking together in a graveyard. Rav Yonasan's Tzitzis were dragging on the ground. Our minhag is to hide our tzitzis when entering a graveyard so as not to mock the deceased who can no longer do mitzvos. Reb Chiya said to Reb Yonasan 'lift your tzitzis. You do not want those who have passed away to have complaints against you. You will one day be in the same position that they are in'. Rav Yonasan disagreed, 'Since when are the deceased so aware of their surroundings'. He quoted a verse in Koheles 'The dead do not know anything'. Reb Chiya argued sharply with Reb Yonasan but Reb Yonasan seems to be consistent with his statements regarding the Ben Sorer Umoreh. Reb Yonasan's appears to have been in the habit of deliberately demonstrating that the deceased cannot be offended.

In order to understand Reb Yonasan's viewpoint we need to understand how the Ben Sorer Umoreh got to where he was in the first place. The Ben Sorer Umoreh is the only case in the Torah of someone who is punished based on his future actions. Even Yishmael the father of the Arabic nations had his life saved. Though his children would include many enemies of the Jewish people and he himself was not always a friend of the Jewish people, he was judged - as he was at that point in time.

Yishmael was given a chance to change but the Ben Sorer Umoreh was not. I once heard from Reb Yitzchak Ezrachi that there was a

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very important distinction between Yishmael and the Ben Sore Umoreh. Yishmael had a chance to change and eventually he did do Teshuva. He had the opportunity to listen to and learn from Avraham and Hagar and those around him about the right way to live his life. His name was Yishmael, the one who hears Hashem.

Not so the Ben Sorer Umoreh. The Torah stresses that he refused to listen to those around him. He had no ears. The Gemara (according to Reb Schwab) explains that we are talking about someone who had the best of parents and the best of opportunities available to him, but he had no ears. He refused to listen. A person who is so wrapped up in himself that he refuses to listen to those around him is hopeless. He has no vehicle for change.

Reb Yonasan recognized that it was possible for a Ben Sorer Umoreh to exist. It could happen. But he also recognized something else. There was no hope for this rare child, but he was not completely bad either.

Reb Yonasan quotes Shlomo Hamelech

who writes in Koheles that when a person passes away all of his lusts and obsessions pass away with him. If he was obsessed with himself when he was alive, he will cease to do so after he has passed. The ben Sorer Umoreh is a person who is really good at heart but who is stifled by handicaps that are beyond his control. He cannot change because he cannot listen. Reb Yonasan reminds us that however great his faults there is a good person hidden inside. His urges are not him, his lusts are not him and his problems are not him.

They say that we are what we drive. There is some truth to this, but in the final analysis what we drive is not us. Our cars may tell people about us and they may affect who we are, but our cars are not us. The same is true of our bad habits. The way we act and the way we speak may dictate how we are perceived, but our actions are not us; they are things that we do.

Even the ben sorer umoreh is not all bad. After he passes away he is no longer haughty, he no longer seeks glory and he no longer lusts. Reb Yonasan said 'I saw him, he can exist; but he was just handicapped by forces beyond his

control'. Now that he is no longer part of the physical world, his good points can shine. Where he is now he can listen and he does hear. He is no longer the person he was before. Reb Yonasan would go out of his way to demonstrate that the deceased were no longer tied up in their egos. He would sit on their graves.

Rav Yonasan later changed his mind about the feelings of people who are no longer with us. We know that when Moshe Rabeinu passed away Hashem told him to bring a message to Avraham, Yitzchok and Yaakov. Moshe was to tell them that Hashem had fulfilled his promise and that the Jews were entering Eretz Yisroel. They needed to hear about this and they needed to hear about it from Moshe. Our forefathers will never stop thinking about us and we will continue to yearn for mitzvos after we pass away.

Reb Yonasan's message, however, remains true: we can be separated from our bad habits. Our bad habits are not us.

As we approach Rosh Hashana this is an important lesson to remember - our problems are not us. We can be and need to be ourselves independent of any faults that we may have.



## RABBI DANNY FISHER

Director - TAL Boys After School Programs

### PARSHAT KI TEITZEI

One of the מצות found in this weeks Sedra, is מעקה. One must affix a fence on the flat rooftop of a newly built house.

כי תבנה בית חדש ונשית מעקה לגגך "ולא תשים דמים בביתך כי יפל הנפל ממנו"

The נתיבות שלום asks the following question:

Why is the מצוה only on a rooftop, if the reason is to ensure no one harms himself, it should also be on other such potential harmful places. For example around a pit or on decking?

