



# The Marcos and Adina Katz YUTORAH IN PRINT

## Mishpatim 5781

### Judaism's Open Secret

Rabbi Dr. Norman Lamm z"l (Originally delivered February 12, 1972)

In preparing for the revelation at Sinai, Moses read the "Book of the Covenant" (from beginning of the Torah up to that point) to the children of Israel. ויאמר כל אשר, "And they said: 'all that the Lord hath spoken we shall do and we shall obey.'" Our tradition saw in these two words, *naaseh ve'nishma*, not just an indication of consent but a whole philosophy of religion. For the Tradition did not translate *naaseh ve'nishma* as "do and obey," but as "do and understand." It is the particular order of that expression, the priority of action to understanding, that was acclaimed by our Sages. They tell us that even God was overwhelmed: יצתה בת קול ואמרה מי גילה רז זה לבני, רז שמלאכי השרת משתמשים בו, *A divine voice issued from heaven and cried out, "Who revealed to My children this secret which only the ministering angels know of?"*

But we must be honest. If the Jewish tradition admires the response of *naaseh ve'nishma* and God was astounded that the secret is out, clearly we moderns are shocked for the opposite reason. The modern temper sees in this attitude a symptom of blind religion, of lack of understanding, of irrationality. Surely an intelligent person seeks to understand before he practices, he seeks to know before he commits himself.

How then can we go along with Judaism's enthusiastic approval of *naaseh ve'nishma*? We must understand that we here face two radically different approaches. The modern temper can be characterized as autonomous. Man himself must determine each act, each decision, each challenge. A demand must appeal to his intellect and to his emotion before he commits himself to it. He, man, is the measure of all things. What he does must issue from internal consent, and not be imposed upon him externally. Judaism, however, is theonomous. *Naaseh ve'nishma* implies not man as the center of all things, but God. It is the *nomos* of Theos, the law of God, to which we submit in humility. Judaism regards

autonomy in religion as an act of intellectual arrogance and presumptuousness. The Jew must acknowledge that אין חכמה ואין תבונה, there is no wisdom and understanding for man in the presence of God.

Many of us here this morning no doubt experience this clash and conflict in our minds and souls. As moderns, we accept autonomy in most areas of our lives. We like to think that we never do things without first understanding. Yet, in our Judaism we behave theonomously. We observe the Sabbath; why? We lay tefillin; we do not necessarily understand the reason for the commandment. We all pray; yet we are not all Hebraists.

Permit me first to clarify one point. The philosophy of *naaseh ve'nishma*, the theonomous attitude of Judaism, should not be interpreted as being anti-intellectual. On the contrary, there is not a religion in the history of mankind that has placed such a premium, such a sublime value, upon intellection. The study of Torah is considered כולם, as outweighing all the other precepts. We pray, immediately before reciting the Shema, להבין להשכיל לשמע, --to understand, to know, to appreciate, to learn, and to teach. Rather, *naaseh ve'nishma* means that our commitment is unconditioned by our rational assent, that we submit to the will of God even if we do not understand it or like it at all times. Certainly, we attempt to understand--but our conduct is independent of our understanding.

However, even with this insight, this *naaseh ve'nishma* foundation that we accept in our religious lives often makes us feel uncomfortable. How do we explain it, not only to others but to ourselves?

There are three answers that commend themselves. The first of these is that *naaseh ve'nishma* is the natural way to live Judaism. Judaism is not primarily, if at all, a rational theology. It is halakhah, which means "the way," and אורח חיים, a "way of life." And life is lived before it is comprehended.

Perhaps the best example is language. The natural way of learning a language is to place yourself in an environment where it is spoken, and to begin to imitate, to practice, and to speak. Only later do you learn the rules of the language, the grammar and the syntax. The artificial way is to learn the rules first, and then try to piece them together into the form of a living language. The same would hold true for walking. A child learns to walk not by analyzing the principles of mechanics and the laws of physics, but by actually attempting to walk; only when he is much older does he learn, if ever, how it is that a human being walks. But when scientists construct a robot, they first must know all the mechanical principles, and only then does the machine begin to “walk.”

If Judaism is to be native to us and not a foreignism, if it is to be natural and not mechanical or imposed or external, and if Jews are to be religiously vital and responsive and not automatons, then we must respond to God and to Torah with the words *naaseh ve'nishma*.

It is for this reason that our Day Schools do not simply assemble children and give them a crash-course on “the beauty of Judaism.” To explain theological principles is not the ideal way to make Jews. We must teach them first to live as Jews, to practice, to conduct themselves in a certain fashion. Only then do we proceed from *naaseh* to *nishma*, from doing to understanding. I admit, that living in the contemporary world with its emphasis on autonomy, raises problems for children who, prematurely, are challenged to explain actions that cannot be understood except when they are much older. Certainly, we ought to strengthen the curriculum of our Day Schools and yeshivot in such areas as explaining the commandments, the philosophy of Judaism, its world-outlook. Nevertheless, it has been our experience with many of the young people who come to Yeshiva University on the college level from homes almost entirely devoid of Jewish content, that they have been attracted initially because we appealed to their autonomous outlook, because of explanations of various commandments, because we endeavored to show them the beauty of Judaism. But after they have come in to Jewish life itself, when they have immersed themselves in authentic Jewish living, they then opt for natural Judaism, for the theonomous approach, for *naaseh ve'nishma*. They become impatient with the often superficial and tentative reasons we advance, and they understand that living Judaism is its own explanation. They appreciate that religion, to be authentic, must be theonomous and not autonomous.

The second value we find in the *naaseh ve'nishma* approach is: love. When you love, you do the bidding of the beloved even before you understand.

Why do parents suffer and work for children? Those who have rational explanations such as the exception of compensation, are fooling themselves. They are doomed to frustration. We do it only for one reason: love. If that is present, no other reasons are necessary. If it is absent, all the other reasons do not suffice.

It is told of Mrs. Albert Einstein that she was asked if she understood Prof. Einstein's Theory of Relativity. “No,” she replied, “I do not understand Prof. Einstein's Theory of Relativity, but I understand--Professor Einstein.”

Love is the willingness to do what the beloved asks of me simply because he or she wants it. That is sufficient for me. And for Judaism one of the very highest ideals is the love between God and man.

And love evokes love. In one version of the divine reaction the Israelites' response to *nishma've naaseh* we read: כשעמדו ישראל על הר סיני אמרו כל אשר דבר ה' נעשה ה' ונשמע, “When the Israelites were on Mount Sinai and said, ‘all that the Lord hath said we shall do and understand, ‘immediately God fell in love with them...’”

Only if one observes Shabbat out of love rather than selectively choosing those laws he “understands,” will he derive the ultimate satisfaction of *שמחו במלכותך שומרי שבת*, of enjoying the Sabbath. Only if one prays out of love, and not as an exercise in Hebrew grammar or philology, will he derive the fulfillment and the emotional experience of prayer. Only if one follows all the commandments, and not only those that temporarily appeal to his superficial intellect, will he derive the full religious benefits that comes from a way of Jewish life.

