

# O H R N E T

SHABBAT PARSHAT MISHPATIM · 29 SHVAT 5773 - FEB. 9, 2013 · VOL. 20 NO. 18

## PARSHA INSIGHTS

### HIDDEN EMOTIONS

*"If a man shall steal an ox or a sheep or a goat, and slaughter it or sell it, he shall pay five oxen in place of the ox, and four sheep in place of the sheep." (21.37)*

**W**e are all sensitive, easily hurt and embarrassed. Sometimes we subconsciously cause ourselves deep self-inflicted emotional wounds. Ironically, however, exactly what we think is the cure for our unhappiness can actually be the cause of our malaise.

In this week's Torah portion there is a law that on the surface is very puzzling. Someone who steals an ox has to pay back five oxen, but someone who steals a sheep has to pay back only four sheep. Our Sages teach us that The Torah has concern even for the self-respect of a thief. Stealing a sheep requires the thief to carry the animal across his shoulders, which is most undignified, and so if he is caught, he has to pay only four sheep, whereas stealing an ox only requires the thief to lead the animal by a rope, which isn't embarrassing, and so the greater penalty for stealing an ox is five oxen.

So, in reality, a sheep-stealer should *also* pay back five sheep, but seeing as he has already suffered severe humiliation, the Torah considers that he has already paid part of his penalty. It must be then that his humiliation is not something abstract, but it is so great as to be quantifiable in money.

This is rather strange. Because were we to approach the thief at the scene of the crime and suggest to him that he must be experiencing the most terrible humiliation and emo-

tional angst, he would almost certainly reply:

"You must be joking! I'm getting away with a sheep! You know what this is worth?!"

And yet the Torah, which sees to the very deepest levels of a person's psyche, tells us that the thief is in point of fact suffering great humiliation, equivalent to the payment of money — otherwise how could his penalty have been thus reduced?

The fact of the matter is that at the moment of the theft, the thief *does* feel a tremendous depression and sense of disgrace. He feels cheap. He experiences emotional trauma. And yet he has no idea why he should feel this way. And thus he carries on stealing and stealing and causes himself more and more emotional angst, thinking that another 'job' will get him out of his emotional slump. And so the vicious circle spirals down and down.

Only by observing the Torah can one be truly happy in this world, because only the Designer understands the true nature of His creations, and only He knows what makes one happy and sad. Only G-d knows which actions a person should stay away from and which he should embrace to live a rich, happy and fulfilled life.

• Source: Adapted from *Chidushei HaLev*

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## 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.

G-d 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 G-d 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.

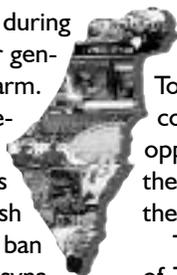
## LOVE OF THE LAND

Selections from classical Torah sources which express the special relationship between the People of Israel and Eretz Yisrael

### FIREFLIES OF TSEFAT

Fireflies abound in the beautiful city of Tsefat during the summer. Veteran Jews warn the younger generation to refrain from doing them any harm. What is the reason for this attitude towards fireflies?

Legend has it that in ancient times the city was ruled by a cruel despot who persecuted its Jewish inhabitants. One of his wicked decrees was to ban Jews from having any light in their homes and synagogues at night, and he even ordered them to bring him all



their lamps.

This meant that Jews would not be able to study Torah at night. They came in desperation to their rabbi and complained that there was no value in a life without an opportunity for Torah study at night. "Go out en masse to the fields," he advised them, "and gather the fireflies. Bring them to the Beit Midrash and study Torah by their light."

The suggestion was followed and ever since then the Jews of Tsefat have a special appreciation of the fireflies in their midst.

לע"נ

הרב חנא מנחם מנדל בן ר' יחזקאל שרגא זצ"ל

ת.נ.צ.ב.ה.

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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 doorpost *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 - 1)The murderer deserves the death penalty.  
2)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.

