

בס"ד
למודי משה
כי תצא - גליון ע"ט

“When a man has taken a bride, he shall not go out with the army or be assigned to it for any purpose; he shall be exempt one year for the sake of his household, to give happiness to the woman he has married.” (*Devorim 24:5*)

Insights into Halachah
The mitzvah of *shonah rishonah*:

In this week's *sedra* we have the mitzvah known as *shonah rishonah*, the mitzvah that a *choson* within his first year of marriage is exempt from going out to war. In last week's *sedra* we had a similar mitzvah, the Torah writes: מִי הָאִישׁ אֲשֶׁר בָּנָה בַּיִת וְלֹא תָנְכוּ יָלְךְ... וְיָמִי הָאִישׁ אֲשֶׁר נָטַע כֶּרֶם וְלֹא חָלְלוּ יָלְךְ וְיָשָׁב לְבֵיתוֹ... וְיָמִי הָאִישׁ אֲשֶׁר אָרַשׁ אִשָּׁה וְלֹא לָקַחָהּ יָלְךְ וְיָשָׁב לְבֵיתוֹ - “One who has built a new house and has not dedicated it shall return home... one who has planted a vineyard and hasn't redeemed it shall return home... and one who has betrothed a woman but has not yet married her shall return home”

The Gemara in *Sotah* (44a) however, points out, that these two *parshiyos* are different. In *Parshas Shoftim* the people that returned home from the battlefield were exempt from going out to war, however, they still needed to be available on the back lines, they had to help provide food and water. In this week's *sedra* however, not only does a *choson* in *shonah rishonah* not have to fight on the frontline, he is completely exempt from any military service. The same thing is for one who has built a new home and done a *chanukas habayis* but hasn't live in it yet, and one who has planted a new vineyard and redeemed it, but hasn't yet eaten from it.

Does the mitzvah of *shonah rishonah* apply nowadays?

There is a *machlokes Rishonim* if the mitzvah of *shonah rishonah* is applicable nowadays. Rashi seems to hold it isn't and the Rambam and Ramban hold it does.

Rashi when he explains the mitzvah writes: – “He is exempt from doing anything that is a requirement for the military, not to supply water and food, nor to repair the roads”. Rashi learns לכל דבר means he is exempt from everything to with military service. Nowadays, we no longer have proper kings and so *Hilchos Milchoma* is no longer applicable, therefore, it would come out, that we no longer have a mitzvah of *shonah rishonah*.

From the Ramban and Rambam it's clear that the mitzvah of *shonah rishonah* is a much broader mitzvah. The Rambam (*Hilchos Melochim 7:11*) writes: כל השנה אין מספק מים ומזון ולא מתקן דרך ולא שומר בחומה ולא נותן לפסי העיר ולא יעבר עליו שום דבר בעולם שנאמר – “For an entire year he does not supply the water or the food, nor repair the roads, nor guard at the wall, nor give the wooden boards to strengthen the city gates. Nothing is given him to do that year, as it says, “he shall not go to the army, and nothing shall burden him at all”. This verse is worded to teach two negative commandments: that he does not go out either for needs of the city or for needs of the brigade.”

From the Rambam it's clear that in *shonah rishonah* a man is exempt not only from going out to war but from taking part in any communal activities. Since it's not specifically war related, even though today *Hilchos Milchoma* no longer applies, there is still communal jobs etc., and the mitzvah of *shonah rishonah* tells us that a newly married man shouldn't get involved in such activities.

The Rambam learns that if a newly married does get involved in communal activities, he is transgressing two *lavin* [negative commandments]. The Ramban argues and he says, if a newly married man goes out to war then he is transgressing two *lavin*, if however, he merely does community services etc. he only transgresses on one *lav*.

A *rayah* that the mitzvah of *shonah rishonah* is applicable today

The *Aderes* brings a *rayah* from the Gemara in *Moed Kotan* that the mitzvah of *shonah rishonah* is applicable today. The Gemara (9b) brings that one of the Tanoim sent his son to another one of the Tanoim to get a *berachah*. The Gemara lists the series of *berachos* he received: – “May it be Hashems's will that you should sow and not reap, that you should bring in and not take out, that you should take out and not bring in, that your house should be destroyed and your lodging place should be inhabited, that your table should become confused, **and that you should not see a new year.**”

When the son came back to his father he complained that you sent me to get *berachos* and all I got was a bunch of *klolas* [curses]. The father then explained to him how they were all in fact *berachos*. On the *berachah* “That you should not see a new year”, he explained the *berachah* was: – “your wife should not die and as a result you should not have to marry another woman”.