The Talmud (Shab. 88a) relates that a pagan (or Sadducee) saw the great rabbi Rava who was so engrossed in his studies that he did not realize that the low stool on which he was sitting had one of the legs pressing on the finger of one of his hands. So preoccupied was he in his study, that he did not realize that the finger was injured and bleeding. Whereupon the intruder said to him, impatient people, thoughtless and mindless and impulsive Jews! At the very beginning of your history you put your mouth before your ears (when you said *naaseh ve'nishma*), and you are still as impulsive as you once were. First you should have said *nishma*, to understand what you are letting yourself in for, and only after you knew what you are doing should you have said *naaseh*. And that same impulsiveness at Mt.

Sinai is still present in your neglect of everything but the mitzvah in which you are now so engrossed. To which Rava answered in three simple words: אגן דסיגין בשלמותא, which according to Rashi means: we are people greatly in love (with God). When you love, you respond by immediate and impulsive affirmation of the request made of you, even before you understand. Nothing else is important.

Where there is love, full comprehension can wait. Where there is love, we will do even while we doubt. Where there is love, we will try to please God even while questioning. Where there is love, we will follow the halakhah and then study and inquire. Where there is love, every word of prayer and every Jewish act will be consecrated לשם שמים, for the sake of Heaven. Where there is love, you can even step on our toes, even draw blood, and we will never desist and never abandon Torah and Judaism. *Naaseh ve'nishma!*

Finally, the theonomous principle of *naaseh ve'nishma* entails the act of discipline and self-restraint, without which religion has no spiritual and existential meaning.

In the story of Rava we just cited, he sat with his hands under his feet, under the stool, no doubt so as to restrain himself from following the thousand and one “needs” that distracted him from his study. Do we not find ourselves in similar circumstances--usually without the discipline that Rava exercised? We each of us have a hundred reasons not to “daven,” not to study Torah, not to give charity, and not observe family purity. Is this not a typical circumstance: you try to study Torah and you find so many things clamoring for your attention and beckoning to you--the refrigerator, the telephone, the children, other work, television--everything but study. To be a genuine Jew means to put aside all rationalizations and distractions and say firmly, and once and for all, *naaseh ve'nishma!*

That great Hasidic advocate of our people, the Berditchever Rebbe, once pleaded for Israel in the following manner: Look, Almighty, at the kind of people You have. When the Czar prohibits stealing and dealing in contraband, he has courts and judges and police and jailers and all kinds of brutality to force the people to follow the right way. Yet, the jails are full, and the stealing is rife throughout the land. But You say in just one little verse that it is forbidden for us to eat hametz on Passover--and here it is half a day before Passover and you will not find a half a crumb of hametz in a single Jewish home in this town!

There is something majestic in this theonomous *naaseh ve'nishma* which gives a man this power of restraint, this heroism of discipline, this magisterial power of

renunciation.

So it is that another version of God's reaction (Shab. 88a) tells us that when the Israelites said *naaseh* before *nishma*, 600 thousand angels came down and tied on the head of each Jew שני כתרין, two crowns, one for *naaseh* and one for *nishma*! “Crowns” as a reward for the response of *naaseh ve'nishma* are indicative not only of a religious soul, but symbolize a kind of piety which is aristocratic, royal, majestic.

So, the theonomous basis of Judaism, *naaseh ve'nishma* has shown to reveal these three values: naturalness, love and discipline. These are three qualities that, in our view, make *naaseh ve'nishma* more valid than and preferable to the autonomous approach to religion which destroys the integrity and consistency of Judaism and leaves it artificial and dry and without majestic sweep.

Perhaps the three values may be said to be summarized and hinted at in one of the prayers we recite every morning. The Tradition, as we mentioned at the outset, attributed the “secret” of theonomy to the angels. And about the angels we say, כולם אהובים כולם ברורים כולם גיבורים.

“They are all beloved”--the element of love

“They are all pure”--i.e., natural, straightforward.

“They are all mighty”--disciplined, for, as the Sages taught, “Who is mighty? He who restrains his instincts.”

All three elements are thus present. וכולם עושים רצון קונם - And all perform in fear and trepidation the will of their Maker.” They are theonomous.

We start with *naaseh*, with a code of conduct, and we then progress to *nishma*, to understanding, to full comprehension. The ultimate ideal is for *nishma* to be fulfilled to such an extent that both halves of the equation are equal: *Naaseh* and *nishma*.

So the secret is out: “Who revealed this secret to My Children?” This is Judaism's open secret: we shall do and we shall understand. It is an angelic approach. It is the way humans try to be more than human.

Despite its difficulties, its challenge to man's intellectual pretension, and its strangeness in the modern autonomous culture, it has its reward.

For when the Jew proclaims *naaseh ve'nishma*, the response of God, according to the Psalmist, is equivalent. We might call it, “God's *yaaseh veyishmah*,” He will do and He will understand. For thus do we read: וישמע וישמע וישמע, “the will of them that revere Him He shall do, and that prayer shall He hear (understand, sympathize)--and He shall help them.”

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## Delayed Punishment

Rabbi Ari Zucker

Basic psychological conditioning argues that punishments should be meted out immediately in order to avoid repeat offenses. When the consequence is too far from the crime, the connection is weaker and less effective. This theory makes our treatment of indentured servants all the more puzzling. The Torah (21:6) that if after six years of servitude the servant opts to stay with his master, we pierce his ear. Why? Rashi explains that “The ear that heard ‘don’t steal’ at Sinai, and then stole, should be pierced.” Rav Shimon Schwab asks a simple but penetrating question: he stole six years ago; why did we wait until now!?

A survey of our parsha illustrates that the Torah doesn’t expect us to be perfect. The Torah deals with reality: people damage, steal, and cheat. But it also shows us that we can be better. So our parsha continues to teach about judicial integrity, humane treatment of our enemies and caring for those less fortunate. Perhaps the reason we find Mishpatim at the start post-Sinai Torah is precisely to

communicate this goal: we can be better.

Rav Schwab explains that six years earlier, the servant was in a circumstance so difficult that it drove him to thievery. He spent the past six years paying for his crime. Today, the struggles of his past are behind him, for his master has ensured that he is no longer hungry, impoverished or scared (see Kiddushin 20a). So when we offer him freedom today, we expect more. If he still elects to keep his master, to live a second-rate life, then we punish him now. His “sin” when he has every opportunity is much more acute and needs conditioning immediately.

Every one of us has periods of struggle. Rav Wolbe calls it *Yemei Hasinah*; Rav Dr. Lamm and Rav Dessler called it “Days of Smallness.” But they all share the same guidance: don’t be so hard on ourselves. The Torah assures us that it’s ok for us to make mistakes, it’s ok for us to falter when we’re down. But during our highs, when we’re safe and secure, the Torah also expects us to strive for greatness.

## Keeping the Peace

Rabbi Joshua (The Hoffer) Hoffman

Parshas Mishpatim begins with the words, ‘ve-eileh hamishpatim,’ meaning, and these are the laws. Rashi points out that the letter ‘vav’ – and - indicates a connection to what preceded. In the previous parsha, we are told of the presentation of the Decalogue to the Jewish people at Mt. Sinai. The vav is thus telling us that just as the Decalogue was given at Sinai, so too were the Mishpatim, or the civil laws, given at Sinai. Rashi is, however, faced with the problem of the immediately preceding verse, which speaks of the altar, and therefore explains that this sequence comes to teach us that the Sanhedrin, the central Jewish court, must be placed next to the altar. What is the purpose behind this particular law? In a simple sense, we can say that since, according to the Mishnah in Middos, Sanhedrin must judge whether a kohein who serves in the Temple is, in actuality, a kohein, they must be available at the altar in order to render such decisions in their proper time. The Maharal of Prague, however, in his super-commentary to Rashi, Gur Aryeh, offers a more philosophic explanation.

