

בס"ד



Parashat "Ki Seitzei"

מתוך "ליקוטי שמואל"

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Don't Take Advantage of the Mother Bird's Compassion: Shiluach Hakan Part 1

Parshas [Ki Seitzei](#)

Rabbi Yissocher Frand

One of the more famous *mitzvos* in Parshas Ki Seitzei is the *mitzva* of *shiluach hakan*. There is a negative Torah prohibition of taking chicks or eggs in the presence of the mother bird. "If a bird's nest happens to be before you on the road, on any tree or on the ground – young birds or eggs – and the mother is roosting on the young birds or on the eggs, you shall not take the mother on the young. You shall surely send away the mother and take the young for yourself..." (Devorim 22:6-7) Therefore, you must first send away the mother bird, before taking the chicks or eggs. As a reward for the performance of this *mitzva*, the *pasuk* says: "It will be good for you and you will have a long life."

The Avnei Nezer explains why the Torah says to send away the mother bird. Really, a person should not even have an opportunity to take the mother bird, because the mother should fly away as

soon as a person approaches her nest. That is the nature of birds – they fly away at the first sight of an approaching human being. However, this bird will not instinctively fly away. She wants to protect her brood. She has mercy and concern for her chicks. The Avnei Nezer writes that a person's entire ability to take the mother bird is enabled by her acting with compassion for her offspring. Once she demonstrates this emotion of compassion, she is no longer just an animal. She has elevated herself by demonstrating a greater emotional concern for others, namely her children.

The Sefer Bei Chiya from Rav Elisha Horowitz (from Five Towns) relates this to a *pasuk* in Parshas Noach, "*Kol remes asher hu chai, lochem yihiyeh l'ochla.*" (Everything that lives shall be for you to eat) (Bereshis 9:3). After the flood, the *Ribono shel Olam* gave man dominion over the entire animal kingdom. While Adam and Chava were vegetarians, Noach and his offspring were permitted to eat meat, chicken, etc. Whatever crawled on the earth was given to them to eat – because 'man' was on a higher spiritual level than the animal kingdom. Man can kill a cow; he can kill a chicken; he can kill whatever he wants. But only three *pesukim* later: "Whoever sheds the blood of man, by man shall his blood be shed; for in the image of G-d He made man." (Bereshis 9:6). You can't kill a human being. You do not have dominion over other human beings because man is a *Tzelem Elokim* (in the Image of G-d). An animal is not a *Tzelem Elokim*. Man is on a higher level than animals, and therefore animals are available for man's enjoyment.

What does the term *Tzelem Elokim* mean? The Abarbanel on Chumash relates the expression ***Tzelem Elokim*** to the term ***tzel*** (shadow). A shadow follows a person. The reason a person is a ***Tzelem Elokim*** is because he needs to try to follow the *Ribono shel Olam* like a shadow follows a person. How does a

person follow the *Ribono shel Olam*? “Is it then possible to cling to the Shechina? How can a person ‘walk in His ways’” (as implied by the *mitzva* “and you shall walk in His ways” (Devorim 28:9))?

The Gemara (Shabbos 133b) explains how we can walk in His ways: Just as He is merciful, so too, you be merciful... A person needs to emulate *Hashem*’s attributes of kindness and mercy. That is how we become a *Tzelem Elokim*.

If so, now we can appreciate the Avnei Nezer even more. When that mother bird has mercy on her children, she is now acting more G-d-like. The only reason the bird is under man’s dominion is that it is spiritually inferior to man; it is not a *Tzelem Elokim*. But once a bird acts altruistically, it becomes – at least slightly – G-d-like, and therefore, we are not permitted to take advantage of it.

“In Order That It Will Be Good for You”: Shiluach Hakan Part 2

I would like to share another thought about *shiluach hakan*:

There are two *mitzvot* about which the Torah says, “so that it will be good for you and you will have long life.” One of them is the *mitzva* of sending away the mother bird. The other one is the *mitzva* of honoring our parents. Apparently, there is some kind of similarity between these two *mitzvot*.

The Talmud Yerushalmi in Maseches Peah expresses this idea in even sharper form: “The Torah equates the easiest *mitzva* with the hardest *mitzva*. The easiest *mitzva* is *shiluach hakan*. The hardest *mitzva* is *kibbud av v’eim*. By both, it is written, “you will be rewarded with long life.”

We need no explanation for why *kibbud av v’eim* is amongst the hardest of *mitzvot* to keep. We all know very well that we have such close relationships with our parents that there are certain liberties we take with them. We don’t always afford them the honor they deserve. Sometimes we lose our patience with our parents.

