

OHRNET

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PARSHA INSIGHTS

by Rabbi Yaakov Asher Sinclair

Stand and Be Counted

“Do not be a follower of the majority for evil” (23:2)

Apparently, at the end of the Second World War, a group of non-Jewish British intellectuals decided to convert and become Jewish. Basically, their rationale was, if you're not part of the solution, you will become part of the problem. They saw how Germany, arguably the most civilized country in Europe, had descended into unparalleled barbarity in just a few short years, and so they converted and became part of the Jewish People.

In last week's Torah portion, Rashi comments on the opening verse, “And Yitro heard...” - “What did he hear that made him come? The splitting of the sea and the War of Amalek.” Why, of all the great miracles that the Jewish People experienced, should these two specific events have inspired Yitro to convert?

Amalek is the nation whose implacable hatred of the Jews is without reason. It is instinctive and visceral. Antisemitism is as normal to Amalek as breathing or eating. But not everyone comes from the seed of Amalek. There will always be those in the middle.

Yitro saw that if a person doesn't act on inspiration, not only does that inspiration wane and falter but it rots and becomes the opposite: revulsion. He understood that if he did not act on the inspiration of the unbelievable miracle of the splitting of the sea, he too would eventually become like Amalek, a Jew-hater.

Anyone with an eye or an ear for current events will be struck by the supreme irony of the accusation by South Africa that Israel is committing acts of genocide. The concept of Genocide was coined by a Jewish lawyer, Raphael Lemkin, to describe the Nazi atrocities. Alone among the 17 judges who deliberated on interim measures in the case concerning the Application of the Genocide Convention in the Gaza Strip (South Africa v. Israel), Julia Sebutinde, of Uganda, voted against all proposed provisional measures. In her dissenting view, she argued the absence of a credible indication of genocidal intent by Israel. Genocide is the intention to obliterate a nation, not the ghastly concomitant casualties of an urban war, where civilians are used as human shields by cynical state terrorists.

And what about the other 17 judges?

“Do not be a follower of the majority for evil.”

The Jewish People may not have many friends, but it warms the heart when someone stands up like Yitro and wants to be counted with us.

**Source: Chochmat HaMatzpun*

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?

Synonyms in the Hebrew Language

by Rabbi Reuven Chaim Klein

Bruisers and Bleeders

When one person injures another, the Bible states that the damager must pay “an eye for an eye, a tooth for a tooth...” (Ex. 21:24). Of course, the rabbis teach (*Bava Kamma* 83b-84a) that this does not refer to any sort of actual bodily payment, but rather to monetary compensation. That Biblical verse continues to list further examples of payments which are assessed as commensurate with the bodily damage done, “...a hand for a hand, a foot for a foot, a burn for a burn, a wound for a wound [*petza*], and a wound for a wound [*chaburah*]” (Ex. 21:24-25). In this passage, two different words for “wound” are used – *petza* and *chaburah*. Similarly, after Lemech accidentally murdered his ancestor Cain and his son Tubal-Cain, he said to his wives, “For a man I have killed by my wound [*petza*] / And a child, with my wound [*chaburah*]” (Gen. 4:23). In that passage as well, the two words for “wound” – *petza* and *chaburah* – appear side-by-side, as they do in several other cases (Isa. 1:6, Prov. 20:30). This essay explores these two Hebrew synonyms, as well as the Hebrew verb *chovel* in the sense of “wounding/injury.”

Rashi (to Ex. 21:25) clarifies the difference between *petza* and *chaburah* by explaining that *petza* refers to a wound that bleeds due to an opening in one’s epidermis, while *chaburah* refers to a wound by which blood collects underneath the surface of one’s skin, but does not come out (thus leaving a red mark on one’s exterior). The Vilna Gaon (to Isa. 1:6, Prov. 20:30) similarly explains that *petza* refers to an “open wound” or “bleeding laceration,” while *chaburah* refers to a “bruise.”

In light of Rashi’s explanation, Malbim and Rabbi Shlomo Aharon Wertheimer (1866-1935) write that the word *chaburah* is related to the term *chibbur* (“connection/attachment”) in reference to the pooling of blood beneath the skin. When the prophet Yirmiyahu rhetorically asks whether a leopard/tiger change its “spots” (13:23), the word denoting those “spots” is *chavarburot*. Ibn Saruk, Ibn Janach, and Radak explain that this word is a declension of the word *chaburah*, as it too denotes a discoloration of the skin’s surface.

