



Parshat HaShavuah

משפטים

MISHPATIM

כ"ד שבט תשע"ה

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חלקינו מה טוב

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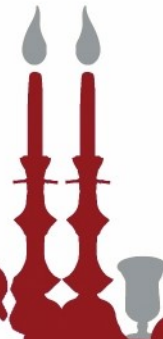
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Motzei Shabbat

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Enriching and Enhancing Your Study of the Weekly Torah Portion

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BRING ON THE SPIRITUALITY

RABBI DAVID SHABTAI

Although we seem to have read about Matan Torah last week in Parshat Yitro, the end of this week's parsha seems to put us right back into the scene. Perek 24 starts off by describing how Hashem commands Moshe to ascend to Har Sinai to receive the Torah, but before doing so, to perform a ceremony with the nation as a whole.

It's here that the Torah tells us that Bnei Yisrael offered korbanot before Matan Torah and is in fact the source for the halacha that part of the conversion process requires bringing a korban. Moshe then performs a ceremony with the blood of those korbanot and reads to Bnei Yisrael from the Sefer HaBrit (see the various commentators as to what book that was).

The Torah then tells us (24:9) that Moshe, Aharon, Nadav, Avihu, and the seventy *zekeinim* all ascended part of Har Sinai. "And they saw the God of Israel, and beneath His feet was like the forming of a sapphire brick and like the appearance of the heavens for purity/clarity. And upon the nobles [*atzilei*] of Bnei Yisrael He did not lay His hand, and they perceived God, and they ate and drank." The Torah is not very clear on what exactly they saw or why they were shown this specific vision. Leaving aside what they saw or why they saw it, the Torah seems to indicate that they deserved some sort of punishment – emphasizing that Hashem specifically "*lo shalach yado*" – indicating that they in fact deserved that He should have "*shalach yado*" at them! What did they do wrong?

Rashi, quoting the Midrash Tanchuma, relies on the end of the pasuk to explain the reason – the *zekeinim* were looking at the vision of Hashem with levity while they were eating and drinking. Displaying a lack of seriousness and gazing at such an awesome vision while engaged in such a mundane task as eating and drinking was a significant sign of disrespect, for which they rightfully deserved punishment. Hashem held back, seemingly to not put on a damper on the festivities.

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A GUIDE TO LIVING

ELIANA FELDAN ('13)

ALUMNI, PAST ASHREINU EDITOR-IN-CHIEF

This week's parsha features a seemingly long "laundry-list" of mitzvot. Why these mitzvot are placed here, in the middle of the Matan Torah episode, is a question in-and-of itself; but, focusing on the mitzvot themselves reveals something else that is quite striking. The mitzvot found in this week's parsha are unique in that many of them address a *b'dieved* circumstance. They outline what to do if someone kills someone else, if a master strikes his slave and injures him, if an ox gores another's animal, etc. The mitzvot do not explain what to do initially in order to prevent the situation altogether, but rather outline the correct response to a less-than-ideal situation. Would it not have made more sense for Am Yisrael to spend their first hours as a newborn nation, charged with a guidebook, the Torah, to learn the basics? There were fundamental questions that had yet to be answered: Who really is Hashem who has now commanded them to live their lives according to His plan? How do they connect to Him? Where can they find Him?

In his *Halachik Man*, Rav Joseph B. Soloveitchik writes, "The Halakhah does not aspire to a heavenly transcendence, nor does it seek to soar upon the wings of some abstract, mysterious spirituality... The Halakhah declares that man stands before God not only in the synagogue but also in the public domain, in his house, while on a journey, while lying down and rising up... The marketplace, the street, the factory, the house... all constitute the backdrop for the religious life... The true sanctuary is the sphere of our daily, mundane activities." The Rav so beautifully explains the concept of "לא בשמים היא" that while the Torah comes from God on high, it is not intended to stay there. We are meant to take ownership of the Torah and halacha, study it, explore it, and in the end internalize it and make it our own. So, although seemingly skipping a couple of steps, in fact, the placement of these mitzvot does express the fundamentals of the Torah—for really, the first thing Am Yisrael needs to know is that through living Torah they will truly be able to grasp the life Hashem has outlined for them.

Rav Hutner comments on the pasuk in Sefer Mishlei, "For a righteous man can fall seven times and rise" (24:16), explaining that it is not because the man who falls is righteous that he is able to get up, rather that through his rising he becomes righteous. It is both his persistence and perseverance to look a challenge in the face and, in spite of his failure, rise once again that brings about righteousness. It is significant that the mitzvot listed in this week's parsha are those dealing with *b'dieved* situations because as a chosen nation immersed in the mundane world, the Jewish people are bound to stumble and fall. It does not take long before Bnei Yisrael find themselves worshipping a golden calf; how much more so are we, the people of today who did not experience Hashem's greatness firsthand in Egypt and at *kriyat Yam Suf*, certain to err.

