

א ב י ס כ ל ת ו ר א !

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י"ב אלול תשפ"ה · כי תצא

שילוח הקן The Morality of

By Ariel Jesselsohn '26

In פרשת כי תצא, the תורה tells us: "כִּי יִקְרָא קוֹרֵצֵפֶנֶךָ לִפְנֶיךָ בְּדֶרֶךְ...שֶׁלָּח תִּשְׁלַח אֶת-הָאִמָּה...לְמַעַן יֵיטֵב לָךְ" "when you happen upon a bird's nest on your way...send away the mother bird...so that you will be well and live a longer life (דברים כב:ז-י). Here, the תורה commands us regarding the famous מצוה of שילוח הקן, sending the mother bird away. This unique מצוה requires a lot of inquiring. First of all, what is the reason behind this מצוה? Not only what is the reason why the תורה prohibits us from taking the chicks or eggs before sending the mother away, but why does the תורה command us to do this seemingly odd commandment in the first place? Furthermore, what is so special about this מצוה that we are rewarded with a long life for fulfilling it?

The מורה in רמב"ם explains, in the name of the מורה נבוכים, that the reason you must send away the mother bird before taking her sons for yourself is because this is an act of mercy. Animals care for their children just like humans do, and if one were to take the eggs or chicks in front of the mother that would be an act of cruelty. This makes sense, as the משלי in פסוק says about the תורה: "דְּרָכֶיהָ יִשְׂמְנוּ" "all of the תורה's ways are pleasant" (משלי ג:יז), and Hashem would never command us to act with cruelty. For this reason, the מורה says that if one does not want to take the chicks or eggs to eat, he is not allowed to fulfill the מצוה of שילוח הקן, because sending the mother bird away and taking

her sons for no reason is an act of cruelty as well. Only once you need the chicks or eggs for your own benefit does it no longer become an act of cruelty. This is how the חתם סופר rules as well.

The words of the מורה answer why we need to send the mother bird away before taking her sons, but it is still unclear what the reason for the מצוה itself is. One approach is as follows: The מורה נבוכים says that if the leader of the prayer says during his prayer: "על קן צפור גיעו רחמך" "your mercy is extended to a bird's nest [so extend it to us as well]" (ברכות לג:), we must quiet him. There is a debate in the גמרא there about why we must quiet him, and one of the opinions is that when the ציבור says this, it would seem as if he is turning Hashem's מצוות into expressions of mercy, when in reality that is not true; מצוות are decrees that Hashem puts upon us to prove our loyalty to Him. According to this, there is not any rationale for שילוח הקן. It is simply a decree that we must follow because Hashem told us so, and that is what makes it so special. If one gives a definitive reason for a מצוה, they are diminishing the מצוה's value.

Finally, what is so special about שילוח הקן that one who fulfills it is granted long life, a reward that up until now has only been rewarded for respecting one's father and mother, a seemingly greater מצוה. In other words, what is the connection between שילוח הקן and אב ואם. One connection between the two מצוות can be found in the words of the ספר החינוך. The ספר החינוך says based off the words

“וְאֶת־הַבָּנִים תִּקַּח־לָךְ” “and take the sons for yourself” (דברים כ"ז), that one who fulfills שילוח הקן is also blessed with children. Those children which he is blessed with will then grow up to fulfill אב ואם everyday, hence the connection between שילוח הקן and אב ואם. Another answer can be that שילוח הקן emphasizes compassion, like the רמב"ן says, and אב ואם emphasizes respect. Both the values of compassion and respect are related, in that respect is the foundation of compassion. In order to truly want to alleviate one's suffering, one has to first respect them and acknowledge their worth. By שילוח הקן we acknowledge the mother bird's worth as a creature of אב ואם, and, therefore, we have compassion for her. And similarly by אב ואם we acknowledge our parents' worth: they are the reason we are alive, and, therefore, we have the compassion to help them whenever they are in need.

מצוה גוררת מצוה

By Avishag Salzman '27

This week's פרשה, פרשת כי תצא, is filled with many מצוות, including the laws of marriage and divorce, chasing away the mother bird from its nest before taking the eggs, and יבום, to name a few. One of the מצוות in this week's פרשה is the law about putting a fence on your roof. The פסוק says “כִּי תִבְנֶה בֵּית חָדָשׁ” וְעָשִׂיתָ מִעָקָה לְגִגְגְּךָ וְלֹא־תֵשִׁים דָּמִים בְּבֵיתְךָ כִּי־יִפֹּל הַנֶּפֶל מִמֶּנּוּ.” “When you build a new house, you must make a railing/ fence for your roof, in order that you not cause blood to be shed in your house by not preventing one who starts to fall from falling

off the roof” (דברים כ"ח). רש"י says a few things about this פסוק. Firstly, he mentions that this פסוק comes right after the commandment of chasing away the mother bird, when taking her eggs, because the reward for fulfilling this commandment is eventually being able to build your own house. This provides one with the opportunity to build a fence, another מצוה. Similarly, once you have a house you will also acquire a vineyard, fields, and nice clothing, which all have their separate laws in the next פסוקים. This teaches us that performing one מצוה is a gateway, a path, into doing so many more. We learn in פרקי אבות when בן עזאי says : “וְעִבְרָה” שְׁמִצּוּהָ גִוְרָתָהּ מִצּוּהָ, “גִוְרָתָהּ עִבְרָה. שְׁשִׁכְרָה מִצּוּהָ, וְשִׁכְרָה עִבְרָה” “For one fulfilling of a commandment leads to another fulfilling of a commandment, and a transgression leads to another transgression; for the reward for performing a commandment is another commandment and the reward for committing a transgression is a transgression” (פרקי אבות ד"ב).

On this same פסוק, רש"י expounds on why it is important to put up a fence on your roof. He says the wording of the פסוק implies that the person deserves to fall off the roof, but you should not let it happen through you. We have a principle in Judaism that bad circumstances fall upon bad people. This does not mean that one should go out of their way to cause harm to those bad people rather, let Hashem give punishments.



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