

(Dvar Torah continued from front page...)

awfully wasteful for lost objects to be forever ownerless, nobody deriving any benefit from them. The Torah steps into this breach, commanding us to take possession of the object and *actively seek to return it to its owner*. As we learn from the Talmud, if there is anything identifiable about the object that would give the owner even a little hope of recovering it, the object remains theirs and we are obligated to do *hashevat avedah*. This is a heavy responsibility, and one might be tempted to pretend not to have seen the object. Thus the Torah commands: “do not ignore it” and “you must not remain indifferent.”

Reading this Torah portion during Elul with the High Holidays fast approaching, the 17-18th century Moroccan sage Ḥayyim ben Moshe ibn Attar, in his Torah commentary the “Or ha-Ḥayyim” riffs on the shared root of “*hashevah*” (returning) and “*teshuvah*” (repentance). He explains that these verses are really addressing our obligation to “return” Jews who are lost. He explains that when the Torah talks at first about lost ox or sheep, it is referring to Jews who have followed the crowd and fallen to a lower spiritual level. But just as the ox and sheep are kosher animals, they still possess an inherent fitness and holiness that facilitates their return to God. This too is a heavy responsibility, but the Torah commands us to resist the temptation to ignore it and remain indifferent.

Ibn Attar is aware, however, that heavy-handed attempts to alter someone’s path is likely to end in failure and increased enmity and distance. He reads the Torah’s instruction, “*you shall bring it home*,” to mean that the lost Jew should be brought to the *beit midrash* - the house of study. There they may have an encounter with Torah that enables them to undertake their own journey of return.

I resonate very deeply with ibn Attar’s re-interpretation of *hashevat avedah* as the mitzvah of outreach and engagement, but I prefer the last piece of his commentary on these verses. There he explains that since all Jews were “betrothed” to the Torah at Sinai, the Torah is our possession. Less engaged Jews are not lost objects; they are subjects who have lost a most valuable possession - their Jewish heritage, wisdom, and communal connection. This is the Torah we hold onto and care for in the Conservative Yeshiva’s *beit midrash*, returning it to each Jew who comes to claim it.

*At the Conservative Yeshiva in Jerusalem, we offer students of all backgrounds an opportunity to engage with Jewish texts in a dynamic, inclusive, and collaborative environment. We help students gain the skills necessary for Jewish learning and spiritual growth as individuals and in their communities in North America, Israel, and around the world.*



# TORAH SPARKS

## Parashat Ki Teitzei

September 14, 2019 | 14 Elul 5779

Annual (Deuteronomy 21:10-25:19): Etz Hayim p. 1112-1136; Hertz p. 840-857  
Triennial (Deuteronomy 24:14-25:19): Etz Hayim p. 1130-1136; Hertz p. 822-857  
Haftarah (Isaiah 54:10 + 54:11-55:5): Etz Hayim p. 1137-1139; Hertz p. 857-858

## D'var Torah: Returning What's Been Lost

**Rabbi Andy Shapiro Katz**, Conservative Yeshiva Director of Engagement

Our parashah contains more mitzvot than any other - covering such topics as female war captives, rebellious sons, marital relations, executions, runaway slaves, nocturnal emissions, no-interest loans, fair weights and measures, and more. The overall message is that all of these things must be done properly so that Israel remains holy and clean before God.

Amidst this long list of mitzvot, we also find the mitzvah of *hashevat avedah* - the return of lost objects - a topic dealt with in-depth in the Talmudic Tractate of Bava Metzia. The Torah teaches in Devarim 22:1-3:

*If you see your fellow's ox or sheep gone astray, do not ignore it; you must take it back to your fellow. If your fellow does not live near you or you do not know who he is, you shall bring it home and it shall remain with you until your fellow claims it; then you shall give it back to him. You shall do the same with his ass; you shall do the same with his garment; and so too shall you do with anything that your fellow loses and you find: you must not remain indifferent.*

In an ethical society, it is natural that there would be concern about what to do with lost objects. If the owner doesn't know they lost the object, and all the more so if they are actively looking for it, then the finder using that object could be seen as a kind of theft. And if we were to allow “finders keepers” to be the law, “I found it” would become a good cover story for explicit theft. At the same time, it is

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# D'var Haftarah: Sources of Nourishment

**Rabbi Mordechai Silverstein**, *Conservative Yeshiva Faculty*

In this fifth of the seven haftarot of consolation, Ashkenazic Jews read two conjoining prophecies, one intended for today and the other, postponed from the third week on account of a special haftarah read that day. In the last prophecy of the second reading, God makes a dramatic offer to the returning exiles whose needs outdid their means: “Oh, everyone who thirsts go to the water, and who has no silver, buy food and eat. Go and buy food without silver and at no cost, wine and milk. Why should you weigh out silver for what is not bread and your substance for what does not sate? Listen well to Me and eat goodly things, and you shall enjoy lavish fare.” (55:1-2)