Sometimes we speak disrespectfully to them. And the list goes on. Clearly it is among the hardest of *mitzvot* to properly observe – to the extent that the Gemara famously says (Kiddushin 31b) that Rabbi Yochanon, who was an orphan from birth, stated, “Lucky is the person who never saw his parents.” In other words, he was saying that he was fortunate to never have faced the difficult test of properly honoring his parents.

I recently saw a *psak* from Rav Aharon Leib Shteinman, *zt”l*. In Israel, the law is that an adopted child, upon turning twenty years old, is allowed to look up the identity of his birth parents. Rav Shteinman was once asked if such a child should indeed try to find out who his birth parents are so that he can fulfill the important mitzvah of *kibbud av v’eim*. Rav Shteinman answered that the adopted child should **not** seek out such information. He advised, in effect, that ignorance is bliss. “If you don’t know who your parents are, that is preferable because this is an impossible *mitzvah* to fully observe properly.”

So, the question is, what is this apparent connection between such a hard *mitzva* and such a very easy *mitzva*? *Shiluach hakan* only requires taking a broomstick, banging on a tree, and chasing away the mother bird. It doesn’t cost a penny, unlike *mitzvot* like *esrog* and *matzah*. Literally, it is amongst the easiest of all *mitzvos*!

Why do both of these *mitzvot* have this reward of “*arichas yomim*” (long life)? At first blush, it seems that they both are about *rachmanus* (having mercy). True *kibbud av v’eim* is not standing up for your father when you are ten years old. True *kibbud av v’eim* is when your father is eighty-five years old, is very difficult to take care of, and you need to wheel him every Shabbos in a wheelchair. That is true *kibbud av v’eim*. Why does a person do that? It is out of *rachmanus*. He realizes what his

parents have done for him over his life. He has *rachmanus* on them.

Shiluach hakan is also about *midas harachmanus*. I don't want the mother bird to suffer by seeing me take her chicks. This is what both the Rambam and the Ramban say about the purpose of this *mitzvah* – to teach us to have mercy on birds so that we will have mercy on people as well. It is not that the Torah has compassion for birds per se. However, this teaches us to be compassionate in general. The similarity between these two *mitzvot* seems to be that they are both *mitzvot* of *rachmanus*. The Torah likes merciful people. Therefore, the reward for both is long life.

However, this is all well and good for those who learn like many Rishonim, that *shiluach hakan* is about *rachmanus*. But the Zohar says that *shiluach hakan* is **not** about *rachmanus*. On the contrary, according to the Zohar, the *mitzva* of *shiluach hakan* is about *achzariyus* (cruelty)!

According to the Zohar, the intention is to make the poor mother bird suffer and fly away, helpless to save her chicks. Why in the world would there be such a *mitzva* that seems to fly in the face of the entire Torah outlook? The Zohar says that the bird will be so upset that it will fly away to the “Angel appointed over birds” and complain. The bird will thereby arouse the mercy of the *Ribono shel Olam*. The *Ribono shel Olam* views *Klal Yisrael* as “His chicks.” The bird's crying will reach the *Kisay Hakavod* (Throne of Honor) of the Almighty, and hopefully will arouse His mercy on behalf of *Klal Yisrael* and lead to Him rebuilding the *Beis Hamikdash*. So writes the Zohar.

According to the Zohar, *shiluach hakan* and *kibbud av v'eim* are **not** similar *mitzvos*. They are opposite *mitzvot*. One of them is about *rachmanus* – making sure that everything is well with

one's elderly parents. The other one is about *achzariyus*! If so, the Vilna Gaon says, that is why the reward for *shiluach hakan* and *kibbud av v'eim* are the same. It is because faithful observance of both a "merciful *mitzva*" and a "cruel *mitzva*" demonstrates the nature of our commitment to *Hashem* and his *mitzvot*.

People have different natural inclinations. Some people find certain *mitzvot* very easy. For others, the same *mitzvah* is very difficult. Some people love having company for Shabbos. They are conversationalists, they are gregarious, they love having guests around their Shabbos table. Some people are shy or are not very articulate. They find it very difficult to host company for Shabbos. But sometimes a person must go against his natural inclinations and proclivities and do a *mitzvah* anyway.

