

O H R N E T

SHABBAT PARSHAT MISHPATIM · FOR THE WEEK ENDING 29 SHVAT 5760 · FEB. 5, 2000 · VOL. 7 NO. 18

PARSHA INSIGHTS

SO CLOSE AND YET
SO FAR AWAY

“And you will bow down from a distance.” (24:1)

We perceive G-d in two ways. We believe that He is pre-existent, the Cause, the Creator and the Sustainer of all reality. He is far beyond and above. Ultimately distant. No creature can fathom Him, for what can the painting know of the Painter? He created thought, so no thought can think of Him. He is utterly separate and distant beyond all concept of space and time.

And yet He is very, very near. There is no place or time where He is not. For if He were not there, that place could not be, that second would never take place. He fills all worlds and encompasses all worlds.

G-d is both transcendent and immanent.

It is the unique privilege of the Jewish People to proclaim these two seemingly opposite aspects of our perception of G-d. Many religions have a concept of G-d being

supremely elevated above all, but they falter in their recognition of His imminence. They fail to understand that He is here right now. He sees all, knows the secrets of every living thing and is interested in their every move.

During their *kedusha* prayer, the

“They fail to understand that He is here right now.”

Jewish People rise and proclaim like the angels: “Holy, Holy, Holy, Hashem, Master of Legions. The whole world is filled with His Glory.” And: “Blessed is the Glory of Hashem from His place.”

The first statement depicts our relationship with G-d as immanent — the universe is “filled with His Glory,” no place or time being devoid of Him. The second state-

ment expresses G-d’s transcendence, His utter separation and elevation from this world — “from His place.”

This is the deeper meaning of the words of the Prophet Yeshaya: “Peace to afar and to close at hand, says Hashem.” To the righteous who are faithful to these two beliefs, G-d radiates a constant stream of Heavenly influence.

These two aspects express themselves in the awe of Heaven, on the one hand, and the love of G-d on the other. A person is awed by that which is above and beyond him. That which is near at hand doesn’t strike fear into his heart. It’s too close. On the other hand, love only flourishes in closeness. It’s difficult to love when there is no contact.

“And you will bow down from a distance.”

The hidden meaning of this verse in this week’s parsha is that bowing — expression of fear and awe — is the natural partner of distance — G-d’s transcendence.

Sources:
• Kedushat Levi, Arizal

לע"נ
ר' אברהם יצחק בן ר' יעקב ז"ל
מרת רחל בת ר' נתן נטע ז"ל
ת.נ.צ.ב.ה.

PARSHA OVERVIEW

The Jewish People receive a series of laws concerning social justice. Topics include: Proper treatment of Jewish servants; a husband's obligations to his wife; penalties for hitting people and for cursing parents, judges, and leaders; financial responsibilities for damaging people or their property, either by oneself or by one's animate or inanimate property, or by pitfalls that one created; payments for theft; not returning an object that one accepted responsibility to guard; the right to self-defense of a person being robbed.

Other topics include: Prohibitions against seduction; witchcraft, bestiality and sacrifices to idols. The Torah warns us to treat the convert, widow and orphan with dignity, and to avoid lying. Usury is forbidden and the rights over collateral are limited. Payment of obligations to the Temple

should not be delayed, and the Jewish People must be Holy, even concerning food. The Torah teaches the proper conduct for judges in court proceedings. The commandments of Shabbat and the Sabbatical year are outlined. Three times a year — Pesach, Shavuot and Succot — we are to come to the Temple. The Torah concludes this listing of laws with a law of kashrut — not to mix milk and meat.

Hashem promises that He will lead the Jewish People to the Land of Israel, helping them conquer its inhabitants, and tells them that by fulfilling His commandments they will bring blessings to their nation. The people promise to do and listen to everything that Hashem says. Moshe writes the Book of the Covenant, and reads it to the people. Moshe ascends the mountain to remain there for 40 days in order to receive the two Tablets of the Covenant.

HAFTARAH

SHMUEL I 20:18 - 42

PRIDE AND PREJUDICE

Machar Chodesh is the Haftara read when Shabbat falls on the day before Rosh Chodesh. It

relates the story of one of the heroes of Israel, Yonatan, whose integrity and humility are the focus of the following narrative:

King Saul's son Yonatan was in line for the throne of Israel. But Yonatan knew of G-d's decree that kingship be transferred to David, Saul's son-in-law.