The above episode took place after the *churban* and the son was given a *berachah* that he should not have to do *shonah rishonah* again. We see that even at a time when there is no *Hilchos Milchoma*, there is still a mitzvah of *shonah rishonah*.

The reason behind the mitzvah of *shonah rishona*

The *Chinuch* (Mitzvah 582) says: שנצטוינו שישמח החתן עם אשתו שנה אחת כלומר שלא יסע חוץ לעיר לצאת למלחמה ולא לענינים אחרים לשבת – “That we have been commanded that a groom rejoice with his wife for one year - meaning to say that he not travel outside of the city to go out to war, nor for other matters, [such that] he would dwell without her for many days; but rather he should dwell with her for a whole year from the day of the marriage. And about this is it stated, “he shall be exempt one year for the sake of his household, to give happiness to the woman he has married.”

It's clear from the *Chinuch* that he learns like the Rambam and Ramban that the mitzvah is not only at a time when there is *Hilchos Milchoma*, but that the mitzvah of *shonah rishonah* is a much broader mitzvah.

The *Chinuch* then brings the reason behind the mitzvah, he writes: משרשי המצוה כי האל ברוך הוא עלה במחשבה לפניו לבראת העולם וחפצו שיתישב בבריות טובות הנולדות מזכר ונקבה שיזדווג בהכשר כי הזנות תועבה היא לפניו על כן גזר עלינו העם אשר בחר להיות נקרא על שמו שנשב עם האשה המיוחדת לנו להקים זרע שנה שלמה מעת שנשא או כדי להרגיל הטבע עמה ולהדביק הרצון אצלה ולהכניס ציורה וכל פעלה בלב עד שיבוא אצל הטבע כל מעשה אשה אחרת וכל עניניה דרך זרות כי כל טבע ברב יבקש ויאהב מה שרגיל בו ומתוך כך ירחיק האדם דרכו מאשה זרה ויפנה אל – “The reason behind the mitzvah of *shonah rishonah* is: When Hashem had the idea of creating the world, He wanted it to be inhabited with good people born from both males and females that mate properly and not the opposite, as Hashem really hates licentiousness. Therefore, He decreed upon us - the nation that he chose to be called for His name – that we should live with the woman that we are going to bring up children with for an entire year from the time of marriage. (This is) so that the mans nature will become familiar with his wife and he will desire to cling to her and to bring her form and all her acts into his heart, to the point that all the acts of another woman are foreign to him, as nature is that people generally only seek and love that which they are accustomed to. And through doing this, a man will distance himself from any other woman, and he will turn his thoughts to the woman that is fitting for him, and the children he has with her will be kosher children, and the world will bring up grace in front of it's creator.”

People like things they are familiar with, in order to make sure a man doesn't desire any other woman, he should be with his wife for a entire year and get familiar with her and then he will no longer desire any other woman.

The *Chasam Sofer* (*Even HaEzer* 2:155) asks on the *Chinuch*. We mentioned earlier, that the halachah of not going out to war applies to one who has built a new house and done a *chanukas habayis* but hasn't yet lived in it and to one who planted a vineyard and redeemed it but hasn't yet been able to use it. The reason the *Chinuch* gives of getting familiar with ones wife only applies to the case of a new wife, but how does it apply to a new house and a new vineyard? (The *Chasam Sofer* says it's a *dochek* to say that by a vineyard and a house people are also jealous of other people and therefore we tell him to go back home to get used to it, because then we should say it by everything even a new garment.)

The *Chasam Sofer* brings a second reason behind the mitzvah of *shonah rishonah* from R' Menachem HaBavli. He explains, that the Torah fears that the newly wed will be preoccupied with his new wife (דעתו שקועה באהבת אשתו) and thus unable to concentrate during battle, the Torah therefore exempts him from fighting.

This new reason applies by a new house and vineyard as well. Because one who has a new house and vineyard will be constantly think about his new house and vineyard and he won't focus on the battle.

Nafka minah between the two reasons

The *Chasam Sofer* says, a practical difference between the two aforementioned reasons will be if a newly married is allowed to travel away for business.

