

שְׁמַע קוֹלֵנוּ



SHEMA KOLEINU: DIVREI TORAH FROM THE REBBEIM, TALMIDIM, AND FACULTY OF MTA

Parshas Mishpatim

פרשת משפטים

An Offer You Can't Refuse

Dovid Winston ('24)

In this week's *parsha*, the Torah (*Shemos* 22:24) states, "*im kesef talveh es ami es he'ani imach lo sihyeh lo kinoseh lo sisimun alav nesech*"—"if you make a loan to My people, to the poor person among you, don't act towards him like a lender, don't impose on him interest." The *passuk* begins with the word, "*im*," which generally means "if," however, Rashi quotes the Mechilta, which says that in our *passuk*, "*im*" instead means "when." This makes the *passuk* sound as though it's actually a *mitzvas aseï*, an obligation, to make loans to other Jews. This is especially interesting given the Medrash (*Shemos Rabbah* 30:9) that states that

Hashem commands the Jews to do things that He Himself does, so seemingly, Hashem is also making loans to us.

When one makes a loan to another Jew according to how the Torah demands—without *ribbis*—it is essentially a gift, just that it must be returned later. The *malveh* (lender) doesn't gain anything. The same applies in regard to the ways in which Hashem treats us. Before a Jew is born, he is forced to swear to be a *tzadik* and not a *rasha* (*Niddah* 30b). Hashem "loans" us unique traits and abilities, on condition that we "pay Him back" by fulfilling our Divine mission in the world.

The *passuk* specifically uses the word "*talveh*," which refers to money, as opposed to an object. The slight difference is that when one borrows something, the item never really becomes his, and he has to return the exact same object. In regard to money, although the loan must be returned, the borrower is free to use it however he likes, and the money truly belongs to him in the meantime. The abilities that Hashem "lent" us share these characteristics of money, as we are supposed to incorporate our *kochos* into everything, even materialistic things like *parnassah*, in order to make them *l'sheim shamayim*.

The *passuk* also said specifically said "*im kesef talveh*." "*Kesef*" can mean silver, but it also has the same *shoresh* as "*nichsof nichsaftah liveis avicha*"—"you have yearned for your father's house" (*Bereishis* 31:30). When Hashem gave us our abilities, He gave it out of His love, as it were. This is why the *passuk* singles out "*es he'ani imach*"—"the poor person among you." Hashem gave certain *kochos* to each

In This Edition:

An Offer You Can't Refuse
Dovid Winston ('24) 1

Unlocking the Perfect Breakfast
Noam Sheffey ('25) 2

A Short Vort
Elisha Cohen ('24) 2

Why Should I Care?
Yoni Tandhasetti ('26) 3

individual, no matter how spiritually “poor” they might seem at the moment. All Jews have a “*chelek elokah mima’al mamash*”—“a literal piece of Hashem from above,” their *nefesh elokis*. So, all the more so does one always have a connection above.

What does the *passuk* mean by “*lo sihyeh lo kinoseh*”—“don’t act towards him like a lender”? The *Gemara* in *Bava Metzia* (75b) explains that verbally pressuring someone to return a loan or even greeting them can be considered taking interest. We see a similar concept with respect to the way in which Hashem set up the world for us. His way of not taking interest is as the *Gemara* in *Avodah Zarah* (3a) states, “*ein Hakadosh Baruch Hu ba betrunya im bri’osav*”—“Hashem doesn’t deal tyrannically with his creations,” meaning that He doesn’t give *nisyonos* that we can’t handle. If we always remember that Hashem gave us and continues to give us exactly what we need, we will, *b’ezeras Hashem*, come closer to fulfilling our individual purposes in the world.

(Based on *Likutei Sichos* vol. 1, p. 158-160)

Unlocking The Perfect Breakfast

Noam Sheffey ('25)

In this week’s *parsha* we see that when you worship Hashem he will bless your bread and your water. As the *passuk* says, “*va’avaditem es Hashem elokeichem u’veirach es lachmicha v’es meimeka* (Shemos 23:25).” The Rambam says that we as Jews unlike the *goyim* don’t need to worship stuff like the sun for our vegetation to be blessed. We just need to worship Hashem, and then we will see all of the *brachos* that we need in our lives. The *Gemara* in

Bava Kamma 92b states that people say that “Sixty runners ran, but did not catch the person who ate breakfast. The Rabbis then said, “Eat early in the day in the summer, so that the heat will not warm you, and in the winter so that the cold will not harm you.” What does this *Gemara* mean, and what is its connection to the *passuk* we mentioned from this week’s *parsha*? The *Gemara* in *Bava Metzia* 107b adds that this concept mentioned above is found in our *passuk*! As it says in the *passuk* that “you shall serve Hashem your God.” This is done by reciting the *shema* and *tefilla*, which is called the *avoda shebalev*. Hashem will then bless your bread and your water. This refers to the bread and water that one eats and drinks after finishing the *Shachris*. The *passuk* concludes, “and I shall remove illness from your midst through the bread and water that you eat in the morning.” This *Gemara* is teaching us something we can have in mind when it comes to our *avodas* Hashem. As the Rambam said in the former that we just need to do our *avodas* Hashem, and we will be *zocheh* to see the blessings in our lives every day. This idea ties into the whole idea that our *Gemaras* are saying. We see the importance of eating early in the morning in the first *Gemara*, and eating early will protect you from the heat and cold during the winter and the summer. We allow ourselves to eat early by reciting *shema* and *tefilla* early in the morning. Not only are we allowing ourselves to eat, we are also seeing illness being removed from us through the bread and water we eat in the morning. Just like the *Rambam* says, that by doing *avodas* Hashem especially with *zrizus* in the morning we can see *bracha* in our lives every single day. We must strive to have a desire to do the will of *Hashem* every day with haste.

