



CREATING THE SETTING TO ADDRESS THE OBJECTIVE

YadAvNow.com Weekly Video Series: Ki Seitzei

Rabbi Yosef Kalatsky

Taking the Child in Captivity upon Birth

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Recognizing the Beautiful Woman Met in War

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The Delinquent Debtor is Basis for Disqualification

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1. An Amonite or Moabite who convert to Judaism are considered illegitimate Jews.
2. They didn't extend bread and water on the way when you left Egypt.
3. And they commissioned Bilaam to curse you.
4. Ramban: The claim against them is they are indebted to the descendants of Avraham, who saved the life of Lot, their antecedent.
5. Avraham rescued Lot from the 4 mightiest kings and from Sodom.
6. Had they the capacity to be appreciative, they would have offered their hospitality.
7. Ohr Hachaim Hakadosh: Although Moav sold bread and water to the Jewish people, they had given to them gratis without payment.
8. It was a ploy to draw the Jews into the clutches of The Moabite women.
9. Midrash: An example of liability is when one does not do an act of kindness with someone who is not in need of kindness.
10. Amon & Moav became illegitimate when they did not offer their bread and water to the Jews in the desert.
11. The Jewish People were fully self sufficient at that time; they had Manna and wellspring.
12. If Amon and Moav had felt indebted to the Jews for their existence they would have not used the sale of the water and bread as a ploy to ensnare them.



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Initiative As Catalyst

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1. Midrash: One *mitzvah* engenders another.
2. Rav Chaim of Volozhon: Performing a *mitzvah* in the spirit of Purity engenders one to do another.
3. Multiple positive and negative commandments are juxtaposed in the portion of Ki Seitzei.
4. Example: Seeing a mother bird nesting on her chicks or eggs, one must send off the mother before taking the chicks or eggs.
5. This is followed with a *mitzvah* of putting a parapet on one's roof when building a house.
6. Next: The negative commandment not to plant wheat near a vineyard.
7. Next: The negative commandment not to plow with an ox and donkey together.
8. Next: The positive commandment of putting fringes on a four-cornered garment.
9. Midrash: When one *mitzvah* engenders another, G-d provides the financial to create the context for the *mitzvah*.
10. Gemara: All is predestined except for fear of Heaven.
11. Free choice is the area for which man is allotted to dictate.
12. One's choice will determine the degree of capital that G-d will provide.
13. Gemara: One's material allocation is set from Rosh Hashana to the next Rosh Hashana.
14. G-d includes in that allocation the material means to be able to execute the *mitzvah*.