## SHABBAT 128 - 134

*“Just as the wings of the dove protect it, so too do the mitzvot protect the Jewish People.”*

The gemara bases this teaching on the verse in Psalms (68:14), “Even if you (the Jewish People) will be in a state of danger and troubles, nevertheless you will be glorious like the wings of a dove whose appearance resembles silver and gold (eventually you will be redeemed from your troubles and rewarded with great goodness – Metzudat David).

An example of this protection provided by a mitzvah is related in the following story. Elisha was a righteous person who walked in public with his tefillin on despite a decree of the wicked ancient Roman government that anyone wearing tefillin will be punished with a painful death. When he was spotted by a government official a chase ensued. Just as he was caught he removed his tefillin and put them in his hand. When challenged to open his hand and show his tefillin he declared that he was in possession of mere dove wings. He opened his hand and behold – he was holding dove wings! He merited this miracle that protected him due to his great dedication and willingness to risk self-sacrifice for the sake of fulfilling the mitzvah of the Torah.

• Shabbat 130a

*“Be beautiful before G-d with mitzvot: make a beautiful succah, a beautiful lulav, a beautiful shofar, beautiful tzitzit and a beautiful Sefer Torah that is written for the sake of Heaven with beautiful ink with a beautiful pen by an expert scribe and bound with beautiful binding.”*

“Abba Shaul said, ‘Be similar to G-d: Just as He is merciful and gracious, you too should be merciful and gracious’.”

Both of these teachings are learned by our Sages from the verse: “This is my G-d v’anvehu”. The first statement is derived from understanding the word “v’anvehu” in the sense of “na’eh” which means beautiful, and instructs us to do the mitzvot in a beautiful manner. The teaching of Abba Shaul interprets “v’anvehu” to mean “ani v’Hu” – I and Him – and is a directive to cleave to the ways of G-d.

• Shabbat 133b

## THE HUMAN SIDE OF THE STORY

## A TALE OF TWO CHILDREN

When the couple came to register their three-year old child in the Talmud Torah in Bnei Brak, the principal noted that they were far more excited than ordinary parents who make a routine application.

“Don’t you remember us?” they inquired of the principal as tears streamed down the face of the mother.

When he replied in the negative, they reminded him of what took place four years earlier. Childless for many years, they had approached the rav of the Ramat Elchanan community in Bnei Brak, Rabbi Yitzchak Zilberstein, for advice in how to seek Heavenly help. He relayed to them that the Chafetz Chaim had suggested that raising someone else’s

child could bring the Heavenly blessing of raising a child of their own. He therefore suggested that they offer to pay the tuition of a child in the local Talmud Torah whose parents couldn’t afford to do so and this would be tantamount to raising that child.

They followed this advice and made an arrangement to pay a year’s tuition for a poor child in the Talmud Torah they were now visiting. It was in that year that they were blessed with a son. Even though they lived a considerable distance from this particular school, they insisted on registering their son in the school where their miracle began.

## PUZZLED

**From: Yarin**

*Dear Rabbi,*

*There is a certain life decision which I am facing and I just don't know what to decide. What's more, it's not entirely dependent on me, but also whether I'll be accepted even if I apply. Ultimately, I feel I'm procrastinating starting the process because I'm afraid I'll be rejected, and I don't want that. On the other hand, without applying, there's certainly no chance of being accepted. The things that have happened in my life until now seem to point in that direction, but how can I know if it's right for me, or deal with applying and then being denied?*

Dear Yarin,

I empathize with your mixed emotions and doubts. We all take our life path seriously, and it's natural to be concerned about the choices we make and the impact they'll have on our fulfilling our purpose in life.

That being said, I'll try to outline a few guidelines which I hope will help you in this situation, as well as in other decisions that you will face in life.

The first thing is that you have to really search yourself to determine if this is really what you want to choose, and if it's really for the best. Even if you want a certain thing, that doesn't mean that you should choose it. Every possible factor should be taken into consideration, such that given these other factors one might choose to forgo this particular thing. As a simple example, even if one really wants a particular job, its requiring a particular location or separation might render the desired thing an undesirable decision.

