

Parsha: Ki Tetze

The Parshah of Ki Teitzei (“When you go out”) contains a significant portion of the Torah’s laws: no less than 74 mitzvot (out of a total of 613) have been counted by the halachic authorities as deriving from our Parshah. The first of these is the law of the “beautiful captive woman”:

When you go out to war on your enemies, the L-rd your G-d shall deliver them into your hands, and you shall capture from them captives.

If you see among the captives a beautiful woman, and you desire her, you may take [her] for yourself as a wife. You shall bring her into your home, and she shall shave her head and let her nails grow. She shall remove the garment of her captivity from upon herself, and stay in your house, and weep for her father and her mother for a full month. After that, you may come to her and possess her, and she will be a wife for you.

It will be, if you do not desire her, that you shall send her away wherever she wishes, but you shall not sell her for money. You shall not keep her as a servant, because you have afflicted her.

This law is followed by two others—the law forbidding giving precedence to the son of a favorite wife:

If a man has two wives, one beloved and another despised, and they bear him sons, the beloved one and the despised one, and the firstborn son is from the despised one,

then it will be, on the day he bequeaths his property to his sons, that he may not give the son of the beloved [wife] birthright precedence over the son of the despised [wife] who is the firstborn. Rather, he must acknowledge the firstborn, the son of the despised [wife], and give him a double share in all that he possesses, because he [this firstborn son] is the first of his strength; the birthright is his.

—and the law of the “wayward and rebellious son”:

If a man has a wayward and rebellious son who does not obey his father or his mother, and they chasten him, and [he still] does not listen to them,

then his father and his mother shall take hold of him and bring him out to the elders of his city and to the gate of his place. They shall say to the elders of his city, “This son of ours is wayward and rebellious; he does not obey us; [he is] a glutton and a drunkard.”

All the men of his city shall pelt him with stones, and he shall die, and you shall eradicate the evil from amongst you; and all Israel shall hear, and fear.

This is followed by laws legislating the dignity of the dead and the obligation to bring a body to prompt burial, the mitzvah to care for and return a lost object (if the owner can provide identifying signs), and the duty to help lift up a fellow's beast of burden that is "fallen on the road."

Also: "A woman shall not wear a man's articles, nor shall a man put on a woman's garment; for all that do so are an abomination to G-d."

Sending Off the Mother Bird

If a bird's nest chances before you on the road, in any tree or on the ground, and [it contains] fledglings or eggs, and the mother bird is sitting upon the fledglings or upon the eggs: do not take the mother bird together with the young.

You shall send away the mother, and [then] you may take the young for yourself, that it may be good for you, and that you may prolong your days.

It is your responsibility to ensure that you, or your property, do not cause damage for a fellow: "When you build a new house, you shall make a guardrail for your roof, so that you shall not cause blood [to be spilled] in your house, that the one who falls should fall from it."

Hybrids and Tzitzit

You shall not sow your vineyard with diverse seeds. . . . You shall not plow with an ox and an donkey together. You shall not wear a garment of diverse kinds, of wool and linen together.

You shall make for yourself fringes upon the four corners of your garment, with which you cover yourself.

Sexual Crimes and Restrictions

A person who libels his wife, claiming that she was unfaithful to him because he desires to divorce her, is fined a hundred shekels of silver, and he can never divorce her against her will. Adultery (relations between a man and another man's wife) is punishable by death, both for the man and the woman; a woman taken by force, however, is blameless. If a man forces himself on an unmarried woman, he is obligated to marry her (if she so desires) and cannot divorce her "all of his days."

The Torah also specifies a number of forbidden incestuous relationships, as well as a list of persons who are precluded from marrying into the community of Israel (e.g., a bastard). Ammonites and Moabites "shall not enter into the congregation of G-d, even to their tenth generation," but Egyptians and Edomites who convert to Judaism are accepted after three generations.

More Laws

Also in our Parshah: regulations to ensure the hygiene and spiritual purity in a military camp; the rule not to return an escaped slave to his master; the exhortation that “there shall be no female prostitute of the daughters of Israel, nor a male prostitute of the sons of Israel”; the prohibition against borrowing on interest from a fellow Jew; the obligation to keep one’s word and fulfill one’s vows; and the commandment to allow an employee working for you in food production to “eat on the job.” (Later in the Parshah, this rule is extended even to animals—“You shall not muzzle an ox when it is threshing [the grain].”)