A Short Vort

Flisha Cohen ('24)

"כי תראה חמור שנאך רבץ תחת משאו וחדלת מעזב לו עזב תעזב עמו" (שמות כג:ה)

“When you see the donkey of your enemy lying under its burden and would refrain from raising it, you must nevertheless help raise it.” (Shemos 23:5)

Rashi comments on this and says that if you see your enemy or their donkey in a bad situation/under its burden, you must help lift that burden, even though it is of your enemy. The Chizkuni agrees with Rashi and adds that this doesn’t mean that you must handle it on your own. Rather, you must not walk away and leave the problem all to your enemy. This teaches us a powerful lesson: even if we have enemies in this world, or if we fight with people, sometimes we must put our problems aside and help other people with theirs. Of course, it’s not what we would want to do, but it’s the right thing and you must treat everyone how you would like to be treated. May we all think about that the next time we are in a situation like this and realize what is the right thing.

Why Should I Care?

Yoni Jandhasetti ('26)

One of the main ideas in this week's *parsha* is social justice, specifically discussing civic responsibility and the requisite compassion that it demands. One of the laws in the *pesukim* is, "You must not mistreat any widow or orphan." (*Shemos* 22:21). The *pasuk* speaks about these specific groups of people because of their powerlessness in society. They are not surrounded by family that are ready to defend and protect them. Therefore, Hashem has warned us to not wrong them, as He protects those who have no one else to protect them. This is why whenever one does mistreat one of these people, they are always punished, one way or another.

The Chafetz Chaim remarks that when he was young, there was a Jewish landlord who, in the dead of winter, had removed the roof of a room in which a widowed tenant was staying after she refused to pay rent. The entire town was shocked, and even the Chofetz Chaim had wondered how he hadn't been severely punished by Hashem. However, ten years later, the town found out that the man had been bitten by an infected dog and had died. From this story we see that Hashem is the protector of those groups of people that can not protect themselves. According to the Rambam, another reason for such sensitivity to these people is the psychological aspect of their position. They live outside of the normal securities and feelings of belonging in society, and so it's up to us to make them feel cared for and safe.

Continuing with the idea of accepting different groups of people, the Torah also tells us to bring back an enemy's ox or donkey that has gone astray. We find a similar theme of this rule in *Parshas Ki Seitzei*, where the donkey belongs to a Jew. There, the Rambam says that the reason it says "astray" is because when it merely turns away from its path, it can be put back with relative ease. Here, however, it is talking about where the animal has already wandered off of the path and is far from its owner. We see from this example that if the Torah is so concerned about the animals of Jews steering from their paths, all the more so we should understand the importance of showing mercy to a Jew's soul that strays from its path, even if it requires a lot of effort. Regarding the theme in *Ki Seitzei* of returning them to a Jew, the gemara writes that we must exert ourselves, even a hundred times, to return a lost Jew

to the way of Hashem. Even now, among Jews who are indulged in sin, most do not act out of a desire to anger Hashem, rather they have strayed because evilness has steered them in the wrong direction, and now have no idea how to return. Therefore, it is right to sympathize with them and bring them back to Hashem.

The Torah also commands us to help an animal that is lying on the ground due to the weight of the bundle that it carries, even if it belongs to an enemy. The Gemara in *Pesachim* explains that the enemy it talks about is one we are permitted to hate, however we must dismiss those feelings, forget our animosity, and help the person's animal. The principle the Torah is trying to convey here is simple: even a person's enemy is, at heart, a human being that experiences pain, distress, and difficulty, which transcends the obstacle of hate. The Torah ascertains that a decent person should be to push aside their bitterness towards that person and come to their assistance when they need help.

There are several instances where the Torah deals with helping others, specifically with the unloading of their donkeys. Between helping a friend or an enemy the gemara tells us in *Bava Metzia* that you should first help your enemy, in order to suppress the *yetzer hara*. Both equally need help, however, by an enemy there are more factors that come into play. There is the added challenge of overcoming estrangement and bitterness, therefore, it takes precedence. We should all always strive to look out for others. Even when it is hard, the Torah tells us that above all else, decency and *chesed* should direct our actions, and requires us to help those who need it.

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Parsha Puzzlers!

1. By what other names was Miriam known?
2. We know that despite the fact that the Torah says "*ayin tachas ayin*" – "an eye for an eye," halacha dictates that we do not actually punish in that manner, but rather extract monetary payment for the value of that eye. Where is this hinted in the Torah's words?
3. *Parshas Mishpatim* discusses the laws of an *eved ivri* – a Hebrew slave. Which person in the Torah is specifically referred to as "the Hebrew slave"?

Answers:

1. Miriam was also known as Puhah (Rashi *Shemos* 1:15) and Efrat (Rashi *Shemos* 24:14 and *Sotah* 11b).
2. The Vilna Gaon explains as follows: The Torah should have said "*ayin b'ayin*" – literally, "an eye for an eye," but instead uses the phrase "*ayin tachas ayin*" – literally, "an eye under an eye". Therefore, the Gaon explains that if you look at the letters "under" or following the letters of the word "*ayin*" in the *Aleph Beis*, you will find the letters *peh, chaf, and samech*, which spell the word "*kesef*" – money.
3. In *Parshas Vayeshev*, the wife of Potiphar refers to Yosef as "the Hebrew slave" (*Bereishis* 39:17).

These questions and answers were adapted from "Torah IQ: The Great Torah Riddle Book" with the permission of the author.

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