



TORAH WEEKLY

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Parshas Ki Seitzei

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A Taste of Torah

A Big Hit

by Rabbi Mordechai Fleisher

Giving a child a good spanking may have been acceptable back in the day, but in today's world, it is not regarded as a great way to discipline your child. (I'm not getting involved in what child protection services has to say about it, either.) The question arises that, given society's distaste for corporal punishment, how are we to view the administering of *malkos*, lashes, for infractions of certain Torah prohibitions? Ergo, only a properly ordained *bais din*, which does not exist in our time, can sentence a perpetrator to such a punishment, but the Torah does discuss the penalty, and we would do well to gain a deeper understanding of this process.

The great Spanish medieval commentator Rabbeinu Bechaye (or, as some pronounce it, Rabbeinu Bachye) (1255-1340) provides insight into the inner workings of this punishment.

The verse states that forty lashes are to be given. Rabbeinu Bechaye cites a Medrash that teaches that a fetus develops features and is considered, to some degree, a person forty days following conception. Furthermore, Hashem gave Moshe the Torah after teaching it to him for forty days. Thus, a human, who forms after forty days, who has transgressed the Torah that was given after forty days, requires forty lashes to rectify the damage he has caused to himself through his sin. While the verse states that forty lashes are given, the Talmud teaches, based on its exegesis of the verses, that it is actually the number that would come right before forty - thirty-nine - that is mandated for lashes. Rabbeinu Bechaye explains that when a person

transgresses a Torah commandment, he has caused a spiritual disconnect with his life force. (While most transgressions do not warrant the death penalty, there are some that warrant premature death from Heaven, and all transgressions carry some element of death due to this disconnect.) The number thirty-nine, says Rabbeinu Bechaye, is the numerical value of the Hebrew word *tal*, or dew, representing the dew of resurrection. When a person has connected to death through a sin, these thirty-nine lashes are able to atone for the spiritual damage wrought by the evil action and thus bring the dew of resurrection to reconnect this sinner with life.

Rabbeinu Bechaye discusses a number of other details associated with the process of *malkos* which also connect this process with atonement and rectification for committing a sin and causing spiritual damage to oneself. The picture that emerges from this discussion is that *malkos* are not intended as a vindictive punishment for one who defied the mitzvos of the Torah, but, rather, as a means of purifying and spiritually reviving the sinner after he has stumbled. Indeed, the Talmud notes that after the lashes are administered, the Torah refers to the person being punished as "your brother," and infers that once the sentence has been carried out, the person must be viewed fully by his fellow Jews as a full-fledged brother, since he has been cleansed of his wrongdoing.

The penalty of *malkos* is instructive as to the nature of the Torah outlook of punishment in general. Punishment is

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Stories for the Soul

Reducing Greatness

Rabbi Meir Yechiel, the Ostrovitzer Rebbe (d. 1928), once met with Rabbi Chaim Ozer Grodzinski (1863-1940), one of the premier Torah leaders of pre-WWII Europe who was heavily involved in communal matters. Rav Chaim Ozer asked the Rebbe to share a Torah thought with him. The Rebbe demurred, saying, "I should share a Torah thought with *you*? You are a *gavra rabba* (great man)!"

"And what makes me a great man?" asked Rav Chaim Ozer.

The Rebbe replied by citing a Talmudic passage in Tractate Kiddushin (22b) that states, "Rava said, 'These foolish Babylonians! They rise for a *Sefer Torah* (Torah scroll), but they don't rise for a Torah scholar. For in the [Written] Torah it is written that one [who sinned] receives forty lashes, and the Sages [based on the Oral Tradition and laws of Biblical exegesis] subtracted one [and said that it is actually thirty-nine].'"

Why, asked the Rebbe, did the Talmud choose the law of the number of lashes more than any other Torah law that is interpreted differently than the simple meaning by the Rabbis? The answer, he explained, is that this particular law reduces the suffering of another Jew, as it minimizes the number of lashes a sinner can receive. Reducing the pain of another Jew is what makes these Torah scholars such great people.

"I am well aware of how much time and effort you invest in alleviating the suffering of our fellow Jews," said the Rebbe to Rav Chaim Ozer. "And this makes you a *gavra rabba*!"