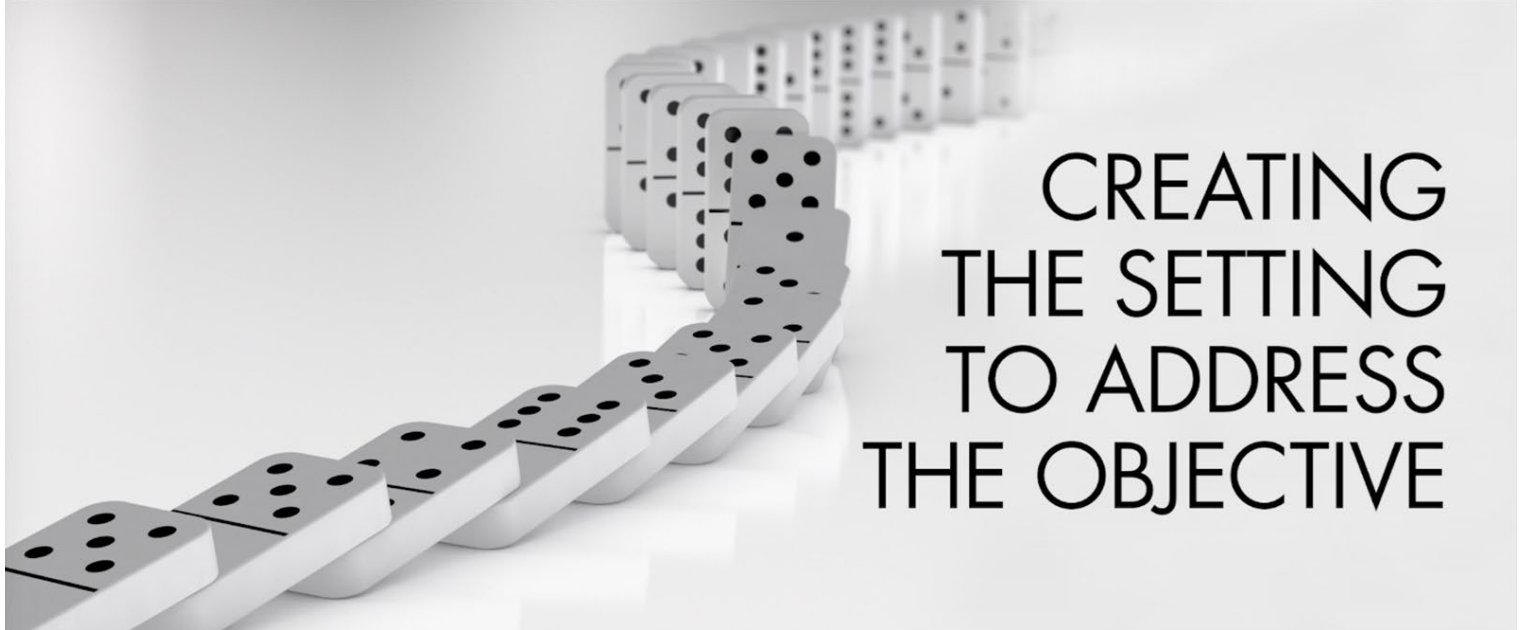
Is Liability Attributed to G-d's Agent

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1. There is a *mitzvah* to make a parapet on one's rooftop.
2. If one falls to his death due to a lack of an enclosure, there is liability to the homeowner.
3. The text of the verse reads, the one who falls that will fall.
4. Sifri: The one who was destined to fall (die) will fall.
5. There is a negative reflection on the homeowner because he was used as the medium to implement the death of this individual.
6. There is a dictum in Chazal, G-d brings detriment through those who are culpable.
7. Why is the homeowner any less than the executioner of the Court who has no liability for being the agent to take one's life?
8. Ramban: If the Bondage in Egypt was preordained by G-d at the covenant between the parts, why were the Egyptians held accountable?
9. He explains if the Egyptians had instituted the Bondage, as G-d's agent there would be no liability.
10. The bondage was precipitated by the Egyptians due to their insecurity and hate for the Jews.
11. The executioner as the agent of the Court is functioning as G-d's agent, there is no negative side.
12. There is a degree of culpability to the homeowner despite the fate of the one who falls because it is due to his irresponsibility for not providing the parapet.

Weekly Torah Commentary Series: Ki Seitzei



CREATING THE SETTING TO ADDRESS THE OBJECTIVE

Encouraging G-d's Blessing

Torah: "If a man will have a wayward and rebellious son.... 'This son of ours is wayward and rebellious; he does not hearken to our voice; he is a glutton and a drunkard.' All the men of his city shall pelt him with stones and he shall die."

Talmud in Tractate *Sanhedrin*: The only way a child can be classified as the "rebellious" son is if he steals from his parents to buy meat and wine to satisfy his desire. If his parents should become aware of his behavior, they take him to the Court (*Bais Din*) and subject him to lashes. If he becomes a repeated offender, they take him to the Court and declare "our son has become a glutton and a drunkard." The Court then condemns him to die by stoning.

Torah: "If a man shall have committed a sin whose judgment is death, he shall be put to death..."

