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PARSHA INSIGHTS

by Rabbi Yaakov Asher Sinclair

It Ain't Over 'Til It's Over

“Everything that Hashem has said – we will do and we will obey.” (19:8)

The “Sunday Dollars” are a well-known piece of Jewish folklore. The Lubavitcher Rebbe *zt”l* used to give out thousands of dollar bills to those who came to meet him on Sundays. Once, a young boy and his father came to get a dollar bill from the Rebbe. The Rebbe placed a crisp dollar bill into the hands of the father and then the son. As they were walking away, the Rebbe called them back and asked the young boy if he liked sports. “Sure!” said the young boy. The Rebbe asked him which sport he liked. “Baseball,” was the reply. The Rebbe asked him what team he followed and the boy said, “The Dodgers.” The Rebbe asked him when the last time he saw his team was. “Oh, it was about a month ago, but we didn’t stay to the end. It was the bottom of ninth, with two outs, and the pitcher was up to bat. We were seven runs behind. The pitcher is a weak hitter and it was clear what would happen, so we left and went home. “And what did the players do?” inquired the Rebbe. “Well, I guess they played on till the end of the game.” “They didn’t leave?” asked the Rebbe. “No, well, they couldn’t leave, they are the players. I’m just a supporter.” The Rebbe said, “A Jew always has to be a player, not a supporter.”

You can go through life in two ways: You can be a supporter, and when things aren’t much fun you can quit, or you can go through life as a player and never give up until it’s over, because “Everything Hashem has said, we will do and we will obey.”

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Q & A

Questions

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?

Answers

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 - (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.

WHAT'S IN A WORD?

by Rabbi Reuven Chaim Klein

Digging Deeper

The first Mishna in *Bava Kama* (1:1) begins by listing four categories of damages for which a person might be responsible, with *bor* (“pit”) listed second. That term refers to a case in which somebody dug a pit that ended up causing damage to another. The one who dug the pit is liable for all damages caused by the pit that he dug, as the Bible says, “When a man opens a pit, or when a man digs (*karah*) a pit and he does not cover it, and an ox or donkey falls into it, then the master of the pit shall pay; he shall recompense the owner...” (Ex. 21:33-34). While this verse uses the relatively obscure verb *karah* to denote “digging,” the typical Biblical word for the verb of “digging” is *chofer*. In fact, throughout the Mishna (*Shevi'it* 3:10, *Bava Kama* 5:5, *Bava Batra* 2:12), the Rabbis consistently use the verb *chofer* – not *karah* – to denote the act of creating a *bor*. In this essay we will explore the possible differences between these apparent synonyms and help shed light on the exact meanings of these two terms.

The Malbim explains that *karah* refers to the first stage in digging a pit, while *chafirah* refers to the completion of the dig. With this in mind, the Malbim accounts for the word order in the verse, “He dug (*karah*) a pit, and he dug it (*chafirah*)” (Ps. 7:16). At first, he began to dig the pit, so the word *karah* is used to denote those first acts of digging, but subsequently the person in question dug deeper to the completion of the pit, so in that context a cognate of *chafirah* appears (see also Ibn Ezra, Ibn Ramoch, and Meiri to Ps. 7:16).

The Malbim notes that this distinction can also be inferred from the verses concerning Isaac and his wells, as an earlier verse relates “and Isaac’s servants dug (*karah*) there a well” (Gen. 26:25), with a later verse talking about those same wells reporting, “On that day, Isaac’s servants came, and they told him about the well that they dug (*chafirah*), and they said, ‘We found water’ ” (Gen.

26:32). In the beginning, digging that well was expressed with the verb *karah* because they had only *begun to dig* the well, but in the end the digging is described with the word *chafirah*. This explanation of the wording regarding Isaac’s wells is also found in *Ha’Ktav V’Ha’Kabbalah* by Rabbi Yaakov Tzvi Mecklenburg (1785-1865) and in *Ha’Emek Davar* by Rabbi Naftali Tzvi Yehuda Berlin (1816-1893).