The Maharal explained that just as the implementation of the laws by the Sanhedrin, meaning, the judging of

disputes, instills peace between man and his fellow man, thus bringing them closer together, so too does the altar, upon which the korban - the sacrifice - is brought, brings man closer to God, as indicated by the fact that the word korban is related to the word kareiv - to come close. The Maharal’s message, on another level, is that if we wish to be close to God, we must insure that we are close to our fellow man. If we do not maintain peaceful relations with our neighbor, who is made in the image of God, we cannot expect to be close to God Himself. On the other hand, if we are truly close to God, we will also be close to our fellow man, who was made in the image of God.

One problem with the Maharal’s explanation is that it does not relate to the altar itself, but to the sacrifices that were brought on it. The Netziv, however, in his Ha’Amek Davar to Mishpatim, relates the vav in ‘va’eileh’ to the actual sacrifices that are brought on the altar, as mentioned in a verse previous to the last one in parshas Yisro. The Torah tells us (Shemos, 20:24), “In every place that I cause My name to be mentioned I will come and bless you,” meaning that wherever God permits us to bring sacrifices,

He will bless us. This means, says the Netziv, that sacrifices brought on the altar bring blessing. The Netziv cites a number of other places in the Torah that this connection is made as well. The Netziv does not elaborate on the blessing that sacrifices bring, but perhaps we can suggest, in a way somewhat similar to the Maharal, that sacrifices are an expression of love between man and God, as explained at length by Rabbi Menachem Kasher in an appendix to his

Torah Shleimah on Vayikra. In bringing a sacrifice, man is saying that his very existence is a gift of God, and that he is willing to sacrifice it if the need arises. A truly loving relationship with God will necessarily transfer over to one's fellow man, as well, and the result will be a blessing. Since the greatest blessing possible is peace, the message of the Maharal and the message of the Netziv are essentially the same.

## Double The Sensitivity

*Rabbi Assaf Bednarsh (Transcribed and adapted from a shiur given in the Gruss Kollel on February 9, 2018)*

**T**his week's Parsha is chock-full of important principles. One of them is "כל אלמנה ויתום לא תענון" not to oppress a widow or an orphan. Then, all of a sudden, the Chumash speaks in a very unusual language—אם ענה תענה אתו כי אם צעק יצעק אלי שמע אשמע צעקתו. We all notice the strange property of this pasuk—everything is doubled. "Im ane te'ane oto"—if you doubly oppress. "Tza'ok yitzak"—he will doubly cry out. "Shamo eshma"—I will doubly hear. We know that the Torah often uses emphatic language, employing double formulations. Similarly, the Torah could be trying to emphasize the importance of the issue at hand. But still, that's a lot of double terms in the course of one line in the Chumash! Perhaps, *al pi Drash* (exegetically), there is more here than meets the eye.

Several Achronim try to figure out what the Torah is hinting at with this "double talk." The *Kli Yakar* gives two possible approaches. It must be, he says, that when you oppress a widow or an orphan, you are surely oppressing two victims, not just one. Therefore, there are two crying-outs, and Hashem hears two cries. In his first pshat, he says that when you are oppressing a widow, you are also oppressing an orphan. When he sees his mother oppressed, he also feels oppressed. Likewise, when you oppress an orphan, you are oppressing a widow, as well, because she sees her child tormented, and therefore she also feels oppressed. Therefore, there is a double aveira (sin) of oppressing a widow and an orphan. In his second pshat, he is a little more theologically creative. He says that Hashem is "Avi yesomim and Dayan almanos" (Hashem is the father of orphans and a defender of widows). That would mean, if you are maltreating a yasom, you are also at the same time oppressing Hashem. Because He feels the particular pain of the yasom, and even if He is the "father" of everyone—all the Jews—nevertheless, he is above-all the "father" of the yesomim. And likewise, he especially feels the pain of the

almana. And therefore, you should know that you are being chutzpadik and oppressing Hashem if you are mistreating the almana.

The Alshich also sees double oppression here. But instead of the persecution of two separate victims, he sees double oppression against the same victim. And I think he says something psychologically insightful. He says: The almana is walking around with so much psychological baggage. Her husband died. She has a question: Why? Add all the suffering and the indignity she has been through since then. And the yasom suffers when all the other kids in his class bring their fathers, but he doesn't have one. It's so difficult for him. And when you go and do even a small thing against a yasom or an almana, it's double oppression. First, bearing the disrespect or someone taking advantage of them. And second, having to deal with all their suffering, all their "baggage," making them feel once again all the pain they are suffering during this entire arduous process. And therefore, they will cry out a double cry. For sure, they will not only say: "Hashem, please help me, because this fellow stole from me, or tricked me, or took advantage of me, or made fun of me." Hashem will hear the double suffering (and we are not going to repeat what the psukim say would happen to the avaryan (transgressor) in this case). And that's why it's so chamur (strict). As a result of all the baggage that you bring up and everything else that is going on in their lives, you are causing them to feel the pain anew. I think that it's very insightful that very often, we don't think about what else is going on in someone else's life. Even if someone is actually a yasom or an almana, often we don't think about how much pain they are carrying with them. You have to be extra careful and sensitive because of this. But I found that even a person who is not a yasom and not an almana and walking around, on top of the world, smiling, looking like everything is perfect in their life klappei chutz

(as far as we see it). You never know. And when I say ‘never,’ I don’t mean around 1% of the time. You never know! A lot of the time, people suffer inside. They struggle; they have all kinds of tzaros (problems). So many people are walking around with innumerable difficulties and so many tzaros—so much suffering and pain inside. And it’s so effortless for us to say: Oh, this guy just made an obnoxious comment to me, etc. We don’t know how much pain he is going through that pushes him to act in irrational ways. Or you could poke fun at someone a little, and you are sure it’s not a big deal, you are sure that they won’t mind. But you don’t know. You don’t know what is going on in their head and what is going on in their lives and how much of what you see as innocent and not a ‘big deal’ could really make someone suffer. How could you judge someone based on the outside appearance, perfection, etc.? You don’t know what is going on inside of them that would make you conclude differently. I think that’s what the pasuk teaches, according to Alshich. When

you think about treating someone properly, even if they are not a widow or an orphan—remember “anei t’anei, shamoa tishma”—you have to think about the possibility, even the probability of a lot more going on than you think. You have to be extra sensitive to account for the fact that everyone has tzaros. Everyone has problems about which we might not know. And we should be extra sensitive about how we treat people: to make sure not to judge them wrongly; not to cause them unfair pain; not to make their life more difficult; not to cause them all kinds of tzaros—because of all kind of things that we don’t know are going on in their lives. And if we do that, then im yirtze Hashem (G-d willing), Hashem will hear our tefillos (prayers) and will do the opposite of all the terrible things written in these psukim (regarding the one who oppresses an orphan or a widow). And He will give us brocha (blessing) and hatzlacha (success) and yeshuos (and salvation from problems of this world).