Midrash: "The *Torah* juxtaposes the judgment of the one who is put to death as a result of committing a capital crime to the portion of the rebellious son in order to teach us that if the rebellious son is not put to death initially by the court for his gluttonous behavior, will ultimately transgress on a more serious level and be subject to the death penalty. From here we learn, '*aveira goreres aveira*' – one transgression (even of a lesser nature) will lead to other transgressions (even of the most severe nature). Conversely, (also based on the juxtaposition of verse) we learn the principle that the performance of one *mitzvah* will draw and encourage the individual to perform another *mitzvah*."

Mishna in Tractate *Peah*: "There are certain *mitzvos* for which one benefits from the fruits of their performance in this world, but the principle (reward) is reserved for the individual in the world to come." Seemingly, the *Mishna* is saying that the fruits from which one benefits in this world is a result of one's *mitzvah* performance.

One can construe this as reward for the performance of these particular *mitzvos*.

However, if this is so, how do we reconcile the *Mishna* in Tractate *Peah* with the *Mishna* in *Ethics of our Fathers* that states, "There is no reward for *mitzvos* in this world?" Meaning, since the reward for the performance of a *mitzvah* is eternal and unlimited, it is not possible to receive any portion of it in this existence, which is finite and limited.

Torah in *B'Chukosai*: "If you will follow My Statutes and observe My Commandments and perform them); then I will provide for your rains in their time. And the land will give its produce and the tree of the field will give its fruit." Meaning, if one follows G-d's Word, He will provide the individual with endless bounty and success. If so, how do we reconcile this portion with the *Mishna*, "There is no reward in this world for the performance of a *mitzvah*?"

In fact, one does not receive reward for performing the *mitzvos* that are stated in the *Mishna* in Tractate *Peah*. G-d provides the individual with material in order to facilitate the advancement of one's spirituality through the performance of *mitzvos*. The benefit accommodation that one receives is unrelated to the spiritual reward that one will receive in the world to come.

Similarly, the bounty that is mentioned in *B'Chukosai* in the verse "If you will follow My Statutes..." is another example of G-d providing unlimited material bounty to the individual who has dedicated himself to *Torah* so that he should not be preoccupied with the necessary amenities of life and be fully focused on doing His Will. When one utilizes the material world with this objective, which is to glorify G-d, He will provide whatever material is necessary to accommodate the individual in his spiritual ascent.

Midrash: Just as there is a principle of 'aveira goreres aveira' – one transgression will lead to another transgression, conversely, there is a principle, 'one *mitzvah* will draw and encourage the individual to perform another *mitzvah*'. Most *mitzvos* that a Jew is bound to perform requires some degree of material in order to actualize it. The *Torah* enumerates several *mitzvos* in succession which demonstrates the principle of 'one *mitzvah* draws one to perform another *mitzvah*'.

Torah: "If a bird's nest happens to be before you on the road... You shall surely send away the mother... and you will prolong your days. If you build a new house... You shall not sow your field with a mixture... You shall not plow with an ox and a donkey... You shall not make for yourselves twisted threads... If a man marries a wife..."

Midrash: If one performs the *mitzvah* of sending away the mother bird to take away its young (or its eggs) one will merit prolonged days. The juxtaposition of the next *mitzvah* teaches us that the previous *mitzvah* will draw and encourage another *mitzvah* to come about, namely, the building of a parapet on one's roof (which is a positive commandment). How is one to fulfill this *mitzvah* if he does not have the material means to build a new house? G-d will provide him the means to build a house so that he may fulfill the *mitzvah* of building a parapet. We see that the performance of a *mitzvah* not only presents the opportunity for one to perform another *mitzvah* but G-d also provides the necessary means to perform the next *mitzvah* as well.

There is a negative commandment of not planting two species of plants next to one another such as planting a wheat field next to a vineyard. If one does not own a vineyard or a wheat field, how can one perform the *mitzvah* of refraining from its planting? G-d will provide him with the context, the field and the vineyard, to allow him to fulfill the *mitzvah*.

