

Parshat Ki Teitzei 5776

This week's parasha, *Ki Teitzei*, contains 74 commandments - 27 positive ones & 47 prohibitions - more mitzvot than any other Torah portion. One of the mitzvot, the well-known mitzvah of Shiluach Hakein, is stated in 22:6-7:

שלח תשלח את האם ואת הבנים תקח לך למען ייטב לך והארכת ימים

We are told that observing this mitzvah is of benefit to us, and informs us that the reward for this is “arichut yamim” - “living a long life.” If we look to the peshat, we understand that this mitzvah requires sending away a mother bird prior to taking eggs or chicks from her nest. The Mishna in Masechet Chulin 140b establishes that since the Torah speaks here of both eggs and chicks, the mitzvah applies only to eggs which resemble chicks, and to chicks which resemble eggs. This means that one must send away the mother bird to take the eggs only if the eggs are “alive” like chicks, i.e. that they are capable of producing live chicks. If it is clear that the eggs are in some way never going to be able to hatch, then this obligation does not apply. Likewise, this law does not apply if the chicks have grown to the point where they are independent and no longer rely on their mother’s constant care, since such chicks do not resemble an egg.

Rav Shimshon Raphael Hirsch explains that the Torah draws our attention to the importance and sanctity of the maternal instinct. Taking the eggs when the mother bird is watching is unnecessarily cruel and thoughtless towards her. Although we are permitted to take the eggs to eat, we are required to put in some effort to reduce the pain that this causes. Understandably, then, this law applies only in cases where the mother bird’s care is needed. Ramban also regards the element of mercy as playing a key role in the mitzvah of *Sheeluach Ha’Kayn*, but argues that if the Mitzvah was indeed given to us to teach us to show compassion or pity, then Hashem would simply have forbidden the taking of the eggs altogether and not mentioned sending away the mother bird. The lesson to be learned here is that we must strive to become more compassionate people.

Moreover, the Netziv (R’ Naftali Zvi Yehudah Berlin, 1817-1893, head of the famed Yeshiva in Volozhin, (author of *Ha’amek Davar*) notes that the mother bird could have fled to save her life. By not fleeing, the bird displays exceptional mercy, being prepared to give up her life for her children in order to protect them. Therefore, one is forbidden to abuse the mother’s mercy, and capture the mother at the time when she shows such extraordinary commitment to her offspring.

The Rambam in Moreh Nevuchim, Guide to the Perplexed, 3:48 states that we send away the mother bird as an act of compassion. Since the suffering of the mother would be so great, the Torah commands us to protect her feelings. He adds that if we go to such lengths to be mindful of a bird’s feelings, how much more so we should care about the feelings of other people and be merciful and compassionate towards them.

Why in the cases of the eggs that won’t hatch or the chicks that have grown are we allowed to seemingly break the commandment to send away the mother bird. A mother bird tending an egg that will never produce anything symbolizes the pursuit of vanity, expending time and resources on meaningless endeavours that will not yield any productive results. In the case where a mother bird tends to chicks which have already grown to independence, represents the tendency to pursue goals which have already been met, and to try solving problems which do not need to be solved. Too often, we are guilty of both kinds of wasteful engagement: involving ourselves in unimportant vain activities, and performing work which may not be needed in order to feel important and accomplished.

Symbolically, then, this halacha reminds us to use our time and energy wisely, to ensure that we busy ourselves with meaningful and noteworthy activities, and avoid wasteful and unproductive pursuits as much as possible. Like the mother bird in these cases we are too easily deluded thinking that we are doing something useful, when in fact we may not be and should instead be focussing our energies elsewhere.

This is one of three mitzvot for which G-d promises to lengthen the life of the person who performs them. The other two are honouring your father and mother – Devarim 5:16.; and ensuring proper weights and measures in the market place – this mitzvah is also listed in this week’s parasha – 25.15.

The Maharal of Prague compares the two seemingly different mitzvot of shiluach Hakein and Kibbud Av Va’em. He teaches us that both mitzvot show our commitment to the protection and care of creation. Since both these Mitzvot maintain and sustain creation, the person keeping them receives exactly the same reward of his days being lengthened – “arichut yamim.” 22:7. Sending the mother bird away preserves the nest for further offspring and creation is then sustained. So too, when a child honours his/her parents, he/she maintains the connection with those who produced him/her. Creation is then strengthened and so a child is rewarded with more creation. By showing we value life and G-d’s creation, are also rewarded with longer life.

Finally, what is the connection between longevity and perfect weights and measures? Hashem’s way with man is *midah keneged midah* — measure for measure. When a person commits an aveirah, He waits patiently until the person has filled his “measure” of transgression (*Sotah* 9a). So, if we use false measures to cheat others, Hashem will also use a ‘false’ measure of time to accelerate “din” (His judgement) - shortening life.

By using proper measures, we can rely on Hashem to also use ‘proper’ measures when judging our lives and including his mercy to please G-d give us arichas yamim.