## The Dangers of Groupthink

Rabbi Dr. Mordechai Schiffman

**P**earl Harbor, the Bay of Pigs Invasion, the Vietnam War, the Watergate Scandal, NASA’s Challenger and Columbia shuttle disasters, and the invasion of Iraq in 2003. Psychologists have linked all of these tragic events to the concept of groupthink. As Dr. Irving Janis originally described in 1972 in his pioneering book, *Victims of Groupthink*, groupthink occurs when likeminded people gather to make a decision, and due to social conformity, they all gravitate towards the same conclusion, without fully analyzing all sides of the issue. There are a number of factors that make groupthink more likely, including high group cohesiveness, high stress situations, a closed leadership style by the leader of the group (i.e., a style by which the leader states his or her decision first, and suppresses dissenting views).

In a fascinating paper entitled “Groupthink and the Sanhedrin: An Analysis of the Ancient Court of Israel Through the Lens of Modern Social Psychology,” Rabbi Dr. Eliezer Schnall and Dr. Michael Greenberg argue through various examples from the Talmud that the laws regulating the Sanhedrin serve to counteract groupthink. The Sanhedrin tended to be a group of like-minded individuals who were in charge of making very important decisions in high stress situations, many of which had life or death consequences. Without proper checks in place, they were

in danger of groupthink.

The plethora of Talmudic proofs that they cite to bolster their argument find their conceptual roots within Parshat Mishpatim. In a sharp formulation, the pasuk states “You should not follow a multitude to do evil” (Shemot 23:2). While some understand this as a general exhortation to everyone not to associate with groups of people who are not behaving appropriately (Rabbeinu Bechaye), most commentators argue that the pasuk is speaking directly to judges (see, e.g., Rashi). Despite the fact that all the other judges may decide that someone is either guilty or innocent, if one judge is convinced based on his own well-thought-out process that the others are incorrect, he is obligated to state his dissenting opinion. Even though there may be great group and social pressure to suppress his opinion and let the decision be unanimous, he must state his argument.

The pasuk concludes “*ve-lo ta-aneh al riv lintot acharei rabim lehatot*,” which also lends itself to a number of possible interpretations by the commentators but seems to reiterate the importance of not perverting justice just to conform to the majority (see HaEmek Davar). Rashi, quoting the Sages, points out that the word riv (disagreement), which should be spelled *Reish-Yud-Vet*, is spelled in the pasuk without the middle *Yud* (just *Reish-Vet*). This allows for a non-literal reading of the word as

Rav, meaning teacher. According to this interpretation, the message is that one should not disagree with one's teacher when deciding a legal ruling. Yet, because following this idea would suppress a judge's honest opinion, the rule in the Sanhedrin is that the less experienced judges must give their opinions first, before listening to their teachers or the experts' decisions. This open leadership style is essential for avoiding groupthink.

## Murder Hornets and The Long Walk Home

*Rabbi Moshe Taragin*

**T**he past year shook the world. Humanity faced a pandemic, the likes of which only occurs every hundred years. Locked in battle with an invisible but deadly virus, we also discovered that, bees can also be deadly. Regular bees sometimes cause irrational fear because they buzz and are airborne. But their sting rarely inflicts more than temporary discomfort or passing irritation. This past year, the Northwest region of the USA was introduced to "murder hornets" which are highly venomous, aggressive, and capable of wreaking significant damage both to the "ecological balance" as well as, in rare cases, to human beings.

Parshat Mishpatim actually describes murder hornets – swarming wasps which G-d dispatched to defeat the residents of Israel and pave the way for Jewish settlement. This promise of supernatural victory, spearheaded by deadly hornets, suggests a very quick and easy conquest of the land and a rapid and trouble-free settlement of Israel. Dashing these expectations, the very next verse cautions us that, the process will be slow and staged. Conquest and settlement will not occur quickly but slowly and gradually; the overall process of inhabiting the promised land of Israel lasted over a fourteen-year period. In His very first detailed description of Jewish entry into the land of Israel, G-d reminded us not to expect a quick or immediate process.

The Torah lists two reasons that the schedule will be delayed: Firstly, the frontier cannot be quickly tamed; if the entire land were immediately delivered to the Jewish people, the frontier would overwhelm the city and the jungle would overrun human habitat. A more gradual pace allowed the Jews to slowly build their cities and villages and to stabilize their society.

However, it wasn't just the threats of the frontier which dictated a more gradual pace of settlement. For internal reasons as well, the young and fledgling nation wasn't yet

Despite the fact that none of us sit on the Sanhedrin, the lessons gleaned are generalizable to other situations. Broadly speaking, standing firm behind what is right and just even though most others disagree, is an important trait to inculcate. Additionally, to whatever extent we make decisions as a group, we should do our best to counteract the threat of groupthink by modeling open leadership styles and encouraging dissenting opinions.

prepared to settle the vast land. Ensuing verses describe the extensive borders of Israel – a swath of land which could not possibly be inhabited by a young nation of former slaves; a more paced and gradual timeline would allow natural growth and would allow the nation to slowly ease into their homeland.

The promise of murder hornets vanquishing their enemies may have aroused undue expectations about a rapid conquest of the entire land of Israel. The Torah quickly ramps down these expectations by stressing that, for both internal and external reasons, a more staged pace of settling Israel is beneficial and preferable.

Jewish History is all about patterns- what happened before is bound to happen again. We study past redemptions to uncover the general outline of our own redemption. Thousands of years later, we, once again, find ourselves living the "historical pattern" described in Mishpatim. G-d has returned His people to His land; we haven't exactly witnessed murder hornets but the overall experience feels very similar. We have lived through amazing miracles and G-d has blessed us with the ability to protect ourselves against innumerable enemies; we may not have murder hornets but G-d has enabled us to assemble a pretty impressive air force! We are back in the land that we have dreamed of for over two millennia.

Two thousand years of dreams often stokes unrealistic expectations. In our dreams, we sometimes expect the return to be immediate and "electric". When we struggle or when the process lags, we sometimes lose our enthusiasm and, sometimes, even our faith. Evidently, G-d has others plans for our return; evidently now, as then, the process will be more staged than electric. Evidently, then, as now, there are both internal as well as external reasons for the delayed process.

The external reasons for this delay surround G-d's

desire to conduct our return to Israel through the historical process. Though God can “impose” redemption upon history, He often chooses to “stream” redemption “through” human history. Rather than wrecking the historical order and introducing apocalypse, G-d often works within historical factors. In Egypt, G-d could have effortlessly and immediately emancipated the Jews, yet he chose to operate within Egyptian politics; our fate and ultimate redemption was streamed through the will of Pharaoh, who ultimately became the driving force of our release from Egypt.

Our return to Israel has, so far, been similar to the liberation from Egypt. Our return in 1948 occurred within the most historically dramatic decade of the past century. During the 1940s, wars raged, Communism ascended, Fascism was defeated, European colonies were dismantled and the maps of Europe were redrawn. This events of the first half of the 20th century served as the historical platform for our return to Israel. If the return of Jews to Israel is meant to repair all of humanity, the process must be embedded within the history of humanity. However, if redemption evolves within history it will also be slowed by geopolitics, diplomacy and various other historical pressures. The pace of our return may be slow since, at least at this stage, G-d has chosen to encase our redemption within human history and within human historical factors. The “seas of history” haven’t parted yet, and we are still struggling for our homeland within the battlefield of history. If Mishpatim warns the Jews about the beasts of the jungle, today, we face the “beasts of History”!

