

Selecte Shorts - Ki Teztei Every 10th Verse – Number 44
Rabbi Eliot Malomet August 21, 2021 13 Elul 5781

Ki Teztei stats: 110 verses, 213 Torah lines, 1,582 words, 5,856 letters and 74 mitzvot, #1 parasha, with anMD (mitzvah density) of 67.3%. (mitzvot/verse). So much material, what to discuss? Let's go with every 10th verse. Warning: Mature content. Reader discretion advised... Shabbat Shalom!

דברים כ"א:כ' וְאָמְרוּ אֶל־זִקְנֵי עִירוֹ בְּגִבּוֹ זֶה סוֹרֵר וּמְרֵה אֵינָנו שֹׁמֵעַ בְּקִלְגָנוּ זֹלָל וְסָבָא:

Deuteronomy 21:20 *They shall say to the elders of his town, "This son of ours is disloyal and defiant; he does not heed us. He is a glutton and a drunkard."* Oppositional defiance disorder on steroids. What would it take to be such a child? How could parents to charge a child before the elders of the town, and then have him stoned? The impossibility of this situation has lead some to speculate that this law is the functional of equivalent of the Golden Calf, the Blasphemer and the Wood-Gatherer on Shabbat, which occur in Exodus, Leviticus, and Numbers respectively, and "coincidentally" correspond to violations of commandments 1-2, 3, and 4 respectively. This is a violation of Commandment 5 in theory. An actual case either never occurred or would be too theologically problematic to fathom.

דברים כ"ב:ו' כִּי יִקְרָא קוֹן־צִפּוֹר אֶל־לְפִיךָ בְּדֶרֶךְ בְּקִלְעִין אִלְּוֹ עַל־הָאָרֶץ אֲפֹרָחִים אִלְּוֹ בִּיצִים וְהָאֵם רֹבֶצֶת עַל־הָאֲפֹרָחִים אִלְּוֹ עַל־הַבִּיצִים לֹא־תִקַּח הָאֵם עִלֵּיהֶם:

Deuteronomy 22:6 *If, along the road, you chance upon a bird's nest, in any tree or on the ground, with fledglings or eggs and the mother sitting over the fledglings or on the eggs, do not take the mother together with her young.* What is the purpose of this mitzvah? To protect the animal or to elevate the human character? Proposition: The purpose of mitzvot is to refine human beings. Discuss.

דברים כ"ב:ט"ז וְאִם אִשָּׁה נִשְׁאָה לְאִישׁ הִנֵּה לְאִשָּׁה נִשְׁאָה:

Deuteronomy 22:16 *And the girl's father shall say to the elders, "I gave this man my daughter to wife, but he has taken an aversion to her..."* A man marries a woman, cohabits with her then despises her. He defames her by alleging that she was not a virgin at the wedding. Her parents publicly attest to her virginity; her father makes the declaration (above) and the man is punished by flogging, plus, he may not divorce her. Admittedly, this is a hard text to reconcile with our sensibilities. Who would want to stay married to that

choice specimen? On the other hand, maybe this is the lesser evil given that now, even after she is exonerated, no one would want to marry her, and become destitute. The husband who desired her then despised her, now has to provide for her forever! Perhaps the Torah is saying to men: *thou shalt not treat women as disposable objects.* Marriage is commitment and responsibility.

דברים כ"ב:כ"ו וְלִנְעֹר לֹא־תַעֲשֶׂה דָבָר אֵין לְנְעֹר חֲטָא מִתּוֹ כִּי כְאִשָּׁר יִקּוּם אִישׁ עַל־רַעְיוֹהוּ וְרָצְחוֹ וְנָפֵשׁ כֵּן הַדָּבָר הַזֶּה:

Deuteronomy 22:26 *but you shall do nothing to the girl. The girl did not incur the death penalty, for this case is like that of a man attacking another and murdering him.* A betrothed woman may not have sexual relations with anyone but her husband. The Torah defines this as adultery and subjects both to punishment if the sex took place in an inhabited area, based on the presumption that it was a consensual act conducted in stealth. But if a man rapes a betrothed woman in an uninhabited area, there was obviously no consent, and he alone is liable. The comparison of rape with murder underscores the severity with which the Torah regarded this.

דברים כ"ג:ז' לֹא־תִדְרֹשׁ שְׂלָמָם וְטַבְתָּם כְּלִי־יָמֶיךָ לְעוֹלָם:

Deuteronomy 23:7 *You shall never concern yourself with their welfare or benefit as long as you live.* We are talking about the Ammonites and Moabites here. The Torah is bewildered by their refusal to deal kindly with the Israelites when Moses petitioned them for passage through their territory. They are banned from Israel. But the Bible's ironic answer to this ban is that a Moabite woman (Ruth) eventually becomes an Israelite and then the great-grandmother of the Bible's most important character: David. More significantly, in defiance of the ethnic stereotype of Moabite cruelty, Ruth becomes the ultimate model of human kindness.

דברים כ"ג:י"ז וְעַמִּי יֹשֵׁב בְּקִרְבְּךָ בְּמִקְוֵם אֲשֶׁר־יִבְחַר בְּאַתֶּד נִשְׁעָרֶיךָ בְּטוֹב לֹו לֹא תוֹגְמוּ:

Deuteronomy 23:17 *He shall live with you in any place he may choose among the settlements in your midst, wherever he pleases; you must not ill-treat him.*

Slavery was a part of the biblical world. But consistent with its program to undermine this horrid institution (ie. Shabbat), the Bible undermines slavery's utility by insisting on amnesty for a runaway and criminalizing bounty hunters. The Torah highlights the slave's dignity and incentivizes treating slaves with kindness.