Based on this, the Malbim explains that when laying down the law that one who digs a pit is liable for all damages stemming from that pit, the Torah specifically uses the word *karah*. This is in order to teach that even if one digs “an incomplete pit” (i.e. one that is less than ten handbreadths deep), he is still liable for any damages incurred (except for if an animal dies by falling into that pit, per *Bava Kama* 5:5). This is implied by the Torah using the slightly less common verbiage *karah* to denote “digging” the pit, which implies even the most basic digging that does not penetrate as deep into the ground as the term *chafirah* implies. (According to Even Shoshan’s concordance, cognates of *chafirah* in the sense of “digging” appear in the Bible 23 times, while cognates of *karah* in the sense of “digging” appear 15 times.)

With this distinction between *karah* and *chafirah* in mind, Rabbi Berlin explains why the Bible used the word *karah* instead of *chafirah* in talking about Jacob’s burial place. Before he died, Jacob made Joseph swear that he will bury him in the Land of Canaan: “In my grave that I have dug (*karah*) for myself in the Land of Canaan – there you shall bury me” (Gen. 50:5). Rabbi Berlin explains that the Bible does not use the word *chafirah* in this context because that would imply the ludicrous notion that Jacob had already dug a deep grave intended for his burial while he was still alive. Usually, a person does not literally dig their own grave during their lifetime. Instead, explains Rabbi

Berlin, Jacob merely meant that he had prepared a specific plot as his burial place, but not that he had actually dug the grave and completed all the preparations. Since Jacob meant that he had engaged in only perfunctory preparations for his burial but did not actually dig out the grave, the Bible used the word *karah*, which implies “digging” merely the beginning of a pit, as opposed to *chafirah*.

In a polemic against Modern Hebrew that highlights the richness and exaltedness of *Lashon HaKodesh*, Rabbi Shaul Bruch (1865-1940) notes that the Song of the Well uses the terms *karah* and *chafirah* in an opposite order than expected. That song reads: “O Well – she was dug (*chafirah*) by the officers, she was dug (*karah*) by the nation's noblemen” (Num. 21:18). If this verse meant to refer chronologically to the stages of digging a well, it should have first used the word *karah* and then *chafirah*. Why, then, do these terms appear in the opposite order?

Rabbi Bruch answers by noting that while the Torah specifies that the Song of the Sea was sung by Moses and the Israelites (Ex. 15:1), the Song of the Well was only said to be sung by the Israelites (Num. 21:17). Moses' absence can be accounted for in light of the fact that the song itself actually pays homage to Moses, as in this song the Jewish People acknowledged that although they (“the nation's noblemen”) would undertake certain actions, the final results always depended on the nation's ultimate leaders – Moses and Aaron – “the officers” who would seal the deal. For example, although the Jews themselves valiantly fought against Amalek, it was Moses' raised hands (and the prayers to Hashem for help) that ultimately led them to victory.

Accordingly, the Song of the Well does not speak chronologically about the steps taken towards preparing a wellspring of water for the Jewish People in the wilderness. Rather, it reflects the qualitative reasons behind that miraculous entity: “She was dug by the officers” is mentioned first and foremost because those officers are Moses and Aaron in whose merit the well sprung into existence (see *Ta’anit* 9a). The *chafirah* – finalization – of the digging is attributed to them. Only after establishing the main reasons for the well's existence can the song move on to discuss

the secondary reasons: “She was dug by the nation's noblemen,” which refers to the rest of the nation. Their merits can only “start” the digging process (*karah*), but cannot complete the project without the leadership of Moses and Aaron.