Once you've weighed every possible consideration (and making a list of pros and cons can help here), such that you feel this option is the desirable choice, you should then consult someone who knows you well and whose opinion you

value. This is important for at least two reasons: One, as objective as one tries to be, we are biased when it comes to ourselves. This, plus our being embroiled in doubt, will most likely cloud our vision. Two, try as we may to factor in all considerations, there will always be points, nuances or ramifications which we overlook. Consulting another person, particularly if he or she is older, more experienced, or more insightful can only help.

Another very important factor, particularly for someone like you who is consulting a rabbi, is to make sure that what you're considering is acceptable according to the Torah; and if there are any problems, whether and how they could be surmounted. Often, plans that seem positive, constructive and worth pursuing can actually be problematic according to Jewish law, ethics or philosophy. It is therefore very important to consult a competent rabbi about what you're considering in order to make sure you're not missing something on the Jewish side of things.

Once all this has been done, and you've invested all you could in order to make the right decision – go for it! This should then be done with the belief that if it is really the right thing for you now, G-d will grant you success. But if you do not succeed, it should be understood as a sign that this is either not the best for you, or at least not for now. So there's nothing to be worried or upset about.

Regarding those scenarios where the pieces of the puzzle seem to have been leading in a particular direction, and you make the relevant decision only to be forestalled - not to worry. If this happens, as in puzzle building, perhaps you thought these pieces were parts of one puzzle, when in fact they were mixed into the box, and it's now your job to think out of this box and integrate them into another picture. Alternatively, even in the same puzzle, oftentimes pieces start fitting in one direction until all of a sudden they start moving in a totally different direction. In order to complete the entire picture, sometimes you're forced to leave part of it unfinished until you're led back to it through filling out other parts first.

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**D**aniel was raised with *Fiddler on the Roof*, boiled fish, and Zionism. Science and Psychology drew his interest and the Beit Midrash was his quiet place to sit and learn. Of course, the Rabbi soon noticed him and impressed Daniel with his intellect and charm. Shabbat togetherness, good character traits, and a life of more than just chasing

after physical desires began pitching tent in his heart. He recalls even his non-Jewish friends appreciated the idea behind being more observant. Daniel went on an Israel trip and realized that there was a gap between Jews and real Judaism. He decided to come to the Shores Program at Ohr Somayach and has now been here for three years. He finds the cheap and accessible learning here to be filled with international friendships, clarity and growth in direction of life, and true, deep meaning and purpose. He plans to make *aliyah* and go into stem cell research.

## WHAT'S THE RIGHT THING TO DO?

REAL-LIFE QUESTIONS OF SOCIAL AND BUSINESS ETHICS

### A PROMISE FOR PARTNERSHIP

**Question:**

I promised a friend of mine to form a *chavruta* partnership for learning Daf Yomi together. In the meantime a more suitable partner approached me. What is the right thing to do?

**Answer:**

A similar question was presented to Rabbi Yitzchak Zilberstein, the rav of the Ramat Elchanan community in Bnei Brak, who laid down the following guidelines:

If your friend did not seek another partner because he was relying on you and will remain without any partner if you desert him, it would be considered a lack of faithfulness for you to abandon him. Some support for this can be found in

the *gemara* (*Mesechta Kiddushin 45*) which states that a Jew is not suspected of backing out of his promise because the Prophet Tzefania describes the Jewish People as ones who keep their word.

Should your intention to abandon the partner you planned to study with be based on a discovery that there are substantial problems with being his *chavruta*, your promise was then based on an error and is not binding in any way.

If the learning partner you now wish to join is not merely preferable to the first, but one who is an outstanding scholar offering a rare opportunity for your growth, there are grounds for going with him since anyone in such a situation would do the same.

## Remembering Rav Weinbach

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