However, beyond the “external factors” delaying the process there are also internal “holdups”. Rebuilding our national identity after two thousand years of dispersal isn’t an easy task nor can it be completed in one or two

generations. Israel has assimilated Jews from fifty-two dialects and from vastly different cultures; creating a common national identity will take time. Additionally, and sadly, our country is still badly split between religious and secular Jews and, regrettably, the Corona experience is likely to exacerbate these tensions. Incredibly, we have built a robust democracy but evidently haven’t “bred” the type of visionary and selfless leaders which the “founding generation” enjoyed.

Additionally, there are many specific “thorny” issues which probably cannot be solved in our generation. Hundreds of thousands of Jews in Israel, many of them emigres from Russia, seek Jewish and Israel identity without a desire for full halachik conversion. We can’t compromise our standards for conversion but we also can’t ignore so many “Jews” living in Israel but without halachik Jewish identity. Another dilemma surrounds the status of the kotel which should, and does, serve as a magnet for different Jews across the world and across many different denominations. The proper standards of prayer-which includes separation between men and women- must be preserved at the kotel. Alternatively, we must carve out space for people who, currently, don’t desire or adhere to those standards. It would be a pity if we severed Jews from the kotel and from greater Jewish identification. These, and many other issues, will probably take time to solve and, evidently, G-d has decided to give us the time and the opportunity to devise our own solutions. G-d can always decide to shuffle the historical deck, descend into our world, and immediately resolve all these dilemmas and challenges. Until that day we all need a little patience. Building a nation will take some time, and G-d is giving us the opportunity to iron out the wrinkles.

History is all about patterns.

## The Essence of Shabbat

Rabbi Dr. Dvir Ginsberg

**T**he number of new Jewish laws, or halachot, introduced in the weekly portion of Mishpatim is quite extensive, which makes a potential repetition of a previous commandment stand out. The day of Shabbat resurfaces after introducing the commandment of Shmita, with a further exhortation (Shemot 23:10-12):

*“Six years you may sow your land and gather in its produce. But in the seventh [year] you shall release it and abandon it; the poor of your people shall eat [it], and what they leave over,*

*the beasts of the field shall eat. So shall you do to your vineyard [and] to your olive tree[s]. Six days you may do your work, but on the seventh day you shall rest [tishbot], in order that your ox and your donkey shall rest, and your maidservant’s son and the stranger shall be refreshed.”*

What additional information is being presented here regarding Shabbat?

There are many different answers offered; the focus here will be on two that are developed within various



Midrashim. The first explanation involves an odd line of thinking. A person might consider the prohibition of melacha, or creative act of labor on Shabbat, to only be applicable at the time one would actually be involved in such an action. During the time when one would not be engaged in melacha, the prohibition would no longer be an issue.

Why would someone think this? The prohibitions would seem to be tied to the fabric of the day, rather than only appearing when faced with the action at hand.

The second explanation is similarly problematic. The prior verses announce the occurrence of the Shmita year. For six years, the Jewish people were able to farm the Land of Israel. However, once the seventh year occurred, they were to be prohibited in planting anything new, allowing the land to lie fallow. The terminology used (later in the Torah) for the cessation of working the land is the same as for the seventh day of every week: “Shabbat”. The verse then that follows the warning of Shmita redirects to the weekly Shabbat. In looking at the series of verses as being linked, Rashi notes that one should not conflate the two “Shabbatot”. During the experiential seventh year of Shmita, one might consider the obligation to adhere to the weekly Shabbat as being unnecessary. As Rashi puts it, since the entire year is one of “Shabbat”, one might not keep the Shabbat of Creation.

While the assumption in this instance is slightly more reasonable, it is still remarkable to consider someone might come to this conclusion. It is true the two legal institutions share the same terminology; does this therefore imply a superfluity of one with the other?

The atmosphere of prohibition pervades Shabbat, a day where the performance of any physically creative action is problematic. On one level Shabbat would appear to be a day of privation. Removing oneself from the world of melacha is the objective of the sanctified day. If Shabbat were “merely” this idea, then one could understand how melacha only presents itself during the time when the potential for creative labor exists. The privation is empirical, expressing itself when faced with the opposing action. Shabbat becomes a vacuum of sorts, similar to Yom Kippur. On that day, the individual is deprived of the world of the instinctual, and the subsequent state allows for the immersion in repentance.

Shabbat, though, is not quite like this. Rather than view Shabbat as a state of withdrawal, it could be that Shabbat is a positive state of existence. It is the ideal realm a person

should be in, where one’s mind is able to focus solely on God. Much of weekly life draws a person away from this utopian condition. Of course, this does not mean that one should shun working. Rather, one should consider the value of the unique Shabbat experience and look forward to “creating” this paradigmatic state.

Sforno echoes this point in his commentary on the verse. He notes that the addition of “tishbot” in the verse widens the scope of that which one must avoid. This means the area of prohibition is no longer just specific creative actions. An example is the limitation in what one may speak about on Shabbat, where weekly matters (such as business) are off the table. Introducing any significant aspect of the week into Shabbat is, in a sense, a corrupter of the environment sought out.

The other interpretation guides the reader into a different realm concerning Shabbat. When looking at the list of melachot forbidden on Shabbat, one notices how many of them are focused on the agricultural. Activities related to and including planting and harvesting are prohibited on Shabbat. Similarly, many such actions are forbidden to be done during the Shmita year. With the significant overlap in the various prohibited actions, why the need to celebrate the weekly Shabbat?

Rashi emphasizes how this is the Shabbat of Creation. While the legal and technical structures of the two acts of “melacha” might share much in common, their objectives are quite different. One of the primary objectives of allowing the land to “rest” involves internalizing the reality of humanity being dependent existences. The farmer labors daily, engaged intimately in the cycle of planting and harvesting. With all the work put in, it becomes natural to see one as being in control of the process. Of course, not everything (such as the weather) is within the farmer’s purview. However, to easily put one’s security in God and achieve a state of mind of complete dependence on Him, is a challenge. The year of Shmita affords the Jewish people just such an opportunity.

The weekly Shabbat, as noted above, is the entrance of the individual into an ideal state of existence. In such a state, the person now reflects on God as Creator, achieving a greater understanding of Him. The abstention from melacha allows for an individual to truly elevate on this unique day.

Thus, while the planting on Shabbat may appear no different than the planting done during Shmita, the objective of each is completely different. In a sense, the act

of melacha can take on two completely separate identities, yet be the same physical action.

On one level, it is obvious how Shabbat is a particular day, evidenced by the multitude of restrictions levied upon each and every Jew at its onset. Yet this additional verse in

## Holiness Through Restraint

Mrs. Michal Horowitz

In this week's parsha, Parshas Mishpatim, we are introduced to the myriad of laws that follow the great Revelation at Sinai. The majority of the mitzvos in Mishpatim are mitzvos bein adam l'chavairo, laws governing interaction between man and fellow man. As opposed to the "sound and light show" that was Ma'amad Har Sinai, Parshas Mishpatim teaches us how to live our daily lives as Jews following the word of G-d.

In the parsha, we are commanded: וְאֲנֹשֵׁי-קֵדֶשׁ, תִּהְיוּ לִי; - *And you shall be holy people unto Me, and flesh torn in the field you shall not eat; you shall throw it to the dog(s)* (Shemos 22:30).