דברים כ"ד:א' כִּי יִקַּח אִישׁ אִשָּׁה וּבַעֲלָהּ וְהָיָה אִמֶּנּוּ לֹא תִמְצָא־תָן בְּעֵינָיו כִּי־תִמְצָא בָהּ עֲרוֹת דָּבָר וְכָתַב לָהּ סֵפֶר כְּרִיתוּת וְנָתַן בְּיָדָהּ וְשָׁלְחָהּ מִבֵּיתוֹ:

Deuteronomy 24:1 *A man takes a wife and possesses her. She fails to please him because he finds something obnoxious about her, and he writes her a bill of divorcement, hands it to her, and sends her away from his house;* Divorce remains one area of traditional Jewish law with serious inequities between men and women. The remedies for this inequity exist within Halakha and courageous figures have utilized them.

דברים כ"ד:י"א בְּחֹזֶן תַּעֲמִד וְהָאִישׁ אֲשֶׁר אָמְרָה נָשָׂה בּוֹ יוֹצֵיא־אֹלָיָה אֶת־הַעֲבוֹט הַחֹצֵצָה:

Deuteronomy 24:11 *You must remain outside, while the man to whom you made the loan brings the pledge out to you. You cannot barge into someone's house and demand repayment of a loan. The borrower has a right to privacy and freedom from terror.*

דברים כ"ד:כ"א כִּי תִבְצַר כְּרֶמֶךְ לֹא תַעֲזֹלֵל אֶחָדֶיךָ לְגֵר לְיָתוֹם וְלְאַלְמָנָה יִהְיֶה:

Deuteronomy 24:21 *When you gather the grapes of your vineyard, do not pick it over again; that shall go to the stranger, the fatherless, and the widow.* The Torah has created a system of social obligations for those who produce food. In the three basic products of the land, grain, oil and wine, the producers cannot be greedy. Items unharvested or unprocessed are the perquisite of the poor.

דברים כ"ה:ט' וְנָגְשָׁה וּבִמְתוֹ אֵלֶיךָ לְעֵינֵי הַזְּקֵנִים וְחִלְצָה נַעֲלוֹ מַעַל רִגְלוֹ וַיִּרְקַח בְּכַנּוּי וְעִנְתָהּ וְאָמְרָה בְּכָה יַעֲשֶׂה לְאִישׁ אֲשֶׁר לֹא־יִבְנֶה אֶת־בַּיִת אָחִיו:

Deuteronomy 25:9 *his brother's widow shall go up to him in the presence of the elders, pull the sandal off his foot, spit in his face, and make this declaration: Thus shall be done to the man who will not build up his brother's house!* In Parashat Vayeshev, Judah's son Er marries Tamar and dies without children. Er's brother Onan is obliged to "maintain the seed of his brother," but he dies as well. Judah promises the third brother Shelah to Tamar, but does not deliver him. In the Book of

Ruth, Naomi's husband, Elimelech, and both her sons Mahlon and Khilyon die, leaving her and her daughter-in-law Ruth destitute. When they return to the land of Israel, they settle near Boaz, who is a "redeeming kinsman" who can sustain them, and also sustain the family name. Eventually, he redeems Ruth and marries her. It has been noted that three key themes of this parasha play out in the Book of Ruth: the suspension of the ban against Moabites entering the people of Israel, Ruth is a Moabite, the laws of the gleaners of grain, and the theme of the levir in this verse.

דברים כ"ה:י"ט וְהָיָה בְּהַגִּיחַ ה' אֲלֵיכֶם וְלֹא מִכָּל־אֲיֹבֵיךָ מִסָּבִיב בְּאֶרֶץ אֲשֶׁר יְהוָה־אֱלֹהֵיךָ נָתַן לְךָ נַחֲלָה לְרִשְׁתָּהּ תִּמְחָה אֶת־נוֹכַר עַמְלֶק מִתַּחַת הַשָּׁמַיִם לֹא תִשְׁכַּח:

Deuteronomy 25:19 *Therefore, when the LORD your God grants you safety from all your enemies around you, in the land that the LORD your God is giving you as a hereditary portion, you shall blot out the memory of Amalek from under heaven. Do not forget!* Moabite and Ammonites are banned from assimilating into Israel – but God bless Ruth! And Solomon ends up marrying both Moabites **and** Ammonites. Egyptians are to be treated kindly, because prior to Pharaoh's oppression, they allowed the tribes of Israel to sojourn their and became a nation. Hagar was an Egyptian and the man who blasphemed against God (Lev. 24:11) had an Israelite mother and an Egyptian father, meaning, there was a bit of Egyptian-Israelite intermarriage going on pre-exodus. *Do'eg*, Saul's chief herdsman, was an Edomite, and Solomon married Edomite women. At the beginning of II Samuel, the messenger who informs David of Saul's death first identifies himself as an Amalekite, and then, after telling David that he heeded Saul's request to "finish him off" as Saul lay dying, re-classifies himself as "the son of an Amalekite resident alien." David has the Amalekite put to death for killing Saul. So, while Israel has some, albeit minimal, commingling with many other nations, Amalek will always be outside the pale. (Solomon married women from all other nations but would never marry an Amalekite! FEH!) Why? Edom is an ancestral uncle; Moab and Ammon are ancestral cousins (and we all love Ruth!) True, Egypt enslaved you, but that was Pharaoh. Egypt was hospitable at first. But no nation was as singularly evil as Amalek. They are an instructive lesson to the Jewish people for all time. *Shabbat Shalom!*