

# DON'T TAKE ADVANTAGE OF PEOPLE'S COMPASSION

*by Rabbi Yissocher Frand*

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These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly parsha: Tape # 515, Women Wearing Men's Clothing. Good Shabbos!

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## **Don't Take Advantage of People's Compassion**

This week's parsha contains one of the most fascinating mitzvos in the Torah: "Shiluach HaKen" [Devarim 22:6-7], sending away the mother bird. The Torah says that if a person finds a bird nesting on its flock, he is not allowed to take the mother and the chicks or eggs at the same time. First he must send away the mother and only then can he take the eggs or chicks.

This mitzvah involves both a positive and negative commandment. We are forbidden from taking the eggs without sending away the mother. On the other hand, we are commanded to take the eggs after first sending away the mother.

Rav Yosef Chaim Sonnenfeld (1849-1932) explains that the problem with taking the eggs without sending away the mother is that one is taking advantage of the natural and instinctive compassion that every mother has for her brood. We are forbidden to misuse this instinct in order to trap the bird.

Birds are normally very difficult to trap. As soon as one approaches a bird it will quickly fly away. But in this situation, when a person approaches a mother bird, it does not fly away. She suppresses her natural inclination and remains, trying to protect her brood.

We would be able to catch the bird - something that is normally almost impossible to do -- but the Torah says that we may not do so. The Torah does not want us to take advantage of the mother's natural instinct to protect her children. Doing so would be misusing one of the most basic and fundamental instincts that G-d gave to His creatures and one that the Torah values highly - that of compassion.

The Torah does not tolerate "cashing in" on a mother's feeling of compassion for her children in order to trap the mother. On the contrary, the Halacha insists that one must first send the mother to freedom, before attempting to take the eggs or chicks.

What lesson can be derived from this mitzvah? Rav Yosef Chaim Sonnenfeld writes that some people are "soft touches". When approached by a stranger who gives them a story of need or hardship they just cannot say 'no'. The Torah warns us not to take advantage of such people. We are admonished from misusing, abusing, or capitalizing on the instincts and emotions of another human being.

This does not mean that a charity collector is only allowed to collect from the "toughest guys in the shul". No one ever suggested that nice guys should not give Tzedakah. However, we must be careful not to abuse or take advantage of such a person or situation.

When we are aware of beautiful instincts - whether they exist in a mother bird or in a person - we should not take advantage and abuse those wonderful traits. This is a lesson to be learned from the mitzvah of Shiluach HaKen.

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## **A Marriage That Starts With 'Self' Will Be Self-Destructing**

This week's parsha contains the laws of divorce. The Torah states "If a man takes a wife and has relations with her and it comes to pass that she does not find favor in his eyes, he finds an unseemly matter in her. He shall write her a divorce document, place it in her hand and send her out of his house" [Devarim 24:1].

This verse would apparently have the same meaning if it were written exactly as is, except without the word "u'ba-alah" [and has relations with her]. It seems unnecessary, and also uncharacteristic for the Torah to use this expression.

The Torah's style is normally one of extreme modesty and refinement. The Talmud says that the Chumash hesitates at even using the expression "impure animal" (behemah temeah). The Torah "wastes" 8 letters, so to speak, to use the expression "the animal that is not pure" rather than writing the less refined expression "impure animal" [Pesachim 3a]. Given this sensitivity for using clean and refined language, why did the Torah find it necessary to add the detail "and has relations with her" to the section dealing with marriage that ends in divorce?

One of the answers that may be given is that the Torah wishes to indicate, perhaps, why the 'Get' (divorce) came about. Perhaps the parties went into the marriage seeking self-gratification. "If a man

will marry a woman and live with her..." This should not be the "shalom aleichem" (opening greeting) to a chapter of marriage. The Torah is trying to hint that marriages that begin with people focusing on their own self-satisfaction and gratification are marriages that are not destined to be long-lasting.

Marriages are successful when two people enter a marriage knowing that they have to worry about the 'We' rather than the 'Me'. When they are fixated on the 'Me' rather than the 'We', the marriage has problems. There is no greater laboratory for 'tikun haMidos' (strengthening of personality traits) than marriage and family life.

When a person is single, he or she can get away with being selfish and self-centered. When that person marries, he or she can no longer get away with such personality defects. It just won't work. The change in personality might come 'kicking and screaming', but if the marriage is going to succeed the change must take place.