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TURN YOUR INSPIRATION INTO A REALITY

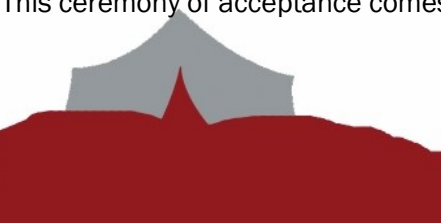
ISAAC KURTZ ('14)

ALUMNI, PAST ASHREINU EDITOR-IN-CHIEF

Parshat Mishpatim comes in the wake of the revelation, the single greatest appearance of God in front of mankind, which is then followed up by an exhaustive list of laws needed for Bnei Yisrael to live out their everyday lives. Then at the conclusion of Mishpatim, we are presented with a strange set of pesukim that describe a ceremony in which, "Moses took the blood and threw it upon the people, and he said, 'Behold the blood of the covenant that Hashem sealed with you concerning all these matters'" (24:8). There is a *machloket* between Rashi and Ramban over whether this parsha (24:1-11) actually occurred here or before the revelation at Sinai. Following Ramban's opinion that this occurred here, we can extrapolate a critical belief in Judaism. According to the Ramban, the question begs to be asked, what is this parsha doing here? Why is there a need for this ceremony following the greatest revelation of God to mankind?

One can posit that this dichotomy follows the fundamental thoughts of Rav Soloveitchik and David Hartman on the premise that there are two covenants sealed with Bnei Yisrael. The first is, of course, Matan Torah in last week's parsha. In this week's parsha we are now presented with a second covenant—not one of lightning and thunder and revelation, but of blood sprinkling. This ceremony of acceptance comes on the heels of an exhaustive list of laws concerning all aspects of the

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Kurtz continued

lives Bnei Yisrael are about to live. This physical action by Bnei Yisrael and their acceptance of the laws inculcates within them an even higher understanding of the purpose of revelation. Our connection with Hashem is not for our few sporadic moments of inspiration, but to establish a society in which the will of Hashem pulsates through the nation.

We can contrast the message learned here with the previous narrative concerning the redemption and exodus from Egypt. Interestingly, we see the plagues' purpose was not to benefit the Jews but to reveal Hashem to the Egyptian people and to Pharaoh—the plagues were done so that “Egypt will know that I am God” (14:4). We repeatedly see Pharaoh and his people reach a recognition of Hashem in the midst of a plague, where Hashem's omnipresence radiates conspicuously throughout the country. However, once the plague dissipates there is a “hardening of the heart,” the inability to see Hashem past the moment of revelation. Returning to our parsha, we now see the importance of rooting our revelation in an *eternal* covenant. Any being or any nation can see God revealed in the awesomeness of a miracle, but it is up to Bnei Yisrael to harness the moment of inspiration into a lifetime of dedication.

In our lives, we often seek out moments of inspiration—we search to find Divine providence in our greatest moments of struggle. For me and many of my classmates studying in Israel this year, we are searching for a “year of inspiration.” However, these moments of inspiration can only take hold with an oath—a declaration that this is not a single fleeting moment, but a moment that will be the initiator of a new behavior. Bnei Yisrael took this moment to charter their course through the turbulence of the desert. May we all be able to transform our moments of inspiration into fundamental values to emanate through our everyday lives.

THERE'S NO “I” IN “TEAM” BAILEY FROHLICH ('16) CURRENT ASHREINU EDITOR-IN-CHIEF

In this week's parsha, Parshat Mishpatim, Moshe tells the nation the laws of Hashem and they famously respond with “*Na'aseh v'nishma*”—“We will do and we will listen” (24:3). Interestingly, their response is in the plural form. Wouldn't it be more appropriate to use the singular form as each person in Bnei Yisrael is accepting the Torah for himself? Why didn't each one respond, “I will do and I will listen”?