Rav Moshe Sternbuch says that according to the רמב"ם as brought in 'ברכות יא הלכה ח on the מצוה of מעקה. He asks, why is it that according to the רמב"ם we make a ברכה on this מצוה which is a אדם לחבירו, removing any potential danger from falling off the roof. There are plenty of

other such מצות such as ביקור המת, קבורת המת, השבת אבידה etc that we don't make a ברכה on. What is it about this מצוה that necessitates a ברכה?

The מפרשים explain that the difference between the מצוה of מעקה and the other מצות is that the other מצות are common sense. One doesn't need to be commanded to visit someone who is unwell, or bury the dead etc. The world at large also behaves in this way and therefore it is considered normative behavior. Chazal did not institute reciting a ברכה whilst doing those mitzvos because it is not inherently specific for אש"ר and therefore we cannot say "אשר...קדשנו" whilst performing them, since we are not unique in these mitzvos, which is what the ברכה indicates.

However, one who builds a new house may not automatically think to put up a fence around a flat roof. One may rationalise that no one will go up there, there is no access to the roof and no need to ensure it is safe. The תורה

ultimately overrides our rationalization and instructs one to build a fence, whether they think it is necessary or not. The ברכה is said on the actual making of the fence, and not simply on the removal of any foreseen danger. For this we say "אשר קדשנו" ultimately we as בני" are doing this simply because we are commanded to by ה'.

This answers the question of the נתיבות שלום. We may think the reason for מעקה is to remove any potential danger, and therefore it is applicable to other such dangers such as a pit. However even if the roof is not accessible and therefore does not pose a danger, one is still obligated to build a fence. We learn from here that the reason for this mitzvah goes beyond ones limited seichel, rather it is a decree from Hashem and one makes a ברכה on it since it distinguishes us as the chosen nation. Even if one intellectually one may think, it is unnecessary; we perform this mitzvah simply because we are commanded to.



# RABBI BENJI STONE, TAL Chavruta Program

## Tehillim for Our Times; Chapter 11

### LOOKING UPWARDS...AND ALL AROUND - PART 1

On the recent Tisha Be'av, as I observed both children and adults sat on the floor, reflecting on the troubled history of our people, the following question popped into my head.

What is the difference between Tisha Be'av and Yom Kippur?

Let me explain.

The expressed goal of these momentous days is of course completely different. On Tisha Be'av we mourn the loss of our temple and other harrowing events which occurred on that date. In contrast, on Yom Kippur we seek atonement for our sins and a fresh start.

However, if we take a closer look at these two days we can discern a stark similarity. More than any other festival on the calendar, these two days in particular direct us to reinforce our connection with Hashem. On Tisha Be'av the most relevant question of the day is

"How are we to tangibly feel the absence of the Beit Hamikdash (temple)?"

and very often the answer given is that we need to reflect on how distant we are from Hashem in our personal lives. Through such reflection, we hope to light our internal flame and raise our ambitions to re-connect with Hashem as we were able to when the temple was in place.

On Yom Kippur we are commanded to deprive ourselves of physical pleasures such as eating, drinking and the application of moisturizing oils. We pray with great intensity, pleading for our lives, and by the time Neilah comes around our closeness to the one above reaches its' optimal level. Once we experience this spiritual recharge we are be ready to face the

new year.

We see therefore that on a deeper level both the day of Tisha Be'av and the day of Yom Kippur are designed to re-ignite our relationship with Hashem. So what is the difference between them? Why are both of these days necessary?

The Torah tells us (Vayikra 17;29) that on the 10th of Tishri we are to "afflict ourselves" through our abstaining from food and other material pleasures.

Curiously, when the Rambam (Maimonides) sets out the laws of Yom Kippur he writes that on that day there is a positive mitzvah

"to rest from eating and drinking as the verse states "you should afflict yourselves"...(Shevitat Asar 1;4)"

Why does the Rambam abandon the language of affliction used in the Torah choosing instead to describe the deprivation of food and physical pleasures on Yom Kippur as a "rest"?

Rav Yitzchak Hutner zts"l explained that on Yom Kippur we educate ourselves with the notion that the lucrative rewards which the world looks to sell us – the seafront condo, the racy sportscar, the pampering escapes are not what they seem. You perceive these opportunities as beneficial and enjoyable but in fact you do not actually want them. Whilst of course we need the fuel of food, drink and warmth in order to survive, we are in possession of a soul which requires much more than earthly pleasures. The midrash (Kohelet; 6) illustrates this point by way of mashal (parable). A princess married an ordinary city-dweller. He proceeded to buy her many gifts in order to please her. However these gifts failed to achieve their purpose. The princess had been brought up on an exceptionally high standard of living and nothing could impress her. The same applies to each and every Jew. Material goods cannot satisfy a soul which has its' root in a higher place. The Rambam is telling us that on Yom Kippur we should not

perceive our abstaining from pleasure as deprivation. Instead we should appreciate that we are tuning into our deepest needs and giving our soul the "rest" it needs from things that simply bring it no enjoyment.

