

Staff Learning Program

פרשת כי תצא

כי כל נפש מישראל יש לו אחיזה בדברי תורה מיוחדת.
(צדקת הצדיק אות נג)



רמב"ן על התורה

Selected Pieces from the Ramban's Commentary on the Torah

מלוקט ע"פ קונטרס של הרה"ג ירחמיאל פרייד

פרק	פסוק	ענין
כא	כב	"קהלת ה' כל תלוי", ביאור הענין
כב	ו	טעם למצות "שילוח הקן" ו"אותו ואת בנו", וביאור כלל ענין טעמי המצות והתועלת שבהן, וכן ביאור לכמה מצות פרטיות
כג	י	קדושת מחנה ישראל במלחמותיהם דלא כשאר האומות, וביאור כמה מצוות הנוהגות במחנה
כ	כ	טעם לאיסור "רבית" והברכה לנמנע ממנו
כג	כג	המעלה במי שנמנע מנדרים על מי שנודר, הגם שכוונתו לשם שמים
כד	ט	כמה מצוות של זכירה בפה, ובפרט זכירת מעשה מרים, וחומר ענין לשון הרע
כה	א ד"ה וטעם	טעם למלקות ארבעים דוקא
יז	יז	טעם למצות זכירת עמלק ומעשה מרים

גור אריה להמהר"ל

Selected Pieces from the Maharal's Gur Aryeh

מלוקט ע"פ קונטרס של הרה"ג יהושע דוד הרטמן

פרק	אות (ע"פ הוצאת ממכון ירושלים)	ענין
כא	ז	ההיתר של יפת תואר
	ח	הצורך להתיר אשת איש גויה, אע"פ שאין אישות לגוי: או מחמתה, או שאיגרא באחר
	יז	ההבדל בין דין בן סורר [ע"ש סופר] לדין ישמעאל ["באשר הוא שם"]
	כ	שיתוף האדם עם ה' הוא רק בצורה
כב	ד	דרישת בעל המציאה שלא יהא רמאי
	ט	ביאור סמיכות מצות שילוח הקן למצות מעקה, ושאר מצות שהוזכרו שם
כה	ב, ג	ענין ל"ט מלקות, ומדוע לא לוקה ארבעים
	יא	דרשת "עייץ עליו"
	כד	ביאור שהמשקר במדות מביא גרוי האויב
	כה	מדוע עצלק היה מטמא את ישראל במשכב זכר

5 Parsha Highlights for Further Discussion

- The Shem Mishmuel on the beginning of Ki Seitzei discusses the correlation between Jewish unity and Bnei Yisroel's success in battle.
- Within the Talmud (Sanhedrin 71a), there are those who hold that the case of a Ben Sorer Umored never happened and will never happen. The reason why it's mentioned in the Torah, says Rabbeinu Bechaye (21:18), is to teach us about Ahavas HaShem, that though the circumstance would never happen, our Ahavas HaShem should be so strong that it could overpower our natural -and innate- love for our own children.
- See Ohr HaChaim (22:1) where he beautifully describes hashavas aveida as the command for the righteous to return their fellow Jews back to their Father in Heaven (see inside for his take on the pesukim!).
- The Ramban (23:4-5) teaches that the epitome of the sin of Amon and Moav which warranted them unworthy to marry into the Jewish people was their distinct lack of gratitude. Avraham saved their father, Lot, on multiple occasions, yet they couldn't muster up the strength to provide Bnei Yisroel with some bread and water!?
- When discussing the mitzvah of maakeh/building a fence on top of one's roof (Devorim 22:8), the Sefer HaChinuch (Mitzvah 546) says that even though "man doesn't hurt his finger below unless it was first decreed above" (Chulin 7b), HaShem still commands us to protect ourselves from injury because -short of the spiritually elite- man is subject to the laws of nature, and we aren't allowed to depend on miracles (Shabbos 32a).

This week's parsha (24:1-5) presents the ways in which Jews should get married and divorced.

1. The Marriage Process

- Marriage is broken up into two components: Kiddushin (engagement) and Nissuin (marriage). In Talmudic times the two used to be a year apart for newlyweds (Mishna Kesuvos 5:2). Now, for various practical reasons, we do them both under the chuppah (Tur E.H. 62), and separate the two with the reading of the Kesuba (Rama ibid. 62:9).

2. The “Kedusha” of Kiddushin

- Gemara in Kiddushin (2b) says that the vernacular comes from the word “hekdesch,” materials that have been consecrated and are thus forbidden to all other people.
 - According to Chinuch (552), that’s why it became customary to use a ring for Kiddushin, though anything worth a pruta (shaveh kesef) would work. The ring is an external sign that reminds everyone that she has been designated for a single individual (See Rema E.H. 27:1).
- Chazal teach that Adam and Chava were created originally as one body and were only split into separate bodies post-facto (for example, see Eruvin 18a-b). Marriage is the process of unifying two selves, which make ourselves more like the original creation of Man -the ideal Tzelem Elokim (Bereishis 1:27- “B’tzelem Elokim barah oso”)- thus making ourselves more Godly (See Shlah, Shaar Osiyos, Kedushas Hazivug). Also see Yevamos (63a) “any man that doesn’t have a wife isn’t called Man” (ayin sham).
- Reb Nosson Breslover attributes the holiness to the tremendous level of experiential knowledge that one experiences during the unification of the two selves that occurs via Kiddushin, so much so, that it is akin to Matan Torah itself (Likkutei Halachos, Kiddushin 8-9). See ibid. 3:17 where he says that the Kesuba is the way that we concretize and bring that Kedusha into the physical world, through contractual obligations and actions.

3. Relationship Between HaShem and Bnei Yisroel

- Within our tradition, many define our relationship with HaShem as a marriage- HaShem being the groom and Bnei Yisroel the bride. See Kli Yakar (Bamidbar 1:1 ‘B’Echad’) and Maharsha (Kesuvos 62b ‘Da’as’) where they say that Matan Torah was the Kiddushin, with the Torah functioning as a shtar Kiddushin, while the day that the Mishkan was completed functioned as the Nissuin, ie. the chuppah (also see Taanis 26b).
 - The Gemara states when Bnei Yisroel would ascend to Jerusalem on the shalosh regalim, the Kohanim would reveal the kruvim on top of the Aron and say: “Look, your love before God is like the love of a man for a woman” (Yuma 54a).

4. Status of Non-Halachic Marriage- Does it Require a Get?

- The question comes down to whether or not we assume that Biah, one of the three ways a man can be mekadash a woman (Kiddushin 2a), works by itself, or whether it needs explicit, verbal, intent for kiddushin to work “K’das Moshe V’Yisroel.”
 - See Rivash 6 where he claims that marriages between Conversos performed by the Church are not considered to be halachikly binding because the marriage itself serves as an explicit proof that their intention was *not* to get married K’das Moshe V’Yisroel (also see Trumas HaDesh 209).
 - Rav Eliyahu Henkin states that civil marriages need a get: ‘being that they live together as a couple for a long time, it’s considered to be kosher testimony...’ (HaPardes 37:7). Inquisition Spain was an exception to the rule.
 - Though it is optimal to give them a get, **unobservant** couples who were married through civil/Reform means do not need a get, based off of the Rivash’s shita. **Observant** couples would need a get because we assume that they intended for their Kiddushin to take place K’das Moshe V’Yisroel (Igros Moshe E.H. 1:74-6).