If the reason is like the *Chinuch* that one is supposed to build a relationship and get familiar with his wife so that he will no longer be interested in any other woman, then whatever the reason he wants to travel is, he needs to stay home to build the relationship. If however the whole reason he should stay home is because his mind will wonder when he is in battle, if he is traveling for business it's not a problem, if his minds stray its his loss, it may effect his business but it won't ruin the battle.

The *Chasam Sofer* then retracts and says we *pasken* that we don't *darshen* the reasons behind the *mitzvos* and we do them simply because that's what Hashem want's, therefore, we can't go ahead and decide what the halachah is based on the reason we give behind the mitzvah.

Can a *chossan* in *shonah rishonah* travel for business?

The *Radvaz* (238) was asked the above *shailah* and he *paskened* that it's ok for a newly married to leave his wife if he needs to travel for business. The nature of the *issur* is that the community can't impose on him to go to war, communal responsibilities etc. If however he wants to go and leave his wife for business on his own accord then he can. The *Radvaz* says, it has to be like this, if he can't travel for business and his business requires him to travel then how will he pay for food? Therefore, it must be it's ok for him to travel.

The *Chochmas Adam* (129) however, argues and says a newly married husband isn't allowed to travel for business. The *Chochmas Adam* learns differently to the *Radvaz* and he says it's a *chiyuv* on the *tzibbur* to help him keep his wife happy and not give him any communal jobs, but it's also the husbands responsibility to cement the marriage and keep his wife happy.

If he doesn't go to work, how will he have what to eat? The *Chochmas Adam* says, the wife can be *mochel* [forgo] her right. The husband has to stay home, if he asks his wife and she is ok for him to travel for business then she has the right to be *mochel*.

He brings a *rayah*. The *Shulchan Aruch paskens* that for the *sheva berachos*, the first seven days of marriage, the husband needs to be home the entire week with his wife. The *din* is however, that she can be *mochel*. Just like during *sheva berachos* week the wife can be *mochel* so to the entire *shonah rishonah*.

Although the *Chochmas Adam* takes on with *pashitus* [simplicity] that the wife can be *mochel* the *Chinuch* brings that it's actually a *machlokes*.

Other *heterim* to leave for business

The *din* is that if a husband and wife get married during a time of war, then even in *shonah rishonah* the husband is allowed to go out to war. Since they get married during a war the wife understands that he needs to go out to fight, and we say she got married knowing that this would happen (לוי נישאת לו), therefore, it's ok for him to go out and fight. Similarly, the *Chasam Sofer* says, if a woman marries a diamond merchant and she knows he often needs to travel for business, then we can say she knew this would happen and it's like she accepted it before hand, therefore the husband is allowed to travel for business even in *shonah rishonah*.

A second *heter* the *Chasam Sofer* brings is, the *Chinuch* says that for a *dvar mitzvah* a husband is allowed to leave his wife in *shonah rishonah*. Therefore, the *Chasam Sofer* says, a husband can leave his wife in *shonah rishonah* to learn Torah. Similarly a newly married man would be able to go to his friend *chasuna* as it's a mitzvah. The *Chasam Sofer* then says, nowadays earning a *parnosah* is a mitzvah, therefore, it would be permissible for a husband to leave his wife for work as he is leaving for a mitzvah.

Chazon Ish

The Chazon Ish in his *Igeres HaKodesh* writes: The mitzvah of וְשִׂמְחָה אֶת אִשְׁתּוֹ אֲשֶׁר לְקַח - "to give happiness to the one he has married" is obligatory. The nature of a woman is to be happy when one gives her attention. The newly married husband should give her lots of love and attention and the way to do this is by talking to her.

The Chazon Ish then asks, the Mishnah says one shouldn't talk a lot to women, even to one's wife? He explains this doesn't apply in *shonah rishona*.

The Chazon Ish stresses that when he goes out he should tell his wife where he is going and when he comes back he should tell her what he did. The Chazon Ish stresses, that it's the small things like this that help build a relationship.

There is a famous story with R' Aharon Kotler. He used to live in Brooklyn and would commute daily to Lakewood. He had a special driver who would take him back and forth. One day R' Aharon was picked up and as soon as they started driving to Lakewood R' Aharon told the driver to immediately go back to his house. The driver was unsure exactly what was so urgent, he thought perhaps R' Aharon left something on the gas and was scared of a fire. The driver turned around and when R' Aharon was back by his house he ran out of the car, ran up the stairs, knocked on his door and said to his wife "good morning, I need to go, have a wonderful day".

