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5785 Ki Teitzei  
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together as  
a community.**

## תשפ"ה Ki Teitzei

Moshe took a mere thirty-six days to teach the entire book of Deuteronomy to the Jewish people. As we near the book's end, Moshe's death and the transition to Yehoshua's leadership is only days away. This means that they would finally enter the Promised Land, the land that 470 years earlier Hashem had promised to Avraham our Forefather's descendants. There, the Jewish people would establish the Kingdom of Hashem for the entire world to see.

Rashi's first comment on the Torah cites Rabbi Yitzchak's famous question:

Why did Hashem begin the Torah with a description of Creation? Is not the Torah's purpose to convey to man his obligations in the form of the commandments that he must fulfill? So why didn't Hashem begin the Torah with the very first mitzvah given to the Jewish people - the mitzvah of sanctifying the new moon, which does not appear until the Book of Exodus?

Rabbi Yitzchak answers this question with Psalms 111, Verse 6.

(ו) בַּח מַעֲשָׂיו הִגִּיד לְעַמּוֹ לְתֵת לָהֶם נַחֲלַת גּוֹיִם:

*He (Hashem) declared the strength of His deeds to His people, to give them to inherit the nations.*

*Should the world's nations tell the Jewish people, "You are thieves for having conquered the seven nations dwelling in the land of Israel and taken the land from them," we can respond, "The whole earth belongs to Hashem since He created it. Until now, He let you have it; but now He has chosen to give it to us."*

The seven nations that occupied the land of Israel were the lowest people in the world. They practiced sorcery, black magic, and had many despicable practices, including sacrificing their children to their idols. Hashem commanded the Jewish people to rout these evil forces from the land lest they influence the Jews to follow their evil ways. The Jews would have to go to war to accomplish this.

For the Jewish nation, there are two types of war. There is a war that is a mitzvah, meaning it is an obligation, and the war which is optional.

The wars to conquer the land of Israel and the continuing war against Amalek are obligatory wars whose purpose is to remove the forces of evil from the world so that they cannot influence people against the Torah's holy and righteous laws and morals. Similarly, a war waged in self-defense is also an obligatory war, to save the good and innocent people from their evil attackers.

A war to broaden the borders of the land of Israel, on the other hand, like the wars that King David waged, is an optional war.

Although it sounds counterintuitive, in removing the indigenous nations from the land of Israel, the Jewish people were engaged in a great mitzvah, that of removing the evil forces from the land so that it could be the appropriate home for Hashem's Holy nation to build Hashem's Kingdom.

The idea of a "Holy War," a war for the sake of G-d, causes great trepidation to the Jewish people. How greatly we have suffered throughout the ages at the hands of "holy zealots" who felt that any form of murder and torture was justified under the banner of heaven. How

many millions of innocent lives were needlessly lost and how much property plundered in the name of G-d?

Yet conquering the Land of Israel is the only true instance of a war for the sake of heaven, and it becomes obvious when you look at the laws of warfare for the Jewish nation, which are significantly different than those of the rest of the world.

In the end of last week's portion and in this week's opening statement, Moshe teaches the Jewish people the "rules of warfare" before going to war with their enemies.

In Deuteronomy 20:1 it says:

(א) כִּי תֵצֵא לְמִלְחָמָה עַל אִיבֶיךָ וְרָאִיתָ סוּס וְרֶכֶב עִם רַב מִמֶּךָ לֹא תִירָא מֵהֶם כִּי יִדְּדוּ אֱלֹהֶיךָ עִמָּךְ הַמַּעֲלֶיךָ מֵאֶרֶץ מִצְרַיִם

**1) *When you go out to the battle against your enemy, and you see horse, and chariot – a people more numerous than you – you shall not fear them, for Hashem your G-d is with you.***

Our Sages point out that the first point to understand is that they are "your enemy." They are out to kill you and will have no mercy on you. You, accordingly, are acting in self-defense, and must therefore kill them first. In regard to the seven nations that occupied the land of Israel, Hashem commanded the Jewish people to kill every man, woman, and child, and not to feel guilty for completely eliminating them. They are evil, and if any of them remain alive, they will return to kill you. You are doing a mitzvah by killing them, and you are saving yourselves and your children.