Rashi teaches: ואנשי קדש תהיו לי. אם אתם קדושים ופרושים - *People of holiness you shall be unto Me: If you are holy and abstinent from the repugnances of carcasses of unslaughtered animals that have been mauled, behold you are Mine. But if not, you are not Mine.*

Furthermore, why should unslaughtered meat be thrown to the dogs? Rashi explains: וְלִמְדָה הַכְּתוּב שָׂאִין הַקֶּבֶ"ה מְקַפֵּחַ שֹׁכֵר כָּל בְּרִיָּה, שֶׁנֶּאֱמַר וְלֹכֵל בְּנֵי יִשְׂרָאֵל לֹא יִהְרָץ כְּלָב - *The verse teaches you that Hashem does not deprive any creature of its reward, for it says 'And for all the Children of Israel a dog will not sharpen its tongue'* (Shemos 11:7) [At the time of the Exodus from Egypt, the dogs did not bark at the departing Israelites.] Therefore, (in this verse) Hashem said (since they did not bark) 'give the dog his reward.'

Even with Rashi's explanation, the first half of the verse, "and men of holiness you shall be to Me," and the second half of the verse "do not eat torn meat; throw it to the dogs" seem to have nothing to do with each other. What is this mitzvah 'to be holy', what does it have to do with the dogs, and what is Rashi trying to teach us?

Rabbi Shalom Rosner writes, "What does being holy have to do with not eating treifot and neveilot? Rabbi Mordekhai Eliyahu, in Divrei Mordekhai, quotes Rashi to explain the connection between the first and second parts

of the Torah helps to lay out the transcendental experience Shabbat must be to each and everyone. When we leave the sole mindset of prohibition and turn our focus to God, the true potential of Shabbat is actualized.

of the pasuk. Rashi says: "If you are holy and abstain from neveilot and treifot, you are Mine."

"Rabbi Eliyahu asks what was so amazing about what the dogs did at the Exodus from Egypt that forevermore we reward them with our non-kosher meat? The dogs would have barked if Hashem hadn't stopped them. Why do they deserve reward? (Furthermore), why is the litmus test for deciding if something is considered hametz on Pesah based on whether it is fit (specifically) for a dog's consumption - לאי לאכילת כלב? Why specifically a dog?

"Rabbi Eliyahu explains that we can learn a few things from the dog. First, the dog teaches us that we can control our natural inclinations and desires. Hashem told them not to bark, so they didn't! (They were able to reign in their natural impulse to bark, in order to fulfill ratzon Hashem - the will of G-d.) That is what Bnei Yisrael saw as they were (leaving Egypt on their way to) becoming a nation. As they were about to become a free people, they needed a message that they could control their natural tendencies. (The dogs, who held their tongues and did not bark, taught them this lesson.)

"To be holy people, they had to learn this midda (character trait), which the dogs taught them. The lesson is that not everything that comes naturally is appropriate or divinely blessed. There are many types of desires we may experience, but we must control ourselves... Being a holy nation means knowing how to control ourselves and knowing what is appropriate (to do) or not for us. Perhaps (now we can understand) why dogs are the yardstick for kashrut on Pesah: A dog is the symbol for us being able to suppress inappropriate behavior" (Shalom Rav, p.406-407).

What a beautiful chiddush (novel insight) and pshat (interpretation). וְאֲנֹשֵׁי-קֵדֶשׁ תִּהְיוּ לִי - and holy people you shall be unto Me. What reminds us and demonstrates what it means to be holy? The dogs. Why? Because as we left Egypt, we witnessed them controlling their ratzon (will) to do ratzon Hashem. And this is the essence of living holy

lives: knowing how and when to control our most base impulses to adhere to G-d's command. Hence, they are to be rewarded with torn meat.

“After he was married for a few years, R' Aharon Rokeach (b.1975) experienced such a serious cold that his father, R' Yissocher Dov (b.1948), the Belzer Rebbe, forbade his son to immerse in a mikvah until he was completely healed.

“R' Aharon's brother-in-law noticed that late at night R' Aharon would go to the mikvah anyway! He could not understand how his holy brother-in-law would defy his father's wishes. After a few nights of this, he got a friend to follow his brother-in-law to see what was going on. His friend reported back: R' Aharon entered the mikvah area, undressed, and walked over to the edge of the mikvah. As he stood mere inches from the water, he said, ‘I am now

fulfilling the mitzvah of honoring my father.’ He then went back up the steps, got dressed and left.

“R' Aharon wanted to make it clear to himself that he was not refraining from immersing in a mikvah out of convenience, rather, he refrained from doing so only due to the mitzvah of *kibbud av*” (Portraits of Prayer, p.89-90).

Amidst the great Revelation at Sinai (Shemos 19-20, 24) and the myriad of laws that govern our daily living (Shemos 21-23), we are told: Holy people you shall be unto Me. What does it mean to be holy? Remember the dogs who refrained from barking as you left Egypt. To be holy means to submit our will to G-d's will, to hold back our natural impulses in deference to the word of G-d, and to strive to always live exalted lives according to Torah and mitzvos.

Then indeed, אֲנִישׁי-קֹדֶשׁ, תְּהִיוּ לִי, we will truly be a holy nation unto Hashem.

## Naaseh v'Nishma & Religious Maximalism

*Rabbi Jonathan Ziring*

**R**abban Yochanan ben Zakkai would expound this verse as a type of decorative wreath [*chomer*], i.e., as an allegory: Why is the ear different from all the other limbs in the body, as the ear alone is pierced? The Holy One, Blessed be He, said: This ear heard My voice on Mount Sinai when I said: “For to Me the children of Israel are slaves” (Vayikra 25:55), which indicates: And they should not be slaves to slaves. And yet this man went and willingly acquired a master for himself. Therefore, let this ear be pierced. (Kiddushin 22b, Koren ed.)

Opening the myriad of laws in Parshat Mishpatim is that of the *eved ivri*, the Jewish slave. While his normal service lasts six years, the Torah gives him the option to extend until the yovel year if he chooses to remain, as he “loves his master” and the family he has built in servitude. Part of the process to extend his slavery entails his master piercing his ear by the doorpost. Rabban Yochanan ben Zakkai contends that his ear is pierced as he failed to hear the message of Har Sinai – that we are slaves to G-d, and not man.

However, Rabbi Yehudah Leib Alter (Sefat Emet, Shemos 657) notes that at first glance, the slave's sin is more about action, namely that he is now limited in his freedom to pursue a free religious life as he has committed himself to his human master. Why then do we focus on his ears and not, for example, his hands?

To answer, the Sefat Emet turns to the end of the parshah, where the Jews accept the Torah with the celebrated “*naaseh v'nishma – we shall do and we shall hear.*” (Shemos 24:7) While many interpretations are offered for the exact meaning of these two commitments, the Sefat Emet suggests that “we shall do” refers to an acceptance of what is expected or demanded, no more, no less. “We shall hear” is more expansive, a dedication to constantly want more, to be so excited to live a life devoted to G-d that one goes out of his or her way to learn about new ways to serve G-d.

By accepting an extension of servitude, the slave purposely puts himself in a bind. As a Jew, he will still have to keep the laws of the Torah. However, he has bought himself a technical exemption from striving for a maximal religious life. Namely, as he is bound to his master, his ability to strive for excellence, and not just a minimalist service of G-d, will be hampered, and he will be forgiven, as G-d cannot expect more of him. Thus, from the vantage point of action, the slave will be doing nothing wrong. However, his real sin is his attitude, that he failed to hear that serving G-d is an opportunity to be pursued, not an obligation to be fulfilled.