These verses are largely intended to be a metaphor, but they also represent a touch of realia. Ostensibly, this prophecy is a plea to those who yearn for redemption to invest themselves in God’s words as a source of nourishment to give them strength and spiritual nourishment during the return from exile. In addition, this verse probably is intended as a real response to the sentiment expressed in the book of Lamentations (Eichah), describing the terrible conditions of the destruction of Jerusalem: “We must pay to drink our own water, obtain our own kindling at a price” (5:4), namely, if during the destruction, provisions were unavailable, you can be certain that during the redemption God will provide for your needs both spiritual and physical. (S. Paul, Isaiah 49-66, Mikra L’Yisrael, p. 394)

The metaphor representing God’s words as a source of nourishment was extended in rabbinic times to include Torah study since that had become the primary source of spiritual nourishment for the rabbinic Jew. The following teaching, based, in part, on the above verses, teaches not only the value of Torah, but also a precious lesson in what the Babylonian sages saw as ideal Torah personalities: “Rabbi Oshaia offered an interpretation: Why are the words of the Torah compared to these three liquids, water, wine and milk, as it is written: ‘Oh, everyone who thirsts go to the water’; and it is written: ‘Go and buy food without silver and at no cost, wine and milk’? This comes to teach you that just as these three liquids can only be preserved in vessels not made of precious materials, so, too, the words of the Torah endure only with him who is humble. This is illustrated by the story of the daughter of the Roman Emperor who addressed Rabbi Yehoshua ben Hanania: ‘O glorious Wisdom in an ugly vessel’. (She was praising his wisdom, but insulting his lack of good looks.) He replied [to her]: ‘Does not your father keep wine in an earthenware vessel?’ She asked: ‘Where else should he keep it?’ He said to her: ‘You who are nobles should keep it in vessels of gold and silver’. She went and told this to her father and he had the wine put into vessels of gold and silver and it went bad. When he was informed of this, he asked his daughter: ‘Who gave you this advice?’ She replied: ‘Rabbi Yehoshua ben Hanania’. The Emperor summoned him and asked him, ‘Why did you give her such

advice?’ He replied: ‘I answered her according to the way that she spoke to me’. [The emperor’s daughter continued to ask:] ‘But are there not good-looking people who are learned? [Rabbi Yehoshua replied:] ‘If they were ugly, they would be still more learned.’” (Ta’anit 7a-b)

This story is the rabbinic version of the adage “Don’t judge a book by its cover”. It teaches us not only to see in Torah a precious and primary source of spiritual and physical nourishment but also to see value in those who purvey it based on their content and not on their “packaging”. This lesson is valuable not only in how we judge those who offer us Torah but in how we evaluate all those whom we meet.

## Parashat Ki Teitzei Self-Study

**Vered Hollander-Goldfarb**, *Conservative Yeshiva Faculty*

This week we will meet some of the institutions of the society; courts, kings and prophets, along with state, cultic and criminal laws and laws of war.

1) If the people choose to appoint a king, he has limitations placed upon him (17:16-17). He may not multiply horses, he may not multiply silver and gold, and he may not multiply wives. Why does the Torah not give the king a free hand to do what he sees as necessary in his position as monarch? (Especially when the behavior is in line with other monarchs of the time.)

2) We are warned that the people who lived in the land before us practiced abominations: passing children through fire, sorcery and divination of various sorts; it is because of these abominations that God will dispossess them before us (18:9-12). What conclusions might we draw from the reason given for our ability to dispossess the local population?

3) “You may not move back the border of your neighbor that earlier ones set... in your inheritance that you inherit in the land the LORD ... is giving you” (19:14). How is land ownership in the land of Israel viewed by the Torah?

4) “When you go to war against your enemies and you see horses and chariots, fighting people greater than you, you shall not fear them; for the LORD your God is with you, who brought you up from Egypt” (20:1). Fear in the face of war, especially against forces greater than your own, seems normal. What words of encouragement does the Torah offer, and why might this be a source of reassurance?

5) If a corpse is found in the field and the murderer is not found, the elders of the nearest town will perform a ceremony at the end of which they will declare: “Our hands did not shed this blood, our eyes did not see... Oh LORD do not put innocent blood amid your people Israel...” (21:1-9). As the elders are not suspected of murdering the person, why and what are they held responsible?

We welcome your comments: [torahsparks@uscj.org](mailto:torahsparks@uscj.org)

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