Rabbi Samson Raphael Hirsch (to Gen. 26:25, 49:5) sharpens the difference between *karah* and *chafirah* by explaining that *karah* refers to mere preparatory digging that does not finish the project (per the above). He connects the word *karah* (KAF-REISH-HEY) to its near-homonym *kara* (KUF-REISH-ALEPH), “calling,” noting that just as one calls over his friend in preparation for some greater purpose, so does *karah* denote the beginning stages of a larger digging project.

In contrast to this, Rabbi Hirsch understands that the term *chafirah* refers to “digging” so deep that one reaches the depths of the earth, and can thus bring up the spring waters embedded deep in the earth's crust. Besides the more concrete meaning of “digging,” the word *chafirah* also appears in a more abstract sense, to “scout,” “spy” or “investigate.” Just as digging deep into the ground allows a person to retrieve the waters at the nadirs of the planet, so does the act of spying or investigating allow one to retrieve data or information that is otherwise hidden from view. (In Modern Hebrew, a nosey person is called a *chafiran*.) Rabbi Mecklenburg similarly notes that in the context of “digging for information,” *chafirah* has a negative connotation (as if to say that one is searching for negative info about another to bring to light) and may be related to the Hebrew word *cherpah* (“embarrassment”). Elsewhere, Rabbi Hirsch (to Ex. 21:33) explains that *karah* refers to preparatory pre-digging arrangements needed to dig a pit, while *chafirah* refers to the actual act of “digging.”

Rabbi Pappenheim sees the word *karah* as reflective of the central meaning of the biliteral root KAF-REISH (“digging”), to which he ascribes a bevy of Hebrew terms united by various related themes:

- *Hakarah* (“recognizing”) refers to the act of “digging” into one's mind to reach a conclusion before receiving all relevant facts. From this meaning are derived terms like *nochri* (“foreigner”), who is somebody that one does not “recognize,” and *mechira*

("selling), which refers to the act of commercial intercourse that causes people to "recognize" each other, or by which a seller "estranges" himself from the items he sells by giving them to somebody else.

- *Kur* ("furnace") refers to a sort of oven or kiln that is "dug" into the ground. This term produces such derivatives as *kiyor* ("laver"), which is a washing vessel fashioned in the shape of a *kur*; *kikar* ("a talent"), which is the amount of metal that can be processed in a *kur* in one time; *kirah/kirayim* ("oven"), which is also "dug" into the ground like a *kur*; and *kikar* ("loaf of bread"), which is typically baked in a *kirah*.
- *Kar* ("fertile field") refers to a place whose borders were typically demarcated by "digging" ditches around its perimeter. *Karim* refers to the "fat animals" who feast on the grounds of a *kar*, and *kor* refers to the "measurement of grain" yielded by the typical *kar*. An especially large *kar* with luscious pasture lands is called a *kikar*. Knights who are granted fiefdoms over

such lands are called *kreiti*, while a peasant who actually works such fields is called an *ikar*. The term *kerem* (literally, "vineyard") is also related to this meaning of KAF-REISH, because it refers to a land especially ripe for planting trees or vines.

- *Karet* ("cutting") also relates to "digging" in the sense that just as digging serves to break up the different parts of the dirt and separate them from each other, so does "cutting" serve to separate different pieces from each other.

In contrast to the terms for "digging" discussed earlier, the Malbim explains that *chatzivah* refers to "quarrying" and "excavating" with a hammer that chisels away at rock or hard ground. Nevertheless, Rabbi Yosef Kara (to Isa. 5:2) understands that *chatzivah* is a synonym to *karah* and *chofer*, except that it refers specifically to digging a round pit. He seems to relate the Biblical *chatzivah* to the Rabbinic term *chatzav* ("jug/pitcher"), which invariably refers to a round-shaped receptacle.