There is another negative commandment that one is not permitted to plow a field by working two species of animals together such as a donkey and an ox. If one does not have a donkey and an ox, G-d will provide him with oxen and donkey to fulfill the *mitzvah*. We see from the juxtaposition of the various *mitzvos* the principle of "The performance of one *mitzvah* draws on to the performance of another *mitzvah*." At each juncture of this process, G-d will provide the material need to facilitate the fulfillment of a particular *mitzvah*. Again we see that G-d's providing the material has no relevance to the concept of reward, but rather it is only to accommodate one's spiritual objective regarding the performance of *mitzvos*.

The Seriousness of Not Maintaining Order

Torah: "If a bird's nest happens to be before you on the road... You shall surely send away the mother bird..."

Midrash citing Proverbs: “‘Your heart must be cognizant of everything that is a protector because from it all life emanates.’ *Reb Ada* says, there are 248 positive commandments that correspond to the limbs of a human being. Every day the *mitzvos* cry out to man saying, ‘Please perform us so that you shall live through our merit and so that you should have prolonged days. There are 365 negative commandments which correspond to the days of the solar year. Every day the sun screams out from the time it rises until the time it sets, ‘I decree upon you that he who has lived to this day should not transgress. You should not sway the balance for yourself and the world to the negative.’”

It is interesting to note that regarding the positive commandments the *Midrash* states that they “cry out” that one should perform them so that he should merit to live and have prolonged days. However, regarding the negative commandments, the sun “screams out” rather than “cries out” to adhere to them. The words “screams out” connotes something of a more serious nature. Why is violating a negative commandment considered to be a more serious issue than not performing a positive commandment? The screaming is expressed through the sun that corresponds to the solar year. The *Midrash* concludes that one should not put himself and the world in a negative balance.

Rambam in *Laws of Repentance*: One who stands in the balance of good and evil (*beinoni*) is one whose positive achievements are equal to his transgressions. If this individual performs one additional *mitzvah*, his classification will be changed to “*tzaddik* (righteous).” If on the other hand he transgresses, he will be classified as “*rasha* (evil).” Just as one is judged as an individual in this context, the entire world is also judged. Meaning, the world can also be in the balance. One must understand that the existence of the world may solely rest on his meritorious act or spiritual failing. If he were to perform a *mitzvah*, he will cause himself and the world to be classified as “righteous” and the world will continue to exist.

However, if he should choose to transgress, he will bring destruction upon himself and existence, regardless of how insignificant the sin may be. The consequences of one’s actions are severe and profound. The positive commandments only “cry out” and do not “scream” because the performance of a positive commandment is something that advances the Jew. In contrast, the negative commandment is a diminishment of the Jew.

Understanding and being cognizant of the delicate nature of this balance, one will grasp the responsibility that lies incumbent upon every individual.

Maharal: The words of *Chazal* who state that the 365 negative commandments correspond to the solar year is not merely a mnemonic to be able to recall the number of negative commandments. Rather, it is something that is profound and vital to appreciate the consequence of transgressing a negative commandment. The world was created by G-d to rotate on its axis on a 365-day revolution around the sun. Thus, the order of existence is established as 365. If the world would deviate from its revolution around the sun as it were meant to, the order of existence would be disrupted and the world would be destroyed.

Identically, the 365 negative commandments were given to the Jew to maintain the order of his spirituality. If he were to falter by transgressing his spirituality will be disrupted and diminished. He would no longer be able to exist. Thus, the sun “screams” to the Jew, which connotes something more serious because the consequence of his transgressions are cataclysmic. In contrast, the positive commandments only need to “cry out” because their observance is only to advance the spirituality of the Jew. If one does not perform a positive commandment it does not disrupt the spiritual order of the Jew. One must therefore not underestimate the consequences of his actions either in the positive or in the negative.