The term *petza* (spelled with a final AYIN), whose root is technically PEH-TZADI-AYIN, is often understood to be derived from three-letter root PEH-TZADI-HEY (*potzeh*), which means “to open.” For example, when the ground was “opened up” to allow for Cain’s burial (Gen. 4:11) or to swallow Korach’s men (Deut. 11:6), the word *potzeh* is used. The connection between *petza* and *potzeh* is based on the interchangeability of the letters AYIN and HEY. If we follow this approach, we can easily understand why Rashi explains *petza* as referring specially to “open wounds,” rather than to mere “bruises.” This etymology of *petza* is adopted by Malbim and Rabbi Wertheimer, in addition to Rabbi Moshe Ashkenazi-Tedeschi (*Otzar Nirdafim* §27) and Rabbi Samson Raphael Hirsch (to Gen. 4:11, Ex. 21:25). Interestingly, Rabbi Hirsch notes that *petza* and *potzeh* both refer to a forced “opening,” as the ground in the cases of Cain and Korach had no *choice* in allowing itself to be opened, just like the victim who is left with a *petza* did not *choose* to receive such an injury.

After citing Rashi’s way of differentiating between *petza* and *chaburah*, Ibn Ezra (long commentary to Ex. 21:25) cites Rabbi Saadia Gaon (882-942) as explaining that *petza* refers to a “broken bone,” while *chaburah* refer to a “bleeding wound.” Elsewhere, Ibn Ezra (short commentary to Ex. 21:25 and in his commentary to Isa. 1:6) repeats this understanding, but adds that *chaburah* relates to “attachment” because in this context it refers specifically to a “wound” that has an accumulation of liquid “attached” to it that appears in the form of puss and other signs of infection.

TALMUD TIPS

by Rabbi Moshe Newman

Bava Kama 100-106

The Way of Kindness

Rav Yosef taught (the meaning of the verse in Ex. 18:20, when Yitro advised his son-in-law Moshe Rabbeinu on how to lead the Jewish People):

“You will shall make known to them” – this refers to teaching them Torah (Rashi) – “the way” – this refers to doing acts of kindness for others – “they should go” – this refers to visiting the sick – “in it” – this refers to helping bury one in need – “and the deed” – this refers to acting according to the law – “they shall do” – this refers to acting beyond the letter of the law.

How does “the way” indicate teaching to do acts of kindness to others? Instead of saying “*derech*” – “way”, the Torah states “*ha-derech*” – “*the way.*” The *definitive* designation of *the way* communicates the sense of the ultimate way, the way of Hashem. Walking in the way of Hashem, say our Sages, means emulating “His way” – by clothing the naked as He did for Adam and Chava, visiting the sick as He did for Avraham Avinu, burying the dead as He did for Moshe, and comforting the mourners as He did for Yitzchak Avinu. (Maharsha)

▪ Bava Kama 100a

COUNTING OUR BLESSINGS

by Rabbi Reuven Lauffer

BIRKAT HAMAZON (PART 12)

BLUEPRINT OF JEWISH DESTINY

“Anyone who recites Birkat HaMazon is blessed through it.”
(Zohar HaKadosh to Parshat Terumah)

The fourth blessing continues: “For every single day, He did good, He does good, and He will do good for us.”

Our blessing teaches one of the fundamental lessons of life and, more importantly, the reason we have been granted life to begin with. Life must be lived to its utmost. Not, as much of the secular world understands, that physical experiences and pleasures must be maximized and that there needs to be a

relentless search for “bigger” and “better” thrills. Rather, we are taught that each and every day is an unparalleled opportunity to reach higher. To become bigger than we were the day before. And to draw closer to our Father in Heaven. How does one do that? How does one utilize every single day so that it has true worth? By doing good.

There is a famous quotation, which seems to be attributed to more than one author that has become something of a cliché. But that does not stop it from being true. “Yesterday is the past, tomorrow is the future, but today is a gift. That is why it is called ‘the present.’”

When the Torah describes the passing of Avraham at the age of 175, it states, “Now, these are the days of the years of Avraham’s life.” The wording raises a question. The Torah never uses words unnecessarily and could have seemingly have said, “Now these are the years of Avraham’s life,” without adding “the days of.” The Rabbis explain that the Torah’s wording teaches us that Avraham did not just live for a total of 175 years; he also lived every single one of his days.

Rabbi Meshulam Jungreis, the founder and beloved Rabbi of North Woodmere Jewish Center and Congregation Ohr Torah on the South Shore of Long Island, was fond of saying that a long life is not enough, but a good life is long enough. His selfless and indefatigable partner in all of his spiritual endeavors, and the founder of Hineni, an international powerhouse of Jewish outreach, Rebbetzin Esther Jungreis, added to her husband’s profound words by explaining that goodness cannot be measured by the length of our years. Goodness is not about what we amass, but by what we give. Goodness is not about having more; it is about being more. In the end, our lives are judged not by the citadels or businesses or houses or portfolios we have built, but by the lives we have touched and made better. Or, in the words of Winston Churchill, we make a living by what we get, but we make a life by what we give.