Divorce and Marriage

When a man takes a wife and is intimate with her, and it happens that she does not find favor in his eyes because he discovers in her an unseemly [moral] matter, and he writes for her a bill of divorce, and places it into her hand, and sends her away from his house,

and she leaves his house and goes and marries another man . . .

she may not remarry her first husband if she has been married to someone else in the interim.

Many of the laws of marriage are derived from the verses legislating the rules of divorce, which are also followed by the following rule:

When a man has taken a new wife, he shall not go out to war, neither shall he be charged with any business; but he shall be free at home one year, and shall cheer his wife whom he has taken.

Kidnappers, Debtors, Paymasters

Kidnapping a person to sell him into slavery is a capital crime.

When taking possession of an object as security for the repayment of a loan, certain restrictions apply. It is forbidden to impound the debtor’s tools of trade, such as his millstones, for then you “take a man’s life as security.” Also:

When you lend your brother anything, you shall not go into his house to fetch his security. You shall stand outside, and the man who is in your debt shall bring out the security to you.

And if the man is poor, you shall not sleep with his security. You shall return the security to him by sunset, that he may sleep in his own garment and bless you; and it will be counted for you as merit before the L-rd your G-d.

Pay your employees on time. Day workers must be paid within 12 hours of the conclusion of their workday or worknight (hence a night worker must be paid before sundown)—“for he is poor, and sets his life upon it; lest he cry against you to G-d, and it be a sin in you.”

Justice and Charity

Fathers shall not be put to death because of sons, nor shall sons be put to death because of fathers; each man shall be put to death for his own transgression.

You shall not pervert the judgment of a stranger or an orphan, and you shall not take a widow's garment as security [for a loan]. Remember that you were a slave in Egypt, and the L-rd your G-d redeemed you from there; therefore I command you to do this thing.

When you reap your harvest in your field, and forget a sheaf in the field, you shall not go back to fetch it. It shall be for the stranger, for the fatherless and for the widow, so that the L-rd your G-d may bless you in all that you do.

Also to be left to the poor are the “gleanings”—the solitary grapes, olives, etc., that remain on the vine or tree after the larger bunches have been harvested.

The active transgression of a biblical prohibition is punishable by 39 lashes.

Levirate Marriage

If brothers reside together, and one of them dies having no son, the dead man's wife shall not marry an outsider. [Rather,] her husband's brother shall be intimate with her, making her a wife for himself, thus performing the obligation of yibbum (levirate marriage) with her.

It shall be that the firstborn which she bears shall succeed in the name of his brother who is dead, that his name shall not be wiped out in Israel.

If yibbum is not performed, the legal bond between the dead man's wife and brother must be released through the ceremony of chalitzah (“removal of the shoe”):

But if the man does not wish to take his brother's wife, the brother's wife shall go up to the gate, to the elders, and say, “My husband's brother has refused to perpetuate his brother's name in Israel; he does not wish to perform the obligation of a husband's brother with me.”

Then the elders of his city shall call him and speak to him, and he shall stand up and say, “I do not wish to take her.”

Then his brother's wife shall approach him before the eyes of the elders and remove his shoe from his foot. She shall spit before his face and answer [him] and say, “Thus shall be done to the

man who will not build up his brother's household!" And that family shall be called in Israel, "The family of the one whose shoe was removed."

Remember Amalek

The last of Ki Teitzei's 74 mitzvot are the commandments to remember the deeds of the most vile of Israel's enemies, the nation of Amalek, and "blot out their remembrance from under the heavens":

You shall remember what Amalek did to you on the way, when you were coming out of Egypt.

How he met you by the way, and cut off all the stragglers at your rear, when you were faint and weary; and he did not fear G-d.

[Therefore,] it will be, when the L-rd your G-d grants you respite from all your enemies around [you] in the land which the L-rd your G-d gives to you as an inheritance to possess, that you shall obliterate the remembrance of Amalek from beneath the heavens. You shall not forget!