

קהל בני ישראל
זבארוב זאלאזיץ

K'HAL B'NEI YISRAEL

RABBI TZVI MANDEL מוריננו הרב צבי מאנדעל

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Ohr Pinchas Parsha Sheet

in loving memory of Reb Pinchas Mandel, Z.L. H.K.M.

Mishpatim

Have a great and joyous Shabbos!

CHASIDISHE VORT

Mishpatim

1. "And these are the Laws you shall put before them." 21:1
"Respect for others comes before Torah," says Rebbe Mendel of Kotzk, z.y.a., just as the introduction of a book gives an idea of what the contents of the book is all about, so character and respect for others are a sign as to how much Torah and fear of Heaven is part of the person.
-Al HaTorah
2. "Before them," A Jew should always forgive others and be ready to give of himself for others as the Sages state, "The Destruction of Yerushalayim was due to no other reason than the people did exactly what the Law of the Torah says," but they did not go beyond the letter of the Law for someone else's sake.
-Al HaTorah
3. "Any widow or orphan you shall not afflict...if you will afflict them..." 22:21-22
Do not mistreat any widow or orphan. If you mistreat them and they cry out to Me, I will hear their cry. Whenever and wherever it would be possible to pray or say a good word for the Jewish Children, Rebbe Levi Yitzchak of Berdichov, z.y.a. would do it. As a result, whenever this verse was read, Rebbe Levi Yitzchak would cry out, "Master of the Universe, you warned us so many times to be careful not to mistreat the orphan, yet we are living through this strange and lonely exile for thousands of years—where is your compassion for us orphans?"
- Al HaTorah
4. "Since I am the Father of all orphans, therefore, I will hear their cries, although really, it is prohibited to first go to Heavenly Court before Earthly Torah Court."
-M.H. quotes Alshich HaKadosh, z.y.a.
5. "Keep away from anything false." 23:7
In Perkei Avos 1:9, we are warned to be careful with our words, so that from them, one should not learn to lie. The Vilna Gaon, z.y.a. says this can be derived from this verse, which literally means from false things, one should distance—even from something that causes falsehood.
6. "And healing you shall heal him" 21:19
Our Sages derive from this verse [Tr. B.K. 85a] that a doctor is permitted to heal patients. Why does not the Talmud say that the sick are allowed to heal themselves? Says the Ohev Yisrael, the Apter Rav, z.y.a., since Adam sinned, many of the Holy Sparks were sent into exile by way of *domaim* (inanimate objects), *tzomeach* (things that grow, vegetation), *chai* (living creatures), and *m'daber* (people). These Holy Sparks are 'rescued', saved

through Jewish Children using them. However, many *domain* objects are not utilized often—therefore, they are sick, not whole, broken, and need the Jew who acts as a ‘doctor’ to heal them. This is why the Sages say the doctor (the Jew) may heal the sick *domain* and rescue the Sparks.

-Yalkut Ohev Yisrael

7. “And these are the Laws that you shall put before them.” 21:1

Rashi points out wherever the Torah says, “these,” it is meant to exclude the subject matter written immediately prior theretofore. However, “and these,” includes this subject matter together with the matter mentioned immediately prior. In this case, the Torah teaches us that just as the previous parsha was given on Mt. Sinai, so too, was this parsha.

“That you shall put in front of them,” alludes to the responsibility incumbent upon Moshe to explain it to the people. However, the dangers of this type of learning is that one can fall into the notion that there is no Torah, higher reason, therefore, he must also explain that the inner, higher reason, the Sinai reason, is the main foundation for these laws.

-Prinei Daas, Rebbe Elyahu Meir Bloch, z.y.a. Telzer Rosh Yeshivah

8. Even laws that were made for social harmony also have roots in higher Heavenly places and when one adheres to them, in the lower worlds, they have an automatic ‘ripple effect’ there and effect good reactions for all!

- Prinei Daas, Rebbe Elyahu Meir Bloch, z.y.a. Telzer Rosh Yeshivah

9. “If he came alone [see Unkelos HaGer] so shall he leave alone; however, if he is a husband to his wife, then his wife shall go out with him.” 21”3

A deeper, Chasidic interpretation is: if one worships Hashem for his own honor, for selfish reasons, then he will wind up with nothing; however, if he is a husband [male in Chasidus and kabbalah represents one who influences others, *mashpia*] he worships Hashem for His sake and to bring only and all good to the World, then, “she will go out with him.” Meaning, from the same place that he will influence Hashem (so to say) for good and he will influence the world with only and all good--so too, he himself will receive only and all good.