For R' Aharon not saying good bye was the same as leaving something on the gas and being scared of a fire.

R' Aharon is a prime example of what the Chazon Ish means. Although the Chazon Ish is talking about *shonah rishonah* the same applies in later years of marriage as well.

Divrei Torah for the Shabbos Table

1) In this week's *sedra*, the Torah tells us that a worker is allowed to eat food from the field in which he is picking. The *pasuk* uses the expression: וְאָכַלְתָּ עִנְבֵי כַּנְפֹּשֶׁךָ וְאָלַךְ לֹא תִתֵּן - "You should eat and be satisfied; but you should not put into your vessel" (*Devorim* 23:25). On a simple level, this is teaching us that while it is ok to eat while working, one is not allowed to put the picked fruit in his shopping bag or suitcase for later consumption.

The *Mikdash Mordechai* says there is a tremendous lesson here: The key to eating and being satisfied is "do not put in your vessel." If one thinks he has to stash it away, because he doesn't know what tomorrow will bring, then he will never be satisfied with what he has.

There is never enough. One who has 100 wants 200. If one doesn't believe that ultimately, Hashem will take care of him, then he will never be secure. There is never a big enough field. There are never enough clients. It is never enough.

If one wants to eat and be satisfied and secure, then one has to believe in the philosophy of not putting in one's vessel. One's hoarding and stashing away and certainly one's dishonesty will never make the difference.

2) כִּי יְהִי רִיב בֵּין אָנָשִׁים וְנִגְשׂוּ אֶל הַמִּשְׁפֵּט וְשִׁפְטוּם וְהִצְדִּיקוּ אֶת הַצְדִּיק וְהִרְשִׁיעוּ אֶת הַרְשָׁע. וְהָיָה אִם בֶּן הַכּוֹת הַרְשָׁע וְהִפִּילוּ הַשֹּׁפֵט וְהִכּוּ לִפְנֵי קִדֵי רִשְׁעוֹתָו - "When there is a dispute between men and they go to law, and a decision is rendered declaring the one in the right and the other in the wrong, if the guilty one is to be flogged, the magistrate shall have him lie down and be given lashes in his presence, by count, as his guilt warrants. He may be given up to forty lashes, but not more..." (*Devorim* 25:1-3)

Towards the end of this week's *sedra* the Torah introduces us to the form of punishment known as *malkus* [lashes]. However, although the Torah says clearly that a person who transgresses certain prohibitions is to be given 40 lashes, the Gemara (*Maccos* 22b) teaches that in reality, he receives only 39. Rav Yisroel Reisman notes that this is not the only time when we find that the number 40 is explicitly mentioned, yet it gets decreased to 39.

After the sin of the spies, Hashem says (*Bamidbar* 14:34) that they will be punished in the wilderness for 40 years, but ultimately, the duration of the punishment was only 39 years, for no Jews died in the 40th year (*Rashi, Taanis* 30b).

Additionally, it is common to refer to the span from the beginning of Elul until Yom Kippur as a 40-day period of repentance (see *Rashi, Shemos* 33:11), and many explanations are given regarding the significance of this number. However, in reality, the month of Elul only has 29 days, in which case it lasts not 40 days, but only 39. What is the significance of this phenomenon, in which the number 40 is repeatedly reduced to 39?

Rav Reisman explains that 40 days is considered a term of rebirth, as we find that the primary formation of a newly-conceived fetus takes place during the first 40 days of gestation (*Yevamos* 69b). Similarly, Hashem informed Noah (*Bereishis* 7:4) that the flood would last for 40 days, in order to destroy any remnant of Noah's contemporaries and enable the earth to be reborn. This also explains why Moshe remained on Har Sinai for 40 days, as the giving of the Torah represented a new beginning for the Jewish nation.

For this reason, a person who sins is punished with lashes that are intended to rekindle his commitment to mitzvah observance, and the Torah therefore prescribes 40 lashes. However, Rav Reisman explains that the need for a full 40 lashes to revitalize the transgressor is counterbalanced by the fact that deep down, every Jew possesses a *pintele* Yid [Jewish spark] which is pure and longs to do what is right.