The Eternal Ramifications of Esav’s Evil Choice

Torah: “Remember what *Amalek* did to you...you shall wipe out the memory of *Amalek* from under the heaven- you shall not forget!”

Midrash citing Psalms: “May the iniquity of the forefathers be remembered by G-d, and may the sin to the mother not be blotted out.” To whom is King *David* referring? The holy Patriarchs, who were the forefathers of *Esav*, were devoutly righteous.... How then will the sins of the forefathers be remembered before G-d? King *David* is referring to the sin committed by *Esav* against his forbearers. What did *Esav* do? Each of the Patriarchs was destined to live 180 years. *Yitzchak* had lived 180 years.

Similarly, *Avraham* was meant to live 180 years; however, because of what *Esav* was destined to do and become, five years were taken from *Avraham*'s life. G-d had promised *Avraham* that he would pass away in a 'good old age'. In order to keep this promise, *Avraham* could not witness his grandson pursuing an evil path. Therefore, G-d shortened his life by five years. On the day that *Avraham* passed away, *Esav*, the evil one, committed five cardinal sins.

King *David* is referring to the sin of *Esav*. He had caused the life of his grandfather to be shortened. This is the iniquity that will be remembered by G-d. Had *Avraham* lived to witness *Esav*'s going out to pursue a life of perpetrating evil, he would have been pained. We now understand how *Esav* sinned against his grandfather *Avraham*. How did he sin against his father, *Yitzchak*?

Torah: *Yitzchak*, our Patriarch, was confined to the house because he had become blind in his old age. Why did G-d cause *Yitzchak* to become blind? If he were not blind, *Yitzchak* would have been able to go out of his house and into the street where he would hear people conversing about the evil deeds of his son *Esav*. This would have caused *Yitzchak* great anguish; therefore, G-d caused him to become blind and thus remain confined to his house. It is because of this that *Esav* is considered to have sinned against his father. G-d will never forget the sin that *Esav* perpetuated against his father and grandfather. Why is *Esav*'s sin considered to be so grave that G-d will remember it until the end of time?

Torah: *Shimon* and *Levy*, the sons of *Yaakov*, destroyed the community of *Shechem* to avenge the defilement of their sister *Dinah*. After this incident, *Yaakov* was angry with his sons and said to them, "Achartem osi – you have discomposd me (made me murky)..."

Rashi citing *Chazal*: "Yaakov had said to his sons, 'Prior to your action against *Shechem*, my mind was clear; however, after you have brought us into conflict with the nations that surround us, my clarity has been diminished..."

Torah: Before *Yaakov* passed away he had cursed the wrath of *Shimon* and *Levy* because it was "intense." He had said, "You have taken hold of the craft of your uncle *Esav*." *Yaakov* did not curse the wrath of *Shimon* and *Levy* because they had placed the Jewish people in physical jeopardy, but rather, it was because of the lack of clarity that they had caused. Just as *Esav*'s

choice to be evil had denied *Avraham* and *Yitzchak* years of their life in spiritual opportunity, so too did the action of *Shimon* and *Levy* deny *Yaakov* greater spiritual opportunity.

The *Torah* refers to *Yaakov*, our Patriarch, as "The perfect man who dwells in the tent (of *Torah*)." His level of clarity was essential to the spiritual development of the Jewish people and the advancement of the entire world.

Chazal: The Holy Patriarchs were the location of the Divine Presence in existence. The result of *Yaakov*'s loss of clarity that was due to *Shimon* and *Levy*'s reactionary behavior caused the Jewish people and existence to be denied what *Yaakov* had to offer within a spiritual context. That loss is irreplaceable until the end of time.

Avraham, our Patriarch, had introduced G-d as the Supreme and Omnipotent Being to the world and thus gave meaning to existence. Every moment of his life was fully dedicated to espousing monotheism to dispel paganism. If *Avraham* had lived an additional five years, the Jewish people would have been able to achieve a more advanced level of spirituality and all of existence would have been impacted in a more profound manner. The fact that *Esav*'s evil behavior, had denied *Avraham* an additional five years, it cause a diminishment of the spiritual advancement of the world until the end of time.