PEREK SHIRA: The Song of Existence

by Rabbi Shmuel Kraines

THE SONG OF THE CLOUDS

The clouds say: "He places darkness as His concealment, around Him is His shelter; darkness of water, clouds of the Heavens." (*Tehillim* 18:12)

Clouds bear life-giving water. Paradoxically, the more water they contain, the darker and gloomier they are, blocking the rays of the sun. Rain itself is notoriously a nuisance. The reason behind this paradox is that darkness and discomfort are blessings in disguise. Were one to live a life free of discomfort, he would become spoiled and would never reach the heights of greatness and spiritual pleasure that Hashem created him to reach. The clouds sing that Hashem "places darkness as His concealment" in order to discipline and educate.

When a person goes through a struggle and clouds form above him, one thing can be known for sure: it is going to rain. A wise man knows how to see all of life for its potential and maintain happiness at all times.

**In loving memory of Harav Zeev Shlomo ben Zecharia Leib*

COUNTING OUR BLESSINGS

by Rabbi Reuven Lauffer

THE AMIDAH (PART 2) – BIRKAT HA'AVOT

“Prayer is not a miracle. It is a tool, man’s paintbrush in the art of life. Prayer is man’s weapon to defend himself in the struggle of life. It is a reality. A fact of life.”
(Rabbi Avrohom Chaim Feuer)

The Amidah opens with the words, “Blessed are You, our G-d, and the G-d of our forefathers; the G-d of Avraham, the G-d of Yitzchak, and the G-d of Yaakov.”

At first glance, the syntax of the opening sentence seems to be both repetitious and somewhat awkward. The Talmud states (*Brachot* 16b) that there were only ever three people who were given the title “Avot” (forefathers). Therefore, if G-d is the “G-d of our forefathers,” He must be, by definition, the G-d of Avraham, Yitzchak and Yaakov. If so, it would seem more appropriate to either begin the *Amidah* with the statement that G-d is the “G-d of our forefathers,” or to begin it with the declaration that G-d is the G-d of Avraham, Yitzchak and Yaakov. And, yet, the *Amidah* commences with *both* descriptions. More than that, the *Amidah* stresses the fact that G-d is “the G-d of Avraham, the G-d of Yitzchak, and the G-d of Yaakov.” The repetition of G-d’s Name appears to be unwarranted. After all, Avraham, Yitzchak and Yaakov all worshiped the same G-d. So, why does the *Amidah* repeat “the G-d of” for each one of the forefathers?

Rabbi Elya (Eliyahu) Lopian (1876-1970) was one of the most influential spiritual role models and scholars of the twentieth century. Many of his lectures and writings were published after his passing under the title *Lev Eliyahu*, and his ethical and moral teachings are deemed indispensable to anyone trying to lead a life on a higher spiritual plane. Rabbi Lopian explains that each of the forefathers had a completely different approach to serving G-d. Consequently, it was the duty of each one of them to utilize his own distinctive strengths to reveal to the

world how to believe in the theology of monotheism and live accordingly. Avraham’s overwhelming trait was *chesed* – kind deeds. Yitzchak’s principal attribute was being focused on the spiritual realms. And Yaakov’s primary characteristic was to reveal to the world G-d’s attribute of absolute truth. All three of these qualities are fundamental and vital to our connection to G-d. When combined together, they define the infinite chain that is the Jewish nation. This explains why the phrase “the G-d of” is used in conjunction with each forefather. It reinforces the fact that each one introduced his own distinct approach to serving G-d.

Furthermore, if the Men of the Great Assembly had simply used the collective phrase “the G-d of Avraham, Yitzchak and Yaakov,” one might have the mistaken impression that it was Avraham alone who “discovered” G-d through his investigations of the natural world. And one might have mistakenly thought that after Avraham reached the conclusion that there is One G-d who creates and sustains everything, he then passed on his knowledge to Yitzchak and Yaakov – thus essentially removing their need to originate their own personal methods for serving G-d based on their unique personalities. But that would not be correct. They are not a “joint package.” Rather, each of the forefathers is considered an equal partner in establishing the multi-faceted approach to serving G-d.