Rabbi Yosef Breuer (1882-1980) was the legendary spiritual leader of the esteemed Kahal Adath Jeshuran congregation in Washington Heights, New York. My wife’s grandparents, who were members of the community and very close to the Breuers, would repeat how Rabbi Breuer chose not to bless people with the timeless, classic blessing “that they should live to be 120 – *ad meah v’esrim*.” Rather, he would bless them that their lives should consist of “*orech yamim tovim* – long and good days.”

Rabbi Breuer’s blessing was particularly uplifting, because it would be extremely disheartening to live for 120 years without anything distinguishing them from anyone else. It would be sad to not be able to identify anything of theirs that left an impression on the world. Alternatively, it is a source of inspiration knowing that, even if a person is not blessed with long years in this world, they are still able to achieve so much in the short time they are here, leaving an indelible imprint. One such person was Rabbi Aryeh Kaplan (1934-1983). Rabbi Kaplan lived for only 48 years, and yet was a prolific author, thinker and educator. He authored and translated more than fifty books on the Torah, Jewish philosophy, Kabbalah, Jewish life, Chassidut and more. All while simultaneously being involved in Jewish outreach. He served as the spiritual mentor to countless teenagers and young adults in their journeys to a life of commitment to serving Hashem to the best of their abilities. How was Rabbi Kaplan able to accomplish so much in such a short period of time? He lived every single day of his life. As a visionary Rosh Yeshiva from the prior generation used to say, “If you don’t know what you’re living for, you haven’t lived.”

To be continued...

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.

TAAMEI HAMITZVOS

Reasons behind the Mitzvos

by Rabbi Shmuel Kraines

“Study improves the quality of the act and completes it, and a mitzvah is more beautiful when it emerges from someone who understands its significance.” (Meiri, Bava Kama 17a)

THE JEWISH SLAVE

(Mitzvah #42, #345, #346, and #482 in Sefer HaChinuch)

“If you acquire a Jewish slave, he shall work for six years, and on the seventh, he shall go free...If his master gives him a wife, and she bears him sons or daughters, the woman and her children shall remain with the master, and [the slave] shall go free alone. And if the slave says, ‘I love my master, my wife, and my children; I shall not go free!’ Then his master shall bring him to the judges. They shall bring him to the door or the lintel, and his master shall pierce his ear with an awl, and he shall serve him forever (Shemos 21:2-6). If your brother shall become impoverished and is sold to you as a slave, you shall not work him as a slave. He should be with you like an employee and work by you until the Yovel year...For they are My slaves, whom I took out of Egypt, and they shall not be sold in the manner of slaves. Do not work him harshly, and fear Hashem (Vayikra 25:39-43). When you set him free, do not send him away empty-handed. You shall surely grant him from your flocks and with the produce of your fields and vineyards, and you shall give to him from that which Hashem your Lrd blessed you...It should not seem difficult for you to set him free, for he has worked twice as much as a hired laborer, for six years, and Hashem your Lrd has blessed you in all that you have done.” (Devarim 15:13-18)

THE MITZVAH

If a Jewish man steals and is unable to repay, Beis Din sells him as a slave to another Jew so that he can repay. It is also possible for someone to sell himself into bondage. The Torah prohibits a master from working the Jewish slave harshly and degradingly as one would treat a regular slave, and it limits his service to a period of six years. During this time, the master may have him marry a maidservant to bear slaves for the master, but when he goes free, he leaves her and her children behind. If he wishes to remain in slavery after the term of six years, the master pierces his ear by the door with an awl, in the presence of Beis Din. All Jewish bondsmen go free when the Yovel year arrives.

SIX YEARS

The Torah begins the monetary laws set forth in our Parashah with this mitzvah because it relates to the first of the Ten Commandments, in which Hashem proclaimed that He is our G-d Who took us out of Egypt. At that time, He freed us from being slaves to man and made us His slaves, and He does not want us to become slaves of others, but rather only employees. The Jewish slave goes out at the onset of the seventh year, or at the onset of Yovel – the completion of the seven seven-year Shemitah cycles – in commemoration of how Hashem created the world in six days and rested on the seventh (*Ramban*). The fact that He created us is a second reason why it is His right to be our sole master. As to why the Torah does not command freedom in the Shemitah year instead of after six years of servitude, it would seem that this was not a fitting standard, for then those who are sold in the sixth year would serve for very little; moreover, thefts would abound every seventh year with the approach of Shemitah... Alternatively, we may explain the six-year limit as follows: In the olden times, it was customary for a hired worker to sign a contract for three years (*Bechor Shor*). Thus, in order to distinguish a Jewish slave from a regular gentile slave, the Torah limits his work term to double the standard length of paid servitude. This double measure of punishment is especially fitting for a thief, whom the Torah obligated to return double the amount he stole.