If one's wife will not force it upon a reluctant husband, his children will certainly force it on him. They are more interested in themselves that he is interested in himself! Family life and children are more effective than any mussar sefer [discourse on ethics perfection] that has been written since the beginning of time. If the first word in the marriage is "u'ba- alah," the marriage will not succeed.

I recently heard the following comment from Rabbi Dr. A. Twerski. Rabbi Twerski pointed out that of all the blessings recited at a Jewish marriage and during the "week of Sheva Brochos" there is one blessing that stands out as apparently not directly related to marriage. The very first blessing of the seven wedding blessings is "Blessed are You, Hashem, our G-d, King of the universe, who has created everything for His glory" (Shehakol barah l'chvodo). The groom is not mentioned. The bride is not mentioned. Marriage is not mentioned. What is the connection between this blessing and the ceremony at hand?

Rabbi Twerski answers that this blessing is placed first because this is what a Jewish marriage should be all about. If a husband and wife understand from the get-go, from the Chuppah, that he should not be in it for himself and she should not be in it for herself, but rather that all is created for the glory of Heaven, then all will be well with this marriage.

Good brings good for the honor of Heaven and bad brings bad for the honor of Heaven. Groom and bride, and husband and wife, should always have this measuring stick in front of them throughout their marriage. It simplifies many of the complexities of marriage and many of life's difficult decisions. This is the most powerful lesson we can teach the groom and bride under the Chuppah.

Rabbi Twerski illustrated this idea with two beautiful stories. The first story is something that I think we can all relate to. The second story is so powerful that I -- for one -- cannot directly relate to it.

Rav Yaakov Kamenetsky was at a wedding and needed a ride back to Monsey. A single fellow was asked if he would mind driving Rav Yaakov home. The fellow jumped at the opportunity. When he offered the Rosh Yeshiva a ride, Rav Yaakov asked him if he would mind first showing him his car. When Rav Yaakov was taken to the car to look at it, he opened the back door and climbed in, to sit in the back seat. A few moments later he emerged from the car, closed the back door, and told the young man he would be happy to go to Monsey with him.

He explained that his wife would also be accompanying them and he had to be certain that the back seat would be comfortable for her, before accepting the ride. He was not checking whether he would get to ride home in a Cadillac or a Mercedes. He wanted to make sure the back seat was comfortable enough for his Rebbetzin.

The other incident involved Rabbi Twerski's father [Rabbi Yaakov Yisroel Twerski, Rebbe of Hornstaiple-Milwaukee 1898-1973]. Two months before the senior Rabbi Twerski died, he was diagnosed with pancreatic cancer. He called in his son, Rabbi Abraham Twerski (who is also a medical doctor) to discuss his situation. The senior Rabbi Twerski had been a Rav for over 50 years. He had visited many patients and he knew exactly what his prognosis was with such a diagnosis.

He told his son, "They want to give me chemotherapy. It is not going to work, is it?" The son, based on his medical knowledge, confirmed his father's prediction. The father then added, "I am going to suffer terribly from the chemotherapy." The son nodded. The father then said, "It is really not worthwhile for me to do it. It is not going to help. It is only going to cause me pain and suffering. I believe the wise decision is not to have the chemotherapy." The son confirmed his father's analysis and he told his father that the decision was up to him (his father).

While they were having this conversation, Rabbi Twerski's Rebbetzin was in the hall talking to the attending physician. She asked him if the chemotherapy would help her husband and he told her that his estimate was that the chemotherapy might add a couple months to his life. She said, "If he will live a couple of months longer, then we want it. If he will live a couple of days longer, we want it!"

She came in and told her husband that the doctor said the chemotherapy would help and it would give him a couple more months. She said, "I want you to have the chemotherapy." She then walked out of the room.

The older Rabbi told his son, "We both know that this is not going to help. We both know that this is not going to give me another two months and we both know that it will cause me added pain and suffering. But if I do not take it, she will feel guilty for the rest of her life. Therefore, I will take it so she won't feel bad." He took the chemotherapy and he suffered from it. But he did it for his Rebbetzin - to

spare her from guilt and to spare her the typical anguish of survivors ("had only I insisted... he may have had extra time in this world").

To have such selflessness at that time in one's life is a level of spirituality at which we can only marvel and ask, "When will my actions reach the actions of my forefathers?"

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This week's write-up is adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion. The halachic topics dealt with in the parsha of Ki Seitzei in the Commuter Chavrusah Series are the following:

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