Presenting a slightly different approach, Rabbeinu Yonah points out that the forefathers are introduced at the onset of the *Amidah* to emphasize that we are far-removed from their exalted spiritual levels. Yet, despite our spiritual deficiencies, we too are capable of bonding together with G-d, building the most

rewarding and significant relationship that can possibly exist.

Rabbi Simcha Zissel Ziv Broida notes that the era of the forefathers preceded the Giving of the Torah. Their relationship with G-d was not formed with their acceptance of the Torah, due to the revelation on Mount Sinai. Rather, it was founded on their intense desire to identify the Ultimate Source of the astonishingly complex and beautiful world that they lived in. And they succeeded in doing so without the assistance of the purity and perfection of the Torah. Prior to Sinai, the physical world was the vehicle the forefathers used to reach the clarity needed to

recognize G-d's Majesty in the world. As we begin the *Amidah* we invoke the forefathers to remind us that we too must strive to find G-d in every detail of the creation.

Rabbi Shimshon of Ostropoli (1599-1648), a brilliant Kabbalist renowned throughout the Jewish world for his piety, offers a fascinating insight on this topic. The number of letters in the Hebrew names of Avraham, Yitzchak and Yaakov is thirteen, which is the numerical value of the word *echad* – one. It was the forefathers who introduced the concept of monotheism to the world. Therefore, it is fitting that the total number of letters of their combined names should spell out the very essence of G-d – *Echad*.

To be continued...

TALMUD TIPS

by Rabbi Moshe Newman

Mo'ed Katan 2-8

One Simcha at a Time

The mishna says, "One is not permitted to marry on Chol Hamo'ed... because it is a simcha (happy event)."

The *gemara* is immediately amazed with this teaching in our *mishna*. Why should *simcha* be a reason for not allowing marriages during the Chol Hamo'ed days of Pesach and Succot? As Rashi explains the *gemara's* question in a rhetorical manner: "Is *simcha* forbidden during Yom Tov?!"

Four answers are offered in the *gemara* as the reason for this ban. Rav Yehuda said in the name Shmuel, "Because one is not allowed to mix one *simcha* with another *simcha*." This means that the *simcha* of the Festival should not coincide with the *simcha* of a new marriage. Rashi explains that the reason for this "separation of *simchas*" is to be able to rejoice solely on the mitzvah of *simcha* during the days of the Festival.

Rabbah bar Rav Huna gave a second reason: "Because a person would abandon the *simcha* of the Festival and become involved entirely with the *simcha* of the new marriage." If marriage during the Festival would be permitted, it is possible or probable that the mitzvah of *simcha* associated with the Festival would not be fulfilled.

A third explanation of our *mishna* is offered by the Sage Ulla. He said that marriage is not permitted on Chol Hamo'ed "because of the bother." Rashi explains what this means. If a wedding would be permitted during the Festival, a person might "bother" with the great toil of the wedding preparations during these days of Chol Hamo'ed, thereby transgressing their sanctity. As I once heard from a wise person, "Many may not realize that Chol Hamo'ed is less 'chol' and more 'mo'ed'."

Ulla's reason of "bother" seems to differ from the explanation in the *mishna* that "marriage is a *simcha*."

Tosefot explains the *mishna* to mean that due to the *simcha* of the wedding, a person might wrongly do too much in preparation and thereby violate the laws of the Festival.

A fourth and final reason is suggested by Rabbi Yitzchak Nafcha: “Because it would nullify being fruitful and multiplying.” Rashi explains this terse and cryptic statement. If allowed to marry during Chol Hamo’ed, a person would be tempted to delay marriage until the Festival and not marry sooner if possible. The incentive for waiting for the Festival would be to combine the special wedding meal with joyous Festival meal. I have heard that in the previous century, due to their great poverty it was the custom of many residents of Jerusalem marry on Friday in order to combine the wedding meal with the Shabbat meal.