Just before going into battle, a special Kohen would address the soldiers. He would say to them (Deuteronomy 20:3):

(ג) וְאָמַר אֱלֹהִים שְׁמַע יִשְׂרָאֵל אַתֶּם קִרְבִּים הַיּוֹם לַמִּלְחָמָה עַל אִיְבֵיכֶם. אֵל יִרְךָ לְבַבְכֶם  
אֵל תִּירְאוּ וְאֵל תַּחֲפְזוּ וְאֵל תַּעֲרְצוּ מִפְּנֵיהֶם

(ד) כִּי יִדְוֶד אֱלֹהֵיכֶם הִהֲלִךְ עִמָּכֶם לְהִלָּחֵם לָכֶם עִם אִיְבֵיכֶם לְהוֹשִׁיעַ אֶתְכֶם

3) He shall say to them, **“Hear O Israel, you are approaching the battle against your enemies; let your heart not be faint; do not be afraid, do not panic, and do not be broken before them. 4) For Hashem your G-d is the One Who goes with you, to fight for you with your enemies, to save you.”**

Do those first few words “Hear O Israel” sound familiar? They are of course the beginning of our declaration of accepting Hashem as the One and only (the “Shema Yisrael”). Our Sages point out that this is not coincidental. Rashi cites the quote.

שמע ישראל - אפילו אין בכם זכות אלא קריאת שמע בלבד כדאי אתם שיושיע  
אתכם

Even if your only merit is that you say Shema and accept Hashem as your G-d, it's worth it for Hashem to save you from your enemies.

The following true story illustrates this point.

Rabbi Dovid Grossman, the Rav of Migdal Emek, was once entering Hechal Shelomo in Yerushalayim for an event. A secular Israeli man approached the Rabbi, greeted him passionately and gave him a warm hug. Seeing the love the man had for the Rabbi, Rabbi Mordechai Becher asked him what his connection was to the Rabbi.

He responded. “This Rabbi saved my life! In October of 1973 during the Yom Kippur war, I was part of the Golani Brigade army unit that was charged with taking Mount Chermon back from the Syrians. We all knew that it was a suicidal mission; the first attempt had failed with many fatalities and casualties. Although we were coming from a very weak

position, trying to overcome the enemy on the top of a mountain shooting down at us unincumbered, the higher ups had decided that it was such a strategically important outpost, it had to be retaken at all cost. Naturally, we were all depressed and broken, resigned to our inevitable fate.

In an effort to raise our spirits, the army brought in a popular singing group, Tip and Tiponet, to perform for us. While they were a cute duo, they did little to raise our spirits. One of the soldiers said to the commander, 'You have done yours to try to help the men, and it hasn't worked. I have a rabbi who will surely be able to inspire the men. Please let me call him to come.' The officer agreed, and Rabbi Grossman was summoned from Migdal Emek.

He took the stage and said, 'When the Jewish people were conquering the Land of Israel, before the soldiers went to battle, the high priest would speak to the soldiers and say to them, "Shema Yisrael whoever is afraid ..." Our Sages ask, why were the first words of the Shema mentioned here? It is to teach us that even if the soldiers have no other merit than the merit of saying the Shema, Hashem will save them from the war. When Hashem sees that we have placed our trust in Him, He will not let us down. We must always know that our fate is in Hashem's hands alone.' He then turned to the performers and asked them if they knew how to play the song, Shema Yisrael. When they answered in the affirmative, he asked them to play it and we all sang it together, over and over again. As we sang it again and again, we felt the words deeply in our hearts and came to the realization that no matter what the odds are, we are in Hashem's hands, and He can save us. Our morale was lifted and we went into battle with the Shema on our lips, and trust in Hashem in our hearts. We survived, and with a minimum of casualties, retook the

mountain. We all felt that without the Rabbi's inspirational words, the outcome would have been very different."

### **All they had was the merit of saying the Shema.**

The essence of the Kohen's message to the soldiers is that they have nothing to fear. They have Hashem, the greatest power in the world, to fight for them. He is your Partner in this holy endeavor. This is why in all the battles in the Bible that the Jewish people waged against their enemies, they never lost even one soldier. There is one exception to this, the battle with the city of Ai, when a few soldiers were lost because Achan had sinned by taking from the forbidden spoils of war.

The next chapter says (verse 10):

(י) כִּי תִקְרַב אֶל עִיר לְהִלָּחֵם עָלֶיהָ וְקִרְאתָ אֵלֶיהָ לְשָׁלוֹם

*10) When you draw near to a city to wage war against it, you shall call out to it for peace.*

Maimonides writes (Laws of Kings 6:1).