Suspecting that Saul would soon sentence David to death for planning to usurp the throne, Yonatan and David made a plan. David would hide in the field while Yonatan returned to the palace to discover Saul's intentions. Then, Yonatan would return to the field with bow and arrows. After shooting, he would call to his servant to gather the arrows. If Yonatan would shout, "the arrows are behind you," David would know that the danger lay behind him and that he was safe. If, however, Yonatan would shout "the arrows are ahead of you," David would know that

danger waits ahead and he must flee.

At the palace, Saul asks about David's absence, and Yonatan replies that David had gone to Bethlehem for a family event. Sensing that Yonatan is merely protecting David, Saul flies into a rage, making no effort to hide his deadly intentions toward David.

Yonatan returns to the field, shoots his arrow, and calls to his servant to retrieve it, shouting, "The arrow is ahead of you." With the sign given, he sends his servant home. Immediately, David appears from his hiding place. The two embrace and pledge allegiance to one another.

Yonatan's devotion to his friend David is unparalleled as is his honesty and humility. This is one of the most heartwarming stories in the Tanach. A story of a true friend whose pride did not get in the way of doing what was right.

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I DIDN'T KNOW THAT!

Parshat Mishpatim, dealing largely with monetary laws, precedes Parshat Terumah which details the donations needed to build the Sanctuary. This teaches that even when donating to charity (*terumah*), a person must be sure that the money *honestly* belongs to him (*mishpatim*).

• Beit Halevi

THE CATALYST'S CONFIRMATION

One of the three things which Moshe Rabbeinu did on his own initiative and was later vindicated by Divine approval was separating from his wife after the giving of the Torah at Mount Sinai. His reasoning was that if all Jews were commanded to separate from their wives in the few days leading up to the Torah-giving in order to be properly pure for their momentary encounter with Hashem, then his separation must be an ongoing one since he was constantly being summoned to unscheduled encounters with Hashem.

Tosefot points out that the *gemara's* proof that this was Moshe's initiative rather than a Divine command is the fact that Aharon and Miriam became angry with their brother when they learned of the separation, and spoke critically of his action. (*Bamidbar 12:1-2*) Had Moshe been commanded in this separation, they would certainly not have questioned his behavior.

But if the same Aharon and Miriam were aware of Moshe's separation, then they were also aware that when Hashem gave permission to all the Jews to resume family life after the Torah-giving that He expressed His approval of Moshe's initiative to make a prolonged separation by stating "But you remain here with Me" (*Devarim 5:27-28*). Why then, asks Tosefot, were they upset by his initiative if it received Divine approval?

The answer, proposes Tosefot, lies in the Talmudic statement (*Mesechta Makkot 10b*) that Heaven guides a person along the path that he has chosen to follow. The catalyst for Divine sanction of Moshe's prolonged separation from his wife was his choice of a level of purity which his sister criticized as being beyond the norm expected of all Jews and at the expense of his wife. The Divine reaction to this criticism initiated by Miriam was the illness described in the above cited Torah chapter, which was to serve as a lesson to all future generations for guarding the tongue.

• Yevamot 62a

WHEN A WHITE LIE IS A RIGHT LIE

Right after the death of their father Yaakov, Yosef's brothers sent a message to Yosef that before his passing, Yaakov had asked them to implore Yosef in his name to forgive them for the evil they had done him. Yaakov, of course, had never made such a request, and from this, Rabbi Elazar the son of Shimon concludes that one may divert from the truth in order to maintain peaceful relations.

But indeed, why did Yaakov not anticipate the resentment

Yosef might feel towards his brother and make such a request of him during his lifetime?

Ramban (*Bereishet 45:27*) contends that Yaakov never became aware that Yosef had been sold into captivity by his brothers. Yaakov always assumed that Yosef had been picked up by slave dealers while wandering in the fields and sold by them to the Egyptians. The brothers never told him because of their fear that he might become outraged and curse them as he did Reuven, Shimon and Levi for their sins in other matters. Yosef, for his part, was too moral to divulge such a matter to his father.

Rashi, in his commentary on Chumash, takes a different approach. Yaakov was aware, but he did not suspect his righteous son Yosef of harboring feelings of resentment which might lead to a vendetta, and therefore saw no need for asking him to forgive them. The question arises, however, as to why the brothers did suspect him and found it necessary to tell their "white lie?"