The first explanation of not mixing *simchas* is the answer cited by halachic authorities. (Shulchan Aruch, Even Ha’ezer 62:2) A precedent for not mixing *simchas* is noted in our *gemara*, in relation to when Shlomo Hamelech inaugurated the First Beit Hamikdash. He led the Jewish People in a great celebration during the

days immediately leading up to Succot (See Melachim I 8:65) He did not delay the inauguration ceremony until Succot to take place at the same time as the Festival, since he would not mix one *simcha* with another.

Permit me to conclude with a personal anecdote. Many years ago, a friend studied with me an entire *masechta* on Shavuot night, when many have the custom to learn Torah until morning prayers. We were interesting in making a *siyum* after the prayers, but were concerned that we might be in violation of the ban against mixing one *simcha* with another. We asked a Rav. He told us that it is not mixing two *simchas* since the *simcha* of the *siyum* and the *simcha* of Shavuot are the same – the *simcha* of the Torah. He nevertheless requested that we make only a brief *siyum* with some cake and drinks since people were certainly looking forward to a nap after the all-nighter of Torah study, followed by the special Yom Tov prayers and our *siyum*. I hope it was short enough. We tried...

▪ *Mo'ed Katan 8b*

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 – for Pesach, Shavuot and Succot – we are to come to the Temple. The Torah concludes this listing of laws with a law of *kashrut* to not cook or mix meat and milk.

LETTER AND SPIRIT

Insights based on the writings of Rav S.R. Hirsch by Rabbi Yosef Herschman

Social Justice

The Torah opens its discussion of social legislation with the law of the thief who must sell himself as a servant, and for good reason. From the “exception to a rule” we can learn a great deal about the rule.

This case of the thief is the sole instance in which the Torah imposes loss of freedom as a punishment. Apart from the occasional detention before trial, there is no such thing as a prison sentence in Jewish law. The only institution that resembles a prison sentence is this thief’s servitude. But even here, his sentence hardly resembles punishment. He is to be placed with a family, and the law is careful to protect his dignity. Neither is he to be given degrading work, nor lesser provisions than the master of the household. He is treated as a brother, not an underling. The Torah also ensures that his family remains intact. They are not to suffer distress because of his offense and its consequences. If he is married, his wife and children join him, and their care is the master’s responsibility. In depriving him of his freedom, and thus the ability to provide for his family, the Torah imposes that responsibility on those who benefit from his labor.

Prison sentences as we know them – with all of their attendant degradation and misery for the prisoner, his wife and his children – have no place in Torah.

But we still may ask: Why in this single case of the thief, does the Torah deprive him of freedom? A thief is liable for the value of the theft and a punitive fine, but he may be sold only if he does not have sufficient funds to pay the value of the theft, not for

any statutory fine. In order for him to make this restitution, the law requires him to pay with his working capacity if he has no assets. Yet, in other cases where restitution is required for damage caused, this law does not apply – the offender does not lose his freedom in order to pay restitution. Why is the thief the exception?

Perhaps the reason is that the thief shows the most direct contempt for the idea of private property. Property ownership presupposes a level of public trust. If we cannot trust our neighbors, we could only “own” that which we could nail down. The thief, more than taking what is not his, undermines the public trust, the foundation of community. Other offenders who have damaged property are not required to forfeit their liberty to pay restitution, but because the thief has damaged this core value of society, he is required to pay with any means possible – even his very freedom.

His freedom is mortgaged only for six years; he goes free in the seventh. Six always represents the physical, material world, created in six days. Seven represents the spiritual, transcendent realm. The thief is to serve for six years, to rectify his having been sold to materialism, oblivious to the One above. By subordinating his physical existence for six years, he learns to recapture the element of the “seventh,” and, having done so, is free to rejoin society. We are now confident that instead of breaching communal trust, he will contribute to it.

- Sources: Commentary, Shemot 21:6