

Ki Taitzai 5773

BS"D Parashat Ki Taitzai 5773

Part A

Halacha recognizes two types of war – milchemet mitzva (obligatory war) and milchemet reshut (optional war).

Milchemet mitzva is defined by the Rambam as the war against the seven Canaanite nations lead by Yehoshua bin Nun in Eretz Yisrael, and war against any enemy which is threatening Jews and war against Amalek.

Milchemet mitzva does not need the consent of the Sanhedrin, thus the king or government may declare war and draft soldiers. Two options are offered the enemy: to leave the area completely or remain as our slaves, or the alternative to wage war in which case we will destroy every man, woman and child of that nation.

Milchemet reshut is a war of expansion for territorial or economic interests, and conditional on the consent of the Sanhedrin. If the enemy rejects our conditions for peace, we are required to destroy all the men but not the women and children.

Our parasha begins with milchemet reshut and ends with the war against our sworn enemy Amalek, which is a milchemet mitzva.

Part B

Tractate Ta'a'nit 9a:

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Rabbi Yochanan found [met] the young son of Rabbi Shimon ben Lakish, and asked the boy to recite the Torah verse he learned that day

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The boy replied "aser ta'a'ser" (Devarim 14:24 the mitzva of separating 10% tithe for the Levites from the yearly crops)

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RY asked the boy to explain the repetition of the words "aser ta'aser". He replied: "separate the tithes and in return HaShem will bless one with great wealth (play on the Hebrew words tithe and wealth)

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RY asked the boy for proof that the reward for tithes is great wealth, and the boy answered "Test Hashem, and see if its true"

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RY replied that the Torah prohibits one to test Hashem.

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*To which the boy responded: "It is generally true that one may not test Hashem, however the case of tithe is an exception, as stated by the prophet Malachi (3,10):
"Bring the tithe into the storehouse, that there may be food in my house. Test me in this says the Lord Almighty, and see if I will not open the floodgates of heaven and pour out so much blessing until you will say 'enough'"*

Part C

Although the halacha permits testing the promise of Hashem only with regard to the tithe, the reality of our history

demonstrates the truth and exactitude of HaShem’s directives to His people, and needs no more testing verification even for the skeptics among us.

The Torah states (Bamidbar 33,51-56)

וְדַבַּרְתָּ אֶל בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם
אֲנִי אֶפְרָתָא וְאֶבְרָתָא וְאֶחֱזִיאֵל וְאֶחֱזִיבִין וְאֶחֱזִינָחֵל וְאֶחֱזִינָחֵל וְאֶחֱזִינָחֵל (וְ)
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- 51 "Speak to the Children of Israel and say to them: 'You will cross the Jordan into Canaan,
- 52 And you shall drive out all the inhabitants of the land before you and possess it. Destroy all their carved images and their cast idols, and demolish all their high places.
- 53 Take possession of the land and settle in it, for I have given you the land to possess.
- 54 Distribute the land by lot, according to your families. To the larger give a larger inheritance, and to the smaller a smaller one. Whatever falls to them by lot will be theirs. Distribute it according to your ancestral tribes.
- 55 But if you do not drive out the inhabitants of the land, those who will remain will become barbs in your eyes and thorns in your sides. They will give you anguish in the land where you live.
- 56 And then I will do to you what I plan to do to them.'

Reciprocity

וַיְהִי אַחֲרָיִם יָמֵי יְהוָה לְעַמּוּדָא בְּיַד יְהוָה (ו)
וַיִּשְׁמַע יְהוָה אֶת-קוֹל יְהוֹשֻׁעַ בְּעַד כָּל-עַמּוּדָא וַיֹּאמֶר יְהוָה
:אֲנִי אֶתְּנֶה אֶת-הָאָרֶץ בְּיַד יְהוֹשֻׁעַ וְעַד-יְהוֹשֻׁעַ
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1 After a time the Lord had given Israel respite from all their enemies around them, Joshua, by then a very old man, 2 summoned all Israel—their elders, leaders, judges and officials—and said to them: “I am very old.

3 You have seen what the Lord your God has done to all these nations for your sake; it was the Lord your God who fought for you.

4 Remember how I have allotted as an inheritance for your tribes all the land of the nations that remain—the nations I conquered—between the Jordan and the Mediterranean Sea in the west.

5 The Lord your God himself will push them out for your sake. He will drive them out before you, and you will take possession of their land, as the Lord your God promised you.

6 “Be very strong; be careful to obey all that is written in the Book of the Law of Moses, without turning aside to the right or to the left.

7 Do not associate with these nations that remain among you; do not invoke the names of their gods or swear by them. You must not serve them or bow down to them.

8 But you are to hold fast to the Lord your God, as you have until now.

9 The Lord has driven out before you great and powerful nations; to this day no one has been able to withstand you.

10 One of you routs a thousand, because the Lord your God fights for you, just as he promised.

11 So be very careful to love the Lord your God.

12 But if you turn away and ally yourselves with the survivors of these nations that remain among you and if you intermarry with them and associate with them,

13 then you may be sure that the Lord your God will no longer drive out these nations before you. Instead, they will become snares and traps for you, whips on your backs and thorns in your eyes, until you perish from this good land, which the Lord your God has given you.

14 Now I am about to go the way of all the earth. You know with all your heart and soul that not one of all the good promises the Lord your God gave you has failed. Every promise has been fulfilled; not one has failed.

15 But just as all the good things the Lord your God has promised you have come to you, so he will bring on you all the evil things he has threatened, until the Lord your God has destroyed you from this good land he has given you.

16 If you violate the covenant of the Lord your God, which he commanded you, and go and serve other gods and bow down to them, the Lord's anger will burn against you, and you will quickly perish from the good land he has given you."

HaShem, through both Moshe and Yehoshua directed the Jewish people how to deal with the enemies in Eretz Yisrael. It is a question of "either them or us," there is no third alternative, we cannot live with the enemy nor share the land with him, in any generation.

To do so would be an ungracious act of disloyalty to HaShem and a disruption of the heavenly plans which HaShem has set into motion for His people Yisrael.

In the War of Independence, we had the opportunity to execute a population exchange, when we gathered in hundreds of thousands of Jews who were thrown out from Moslem lands in exchange for the Arabs who were here. Had the government

abided by the letter and spirit of the Torah, we would not be in the position we are today.

The opportunity presented itself again during the Yom Kippur War, when we could have ridden ourselves of the hostile Arab population, but again the leaders did not have the courage to walk in the ways of the Torah.

What would Moshe and Yehoshua say to the idea of freeing hundreds of murderers, as our leaders are willing to do today?

It would not be wrong to say that Moshe and Yehoshua would claim that the rightful place for these murderers is not to be free, nor is it to be in prison. Their place is to be in Gehhenom now.

We are not permitted to test HaShem; however, the longer we live, the truth of His commandments become revealed in our day to day life.

It is not only the rasha (evil person) who denies the words of Hashem, it is also the righteous well-meaning fool.

Shabbat Shalom

Nachman Kahana

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