Kollel Happenings

THE M.B. GLASSMAN FOUNDATION LIVE & LEARN LEARNING PROGRAM AT THE WEST DENVER KOLLEL TORAH CENTER

The Live & Learn Learning Program for seniors is held Tuesdays at the West Denver Kollel Torah Center. Coffee and pastries at 10:30 am, two classes of 45 minutes each from 10:40-12:15 (including 5 minute break between classes), and lunch (including take-home option) at 12:15. For more info, email info@denverkollel.org.

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The Kollel is part of Rose Community Foundation's Live On/LIFE & LEGACY program, which focuses on creating financial stability for the future through planned giving. Think it's not for you? Think again! Anyone can make a planned gift, no matter the amount. Visit www.denverkollel.org, email rmh@denverkollel.org or call 303-820-2855 for more information.

A DEEPER LOOK AT THE PARSHA

Join Rabbi Shachne Sommers as he discusses a number of difficulties encountered in the weekly Torah portion, and develops a comprehensive approach to resolve the issue, simultaneously conveying a deeper understanding of the material being discussed. Tuesday nights on Zoom, 8:15-9 pm, for men and women.

Halacha Riddles

Last week we asked: Why would one repeatedly open and close a spigot for *netilas yadayim*?

Answer: As discussed in previous weeks, one must wash for *netilas yadayim* from a *kli*, or vessel. In addition, that water must come onto the hands through *ko'ach gavra*, the power of a person (Shulchan Aruch Orach Chaim 159:7). If there is water in a barrel and one opens the spigot and then places his hands underneath, while the barrel may be a *kli*, the water

is not coming through *ko'ach gavra*. However, the initial burst of water that emerges through the person opening the spigot is considered *ko'ach gavra*, and so one could wash his hands by repeatedly opening and closing the spigot as he holds a hand underneath, and each burst is tantamount to the person actually pouring the water upon his hands (*ibid.*:9).

This week's question: How could a monkey help with *netilas yadayim*?

Lives of Our Torah Leaders

Rabbi Avraham ibn Ezra - Part V

In 1140, Rabbi Avraham took up the wanderer's staff, travelling to various Jewish communities throughout the Diaspora. Some conjecture that his grief over his son's conversion led him to depart Spain, while others theorize that he actually went searching for his son in the hopes of returning him to his roots. Regardless of the reason for his travels, he visited many places during the second half of his life, some of which can be proven, while others less so.

It is clear that he was in Rome, as he writes this in his introduction to his commentary on the Book of Koheles. Rabbi Avraham visited a number of other cities in Italy, as well: Lucca, Mantua, and Verona. He was also in

France; while there, he met with the great Tosafist Rabbeinu Tam, with whom he also corresponded via letters. Rabbi Avraham is, in fact, cited in several passages of Tosafos. In the preface to a work he purportedly wrote called *Igeres HaShabbos*, he states that he wrote the work in England (referring to his location as "a city of one of the cities of this place called 'the edge of the earth'"). While many great Torah personalities accept that Rabbi Avraham did indeed author *Igeres HaShabbos*, some dispute this. There is evidence that Rabbi Avraham sojourned in parts of Northern Africa, including Egypt, and *Eretz Yisrael*, then called Palestine. There are those who say he even made it as far as Baghdad.

A Taste of Torah

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not meant as a reaction of revenge or spite, but, rather, as a means of atoning and purification for one's wrongdoing. Depending upon the severity of the damage done by the crime, differing levels of cleansing may be necessary, ranging from bringing an offering to the death penalty. Most of the punishments discussed by the Torah that are to be carried out by a *bais din* cannot be meted

out today, as noted earlier, due to the absence of proper Rabbinic ordination in our time. However, a healthy outlook on Divine retribution will enable us to better embrace the less-than-ideal situations we do encounter in life and to consider that, since most of us are less-than-perfect, perhaps Hashem is sending this difficulty as a means of purifying us from our wrongdoings.

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Denver Community Kollel | 5080 W. 14th Ave., Denver, CO 80204 | 303-820-2855

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