Maharsha suggests that the suspicion arose only after the death of Yaakov, so there was no need for them to seek their father's intervention while he was alive. The Midrash (*Rabbah 100:8*) mentions two things that happened which aroused their suspicion because they misconstrued Yosef's intentions. One was the fact that Yosef stopped inviting them to dine with him because he did not wish to continue the seating arrangement instituted by their father which placed him ahead of Yehuda the king, who was the forefather of the kings of the Jewish Nation, and ahead of Reuven the firstborn. Yet he was also unable to place them ahead of him because of his royal status in Egypt, and therefore decided to stop inviting them altogether. Another incident occurred when Yosef returned from his father's funeral and looked into the pit where his brothers had placed him. Yosef did this in order to offer a blessing of thanks to Heaven for his miraculous rescue from death. Although his motives in both cases were praiseworthy, they aroused his brothers' suspicions that animosity suppressed in their father's lifetime had now surfaced, forcing them to lie in order to keep the peace.

• Yevamot 65b

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PARSHA Q&A ?

1. In what context is a *mezuzah* mentioned in this week's Parsha?
2. What special *mitzvah* does the Torah give to the master of a Hebrew maidservant?
3. What is the penalty for wounding one's father or mother?
4. "A" intentionally hits "B." As a result, B is close to death. Besides any monetary payments, what happens to A?
5. What is the penalty for someone who tries to murder a particular person, but accidentally kills another person instead? Give two opinions.
6. A slave goes free if his master knocks out one of the slave's teeth. What teeth do not qualify for this rule and why?
7. An ox gores another ox. What is the maximum the owner of the damaging ox must pay, provided his animal had gored no more than twice previously?
8. From where in this week's Parsha can the importance of work be demonstrated?
9. What is meant by the words "If the sun shone on him"?
10. A person is given an object for safe-keeping. Later, he swears it was stolen. Witnesses come and say that in fact he is the one who stole it. How much must he pay?
11. A person borrows his employee's car. The car is struck by lightning. How much must he pay?
12. Why is lending money at interest called "biting"?
13. Non-kosher meat, "*treifa*," is preferentially fed to dogs. Why?
14. Which verse forbids listening to slander?
15. What constitutes a majority-ruling in a capital case?
16. How is *Shavuot* referred to in this week's Parsha?
17. How many prohibitions are transgressed when cooking meat and milk together?
18. What was written in the *Sefer Habrit* which Moshe wrote prior to the giving of the Torah?
19. What was the *livnat hasapir* a reminder of?
20. Who was Efrat? Who was her husband? Who was her son?

PARSHA Q&A!

Answers to this Week's Questions!

All references are to the verses and Rashi's commentary unless otherwise stated.

1. 21:6 - If a Hebrew slave desires to remain enslaved his owner brings him "to the door post *mezuzah*" to pierce his ear.
2. 21:8,9 - To marry her.
3. 21:15 - Death by strangulation.
4. 21:19 - He is put in jail until "B" recovers or dies.
5. 21:23 - A) The murderer deserves the death penalty. B) The murderer is exempt from death but must compensate the heirs of his victim.
6. 21:26 - Baby teeth, which grow back.
7. 21:35 - The full value of his own animal.
8. 21:37 - From the "five-times" penalty for stealing an ox and slaughtering it. This fine is seen as punishment for preventing the owner from plowing with his ox.
9. 22:2 - If it's as clear as the sun that the thief has no intent to kill.
10. 22:8 - Double value of the object.
11. 22:14 - Nothing.
12. 22:24 - Interest is like a snake bite. Just as the poison is not noticed at first but soon overwhelms the person, so too interest is barely noticeable until it accumulates to an overwhelming sum.
13. 22:30 - As "reward" for their silence during the plague of the first born.
14. 23:1 - Targum Onkelos translates "Don't bear a false report" as "Don't receive a false report."
15. 23:2 - A simple majority is needed for an acquittal. A majority of two is needed for a ruling of guilty.
16. 23:16 - *Chag Hakatzir* — Festival of Reaping.
17. 23:19 - One.
18. 24:4,7 - The Torah, starting from Bereishet until the giving of the Torah, and the *mitzvot* given at Mara.
19. 24:10 - That the Jews in Egypt were forced to toil by making bricks.
20. 24:14 - Miriam, wife of Calev, mother of Chur

RECOMMENDED READING LIST

	RAMBAN	22:30	Holiness of <i>Kashrut</i>	52	Despising Destruction
21:1-2	Parallel with Ten Commandments	23:25	Blessings and Destruction	62	The Danger of Sorcery
21:6	(first part) Divine Role in Human Justice	24:1	<i>Matan Torah</i> Chronology	66	Why Hashem Creates the Poor
21:15	The Severity of Cursing One's Parents		SEFER HACHINUCH	70	Blasphemy
		42	Human Kindness	71	Respect for Authority
21:29-30	Death Penalty and Ransom	43	Divine Kindness	73	<i>Kashrut</i>
22:6	(first part) Two kinds of <i>Shomrim</i>	47	Capital Punishment	78	Antidote to Anarchy
22:20-22	Prosecutor of the Helpless	50	Penalty for Anger	84	<i>Shemita</i>
				93	Relations with Heathens

DOES BOB EQUAL FRED?