Some people are naturally compassionate, naturally *rachmonim*. For them, *kibbud av v'eim* is a piece of cake. It is a *mitzva* that 'speaks to them.' But for such a compassionate person to go over to that poor bird, sitting there taking care of its brood, and chase it away, is very difficult. But if the Torah says that is how he must act, he does so anyway.

On the other hand, some people don't mind inflicting pain on a "poor stupid bird." "I don't care." However, for him, *kibbud av v'eim* is much more difficult because he does not have those natural feelings of *rachmanus*.

The Vilna Gaon explains that the *avodas ha'adam* (man's service) (to the Almighty) in this world is not merely doing the *mitzvot* that he likes or enjoys or come easy to him. If someone really wants to show his devotion to the *Ribono shel Olam*, he needs to both do the *mitzvot* that are in line with his natural inclinations and those that go against his grain.

That is why these two *mitzvot both* have the same reward. Someone who does both of these mitzvot – representing opposites of human inclinations (*rachmanus* and *achzariyus*) – is not merely doing so because he likes to do them, but rather, he is doing them because the *Ribono shel Olam* said to do them. At the end of the day, that is what it is all about.

Putting The “Snap Crackle and Pop” Into One’s Marriage Relationship

Parshas [Ki Seitzei](#)

Rabbi Yissocher Frand

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The Homiletic Lesson of Not Plowing with an Ox and Donkey

This week’s parsha contains the prohibition of plowing with an ox and donkey together [Devorim 22:10]. The Torah lists three examples of prohibitions related to mixed species in close juxtaposition. We cannot sow our field with mixed seed (*kila-ay zera*), we cannot plow our field with an ox and donkey together (a form of *kila-ay beheimah*), and we cannot wear garments made of wool and linen combinations (*kila-ay begadim — shatnez*).

In the final analysis, all laws regarding forbidden species fall into the category of Divine Decrees (*Gezeiras haKasuv*) that have no apparent reason. Nonetheless, there is a fascinating comment from the *Daas Zekeinim m’baalei haTosfos* regarding the prohibition against harnessing together an ox and donkey that does shed some insight — at least homiletically — into this prohibition.

The *Daas Zekeinim* offers a logical explanation why the Torah forbade this particular combination of animals. The ox, the *Daas Zekeinim* says, chews its cud, while the donkey does not. In other words, two animals would be working next to each other,

one kosher and one non-kosher, one that chews its cud and one that does not chew its cud. The donkey would see the ox chewing and imagine that it must be eating. The donkey would become upset: "I'm working and not eating, while my 'yoke-mate' is working and eating at the same time!"

The Daas Zekeinim's message is that we need to make sure that we are compassionate even towards our animals. We do not want to put the donkey in a situation where he will feel jealousy towards the ox. The eminently obvious (kal v'chomer) conclusion from this lesson relates to human relationships. If we are even commanded to worry about the jealousy we might inspire in a donkey, which most likely has very little pain or anguish from such a situation, certainly we need to be worried about human beings, who are very sensitive to jealousy. Our friends and neighbors are very sensitive to "what the other guy has". We certainly should not do things that incur the envy and jealousy of other human beings.

Getting Credit For "Selfish" Actions

Later in the parsha, the Torah mentions the prohibition against a Moabite or Ammonite (male) ever marrying into the Jewish nation [Devarim 23:4]. This is a harsher restriction than that levied against the Egyptians, whom we are allowed to accept as marriage partners after 3 generations. Even though, historically, we would assume that the Egyptians treated us worse than the Moabites, the Moabites are more restricted than the Egyptians "because they did not greet you with bread and water on your journey when you came out of Egypt and because they hired against you Bilaam son of Beor... to curse you."

In past years, we have cited the Ramban's opinion that the reason for the harsher treatment against Amon and Moab was due to the fact that they were "cousins" who should have repaid the favors to

the Jewish people that our ancestor Avraham did for their own ancestor, Lot. Their lack of gratitude (hakaros haTov) and particularly their repaying good with bad — by hiring Bilaam to curse the Jews triggered the Torah's insistence that they never be allowed into "the Congregation of Hashem."

This year, we would like to focus on the continuation of the pasuk [verse], which states, "And the L-rd did not hearken to Bilaam and He inverted Bilaam's curses to blessings for the L-rd your G-d loves you."

The Dubno Maggid asks a simple question here: This is history. Parshas Balak describes the whole narrative. Balak hired Bilaam to curse Klal Yisrael. Bilaam tried to curse them several times, but every time he tried, the words came out a blessing. This is not germane to Parshas Ki Seitzei and the prohibition of marrying Moabites and Ammonites! It may make sense for the pasukim to explain the wickedness of the Moabites by mentioning that they hired Bilaam to curse us. But the fact that "G-d did not wish to listen to Bilaam" is not germane to the issue at hand. We know that already!