Similarly, *Yitzchak* could not function at the most optimal level because he needed to be confined to his house due to his blindness, which was came about as a result of *Esav* choosing to be evil. Had *Yitzchak* not been blind, he would have been able to affect the world at large to a greater degree and bring about a greater level of glory to G-d. However, he was denied this opportunity because of *Esav*'s choice. The unforgivable claim against *Esav* is not that he was a murderer or an idolater, but rather it was because his evil behavior had limited and thus diminished his forefathers, *Avraham* and *Yitzchak* and the world until the end of time.

Learning from History

Torah: "When you go out to the battle against your enemy, and you see horse and chariot– a people more numerous than you– you shall not fear them, for *Hashem*, your G-d, is with you, Who brought you up from the land of Egypt."

Ohr HaChaim HaKadosh: On an allusionary level, from the moment one enters into this world, one is engaged in an ongoing battle with his evil inclination. When one sees the “horse” it is the evil inclination who is the equivalent of a man of war who has the capability of out-strategizing and overwhelming him. It is impossible for one not to be ensnared by the machinations of his evil inclination without Divine Assistance.

Gemara in Tractate *Eruvin*: There is an argument between the House of *Shamai* and the House of *Hillel* regarding the question, “Would it have been better if man had not been created or created?” After two and a half years of debate there was a consensus between them that it would have been better if man would not have been created. As we see the result of man, is that in most situations he does fail and becomes a victim of his own inclinations. Man coming into existence has only perpetuated failure and spiritual regression.

Ohr HaChaim HaKadosh: “A people more numerous than you’ is alluding to the overwhelming number of spiritual transgressions that one commits during the course of one’s life.”

Reb Chaim of Volozhin in *Nefesh HaChaim*: Whenever one sins, he creates a negative spiritual force that seduces him to continue to do more evil. As one continues on this evil path, the negative force intensifies to a point that it is impossible to control and subordinate.

Mishna in *Ethics of our Fathers*: “*Aveira goreres aveira*—one transgression (even of a minor nature) will lead to other transgressions (of more severe nature).” Regardless of how overwhelming the evil inclination may seem and how insurmountable one’s sins may be, the verse states, “You shall not fear them, for *Hashem*, your G-d, is with you, Who brought you up from the land of Egypt.”

Ohr HaChaim HaKadosh: One should not fear the evil inclination to the point of despair because G-d is with him. Despite the fact that the Jewish people had descended to the forty-ninth level of spiritual impurity in Egypt, G-d nevertheless rehabilitated their spirituality to become His people at Sinai. Therefore, if a Jew has a sincere interest to overcome and subdue his evil inclination to advance his spiritually, G-d will assist him to succeed.

Gemara in Tractate *Shabbos*: “One who attempts to purify himself will be assisted. However, the one who

attempts to contaminate himself, the path is open before him (to do so).” Regarding one’s ascent in spirituality, G-d will assist the individual; however, regarding one’s diminishment and regression, G-d will not participate.

Ohr HaChaim HaKadosh citing the *Gemara* in Tractate *Kiddushin* citing a verse from Psalms: The evil inclination is continuously lurking to destroy the devoutly righteous; however, G-d will not allow this. The month of *Elul*, is a time of special Divine Mercy. G-d’s Mercy is more easily available to the one who sincerely calls out to him, to assist him in advancing himself spiritually and to defeat the evil inclination.

Chazal: In order to merit this special Divine Assistance from G-d, one must first take the initiative. As it states regarding the month of *Elul*, whose letters are an acronym which allude to the essence of the month ‘I am to My beloved as My beloved is to Me (*Anee l’dodi v’dodi Li*),” one needs only to take the slightest degree of initiative, which is the equivalent of the point of a needle, and then G-d will open for him an opening the size of a large chamber.