From: Christensen Low:
<christensenlow@yahoo.com>

Dear Rabbi,

I am pondering the role of women in religious activity and maybe home life. I was raised with the feminist viewpoint, and view women and men as equals. Though it seems that the Torah, G-d's will, does not. I struggle with this in trying to give my will over to G-d's. What does the Torah say about this situation?

Dear Christensen Low,

Logically speaking, no two people are equal. Otherwise, why would G-d create them both? One of them would be redundant.

The Torah views each person as a world unto himself. That, says the Talmud, is why Adam was created alone (whereas the animals were created *en masse* all at once), to teach that each person is different, and the whole world was fitting to be created for any one individual. (That includes you!)

The Torah doesn't view people as equal, as we see from the fact that Jews are given special commands that are not given to the other nations, such as keeping Shabbat, as the Torah says "The Children of Israel shall keep the Sabbath...It is a sign between Me and the Children of Israel." And among Jews, there are *kohanim* (priests) who are commanded by the Torah to serve in the Holy Temple, whereas if an ordinary Jew who is not one of the *kohanim* tries to do the Temple service, he is doing a sin, as the verse says "The *zar* (non-priest) who approaches shall die."

In short, no person is exactly the same as any other person, and therefore there are differing roles among

people, based on the situation into which G-d has seen fit to put their soul. Yet, each individual has cosmic importance, so much so that the entire world was worth it just for him.

IN G-D WE TRUST (ALL OTHERS PAY CASH)

From: Steve Weiss from Chicago, IL
<sweiss@molex.com>

Dear Rabbi,

Do you know if there is any truth to the following article that I read? I am somewhat skeptical, but wonder if you have any knowledge of this: "A couple of years ago, at West Point, there was a display about Hyam Salomon and the Revolutionary War. He died penniless, having used all his resources to aid the newly formed and poorly supplied American "army." The following story is told about him:

General Washington's financial advisor and assistant was a Jewish man by the name of Hyam Salomon. During the cold winter of Valley Forge when American soldiers were freezing and running out of food, it was Hyam who marshaled Jews in America and Europe to provide money in relief aid to these stranded American troops and turned the course of history. Without this help, our "army" would have perished before they could have defeated the British. If you take a one dollar bill out of your pocket and look at the back at the Eagle, the stars above the Eagle's head are in the six point Star of David to honor Jews. If you turn the Eagle upside down you will see a configuration in the likeness of a Menorah...both at the insistence of George Washington who said we should never forget the Jewish people."

Dear Steve Weiss,

The small Jewish community in colonial America gave more than their share toward the United States' revolutionary cause. One such patriot was indeed Hyam Salomon, who gave \$300,000, an immense fortune for those days.

But I doubt that the "Great Seal of the United States" which appears on the dollar bill makes any hint to Salomon's contribution, or that George Washington had anything to say about it.

The first bill to bear this symbol was the \$1 Silver Certificate, Series 1935, long after Washington's death.

The "Great Seal" itself was commissioned by Congress in 1776 and adopted six years later, but during this time George Washington was busy fighting the war. The designing committee, which included Benjamin Franklin, Thomas Jefferson and John Adams, did not include Washington. Nor did Washington become president until seven years after this seal had been adopted, so it's questionable that he would have had any input.

The thirteen stars, representing the 13 original states, do indeed form the Star of David (also known as "Solomon's seal"). Exactly why, I don't know. In general, though, it's clear that Franklin and Jefferson had "biblical" motif in mind, as their original draft of the Great Seal showed "rays from a Pillar of Fire in the Cloud, expressive of the divine Presence and Command, beaming on Moses."

But don't worry. Hyam Salomon wasn't forgotten. In 1893, a bill was presented before the 52nd Congress ordering a gold medal struck off in recognition of Salomon's contributions to the United States.