Even when a person's *yetzer hara* prevails and tempts him to sin, he does not so with his entire being, for the *pintele* Yid within him refuses to take part in his misdeed. Therefore, although the Torah prescribes a punishment of 40 lashes, *Chazal* understood that this is only appropriate for a person who requires total renewal. Since a part of every Jew, even those who sin, remains eternally intact and does not require a fresh start, they reduced it to 39.

With this insight, we now understand that although Hashem initially decreed that the Jews in the desert needed to wander and die for 40 full years to enable them to be reborn, their actual punishment was mitigated to only 39 years because even when they accepted the scurrilous report of the spies, the *pintele* Yid inside each of them resisted and the transgression was not committed with their full being.

Similarly, the period from Rosh Chodesh Elul until Yom Kippur is intended to serve as a time of repentance and rejuvenation as we atone for our transgressions. Although this renewal should require a full 40 days, the *pintele* Yid inside us remains pristine and unscathed no matter how much we have sullied ourselves in the past year, therefore, we need only 39 days. As we prepare ourselves for the impending Yom HaDin [Day of Judgment], this beautiful insight into the power of the *pintele* Yid and why the number 40 is so often reduced to 39 should imbue us with the self-confidence we need to purify and renew ourselves in the weeks ahead.

3a) The *pasuk* says "Neither an Ammonite nor a Moavite should enter the Congregation of Hashem..." (*Devorim* 23:4). We may not marry a descendant of the nations of Ammon or Moav, "...because they did not greet you with bread and water on the road when you went out from Egypt..." (*Devorim* 23:5). Then the *pasuk* throws in "...and over the matter that they hired against you Bilaam son of Beor to curse you." The Torah spells out those commandments in *pasukim* 4 and 5. Then *pasuk* 6 continues "And Hashem did not desire to listen to Bilaam and He turned his curse into a blessing for Hashem your G-d loves you."

The Dubner Maggid asks an obvious question on this last *pasuk*. These *pasukim* are dealing with the reason why it is forbidden to marry a descendant of Ammon and Moav. This *pasuk* should tell us the reason for this prohibition and nothing more. The reason is because they sinned against you twice – first by not providing you with bare necessities (bread and water) when you were close to their territory and second because they even hired the sorcerer Bilaam to curse you. That suffices to explain to us why we should never marry them.

Why does the *pasuk* need to go on further to state "And Hashem did not desire to listen to Bilaam and He turned his curse into a blessing..." That is ancient history! It happened in *Parshas Bolak*! If the Torah wants to tell us that Hashem loves us, it should tell us this over there in *Parshas Bolak*. Our *parsha* is interested in telling us one thing – the reason to hold a grudge against Ammon and Moav which justifies

the Torah's forbidding intermarriage with their descendants. Why does it repeat the fact that Hashem did not listen to Bilaam because He loved Klal Yisrael here in *Parshas Ki Seitzei*?

The Duber Maggid provides us an answer by relating a parable: To what can the matter be compared? There was a fellow who went to the trade fair and loaded up his wagon with all types of goods and wares that he was going to sell. Sale of this merchandise was going to be a good part of his income for the coming year. Later, he is on his way home. He stops at an inn and stays there overnight. The next morning, he wakes up, and he goes to get his wagon with all the wares. Lo and behold, it has been stolen! All his merchandise is gone. All the money that he spent at the fair is down the drain.

He starts walking home by foot. He goes through mountains and valleys and valleys and mountains. Lo and behold, at the top of one mountain what does he see? He sees his wagon with his donkey with his wares and he finds the thief! He goes over to the fellow and shouts, "You thief! You stole my wagon! You stole my merchandise!" The thief confesses and says, "You are right. I am sorry." The merchant said, "Okay, fine. Just give me back my wagon."

The thief is thinking, "This fellow is a very nice person. He does not punch me. He does not take me to the police." Then the thief says to his victim "But, shouldn't you pay me for schlepping your wagon up all these hills? It was not easy taking all these wares up the mountains and through the valleys! At least pay me for that!" The merchant said to him "What *chutzpah*! Now I am furious at what you did to me!"

The Dubner Maggid explains this *pasuk* similarly. Ammon and Moav are saying "Why are you being so harsh on us? Okay, we did not want to give you the water. True, we did hire Bilaam to curse you. However, in the end, you received blessings from Bilaam's utterances. You should really appreciate what we did for you!" Hashem responds "Forget what they said. It is not because of them that you received blessings. Rather, Hashem did not wish for you to be cursed. He loves you and switches the curses to blessings. It has nothing to do with them and therefore they cannot claim credit for allowing you to receive blessings.

