



Parasha Ki Tetze

I Need Deep Torah about the Mitzvah of Making a Fence!

Dear Rebbetzin Chana Bracha,

I'm so excited!!! We have made Aliyah and have just completed building our true home in Ma'aleh Adumim. We are planning a huge *Chanukat HaBayit* (More than a house warming party), and I'm looking forward to making it very meaningful. We have waited, planned and prepared for this special milestone for years. Now it is finally happening! During the celebration with family and friends, I would like to share some deep Torah about the mitzvah of making a fence around our roof. Its simple understanding is quite obvious. We don't need Hashem to tell us to ensure that our roof is safe so no one falls down from it. There must be more to it. I can't wait to hear your inner Torah about this important mitzvah!

Simcha Houseman (name changed)

Dear Simcha,

Mazal tov on your Aliyah and the completion of your permanent home in *Eretz Yisrael*! This is indeed a great achievement. We made Aliyah in 1980 but we didn't build our permanent home until 18 years later. Actually, our *Chanukat HaBayit* was also during *Parashat Ki Tetze*, which happens to be my birthday parasha as well. Therefore, my husband let me say the special blessing, before hammering in the last nail of the *מַעֲקֶה*/*ma'akeh* – fence on our raised porch. This was a very meaningful moment for me. Needless to say, I was extremely moved when I recited the following *beracha*: *Baruch ata Hashem Elokeinu melech ha'olam, asher kideshanu bemitzvotav vetzivanu la'asot ma'akeh*. (Blessed are You, Hashem our G-d, King of the Universe, who has sanctified us with His commandments, and commanded us to construct a fence). What makes it so special is that this is a mitzvah you usually get to do only once in a lifetime (if ever). I was fortunate to find a fascinating article by [Rav Yitzchak Ginsburgh](#), "[The Electrifying Fence](#)," that explains multilayered, symbolic meanings of this mitzvah. I have woven some of his teachings into other commentaries on the topic.

The Parameters of the Mitzvah of Making a Fence

The mitzvah of constructing a fence around the roof follows the war and subsequent conquest of the Land of Israel, when the Israelites settle and deal with the mitzvot of building a house (Ibn Ezra).

ספר דברים פרק כב פסוק ח כִּי תִבְנֶה בַּיִת חֹדֶשׁ וְעָשִׂיתָ מַעֲקֶה לְגִגְרָךְ וְלֹא תָשִׂים דָּמִים בְּבֵיתְךָ כִּי יִפֹּל הַנֶּפֶל מִמֶּנּוּ:
 “When you build a new house, then you shall make a fence for your roof, so that you do not bring blood on your house, if anyone should fall from it” (*Devarim* 22:8).

Any flat roof, even one that people only occasionally walk on, requires a *מַעֲקֶה*/*ma'akeh* – fence, which is a three-foot wall to keep people from falling off (*Shut Rivevot Ephraim* 1:35). A roof that is never used does not need a fence (*Kitzur Shulchan Aruch* 190:1). The fence on the roof must strong enough to prevent someone from falling (*Shulchan Aruch, Choshen Mishpat* 427:5). This mitzvah is part of the general directive to do what we can to prevent hazards particularly in our own homes. The image of the fence around the roof epitomizes the value of life.

The Connection between Sending Away the Mother-Bird and Constructing a Fence

The mitzvah to send away the mother-bird begins a new Torah section, which includes 35 subsections, the first of which is the mitzvah of constructing a fence on the roof. All of these mitzvot concern **עולם של תיקון/repairing the world** (Eliyahu Kitov). If you have fulfilled the commandment of **שילוח הקן/Shiluach HaKen** – (letting the mother-bird go when taking the eggs or baby-birds), then you will be privileged to build a new house and fulfill the commandment to “make a fence.” One good deed brings another good deed in its train. Then you will attain a vineyard (v.9), fields (v.10) and fine garments (vv. 10-11). For this reason, these sections are juxtaposed (Rashi, *Devarim* 22:8). The mitzvah of respecting the mother by sending away the mother-bird leads you to believe in the creation of the world and that G-d builds and renews. Therefore, measure for measure, you will also merit to build a new house. This is the foundation of emunah, as it states, “The righteous one lives by his faith” (*Chabakuk* 2:4); (Kli Yakar, *Devarim* 22:7). What a special privilege to emulate the Creator by creating your own home in the Holy Land. By adding the fence on your roof, you participate in repairing the world, and merit additional opportunities for world repair by attaining a vineyard and fields.

Mashiach & the Eternal Bird of the Soul

The bird and roof images are furthermore tied together in King David’s psalms, “I have been diligent, and I have become like a lone bird on the roof” (*Tehillim* 102:8). According to Rav Yitzchak Ginsburg, they both allude to Mashiach, who is compared to a bird sitting in a nest in the Garden of Eden, waiting to redeem the world. Similarly, Mashiach stands on the roof of the holy Temple in Jerusalem and turns to the Jewish People saying, “Humble ones, the time of your redemption has come” (*Yalkut Shimoni, Yesha’yahu* 60:499). The mitzvah to construct a fence on a roof only relates to people, as birds do not need it. The reason for making the fence is “so that you do not bring blood on your house.” Rav Ginsburgh explains that the Hebrew word for blood **דָּם/dam** contains the last letters of **אָדָם/Adam** – man. Only the *dalet* and *mem* need a fence to protect from falling off the roof. The *alef*, is never affected. It is the inner, eternal “bird of the soul.”

A Spiritual Fence Surrounding our Higher Consciousness

The rooftop also symbolizes the highest wisdom – *chachmah*. When we are greatly involved in wisdom, we have to be careful not to allow our mind to stumble in faulty perception, as happened to Elisha ben Abuya, who fell to the other side. Therefore, we need to place a protecting fence, which is the fear of G-d that surrounds our wisdom, as it states, “the beginning of wisdom is fear of G-d” (*Tehillim* 111:10); (Rabbeinu Bachaya, *Devarim* 22:8). Similarly, Rav Ginsburgh expounds, “When we ascend in our consciousness to the highest point, the ‘roof’ of an idea or experience, we have reached its climax or epitome. It is precisely here that danger lies.” It is the role of the feminine to infuse the masculine wisdom with fear of G-d. This is reflected in the Oral Torah (the feminine *binah*) which creates a fence around the Written Torah (the masculine *chachmah*) to protect it from spiritual danger. Thus, the first teaching of the first *mishnah* of the Oral Torah is to make a **לִפְּסֵי/seyag** – fence around the Torah.

The Fence of Humility

We are fortunate to live in the pre-Messianic era, when new consciousness and new dimensions of the Torah are flowing through us. Therefore, more than ever, we need a spiritual fence to insure that when we reach those high points, we won’t fall. Humility is the character trait needed to create such

a spiritual fence around the higher *chachmah* consciousness. This humility leads us to consult rabbis and ensure that our new spiritual consciousness remains within the boundaries of halacha. The new home that our verse instructs us to build also alludes to the new, third Temple. May the mitzvah of constructing a fence around the rooftop of your home be a merit for building the ultimate home – the final Temple that will repair the world!