YIDDLE RIDDLE

Dani Wassner from Jerusalem <dani@moit.gov.il> wrote:

Can you name TWO different occasions when Rosh Chodesh will fall during the coming week, yet no *Shabbat Mevorachim* prayers are said on the preceding Shabbat?

Answer next week...

To the Torah, Iran:

We have a weekly publication of the Parsha and *Divrei Torah* (words of Torah). This publication is published in Persian text and has been known around the Iranian groups for many years. We would like to take some of your Torah insights and publish them in Persian for our weekly publication.

Youseff, Staff of Shaare Tikvah Synagogue
<tikvah@onebox.com>

Hidden Ones (Ohrnet Bo):

Regarding your recent discussion of the Spanish Inquisition: Some years ago I attended a class where we heard the experiences of a young woman who had recently come from Spain. I will spare you the long explanation of how her family had remained in their hidden state for 500 years, in complete ignorance of how many of the people, from other areas of the country, had come out of their cellars and were living openly. She described her fears when she and her mother visited Israel, for the first time, and held themselves back, even at the Western Wall, for fear of being discovered.

She told us that the word "marrano" is a derogatory

name given to them by those who hated them. She was too embarrassed to tell us what it was but indicated that it meant the lowest possible thing you could imagine, while pointing down at the ground, or the dirt. She made a strong request that we refrain from using it and call them, instead, "Hidden Ones."

Thank you for the Torah information for which I eagerly wait each week, and the thoughtful way you have connected us to people from everywhere in the world.

Pesia <sidney@netvision.net.il>

The Spain Stays Mainly in Europe (Ohrnet Bo):

You recently wrote: "In Europe the Jews spoke Yiddish, based on German, and in Spain they developed Ladino, based on Spanish." Last time I checked Spain was still in Europe!

M. <M613K@aol.com>

We'll be Frank:

I am writing to thank you for subscribing me to your weekly "Ask the Rabbi" column. I appreciate your light hearted yet sincere and frank openness in your candid response to questions.

George Wickham <called_u_again@yahoo.com>

"WHAT'S BOTHERING RASHI?" by Avigdor Bonchek

"You shall not abuse a stranger and you shall not oppress him, for you were strangers in the land of Egypt." (Exodus 22:20)

On the words "for you were strangers" Rashi comments: "If you vex him he can also vex you by saying 'you too are descended from *geirim* (strangers)....' The term 'ger' means a person who has not been born in that land (where he presently resides) but has come from another country to dwell there."

In his comment, Rashi defines the word "ger." Why does Rashi need to define this simple and familiar word, a word which has already occurred several times in the text (e.g., Exodus 20:10). Rashi doesn't define it there. Why here?

Rashi wouldn't define a familiar word unless there was a deeper problem forcing him to do so. What is Bothering Rashi?

Answer:

There are two types of "*geirim*:" The "stranger-sojourner" who lives in the Land of Israel and observes the Noachide laws, but isn't Jewish, and the "*ger tzedek*," who is a convert to Judaism. Which one is referred to in the above verse?

According to the Talmud (*Bava Metzia 59b*), the phrase "You shall not abuse a ger" refers to a convert. Now re-read the verse: What does it mean that "you were strangers in the land of Egypt?" Certainly our forefathers weren't converts in Egypt! Rather, they were foreigners.

We now begin to understand Rashi's logic. He never before defined the word "ger" because its meaning had always been clear. But in our verse there is likelihood of confusion, as in our verse the word is used in two different ways. Thus Rashi defines the word only at this point to tell us that the basic meaning of "ger" is one who comes from another country.

The Israelites were certainly not converts, and the taunted one is a convert. Therefore Rashi had to make it clear at this point, to avoid any confusion, what kind of "*geirim*" the Israelites were in Egypt.

An exquisite example of a deceptively simple comment which makes us aware of an overlooked difficulty in the verse.

A note to our readers: The "Institute for the Study of Rashi" which produces these works is preparing for publication the *Vayikra* volume of "What's Bothering Rashi?" It will add another dimension to the study of Rashi — this time Rashi's creative use of the midrash. They are looking for sponsors of this volume to enable publication. Contributions can be made in Memory of or in Honor of close ones. This volume will G-d willing be ready for this year's reading of *Sefer Vayikra*. The previous volumes of "What's Bothering Rashi?" have been adopted for use in many schools and entered into many Jewish homes. Your sponsorship will make it possible to continue and enlarge this project. Those interested can write to msbonch@mscc.huji.ac.il. Contributions are tax exempt.