3b) The Tolner Rebbe based on a *Kli Yakar* offers a slightly different explanation. Besides the initial question asked by the Dubner Maggid (Why is it necessary to tell us here "And Hashem did not desire to listen to Bilaam..."), the Tolner Rebbe asks several additional questions:

First: Rashi says that the expression "because they did not greet you with bread and water" refers to the scheme they suggested to have the daughters of Midyan engage in promiscuous relations with Klal Yisrael. This seems to be a very far-fetched interpretation. How did Rashi come to this conclusion?

Second: The Ramban says an amazing thing here. According to the Ramban, Ammon and Moav did in fact provide bread and water to Klal Yisrael! To prove this contention, he cites an explicit *pasuk* in *Parshas Devorim* (2:28-29): "You will sell food to me for money and I shall eat and you will give me water for money, and I shall drink... As the children of Esav who dwell in Seir did for me, and the Moavites who dwell in Ar..." So, what then does it mean here in *Parshas Ki Seitzei* "Over the matter that they did not greet you with bread and water?"

Third: Did they need bread and water from the Children of Moav? The Torah tells us – whatever it means – "Over the fact that they did not greet you with bread and water." They needed bread and water? What happened to the *mann*? What happened to the well? The *mann* did not stop until they came into Eretz Yisrael. At this time, they were still being fed with *mann* and their thirst was still being quenched by water from the rock that Moshe struck. What, then, is the meaning of the complaint against Ammon and Moav that they did not provide them with bread and water?

The Ramban offers an amazing idea: For the thirty-nine years that they were in the *midbar*, their bread and water was provided by the *mann* and the well. However, the Ramban says, in the fortieth year that they were in the *midbar*, they started buying other beverages (e.g. – wine and other juices) for their drinking pleasure (*Itanug*) rather than for reasons of urgent need or for merely quenching their thirst. They were close to the Eretz Yisrael and they were trying to get used to the concept of "going to the store and buying." They began purchasing things for consumption. It is this type of purchasing that is referred to in *Parshas Devorim* where Bnei Yisrael mention the fact that they engaged in commercial transactions with the children of Esav and with the Moavites who dwell in Ar.

Knowing all of the above, the *Kli Yakar* puts it all together for us. This is what happened: Certainly, their main complaint against Ammon and Moav was the fact that they caused them to sin (the plan involving the daughters of Midyan). The *Kli Yakar* explains: They were approaching Eretz Yisrael. They had become used to having more than just bread and water. They had already bought more luxurious items. They had become accustomed to wine. They are approaching the Children of Ammon and Moav. They are tired and hungry and they are thirsty for the wine to which they have become accustomed. What was their sin? It was "because they did not greet you (על דבר אשר) with bread and water." They said "Wait!"

The Jews were thirsty, their tongues were sticking out already anxious to consume the beverages, yet the Ammonites and Moavites made them wait for it. All this was a plot. When people are hungry and thirsty and are anxiously waiting for something, then when they finally get it – they do not stop to ask any questions.

It was because of this that when the food and drink was finally brought out to them, they consumed "the meat slaughtered to their gods" (*zivchei elohaihem*) – i.e. forbidden non-Kosher meat – and they consumed their "wines of libation" which placed them on the road to sin and promiscuousness. Ammon and Moav told the Jewish men – when they saw how desperate they were for good food and beverage – "Well, if you really want to taste our best wine, go inside that tent over there..."

Inside the tent, seductive daughters of Midyan were waiting with their little idols. They offered them food and wine (and *Chazal* say also fine linens) – and aroused their sensual desires. The whole scheme was to be able to trip them up into engaging in forbidden relations. This was the major crime of Bnei Ammon and Moav. This, says the *Kli Yakar*, is the nuance of meaning hidden in the words "because they did not greet you (*kidmu eschem*) with bread and water." They were not forthcoming with the food and drink and made them desperate. Desperate men do desperate things.

This is exactly what Rashi says when he links the words in *Devorim* 23:5 with the plot involving the Midyanite daughters. When one nation attacks another nation be it in self-defence or be it in the passion of the moment because they hate them, that is one thing. But when

you sit and you plot in order to destroy another nation — that is when the Ribbono Shel Olam says “This I will not allow.” It was malicious. It was malevolent. It was spending time and mental energy just in order to spiritually ensnare them. That is a grievous sin.