The Jew Must Have Perfect Faith in G-d (from Shoftim)

Torah: “You shall have perfect faith in *Hashem* your G-d.”

Rashi citing *Chazal*: “One must walk with Him with wholesomeness and wait to see what He will bring (in the future). One must not seek out to know what the future will bring to him, but rather, one must accept the future with wholeheartedness.”

The first verse of the *Shema*: “You shall love *Hashem* your G-d with all your heart, with all your soul and with all your resources (*b’chol modecha*)...”

Mishna in Tractate *Berachos*: One of the interpretations of “*b’chol modecha*” mean “*b’chol meeda u’meeda* (with every Attribute)” that G-d chooses to affect the individual, one must love Him wholeheartedly. Regardless of what may come upon the individual, although it may be seen as something difficult, one must not waiver from loving G-d in the most wholehearted manner because the Jew must have complete and perfect faith in Him. There should be no reason for the Jew to seek out the future, because his trust in G-d must be unquestioning. The Jew understands that whatever G-d will bring upon him is for the best.

Torah: “For the nations that you will conquer (in the Land) hearken to astrologers and diviners; but as for you- not so has *Hashem*, your G-d, given you.”

Sforno: The Jew only has relevance to understanding the future through the prophets of G-d and the *urim v'tumim* (breastplate worn by the High Priest). Even if the astrologers and diviners should tell the future to the Jew, it will have no relevance to him. Why is this so?

Gemara in Tractate *Shabbos*: *Ein mazal l'yisroel* (the zodiac has no relevance to the Jewish people). The Jewish people are not subject to the zodiac, what is encoded in the stars.

Midrash: *Reb Yani* and *Reb Yochanon* were sitting by the gates of Tiberius and they had overheard two non-Jewish astrologers discussing two individuals who were going out into the field to work. The astrologers had said, “Based on the stars, these two individuals are going out to work but they will not return because they will be bitten by a snake and die.” *Reb Yani* and *Reb Yochanon* waited by the gates of the city to see if in fact these two individuals would not return. Later that evening, the workers returned to the city unharmed.

Reb Yani and *Reb Yochanon* said to the astrologers, “We thought that you had seen in the stars that these two individuals would not return, yet they did. They left in peace and returned in peace.” The astrologers could not explain why their reading was not correct. *Reb Yani* and *Reb Yochanon* decided to question the workers by saying, “What did you do differently today that caused you to have special merit?” The workers answered, “We did nothing. We acted as always – we recited the *Shema*, we prayed, etc.” *Reb Yani* and *Reb Yochanon* said, “You are Jewish! Now we understand why the words of the astrologers have no relevance to you. You are not subject to the stars.”

Tosfos: Although the *Gemara* in Tractate *Shabbos* tells us that the Jew is not bound by the zodiac, each individual is born under a particular star that determines the future of that individual. It is only through great merit and prayer that the Jew is able to nullify the destiny that was set by the star under which the individual was born. One of the reasons one says, “*Mazel tov*” when a child is born is because by giving such a blessing multiple times it is possible to alter the future of the child for the good.

Reb Yani and *Reb Yochanon* did not ask the workers if they were Jewish, but rather, they had asked them “what did you do differently today that gave you merit.” This is because although they were Jewish, they were still subject to the zodiac. When the workers replied that they had recited the *Shema* and prayed as a proper Jew should, *Reb Yani* and *Reb Yochanon* understood that because they behaved as proper Jews, they were not subject to the zodiac. This is because when the Jew assumes the posture of a spiritual being through prayer and *mitzvah* performance, he is not subject to the stars. The stars have relevance to physical existence and beings who live their lives within that context. However, if the Jew chooses to assume the posture of a physical being, then he is no different then the nations of the world and will be subject to the destiny that is dictated by the stars.



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