



Parshat HaShavuah

משפטים

MISHPATIM

כ"ז שבט תשע"ו

FEBRUARY 6TH,
2016

A PUBLICATION OF



Ashreinu

חלקינו מה טוב

Candle Lighting

5:48

S"Z Kriat Shema

9:48

Sunset

6:06

Motzei

Shabbat

6:43



Enriching and Enhancing Your Study of the Weekly Torah Portion

GOD'S RATIONAL MITZVOT
DR. YOSEF WOLF

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Our Sages taught: "If, Heaven forbid, the Torah had not been given, we would have learned modesty from a cat, and [the prohibition against] theft from an ant" (Eruvin, 100b). The gemara is suggesting that we could have learned basic moral imperatives by observing the conduct that Hashem bestowed upon animals. And yet, after Hashem revealed himself to the entire Jewish people at Har Sinai, uniting the spiritual and physical in the most awesome event to ever occur on Earth, the parsha following this revelation does not focus on chukim (suprarational mitzvot) but it focuses instead on mishpatim (rational mitzvot).

This is perplexing, given that at the end of our parsha the Jews will commit to adhere to performing mitzvot before even understanding their reasons. So why did God first teach Moshe the rational mitzvot instead of the suprarational mitzvot? If there was ever an opportune time to teach chukim, would it not be right after such an intense revelation of Godliness?!

One can make a strong argument that the Jewish people had just come out of generations of slavery, deeply entrenched in a morally depraved nation, and thus needed to be educated with the many person-to-person social responsibilities found in this week's parsha. Further strengthening this point, if we count the number of words on each of the luchot we find that those bearing our responsibilities to God (1-5) consist of 146 words, while those listing our responsibilities to our fellow men (6-10) have only 26 words. Yet tradition has it that the space on both tablets was filled with writing. Thus, the second half of the aseret hadibrot must have been carved with big letters. Surely this large typeface focusing on interpersonal matters would have caught the attention of our ancestors in a profound way.

Continued page 2





Dr. Wolf continued

However, the question still remains: Why are the rational mitzvot being so strongly emphasized so soon after Matan Torah if we could have learned morality from the conduct of animals?

To begin, we need to understand that God created the Heavens and the Earth because He desired a dwelling in the lowest of worlds (Midrash Tanchuma, Nasso 16). As the Ba'al HaTanya teaches in his seminal work of Chassidut, the very life and sustenance of all the worlds (both physical and spiritual) is dependent upon the performance of the mitzvot by us in this physical world. Thus, it is due to this performance of mitzvot that the light and life of both worlds issues forth from the Divine will (Tanya, Likutei Amarim 23). To put it another way, were it not for the giving of the Torah, the mishpatim would have merely been natural deeds devoid of spiritual importance. As a consequence it would have been impossible to connect Godliness with lowly material matters, thereby negating the reason why God created the universe.

When the Torah was given, the potential was granted to unify the spiritual with the material. As such, the mitzvot performed after the giving of the Torah derive their power from God's essence (since He is not bound by either the physical nor spiritual planes, God is able to unite the spiritual with the material). Therefore, the positive tendencies reflected in the animal kingdom must be emulated because they are permeated with the Torah's holiness, and not simply because it is logical to do so.

Referring back to our original question, if God introduced suprarational mitzvot before rational mitzvot so soon after He revealed himself at Har Sinai, one might conclude that only the chukim need to be observed with the kavanah that they are God's will. However, because of the emphasis of teaching the mishpatim before the chukim, we learn that even when we perform rational mitzvot, our reason for doing so must be rooted in the fact that it is the will of God. Therefore, the fundamental thrust of our Divine service should be to connect all of our affairs with God's essence, even those that can be deduced through logical reasoning.

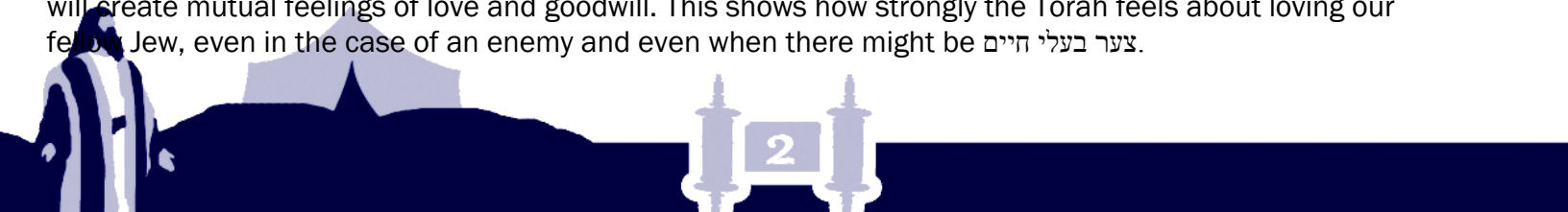
LOVING YOUR ENEMY

ILAN GRITZMAN ('16)

It is a mitzvah to help an animal when it is collapsing under the weight of its burden and another mitzvah to help someone who needs help loading an animal. The gemara in Bava Metzia says that if you see one of your enemies who needs to load an animal and at the same time you see your friend who needs help unloading an animal, you need to help your enemy before assisting your friend. It would naturally seem that helping your friend would take precedence, so why does this gemara say otherwise?