The Dubno Maggid explains: Perhaps the Moabites will argue that they did us a favor. In hindsight, they paid for beautiful blessings that were bestowed upon the Jewish people. Even though that might not have been their initial intent, nonetheless, from the historical perspective they can claim that they indirectly benefited us. To counteract this line of reasoning, the Almighty answers them: "No. You are not going to get away with such an argument. Do not try to say that you did Klal Yisrael a favor. The only reason why it resulted in blessing is that I chose not to listen to Bilaam. You tried to do a wicked sin, but I interceded to prevent it from taking place."

The Dubno Maggid continues as follows: We see from here that the only reason why they did not get credit for collateral benefit that emerged from their actions is that their intent was malicious. They would have gotten credit if their intent was not malicious, but perhaps only self-serving. If in the course of an action taken for my own benefit, an indirect benefit emerges for someone else — I can be credited with having done a mitzvah.

Rav Aharon Kotler writes that if one hires a friend to fix his house, he is credited with doing the worker a Chessed [act of kindness]. Although his primary intent was clearly “selfish” — to have his house repaired, since he thereby provided a livelihood for his friend as well, he will get reward for that mitzvah. As long as a person’s intent is not malevolent, any benefit that derives to someone else is counted as a Chessed.

Putting The “Snap Crackle and Pop” Into One’s Marriage Relationship

Later in the Parsha, the Torah says (regarding the draft deferment of the Jewish soldier for the first year after his marriage): “He shall be free to go home and make his wife happy (v’semach es ishto) for one year.” [Devorim 24:5]

Rashi comments on the words “v’semach es ishto” by citing the Aramaic Targum: “v’yachdee yas itsei”. Rashi explains that anyone who translates the pasuk to mean “v’yachdee IM itsei” is making a mistake. The two versions of Aramaic translation quoted by Rashi hinge around the interpretation of the Hebrew word “es”. “V’semach ES ishto” could mean “You should MAKE your wife happy” or it could mean “You should be happy WITH your wife,” Rashi says the former translation is correct and the latter translation is erroneous. Rashi supports his position by stating that the meaning of the ‘piel’ grammatical form of the word v’semach

is to make someone else happy. Had the meaning been “you should rejoice WITH your wife,” the expression would have appeared as “v’sAmach es” not “v’sEEmach es”.

However, the Targum of Yonasan ben Uziel quotes the very translation that Rashi rejects as erroneous. Yonasan ben Uziel was a Tanna! How can Rashi imply that a Tanna does not know how to properly translate a pasuk in Chumash?

The Shemen HaTov offers a beautiful interpretation to resolve this difficulty.

Certainly, the meaning of the pasuk is — as Rashi says — that the husband must try to make his wife happy. But if one’s intent in marriage is to make the other partner happy, then they will ultimately find happiness together. A marriage only works when each party is trying to make the other one happy. When each person tries to make the other one happy, they will wind up both being happy. On the other hand, if one approaches marriage from the perspective “What is in it for me?” then no one will be happy. This interpretation of the Shemen HaTov could shed light on the universally expressed blessing when a child is born that the parents merit to bring the child to Torah, to the marriage canopy (Chupah), and to ma’asim tovim (good deeds).

The sequence of this blessing is often questioned. Why do ma’asim tovim appear last in the list? It sounds from this wish like good deeds only begin after one is married. Is that the case?

I once heard the following explanation: When one is single, and he goes shopping for breakfast, he walks down the cereal aisle to make his selection. He thinks to himself, “What kind of cereal do I like? Cheerios. What about Rice Crispies? I can’t stand Rice Crispies.” He buys himself a box of Cheerios every single week. Then he gets married and goes shopping for the family. The first week he brings home Cheerios. His wife tells him, “I hate Cheerios.

I like Rice Crispies.” If he can afford it, then fine; he buys two boxes — one of Cheerios and one of Rice Crispies and everyone is happy. But what if he cannot afford it? He will have to make a choice. He goes to the store and looks at the cereal aisle and asks himself, “What should I buy? Should I buy Cheerios or should I buy Rice Crispies?”

