



תורת חיים Torat Chayim

בס"ד

Rabbi Mordechai Torczyner, Eitz Chayim of Dogwood Park

Mishpatim

1 Adar Rishon, 5784 / Feb. 9, 2024

Vol. 1 Num. 18

This issue of Torat Chayim is dedicated by Shana and Jonathan Schoenfeld in honor of Jacob's Bar Mitzvah!

Ramban on Our Parshah: Beware the Stranger

The Torah warns us repeatedly to help strangers, and to avoid harming them. Five separate imperatives, two of which appear in our parshah, are almost cut-and-paste:

- "Do not abuse or oppress the stranger; you were strangers in the land of Egypt." (Shemot 22:20)
- "And do not oppress the stranger; you know the soul of the stranger, for you were strangers in the land of Egypt." (Shemot 23:9)
- "And when a stranger sojourns in your land, don't abuse him. The stranger who sojourns among you shall be like a citizen of yours, and you shall love him as yourself, for you were strangers in the land of Egypt." (Vayikra 19:33-34)
- "And you shall love the stranger, for you were strangers in the land of Egypt." (Devarim 10:19)
- "Do not bias the judgment of a stranger or orphan, and do not take a widow's garment as collateral. Remember that you were a slave in the land of Egypt, and Hashem your G-d redeemed you from there. Therefore I command you to do this." (Devarim 24:17-18)

Why does the Torah repeatedly link kindness to strangers with our history in Egypt? As Ramban (commentary to Shemot 22:20) asks, does our experience as strangers in

Egypt mean that all strangers are good people, worthy of our assistance?

On a simple level, the callback to our past vulnerability is meant to promote empathy. Alternatively, Rashi suggests that this is a reminder of our **current** vulnerability: If you abuse others for their low social standing, they will remind you that you once inhabited that same rung of society. But Ramban is not satisfied with either explanation.

According to Ramban, these passages convey a warning not about what the stranger will do, but about what **Hashem** will do. Remember that Hashem saw your tears in Egypt and struck down your tormentors, and recognize that these people, whose souls are like your own, will cry out as you did, and Hashem will respond.

Parshat Mishpatim follows up our exodus from Egypt and the presentation of the Torah at Sinai with an imperative to take care of the vulnerable, and a pledge that Hashem is watching. Hashem promises that just as He saved us in Egypt, when we were not worthy, so He will act for anyone who is tormented, including the strangers in our midst.

Parshah Riddles for Kids (answers on the back)

Age 4-8: How long was Moshe on Har Sinai when he went to get the Luchot? A) 7 days B) 40 days C) 49 days

Age 8-12: Who went partway up Har Sinai with Moshe? A) Tziporah B) Aharon C) Yehoshua

Age 12+: Is a judge in a beit din allowed to rule in favor of a needy person as tzedakah?

Journey Through Tanach: Yehoshua, Perek 17

In Chapter 16 we saw Ephraim receive their land in Israel; Chapter 17 continues with Menasheh's land. [This refers to the families of Menasheh who are west of the Yarden River; those to the east received land described in Chapter 13.] The land is divided up among six families; one of those families is the Chefer family, and the daughters of Tzelofchad claim their share in the land of Chefer, their grandfather. (17:1-6, and see Bava Batra 118b)

Menasheh receives a very large portion, stretching from the Yarden River in the east to the Mediterranean Sea in the west. Their northern border is just south of the Kinneret; their neighbors to the north are Asher, Zevulun and Yissachar. Their southern border is in the vicinity of Shechem, and south of them are Ephraim and Dan. (17:7-13)

Despite their large area, the "sons of Yosef" complain to Yehoshua that their land is insufficient. Most commentators (Rashi, Radak, Abarbanel) assume this complaint comes from Menasheh at first, and Ephraim joins the complaint in its second stage. At first, Yehoshua tells Menasheh to clear a large forest in Ephraim's territory and

spread out there, but Menasheh argues that the forest is insufficient, and there are Canaanites with iron chariots in the area. [This may be when Ephraim joins the complaint.] Yehoshua counters that Menasheh and Ephraim are sufficiently large and strong to win this battle and take the area. (17:14-18)

We also find (17:11) that Menasheh receives cities in the portions of Yissachar and Asher, on their northern border. Malbim suggests that this was a conciliatory part of Yehoshua's response to their concerns.

Yehoshua's expectation that Menasheh could field a formidable force fits with Abarbanel's explanation for why some of Menasheh took land east of the Yarden River. He contended that Menasheh's warriors took that land to intimidate our desert neighbors - such as Amon, Moav, Midian, Amalek - lest they invade.