(א) אין עושין מלחמה עם אדם בעולם עד שקוראין לו שלום

*1) One does not war with a person in the world until they have called out to them in peace.*

(ה) שלשה כתבים שלח יהושע עד שלא נכנס לארץ הראשון שלח להם מי שרוצה לברוח יברח וחזר ושלח מי שרוצה להשלים ישלים וחזר ושלח מי שרוצה לעשות מלחמה יעשה

*5) Joshua sent three letters into Israel before he entered. The first one said, "Whoever wants to run away, run away." The second letter said, "Whoever wants to make peace with us, let him make peace." The third letter said, "Whoever wants to war with us shall do so."*

The Talmud Yerushalmi reports that:

גִּרְגָשִׁי פִּינָה וְהָאֵמִין לוֹ לְהַקְדוּשׁ בְּרוּךְ הוּא וְהֵלֵךְ לוֹ לְאַפְרִיקוֹ, (ישעיה לז) "עַד בּוֹאִי וְלִקְחֵתִי אֶתְכֶם אֶל אֶרֶץ כְּנָעַן" זֶה אַפְרִיקוֹ. גְּבֻעוֹנִים הַשְּׁלִימוּ, (יהושע י) "וְכִי הַשְּׁלִימוּ יוֹשְׁבֵי גְבֻעוֹן אֶת יִשְׂרָאֵל". שְׁלָשִׁים וְאַחַד מְלָכִים עָשׂוּ מְלַחְמָה וְנָפְלוּ.

*The Gergashites fled and went to Africa..., the Givonim made peace..., and the other 32 nations warred with the Jewish people and fell.*

The goal here was not to kill the people per se, but rather to prepare the land for the Jewish people's entry. Would the indigenous nations be prepared to leave, or to become slaves to the Jewish people and accept not to worship their idols, they could stay.

The next chapter (verse 19) instructs the soldiers not to chop down any fruit trees.

(יט) כִּי תִצּוּר אֶל עִיר יָמִים רַבִּים לְהִלָּחֵם עָלֶיהָ לְתַפְשָׁהּ לֹא תִנְשָׁחֶת אֶת עֵצָהּ לִכְדוֹם עָלֶיהָ גִּרְזוֹן כִּי מִמֶּנּוּ תֹאכַל וְאֵתוֹ לֹא תִכְרֹת כִּי הָאָדָם עֵץ הַשָּׂדֶה לִבְנֵי מִפְנֵיךָ בְּמִצּוֹר

*19) When you besiege a city for many days to wage war against it to seize it, do not destroy its trees by swinging an axe against them, for from it you will eat, and you shall not cut it down; **is the tree of the field a man that it should enter the siege before you?** (In context: Why would you cut it down? It is not a man, so it poses no threat to you.)*

The next verse allows a non-fruit bearing tree to be cut down.

This is also unique in a war. Many countries have used the “scorched earth” policy in warfare, completely destroying perfectly good resources so the enemy cannot use them against them. Here, the Torah teaches us that you cannot for no purpose, cut down a fruit tree since it is a source of food for you. If, however, the tree is needed to build a fortress for

protection, or any other need for the war effort, you may cut it down, since it is for a constructive purpose; but just to destroy it for the sake of destroying it is proscribed.

Homiletically, by way of דרוש *drush* – the words say, **a man is a tree of the field.**

In what way can a person be compared to a fruit tree? My teacher, Rabbi Moshe Shapiro צ"ל, explained that a fruit tree takes nutrients and water from the ground, sunlight from the sun, and oxygen from the air, and through its wood, blends these ingredients to bring forth sweet and delicious juicy fruits. The different fruit trees all take the same ingredients and produce their unique delicious fruits. The apple tree - apples, the orange tree - oranges, etc.

In the same sense, Hashem endows a person with many gifts and talents. His job on this world is to blend those talents and endowments so that he brings forth beautiful fruits. What are a person's fruits? The Torah he learns, good deeds, and children.

Perhaps, this lesson comes here, in the context of war, to tell the people that the Jewish people who are here to produce fruit, should not be cut down, and we must preserve them by taking out the lowly indigenous nations who threaten the Jewish people's existence.

This brings us to the fourth installment of the instructions to the Jewish soldiers before going to war, the first verses of this week's portion Ki Teitze (Deuteronomy 21:10,11).

(י) כִּי תֵצֵא לְמִלְחָמָה עַל אִיבֶיךָ וַיִּנְתְּנֵנוּ יְדֹד אֱלֹהֶיךָ בְיָדְךָ וְשָׁבִיתָ שְׁבִי

(יא) וְרָאִיתָ בְּשִׁבְיָהּ אִשָּׁת יִפֹּת תֹּאֵר וְחָשְׁקָתָּ בָּהּ וְלָקַחְתָּ לָּךְ לְאִשָּׁה

10) *When you will go out to war against your enemies, and Hashem your G-d will deliver him into your hand, and you will capture his captivity; 11)*

*and you will see among its captivity a woman who is beautiful of form, and you will desire her, **you may take her as a wife.***

How could this be? A Jewish man is permitted to take a gentile captive woman for a wife?