GIFTS UPON DEPARTURE

A destitute thief who is punished with slavery feels very lowly even when he goes free, so Hashem commanded us to send him away in visible honor to remind him and others of his Jewish nobility. The verse reminds us how Hashem similarly made the Egyptians give us many valuables when setting us free. Another reason for this mitzvah is that it is virtuous to be compassionate to those who work for us, and to give them more than their wages (*Sefer HaChinuch*). Moreover, the blessing of the household may have increased because of the hard work and merit of the Jewish slave, so it is only fair that he receives a share in it when he leaves (*Rav Menachem HaBavli*).

THE EAR-PIERCING

The ear-piercing ceremony is only performed upon someone who is sold into slavery on account of theft. Since he broke through doors and stole, he is pierced by the door (*Hadar Zekeinim*). Ear-piercing serves to mark a person as a thief and to discourage others from stealing (*Chizkuni*). In the olden times, some governments would cut off the ear of a thief, and a repeat offender would be subjected to capital punishment (*Abarbanel*). It was clearly understood that theft destroys the very fabric of society and needs drastic deterrents. We find similarly that Hashem destroyed His world with a Mabul primarily because of theft. As to why this deterrent is only applied with regard to a thief who wishes to remain in slavery after the six years, we may suggest that the six-year term of compelled service is itself a deterrent. However, once he willingly accepts slavery upon himself and it is no longer a punishment, it becomes necessary to deter others from following his example by piercing his ear and disgracing him. On a deeper level of understanding, *Rashi* cites a Midrash: *Rabbi Yochanan ben Zakai said:*

[This man's] ear that heard at Mount Sinai, "Do not steal!" and he went and stole, shall be pierced! As to why this punishment is administered only for the mitzvah, "Do not steal" and not for other mitzvahs, *Chizkuni* explains that Hashem was especially stringent with thieves, who act stealthily to conceal their sin from the eyes and ears of people while disregarding the eyes and ears of Hashem Who watches everything.

Another reason for the ear-piercing is that once the Jewish slave stays longer than six years, people may think that he is a gentile slave, and the Torah therefore commands us to distinguish him by piercing his ear (*Chizkuni*). Hashem wishes to make it clear that He has acquired every single Jew as His own, and no Jew may ever again belong to another man.

THE DOOR AND THE LINTEL

The hole in the Jewish slave's ear, as well as the hole in the doorway at precisely the height of his ear, both attest to his master's ownership over him (*Chizkuni*). The ear is pierced by a door as a symbol of the slave's role to watch over the house of his master, in the same way a guard stands by a doorway (*Baal HaTurim*).

Rabbi Shimon bar Yochai said: Why did the Torah select the door and the lintel out of all parts of the house for this mitzvah? This is because Hashem said, "The door and lintel witnessed My passing over the doors and lintels of the Jewish people in Egypt when I declared that the Jewish people are My slaves and not the slaves of slaves, yet this person went and acquired a master for himself! Therefore, let his ear be pierced before them." This opinion maintains that the ear-piercing ceremony is performed even upon someone who sold himself as a slave and wishes to remain after six years (see *Kiddushin* 14b). Hashem did not command this ceremony earlier, at the time that he sold himself as a slave, because he may have done so out of financial desperation, which is excusable. However, after the six-year term, during which time his master has to feed the slave's family, and he certainly has managed to save some money on the side, and he also receives gifts from his master upon going free, he is expected to accept his freedom and trust that Hashem will support him. When he chooses to remain in slavery nonetheless, he deserves to be punished for having acquired another master for himself, and for not trusting in Hashem, Who sustains all of His creatures (*Rosh*). *Rabbeinu Bachaye* cites from a Midrash another reason why the ceremony is performed by a door: Hashem said, "I opened for him the doors of the house [of his master] so that he can go free, yet he chooses to close those doors. Let him be punished by the doorway!"

THE AWL

The ear is pierced with a *martzei'a* (awl), a word that has a numerical value of 400, symbolizing the 400 years of slavery that were decreed upon the Jewish People in Egypt, which Hashem shortened to 210 years. The usage of this instrument is a silent rebuke to him for having chosen the very status of slavery that Hashem withheld from the Jewish People (*Chizkuni*).

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