Rabbi Meir Simcha of Dvinsk offers a practical explanation. He says that although Bnei Yisrael were given 613 mitzvot at Matan Torah, there is not one Jew who can fulfill all 613 mitzvot by himself. Even though a Kohen Gadol would want to perform all 613 mitzvot, he simply would not be able to as he can't fulfill those regarding kingship. However, explains Rabbi Meir Simcha, each individual become complete when he combines his set of mitzvot with that of his fellow Jews. Rabbi Simcha Bunim builds on this idea by telling a parable. A group of men were stranded in a desert. Having depleted their food and water supply, they were combating hunger and thirst while still trying to protect themselves from the scorching sun. Suddenly, a caravan passes by and the benevolent driver asks one of the thirsty individuals, “Would you like some water?” The man immediately responds, “Yes! We would be so grateful for some water”. Just like this man answered in plural because he knew with 100% certainty that all the members of his group desperately wanted water, so too ever Jew knew with no doubt that his fellow members of Klal Yisrael greatly desired to accept Hashem's Torah as much as he himself did.

The Beit Haleivi presents an answer that takes the idea of Bnei Yisrael's unity to the next level. He asserts that every Jew in uttering the words “*Na'aseh v'nishma*” made two commitments to Hashem—the first was to accept the Torah and observe it on a personal level, and the second was to ensure that their fellow Jews too will accept and observe the laws of the Torah. By speaking in plural, each individual took upon himself full responsibility for his fellow Jew—the ultimate demonstration of “*kol yisrael areivim zen lazeh*”, all Jews are responsible for one another.

I believe that the Beit Haleivi's indication of the double commitment offers an excellent insight into the dual purpose of the individual Jew: to devote his life to strengthening one's connection and service to Hashem while at the same time strengthening his commitment to his fellow Jew. We as Jews have the task of synthesizing our spiritual connection with Hashem with our interpersonal relationships on Earth. It is our prerogative to keep the laws of the Torah and follow in Hashem's way in order to complete our dual purpose.



Rabbi Shabtai continued

Ramban offers a different perspective, arguing that since the *zekeinim* followed the rules and did not ascend Har Sinai beyond what was permissible (see 19:12), there was no reason for punishment. But if so, why does the Torah bother mentioning that Hashem didn't punish them? We would have expected the *zekeinim* to follow the rules and we would have expected Hashem not to punish people for following those rules even without being explicitly mentioned. Why does the pasuk bother mentioning that Hashem could have but didn't punish them?

Offering a completely different take, the Ohr Hachaim Hakadosh challenges one of our unstated assumptions. Like Rashi, we assumed that "*lo shalah yado*" means that He did not harm or injure the *zekeinim*. And for good reason, since earlier in this very parsha (22:7) that is precisely what the term means. The Ohr Hachaim Hakadosh suggests interpreting our pasuk differently. He explains that under normal circumstances, humans cannot comprehend Hashem, let alone be privy to a Divine vision. Hashem doesn't usually allow for it (see later, 33:23, where even Moshe is not granted "full access"). During Matan Torah however, Bnei Yisrael reached an extreme spiritual state and the Torah therefore goes out of its way to tell us that Hashem did not block or prevent the *zekeinim* from experiencing their vision. Even then, they were only granted limited access, experiencing a sublime light, but nothing specific. Even the metaphorical feet – corresponding to an incomplete or lesser vision – was not seen clearly and could only be "seen" through a sapphire brick. And it's precisely because they had such a sublime experience that they subsequently celebrated.

The Ohr Hachaim Hakadosh is teaching us about the exceptional circumstances of Matan Torah. In the normal course of life, ordinary people are not immediately granted access to reach the highest spiritual levels. Attaining greatness is not about being miraculous or shown something amazing, but about the steps that are necessary to reach that point. We all want to have extraordinary spiritual experiences, to experience profound revelations, and thereby feel close to Hashem. The Torah is teaching us that while those experiences are important, they are the exception, not the rule. It's perhaps for this reason that after the majestic description of Matan Torah with all of its awesome grandeur, the Torah then immediately moves on to monetary law – the halachot of buying and selling, *shomrim*, business transactions and the like. It's not meant to be a downer. Rather, the Torah is teaching us that while we aspire to be exposed to moments of profound revelation, the way to attain spiritual greatness is by focusing on the details and bringing spirituality into everything that we do in our daily lives.

Feldan continued

But the key is just that. How can we, as a nation, continue to live a life walking in the path Hashem prescribes for us in a world where there is no *kriyat Yam Suf* to remind us of Hashem's glory? As Rav Aharon Lichtenstein explains in his essay, "A Consideration of Synthesis from a Torah Point of View," to be a Jew engaged in the world is to take the word of God and transform it into a concrete lifestyle in which Torah is always the center. Through the placement of these halachot, Hashem is sending the clear message: our acceptance of the Torah and implementation of halacha into our lives is neither world accepting or world rejecting, but world redeeming. It is through this synthesis that we, as a nation, can be the "אנשי קודש" that Hashem charges us to be (Shmot 22:30).

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