The Gerrer Rebbe once said, that we know that in each and every generation there have been those who arise against us to destroy us, but no one ever did to Klal Yisrael what the Nazis, *ymach shmam*, did. The formulation of “the Jewish problem” and the plotting and the propaganda and all that the Nazis did – not just the fact that they went to war. This was a “Master Plan” to destroy the Jewish people. This is precisely why the Ribbono Shel Olam abhors Ammon and Moav. They cannot come and say “Well, what did we do worse than anybody else?” No. You plotted. You schemed to make the Ribbono shel Olam angry at Klal Yisrael, knowing well that “the G-d of these people detests immorality.” This malevolence involved such trickery and such forethought.”

Hashem then emphasizes: I did not let it happen. Do you know why? “Because Hashem your G-d loves you!”

The Tolner Rebbe, who gave this *shmooze* in Elul, noted: If we see the anger that the Hashem had against Ammon and Moav because of their evil plots against Klal Yisrael, imagine if we plot for good and sit down in the days of Elul and try to figure out positive spiritual strategies. The complaint against Ammon and Moav was that they sat down to figure out negative spiritual strategies. They strategized to do evil. The Rebbe said that the Divine Attribute to reward exceeds the Divine Attribute to punish. If we sit down during these days and we strategize to spiritually improve, what a positive effect it can have.

Let us sit down and say “Listen. We have been here and we have done that in the past. But what are we going to do this coming year to make our *teshuvah* last? What concrete steps are we going to take?” If a person has the forethought to strategize how this year is going to be better, that will ingratiate him to the Ribbono shel Olam. Just as He took out His wrath on Ammon and Moav for their strategizing to do evil, if we strategize to do good, how much more so will we find favour in His eyes.

4) In this week’s *sedra* when the *pasuk* talks about the mitzvah of *shiluach haken* [sending away the mother bird] the *pasuk* says: שְׁלַח אֶת הַבְּנָיִם לְךָ וְאֶת הָאִמָּה יַשְׁלַח אִתָּהּ יְהוָה - “You shall surely send away the mother and the children you shall take for yourselves” (*Devorim* 22:7). *Chazal* explain that it would be very painful for the mother bird to see her young chicks being taken away. To avoid causing this mental anguish, we are commanded to first send away the mother bird before taking her chicks. The Gemara in *Chullin* from the double *lashon* “*shaleach teshalach*” learns that the *din* applies even if the birds are needed for a matter involving a mitzvah.

Rav Mordechai Katz observes that there is a tendency sometimes to trample on peoples’ feelings when we are on the way to do a mitzvah. We may tend to feel that “the performance of the mitzvah takes priority over people’s feelings”. We take the approach that the doing of the mitzvah gives us a right to disregard people’s feelings. “After all, I’m doing a mitzvah!”

The *pasuk* therefore emphasizes, “No. You must first send away the mother — even if your purpose is to do a mitzvah.” The fact that you are performing a mitzvah is no license to disregard the pain that you will be inflicting on the mother.

The Chazon Ish always used to daven *Mincha* early in the afternoon (*Minchah gedolah*). One day he was struggling to get a *minyan*. Fifteen minutes passed; twenty minutes passed; they still did not have a *minyan*. Finally, a tenth person arrived. At that point the Chazon Ish’s brother-in-law, Rav Shmuel Granerman told the Chazon Ish, “It is now ten to one. I have an appointment at one o’clock. I told someone that I would meet him in a certain location.”

The Chazon Ish immediately told him, if you set up an appointment for one o’clock, then you need to be there for the appointment. Just because I need a *minyan* or these other people need a *minyan*, does not give you the right to disregard your word and keep somebody else waiting. “Certainly, you must leave now. We either will have a *minyan* without you or we will not have a *minyan* without you; but your concern is to keep your word and not make the other fellow wait for you.” “You shall surely send away the mother bird” — even if a matter of a mitzvah is involved.

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This week’s sheet is dedicated *leiluy nishmas Shulamis bas Georgia* and in the *zechus* for a *refuah shlama* for R’ Moshe ben Devora

The above *gilyon* was written by Moshe Harris, please consult a Rov for final ruling. For sponsorship, dedications or for any *ha’oras* or to receive this *gilyon* weekly please email me at limudaymoshe@gmail.com or call/text me on +447724840086 (UK) or 0585242543 (Eretz Yisrael)

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