Rashi, quoting the Talmud explains:

לא דברה תורה אלא כנגד יצר הרע שאם אין הקב"ה מתירה ישאנה באיסור -

*The Torah spoke here to combat the "Yetzer Hara" the evil inclination. For if Hashem did not permit her, the man would marry her anyway, even though she is forbidden to him.*

In other words, since Hashem saw that it would be impossible to demand of a soldier at war to refrain from marrying a beautiful woman that he sees among the captives and he would marry her in sin, Hashem rendered her permissible to marry.

The Jewish soldiers who went to war to conquer the land of Israel were not trained in battle tactics or hand to hand combat. Although they had no tactical training, they overcame their enemies without losing one soldier in battle. What was their secret?

The only soldiers that ever went to war for the Jewish people were completely righteous people. Deuteronomy (20:1-10) describes that a special *Kohen* spoke to the soldiers just before they went to battle. Among the matters that the *Kohen* would tell them is, "*Who is the man who is fearful and fainthearted, let him go and return to his house, let him not melt the heart of his fellows like his heart.*"

Our Sages explain that this fellow is not afraid of the battle per se; rather, he is afraid that he may die in battle because of a sin on his hands.

When one is in a dangerous situation, one in which he can lose his life, the prosecuting angel in heaven may seize the opportunity to take his life. He claims to Hashem; “This man has rebelled against you by sinning! He deserves to lose his life for that, and now is the time to punish him for that! Since he is in a life-threatening situation, it will all look very natural.” Therefore, anyone with a sin on his hands should go home and not go to the battlefield.

What type of sin are we talking about? Murder? Or something else of a major magnitude? Not at all. We are talking about something seemingly very minor, like speaking between putting the tefillin on his hand and on his head. Even a sin as minor as that, could possibly do one in at the battlefield.

The Vilna Gaon lists four criteria necessary for a soldier to be accepted into the Jewish army:

- 1) He had to have pure lineage so that the merit of his forefathers would support him.
- 2) He had to be completely clean of sin - if he had sinned, he had to return home.
- 3) He had to be physically unblemished.
- 4) He had to be able to resist the temptation to sin during the war, even to the degree of refraining from *saying* something inappropriate.

How remarkable it is that even a soldier of this caliber was granted permission to marry a gentile wife if he should encounter a beautiful woman in war.

Here we see a most remarkable feature of the Torah. Hashem does not require of a person something that he is incapable of doing. Hashem, our manufacturer, knows what is fair to demand of us; what we are

capable of, and what we are not. Therefore, in this situation, where Hashem acknowledges that it is impossible for a man to refrain from taking the woman, Hashem doesn't forbid her. The corollary of this is that every law that we are obligated to do, we are capable of doing or Hashem would not have given it.

How does this fit with this being a holy war, and the people engaged in it performing a mitzvah?

Our Sages explain that when a person is in his normal surroundings where the laws of society are firmly in place, he feels human and dignified. Therefore, it is easy for him to control his desires and limit himself to a Jewish woman. He would never look at a gentile woman, for she is not a candidate to be his wife.

However, when a person is at war, and all the barriers of what makes a person feel human are broken down, *viz*, he is engaged in taking the lives of others, he is compromised. Under these circumstances it would be impossible to demand that he not look at a woman in captivity and desire her. Therefore, Hashem our Maker, who understands this, did not forbid her, and after going through a lengthy conversion process, the person may marry her.

As an aside, we learn from this that a person is forbidden from deliberately putting himself in a dangerous, life-threatening situation. Many people erroneously say, "What's the difference? If it my time, it's my time, but if it isn't my time nothing will happen to me." The fallacy of this statement is that when a person deliberately puts himself in danger, the sin of being frivolous with Hashem's most precious gift to him- his life- can itself be the cause for him to lose his life. The prosecuting angels have a very strong critique against him, that he doesn't value the gift of

life, so he doesn't deserve to have it. Similar to the way a parent that gave his child a valuable gift and then saw him abuse it and use it recklessly, will take it away from him.

Although the Torah has permitted the captive woman, in the following verses, the Torah puts in place various laws to expose her lowliness to him and show him that she is really not a suitable mate for him. Just because she is beautiful and desirable, doesn't mean she is suitable to be a Jewish wife and mother! The likelihood is, that having grown up an idol worshipper or worse, she is the farthest thing from it. Better he should just send her on her way and forget about her.

Indeed, the next chapter in the Torah deals with the wayward child, who is destined to be a murderer. The Sages explain the juxtaposition of these two portions in that if a man marries the captive woman, the next step will be a wayward son from her. Since they are incompatible, the resulting child will be a problem.

Once again, we see the ways of the Torah are special and unique. The Torah does not place unreasonable demands on its adherents.

The Torah is a תורת חיים, a Torah of Life, and it is designed to give the person who follows its ways the very best life possible. This becomes clear even in the way that the Jewish people go to war. How fortunate we are to have Hashem's holy Torah to guide our lives.