The 613 Mitzvot: #18, 22, 23, 393 - First-Born Animals, Part 1

The Torah (Shemot 13) instructs us to give our first-born male sheep, oxen and goats to a kohen; Sefer HaChinuch counts this as the Torah's 18th mitzvah. When we have a Beit haMikdash, the kohen brings part of the animal as a korban, and eats the rest; the animal may not be redeemed, as per Bamidbar 18:17. Sefer HaChinuch counts the prohibition against redeeming an unblemished first-born animal as the Torah's 393rd mitzvah.

By performing this mitzvah, in which we dedicate the first fruit of our efforts to Hashem, we recognize that everything we possess ultimately comes from Hashem. Further, we commemorate Hashem's destruction of the Egyptian first-born and redemption of the Jews from Egypt.

The Torah also mandates that the owner of a donkey redeem its first-born male progeny by dedicating a lamb in its place, or by donating the lamb's monetary equivalent. Failure to do so means that the donkey's owner must instead end the baby donkey's life. Our sages wrote that the penalty of losing a donkey is meant to encourage owners to fulfill the mitzvah of redemption. Sefer haChinuch counts the redemption and penalty as the Torah's 22nd and 23rd mitzvot.

The Torah explains that this redemption, like the mitzvah of giving first-born sheep, oxen and goats to the kohen, is meant to remind us of our own redemption from Egypt. Rambam (Moreh haNevuchim) suggested that the Torah singled out donkeys because they are common beasts, and because their ability to carry burdens makes them indispensable.

To be continued...

Israel's Chief Rabbis: March of the Living, Rav Shaul Yisraeli

Rav Shaul Yisraeli was born in Belarus in 1909. His father was exiled to Siberia for teaching Torah, and was not seen again. Rav Yisraeli fled to Poland in 1933, and emigrated to then-Palestine with the aid of documents sent by Rav Avraham Yitzchak Kook. He studied in Yeshivat Mercas haRav, and received ordination from Rav Yechiel Michel Charlap and Rav Isser Zalman Meltzer. In 1938, Rav Yisraeli was chosen as the first Rabbi of Kfar haRoeh, itself the first *moshav* to choose a Rabbi. He applied halachah to the needs of communal farms; residents said, "He turned us into almost-rabbis, and we almost turned him into a farmer." He helped found the rabbinical association of HaPoel Mizrachi. In 1953, Rav Yisraeli joined the Chief Rabbinate's Rabbinical Council. In 1965, Rav Yisraeli was appointed to the rabbinic Supreme Court of Appeals. In 1982, Rav Yisraeli was appointed as Rosh Yeshiva of Yeshivat Mercas haRav, along with Rav Avraham Shapira; he served until 1993. He passed away in 1995.

Rav Yisraeli was asked whether Israelis may leave Israel for "March of the Living" trips. On one hand, the trips are valuable as ways to expand students' understanding of the

Shoah. On the other hand, according to the Rambam one may leave Israel only to learn Torah, marry, save people from attack, or engage in business. (Hilchos Melachim 5:9) Which of those goals does this trip satisfy? Rav Yisraeli's answer is published in his *Chavat Binyamin*, #114:

Halachah requires justification for four different trips:

- Travel to Egypt;
- Travel on Erev Shabbat;
- Travel which prevents shaving before Yom Tov;
- Leaving Israel.

After considerable discussion, Rav Yisraeli contended that two criteria must be met to justify leaving Israel:

- The trip must meet a need;
- It must not degrade the Land of Israel. Travel which demonstrates that one prefers the sights of some other place is an insult to our special land.

On that basis, Rav Yisraeli permitted "March of the Living" trips. The need is significant, and travel to be exposed to vital knowledge *in situ* is not insulting to Israel.

Upcoming Learning!

All classes are open to men and women and free of charge, unless otherwise noted

5:20 PM Shabbat February 10

Halachah and Technology: The Shabbat Elevator, Part 3 of 3, with Rabbi Mordechai Torczyner, at Eitz Chayim

8:30 AM to 9:15 AM Sunday February 11

Fourteen Centuries: Rav Saadia Gaon, Part 2, with Rabbi Mordechai Torczyner, in the lobby at Eitz Chayim

7:30-9:00 PM Monday February 12, Rabbi Mordechai Torczyner, on ZOOM at <http://tiny.cc/mtorcz>

Medical Ethics: Conflict of Interest and the Practice of Medicine

Please register at <https://torontotorah.com/cme> Accredited for CME, non-medical professionals welcome

8:15-9:00 PM Tuesday February 13

Gemara Makkot with Rabbi Mordechai Torczyner at 693 Knollwood, for men

Age 4-8 B: 40 days
Age 8-12 C: Yehoshua
Age 12+ No. See Rashi Shemot 23:3

Answers to Parshah Riddles

Torat Chayim does not include the Name of Hashem but should be disposed of respectfully, such as in paper recycling.

To dedicate an issue of Torat Chayim, go to <https://eitzchayim.shulcloud.com/form/toratchayim.html>