The Talmud Yerushalmi (Berachot 3:3) writes that, “From where do we derive that slaves [are exempt from

Shema]? As the Torah says, ‘Listen Israel, Hashem our G-d, Hashem is One.’ [This refers to] one who has no master except for G-d, which excludes a slave who has another master.” According to this passage, our daily acceptance of “the yoke of G-d” is the recognition that our commitment to G-d must be complete, and cannot be shared with devotion to another. Based on the Sefat Emet, the point is sharpened. One can “get away” with performing mitzvot and pursuing other commitments. However, the true demand of naaseh v’nishma and Shema is to embrace an

## Finding the Holiness in the Ordinary

*Rabbi Dr. David Shabtai*

In many editions of the Humash, Parshat Mishpatim often takes up the most space. It’s not because it’s necessarily the longest in terms of the number of pesukim, but that it is so chock full of information, that the length and breadth of the various commentaries is simply massive. The Parshah contains many laws of interpersonal monetary law, ranging from theft and damages to slavery and how to establish a judicial system to adjudicate any monetary disputes. These are all very important for the complete functioning of the Halakhic System, as Halakhah incorporates more than just ritual observances but governs all aspects of everyday life.

Not taking away from any of its importance though and taking a step back, it just doesn’t seem like the right place for any of this. In last week’s Parshah, the Torah described Matan Torah and the Ten Commandments. It’s an inspiring read, full of emotion, and awe. Right after summarizing the experience, the Torah very quickly describes the proper way to build a mizbe’ah (alter), which also seems to make sense, since the Torah proscribes that it’s through the korbanot that we can achieve closeness to Hashem. It’s appropriate that right after the most intense Revelation in the history of humanity, that the Torah explains how a close relationship with Hashem can be built even without the fanfare of Har Sinai. If most of us were asked, we’d likely have recommended to follow up with similarly inspirational laws, or at least those fundamental to life as a Jew: Perhaps Shabbat, brit milah, kashrut, or family purity. Why does the Torah instead immediately move on to the dry technicalities of monetary laws?

The Rav Hida thinks that the mundaneness of Parshat Mishpatim is precisely the point that the Torah is trying to convey. Sometimes, we feel that a more ‘authentic’ version

all-encompassing vision, where we want our lives to be defined, both in what we are commanded to do and what we choose to do, by G-d. That kind of commitment cannot be directed in more than one direction.

Thus, Parshat Mishpatim begins and ends with a reminder that service of G-d is a privilege we cherish, and we thus commit to fulfilling maximally, not finding shortcuts to get away with less.

of Judaism or a more ‘real’ religious experience requires a ‘Sinai experience’ — a feeling of sublime spirituality that encompasses our whole being. And while that is most certainly part of what Judaism offers, it is by no means everything. It’s for that very reason that Mishpatim begins with ואלה המשפטים—And these are the laws. These, seemingly rational and simply understood regulations (often described as משפטים) are a continuation of that very Sinai experience.

Hazal famously describe an argument between Hashem and His ministering angels about whether or not Bnei Yisrael were worthy of receiving the Torah. The angels argue that not only are they holier creatures than humans, but that until this point in history, the Torah was in Heaven and they therefore should have some say over not giving it over to Man. The counter argument however, was even stronger. It’s true that the angels are holy beings, who are more deeply connected to the hidden spiritual worlds of the Torah. But they have no connection whatsoever to its more practical sides. Angels have no desires or inclinations and rules against theft and forbidden relationships simply don’t apply to them. They don’t exist in the physical world and therefore, were not part of any of the history of Bnei Yisrael, therefore relegating so many mitzvot simply beyond their grasp.

It’s only Bnei Yisrael to whom this entire world of Torah is relevant. Since people are also capable of reaching the more spiritual worlds as well, we have an advantage over the angels. By placing Parshat Mishpatim, with its dry, technical laws right after Matan Torah, the Torah is emphasizing that it’s specifically by living the seemingly everyday mundane aspects of our lives according to the Torah that we actively demonstrate why we are deserving of it.

# Educating Towards Mitzvot

Rabbi Yosef Goldin

**T**he contrast between the two parshiyot is startling...

Last week's parsha, Yitro, records the scene of Matan Torah- perhaps the most powerfully inspiring spiritual moment in Jewish history- the moment of revelation when G-d Himself appears to the Jewish nation, surrounded by tremendous pomp and circumstance. This week's Parsha, Mishpatim, in contrast presents a list of commandments, lacking any drama or excitement- commandments that even seem to be particularly mundane and "dry".

And yet, the Torah deliberately connects the two parshiyot through its opening words this week:

וְאֵלֶּה הַמִּשְׁפָּטִים, "and these are the laws". Rashi quotes a well known Midrash that whenever the Torah opens a section of text with the word "וְאֵלֶּה", "and these", the Torah means to connect this new section with the previous one in some way. In this case, posits Rashi, the Torah teaches that just as the mitzvot in last week's parsha were given to Am Yisrael at Har Sinai, so too the mitzvot in this week's parsha were given at Har Sinai as well.

Perhaps we can go a step further- and suggest that the Torah means to connect, not only the specific mitzvot in Yitro and Mishpatim, but also the religious experiences that these parshiyot represent. We all strive for moments of revelation and intense spirituality, the "high" moments when we feel the deep presence of G-d, and are inspired to become better versions of ourselves. Realistically, however, such moments are far and few between. The Yitro experience is crucial and important, yet it is fleeting. To preserve that experience, we must channel the positive energy from those moments into the Mishpatim experience, into the day in and day out service to Hashem, through the many daily Mitzvot that He has given to us. It is only when the Yitro experience is channeled into the framework of the Mishpatim experience, the seemingly mundane daily commandments - that we ultimately begin to move on a path of sincere and meaningful Avodat Hashem.

We spoke last week about the importance of presenting G-d to our children as a kind and loving Father, who yearns for a relationship with them and cares deeply about them. As a continuation on that theme, we are confronted this week with the myriad of mitzvot that we

as Jews are commanded to keep. How can we impart to our children the vision of Hashem as a loving father in the face of His many restrictions governing all aspects of our lives? How can we contend with the often-felt sense that G-d's commandments are suffocating, and restricting? To sharpen the issue a bit more- in today's world, which champions the concept of autonomy and individualism, how do we raise our children with a respect for Torah and Mitzvot, which are based upon the concepts of authority and submission?

These are challenging questions, to which there are no simple answers. However, I believe one possible direction can be found by building upon the suggestion we made last week- namely by reframing the issue, and by cultivating within our children a deeper understanding of G-d and His Mitzvot.

On a basic level, Mitzvot are, of course, commandments- obligations directed to us by a higher authority that we are expected to keep. Taking it a step further, Rav Soloveitchik often writes of the important role that submission plays in Judaism- that each of us must submit our wants and needs to a higher authority, thereby committing an act of "tzimtzum", a "withdrawing" of ourselves and our natural desires, for the sake of G-d and in deference to Him. We cannot deny the fact that certain aspects of Torah and Mitzvot limit our freedom and require the sacrifice of our natural desires and wants.

However, Mitzvot are so much more than that- something that can only be understood when viewed within the overall framework of our relationship with Hashem.