Tosafot first take a step back and ask a different question: how can we refer to someone as an enemy if the Torah commands us: "ואהבת לרעך כמוך" - that one should love his fellow Jew? Tosafot answer that the enemy who needs assistance with his load is someone who is constantly doing one specific sin, with no intention of repenting on that sin. But, even though waiting to unload your friend's animal qualifies as *צער בעלי חיים*, the gemara still says we should help our enemy, which seems quite confusing.

We are taught that while hatred for one who explicitly does a sin with no intent to ever repent is allowed, we want to prevent the type of hatred that evolves between two people for personal reasons. If you don't help your enemy load his animal, he will, in turn, hate you back and the hatred will never end. Therefore, the Torah says that even though this fellow is an enemy, you should help him first because by helping him out it will create mutual feelings of love and goodwill. This shows how strongly the Torah feels about loving our fellow Jew, even in the case of an enemy and even when there might be *צער בעלי חיים*.





PROPER REHABILITATION

ARIELA BENGIO ('18)

Parshat Mishpatim begins with the laws of servitude. If a man is caught stealing and has no means to make amends and repay the victim, he is sold as a slave. The victim gets the proceeds of the sale to help recoup the loss incurred. This parsha, as its name indicates, is chock full of laws and commandments. They range from the sublime to the mundane. Why then would the Torah choose to start with the very technical and mundane laws of servitude?

In civil law, when a man is accused and indicted for stealing, he typically gets sent to jail for a period of time determined by the severity of the crime. In prison, the felon meets all kinds of interesting characters – bank robbers, drug dealers, and maybe even murderers. When his sentence is up, he is released with no money and with few, if any, opportunities for employment, but with a colorful network. The likelihood of this individual resorting back to crime is rather high.

The Torah understands this, and therefore requires that the thief become a slave to a master. There he will work to earn his release (within no more than six years), and, if he has a family, both he and his family will be housed and fed. Also, he will learn good middot from his master, who is obligated to treat him with respect and with care. Once he earns his release, his chances of being rehabilitated are very good – certainly much higher than if he had been sentenced to jail!

Our parsha opens with this matter to demonstrate how sensitive the Torah's system of laws is to every human being, even those on the lowest rungs of society.

LAW AND ORDER

SHEVI ZAK ('17)

Parshat Mishpatim, which immediately follows the events at Har Sinai and Bnei Yisrael's acceptance of the Torah, discusses multiple laws regarding Bnei Yisrael, including the laws of indentured servants, murder, kidnapping, theft, loans, and conduct of courts.

The parsha begins with the words “...“--” המשפטים” And these are the laws...” Why does this parsha, a new chapter, begin with the word “and,” which signifies a continuation from a previous section or chapter? Rashi explains that the word “and” serves to link this parsha to the previous one, Parshat Yitro, which discusses Har Sinai.

Rabbi Yisroel Ciner explains that God is sometimes difficult to connect to, since He is a divine and omniscient being who is not understandable to the average human. However, much of Judaism presents itself in a way to which we can connect. For example, the mishpatim are the understandable laws to which it is not difficult to connect. So too, Har Sinai was a major event in Jewish history that allowed the Jews to connect to God through receiving the Torah, which consequently provided us guidance for living in ideal and correct ways.

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The word “and” at the beginning of the parsha serves to link the mishpatim to Har Sinai in order to stress the logic that lies behind following God. Har Sinai and the mishpatim are both things that are not difficult for us to understand; the word “and” demonstrates how the monumental event of understanding our bond with God and the laws that help us understand Judaism are extremely important, despite the aspects of Judaism that are more difficult to understand.

This connection between Har Sinai and the mishpatim helps us realize that despite not understanding certain confusing laws, the Torah represents the bigger picture in life, and God gave it to us with all of its laws and commandments in order to help us choose the correct path in life.

AN INTEREST IN INTEREST

ETAN WINOGRAD ('18)

This week's parsha is packed with many laws, including laws relating to slaves, personal injury, loans, usury, and property damage. The parsha contains 53 mitzvot, 23 positive and 30 negative. The end of the parsha mentions the preparations the people of Israel made before receiving the Torah on Har Sinai.

One mitzvah that is mentioned this week is the prohibition to charge interest. The Torah says: “אם כסף תלוה את עמי, את העני עמך לא תהיה לו כנשה לא תשימוך עליו נשך”-“When you lend money to My people, to the poor person who is with you, do not act toward him as a creditor; do not lay interest upon him” (Shmot 22:24). Why can't we charge interest?

The Kotzker Rebbe offers an explanation on this verse that is unlike the simple interpretation. Pirkei Avot teaches us that when you are buried you are accompanied by your good deeds and Torah, not by your wealth or precious stones. The word “תלוה” (telaveh), which means to lend, can also be read as “תלוה” (tilaveh), which means to escort. The translation of the pasuk now changes to, “If there is any type of money that will escort My people (to the World to Come) it is the money given to the poor person (as charity and kindness).”

The pasuk now teaches us that only charity and kindness will escort us to the World to Come, not money.

Another reason given for why we can not charge interest is to teach us to love our friends and fellow Jews as we love ourselves. If a parent, sibling, or cousin asked us to lend them money during a difficult time, we would lend it to them immediately without even thinking about charging them interest. We should treat all our fellow Jews the same way we would treat our own family.

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