The pasuk in this week’s parsha cries out to him: V’Semach es Ishto. “I am going to buy Rice Crispies!” After marriage, even the act of buying cereal — which until the time one gets married was just a mundane shopping chore — now becomes a Gemillas Chessed, an act of kindness. The mundane act of shopping is turned into a ma’aseh mitzvah (an action with religious nuance). Therefore, we understand: First Torah; then Chuppah; and after that, even buying cereal will fall into the category of Ma’asim Tovim.

Wine & Dine – The “reward” for mitzvos

Written by Rabbi Moshe Kormornick

When you send away the mother-bird . . . when you build a new house, and you make a fence around your roof . . . don’t sow a mixture in your vineyard . . . don’t wear shatnez (22:7-11).

Rashi explains that the Torah listed several mitzvos next to each other to teach us that fulfilling one mitzvah leads to a second, and so on. In this example, one who fulfils the mitzvah of sending away the mother-bird will come to build a house, which will then lead to owning a vineyard, and nice clothing to fulfil the mitzvos relating to them.

If the performance of sending away a mother-bird leads to all of these benefits, this sounds contrary to the principle that the performance of mitzvos do not bring reward in This World. In fact, it sounds like sending away the mother-bird leads to a life of great wealth!?

Rav Dessler notes that even the smallest of mitzvos cannot possibly generate an adequate reward in This World, and therefore, to receive adequate recompense is impossible. However, when Hashem sees someone performing a mitzvah, He presents him with the opportunity of performing other mitzvos, not as payment for his deeds, but in order for him to attain more reward. This is like someone who works for a top firm, and his role is to bring in high-end clients. If his work requires him to wine and dine the clients, then the bill is covered by his boss, who understands that despite the great personal benefit that his employee is enjoying, the extravagances are only a means to facilitate the employee's success. In fact, when he sees that his employee is successful, he is likely to increase the budget in order to bring in even more valuable clients. These expenses are not taken from the employee's salary or commission; rather, it is considered a business expense aimed at facilitating further success.

Similarly, knowing that our role in This World is to acquire the merits to enjoy Hashem's Presence in the World to Come, when we demonstrate our ability to be successful in our life's role, Hashem is willing to increase the budget, as it were, by providing us with opportunities to gain more merits. Therefore, if we view our possessions not as a means of enjoyment per se, rather as a vehicle to gain further merits, then Hashem will continue to provide the means to come closer to Him and facilitate our growth, for that is the ultimate goal of our existence.

Fight for the right

Written by Rabbi Daniel Leeman

“When you go to war against your enemies... if you will notice an attractive lady, you may take her captive to be your wife” [1]. The reason being that it is recognized that a soldier has an evil inclination [2], even though taking a captive to be his wife is actually discouraged and will inevitably end up in one family tragedy after another [3].

What practical lesson can we (‘non-soldiers’!) learn from all of this?

R' Michel Dov Ber Weismendel's desperate pleas to the various 'Jewish agencies' to help Slovakian Jewry from the clutches of the Holocaust fell pretty much on deaf ears. Some had their own ulterior motives, and others thought the request was coming from a sole mad man, and others yet sadly believed that it wasn't worth their efforts or resources. Unfortunately, as a direct result, most of Slovakian Jewry was completely wiped out.

But in the end they did succumb to one of his pleas and sent him the Lulav (four species) that he requested from them. Little did they know that he wasn't the only 'madman': thirty thousand desperate Jews took those four species – the 'Jewish agencies' token contribution to saving Slovakian Jewry – providing them with the desperate inspiration they needed to continue their struggle to survive.

Why on earth is a soldier looking for an attractive lady from the enemy side in the middle of a war?! This is exactly the way of the evil inclination: even though it starts luring a person with something seemingly insignificant, it is an escalating recipe for disaster.

Perhaps then, we are to learn that to avoid disaster we must get our priorities straight and keep focused on our immediate goals... however 'attractive' the distractions might seem.

Chazak Chazak Venischazeyk

Written by Benyamin Mendel First

There is what I think is an inspirational yet simple Rashi on this week's Parsha which has connections to Elul. See if you can work out how.

The mitzva of shiluach Hakan (sending away the mother bird) is one of the many mitzvos brought, and in the Posuk it says you get a long life for it.

Rashi says on this if we see by a relatively easy mitzvah we get long life, then all the more so a more difficult mitzva!.

Humor

- **Why did the apple turn red?** It saw the honey and blushed!
-
- **What do you call a bee that goes to synagogue?** A shofarmer!
-
- **Why did the raisin go to synagogue?** It wanted to pray with its grape friends!
-
- **How do you greet a cantaloupe?** Shana Tova, Melon! [[1](#)]