All relationships carry specific social rules and guidelines. Friendships and peer relationships, marriage, sibling relationships, work relationships, all contain certain boundaries and expectations that define the nature of the bond. And when it comes to relationships where the level of authority is uneven- for example, a parent/child relationship, or a boss/worker relationship- the guidelines and rules within those relationships will naturally be uneven as well.

However, if the bond is a healthy one- if the parent/child relationship, for example, is built upon the deep love and genuine care that the parents have for their children, and the parents successfully relay those foundations to

their children- then all other aspects of the relationship will be viewed within the prism of that love and affection. Of course, given their role and responsibility, parents will need to establish rules and guidelines for their children. Some of those rules will make sense to the child, while others will not, given the limited perspective that the child has in comparison to the parent. There will inevitably be times when the child will feel stifled, when he or she will get upset and question the rules and the authority of the parents. If the parents, however, are able to convey to the child an understanding that all these rules are based on the unending love that they have for them, that they are designed to protect them and to allow for the cultivation of a deep relationship with them- if the rules arise from within the framework of an existing, loving relationship, and are used as a way to continue to strengthen that relationship- then the moments of frustration can be overcome, and the fundamental connection can prevail.

It is this vision, this model, that we need to present to our children as well regarding G-d and His mitzvot. G-d is our Father in Heaven, who loves us and desires a deep relationship with us- and it is from this place that the mitzvot emerge. They are not simply obligations, but rather opportunities. The Baal Shem Tov is said to have noted that the word Mitzvah comes from the Aramaic word “ צוה ”, which means “connection”- because G-d’s commandments emanate from within the existing connection that we already have with Hashem, and are ultimately intended to strengthen our all of our connections: with ourselves, with each other, and with G-d Himself. As we noted above, it is specifically within this defined framework, within the Mishpatim experience, that these connections can develop and flourish in a consistent and meaningful way.

We might not understand all the rules, given our limited perspective of the world and the reality around us. We might be tempted to question G-d and His authority at times- but if the strong foundation is there, and we if take into account the overall relationship, then the fundamental connection will, once again, hopefully prevail.

This is not a simple message to transmit to our children- and of course, how we convey this idea may differ from child to child. I would suggest, however that there are two considerations that are crucial to the promoting this sense within our kids.

1) The best model of our children’s relationship to Hashem is the relationship that they have with us, their parents. If we are successful, as parents, in building a connection with our children that is based on love and concern, as opposed to authority- one where the rules are seen within an overarching context of affection and genuine caring, then it will be easier for our children to transfer that experience to their relationship with Hashem.

2) The most important ways that we educate our children is through our own example. If we relate to the mitzvot as opportunities rather than obligations - if our children see that we view the mitzvot within the context of an overall bond with the Almighty- they will be more likely to experience them that way as well. If we approach the world of mitzvot as providing a framework for consistency and constancy in our Avodat Hashem, rather than as a burden, then we will more successfully relay that message to our children. Of course, there will be bad days, or moments where we will struggle and ask questions. But if the fundamental connection is there, then our relationship with Hashem will persevere- and act as a model for our children in their relationship with Him as well.

Our religious experience is made up of two main components- the spiritual “high” of the Yitro experience, and the accompanying rigid framework of the Mishpatim experience. When we are able to merge the two- and cultivate that balance within our children through a nuanced understanding of their relationship with their Father in Heaven- then we will be able to raise them as thoughtful and dedicated *ovdei Hashem*.

# A Deeper Understanding

Rabbi Avraham Gordimer

**P**arshas Mishpatim commences with a presentation of multitudinous civil laws in Halacha, addressing the topics of Eved Ivri and Amah Ha-Ivriyah (male and female Jewish servants), assault, murder, kidnap, unintentional bodily harm, damage by and to livestock and inanimate property, theft, home invasion, third-party protection of possessions, loans, and much more. These types of laws as referred to as “mitzvos bein adam la-chaveiro” - interpersonal mitzvos, between man and his fellow.

The parshah then changes gears somewhat, as it presents more mitzvos bein adam la-chaveiro, such as the prohibition of pressuring a poor person to repay a loan and requirements of returning collateral, yet it also proceeds to feature several “mitzvos bein adam La-Makom” - mitzvos between man and Hashem. Hence does the parshah now introduce mitzvos involving kashrus, Shemitah (Sabbatical Year), Shabbos, avodah zarah (idolatry), Aliyah La-Regel (festival pilgrimage to the Beis Ha-Mikdash three times per year), korbonos (sacrifices), and more. In fact, there is a very interesting pattern to this, as the parshah initially intersperses a small sampling of these and other mitzvos ben adam la-Makom in the midst of its lengthy presentation of mitzvos bein adam la-chaveiro, yet it then transitions to an exclusive focus on mitzvos bein adam la-Makom.

What is the significance of this pattern?

Although Mishpatim, the Torah’s civil laws, are generally viewed as logical and practical regulations, Chazal (the Sages) teach us that Mishpatim have the same kedushah (sanctity) as the rest of the Torah - as Rashi (on Shemos 21:1) cites from the Mechilta: “Just as the earlier mitzvos (in last week’s parshah) are from Sinai, so too are these (the Mishpatim) from Sinai”. In other words, the same level of kedushah and authority infuses the Mishpatim, and we dare not view them as the mundane or “secular” component of Halacha.

This concept is not merely an affirmation of the import of Mishpatim, but it conveys a very profound hashkafic (theological) insight as well. Whereas a person might assume that Hashem can be encountered primarily in the

performance of mitzvos bein adam la-Makom, the very notion of mitzvos bein adam la-chaveiro proclaims that Hashem’s realm of involvement is indeed everywhere, for His concern lies in the most earthly areas of our conduct. As the parshah states, “An almanah (widow) and yasom (orphan) you shall not afflict. If you afflict them, when they cry out to me, I will hearken unto their cry and My wrath will burn... Should you take a garment of your friend as collateral, until the evening shall you return it to him. For it is his sole clothing... and it shall be, when he cries out to Me, I will listen, for I am compassionate.” (Shemos 22:21-26)

Hashem is omnipresent, such that the Shechinah pervades the universe and can be found literally everywhere, as Hashem’s concern permeates every fiber of existence, throughout all of life and society. Whereas one might suppose that he can encounter Hashem solely in mitzvos bein adam la-Makom, the Mishpatim inform us that Hashem’s Presence can be experienced expansively and without limit in everything that exists, from the realm of korbonos to the rules of property damage and monetary transactions.

This explains the parshah’s progressive pattern of presentation, as it moves from a near-exclusive focus on mitzvos bein adam la-chaveiro to a blend of mitzvos bein adam la-chaveiro and mitzvos bein adam la-Makom, and then to a near-exclusive focus on mitzvos bein adam la-Makom, for we are taught that awareness and cognition of Hashem’s Presence in even the most earthly recesses of existence brings us close to Him and leads to an encounter with the Shechinah in the elevated spheres identified with mitzvos bein adam la-Makom and in the Beis Ha-Mikdash itself.

Parshas Mishpatim concludes with Moshe Rabbeinu’s ascent to Sinai, where Moshe is provided with a special path in the midst of a holy cloud (v. Rashi on Shemos 24:18, from Gemara), to approach and intimately commune with the Shechinah. Realization of the true character of the Mishpatim leads to the ultimate manifestation of kedushah.