Tisha Be'av has its roots in the most damaging loss of faith in the history of our people. On hearing the reports of the spies, the Jews became doubtful of their ability to conquer Eretz Yisroel and cried tears of fear and disappointment. In return for this chronic loss of bitachon (trust), that day, being Tisha Be'av, was designated as a "day of tears" for all time (Rashi following medrash).

The most notable tragedy on Tisha Be'av was the destruction of the two Batei Mikdash (temples). The gemarah (Yoma ; 9b) tells us that at the time that the second Beit Hamikdash was destroyed, Torah was being learned and mitzvot were kept however there was a prevalence of Sinat Chinam (baseless hatred) between Jews which caused that generation to be judged irredeemable. The difference between Tisha Be'av and Yom Kippur becomes immediately clear.

It is true that both days call on us to enhance our connection to Hashem. But whereas Yom Kippur encourages us to transport our soul up to the heavens, Tisha Be'av directs us to bring heaven down to this world. On Tisha Be'av our ancestors displayed a chronic misunderstanding of how the Torah demands that we approach our everyday lives. Originally they lacked crucial middah (trait) of bitachon. In later generations they lost their grip on how one Jew is supposed to treat another Jew. Could the disappearance of these Torah values from our life-view be more accurately symbolized than by the removal of the Beit Hamikdash - G-d's home on this planet - from amongst us?



# WEEKLY PARSHA OVERVIEW

## Parshat Ki Teitzei

The Torah describes the only permissible way a woman captured in battle may be married. If a man marries two wives, and the less-favored wife bears a firstborn son, this son's right to inherit a double portion is protected against the father's desire to favor the child of the favored wife. The penalty for a rebellious son, who will inevitably degenerate into a monstrous criminal, is stoning. A body must not be left on the gallows overnight, because it had housed a holy soul. Lost property must be returned. Men are forbidden from wearing women's clothing and vice versa. A mother bird may not be taken together with her eggs. A fence must be built around the roof of a house. It is forbidden to plant a mixture of seeds, to plow with an ox and a donkey together, or to

combine wool and linen in a garment. A four-cornered garment must have twisted threads tzitzit on its corners. Laws regarding illicit relationships are detailed. When Israel goes to war, the camp must be governed by rules of spiritual purity. An escaped slave must not be returned to his master. Taking interest for lending to a Jew is forbidden. Bnei Yisrael are not to make vows. A worker may eat of the fruit he is harvesting. Divorce and marriage are legislated. For the first year of marriage, a husband is exempt from the army and stays home to rejoice with his wife. Tools of labor may not be impounded, as this prevents the debtor from earning a living. The penalty for kidnapping for profit is death. Removal of the signs of the disease tzara'at is forbidden. Even for an overdue loan, the creditor must return the collateral

daily if the debtor needs it. Workers' pay must not be delayed. The guilty may not be subjugated by punishing an innocent relative. Because of their vulnerability, converts and orphans have special rights of protection. The poor are to have a portion of the harvest. A court may impose lashes. An ox must not be muzzled while threshing. It is a mitzvah for a man to marry his brother's widow if the deceased left no offspring. Weights and measures must be accurate and used honestly. This Torah portion concludes with the mitzvah to erase the name of Amalek, for, in spite of knowing about the Exodus, they ambushed the Jewish People.

**Rabbi Sinclair,**  
Seasonsofthemoon.com

**Q**

1. Why must a captured woman mourn her family for a month in her captor's house?
2. What fraction of the inheritance does a first-born receive if he has a) one brother? b) two brothers?
3. What will become of a ben sorer u'moreh if his parents don't bring him to court?
4. Why is it a degradation to G-d to hang a criminal's body on the gallows overnight?
5. What do you do if you find a lost object that costs money to maintain?

**A**

1. 21:13 - So her captor will find her unattractive.
2. 21:17 - a) 2/3 b) 1/2
3. 21:22 - He will eventually rob and kill to support his physical indulgences.
4. 21:23 - Because humans are made in G-d's image; and because the Jewish People are G-d's children.
5. 22:2 - Sell it and save the money for the owner.

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