-Ner Yisrael quotes Rebbe Avraham Yaakov of Sadigurah, z.y.a.

10. “We will do and we will hear.” 24:7

Our Sages say in Tractate Shabbos 88 that at the time that the Jewish Children said, “We will do and we will hear,” the Holy One Blessed Be He said, “Who revealed this secret to My Children, that Angels who serve Me use?” It is common knowledge that a human being consists of a body and a soul. Now, as soon as a person wants to go, he does not have to command his feet to walk, etc. as soon as one wants to walk, the will itself makes the feet walk, etc. Why then, as soon as the soul wants to do a good deed doesn’t the foot go to do it, etc.? After all, just as there are 248 positive commandments, there are 248 limbs (and 365veins/negative commandments). The answer is the body and the soul do not have such a

good relationship, unity and connection—to say the least! Therefore, one must think deeply and ‘awaken’ himself to perform a good deed with his body.

When the Jewish Children were on Mt. Sinai, their bodies were so cleansed to a level that the bodies immediately responded to the will of the soul without thought and ‘awakening’, so the 248 limbs adhered automatically to the will of the 248 soul-limbs. This is what is meant by, “We will do,” without understanding, etc. then we will hear and study the will of Hashem, and the soul.

-Rebbe Dovid Moshe of Tshortkov, z.y.a. quotes his father, Rebbe Yisrael of Ruzhin, z.y.a., Ner Yisrael

11. We find the Jewish Children taking upon themselves His Heavenly Kingdom four times: a) by the splitting of the sea when they said, “This is my G-d...Hashem will reign forever and ever,”; b) at Mt. Sinai [Parshas Yisro] “And Moshe came and called for the Elders of Israel and he put in front of them,”; c) after the Giving of the Torah [Parshas Mishpatim] “And the Nation answered with one voice.”; and, d) “And Moshe awoke in the morning...we will do and we will hear.” The **first time** was an acceptance of the yoke of His Kingdom; **second time** was an acceptance of the yoke of Torah; **third time** was an acceptance to do the statues and laws; and, the **fourth time** was when Moshe wanted to ascend the Mountain to receive the rest of Torah—this was an acceptance of the Oral Torah, which would be whatever Moshe descends with later, they will ‘practice and study.’”

-Vilna Gaon, z.y.a.

12. “When you lend money to My People to the poor man among you—do not press him for repayment.” 23:24

Mechilta: Rebbi Yishmael says [the word *im* is used (lit. ‘if you will lend’)] usually *im* means ‘if’ except here and in two other places where it is not just voluntary to do this mitzvah, but it is actually incumbent to lend to the Poor. [see Ahavas Chesed from the Chafetz Chayim in his introduction where he explains that people mistakenly think that it is not a mitzvah to lend to the poor—that ‘s not true—it is the same mitzvah as keeping Shabbos or eating Kosher]. If so, why does the Torah use the word ‘if’? The answer is because sadly enough, so many people fall into the ‘trap’ of the evil inclination and either a) the rich do not lend, or b) the poor don’t repay their debt—so Hashem prefaces this mitzvah with ‘if’ meaning—“Ideally, I wish the Nation of Yisrael should never need to come on to each other or anyone else for favors,” and “We should not have to need presents or loans from flesh and blood.” [Grace After Meals] However, if and when we do, do not press, etc.

-Al HaTorah

13. Through charity, Moshiach will come.

-Chida, z.y.a.

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Mishpatim

Commentaries

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PARSHA COMMENTARIES

Mishpatim

- 1) "These are the Laws..." Ch. 21

Baal HaTurim says these laws appear in the Torah after the section of last week's portion, Yisro, "You shall not go up on steps." Here, 'steps' are referred to as *maalot*—literally translated as "highers" and in this case, alluding to going high fast. This teaches us that a Jewish Torah Judge must be slow and patient before coming to a decision.

- 2) "And these are the laws that you shall put in front of them...If you will buy a slave..." 21:1-2

Ohr HaChaim explains the importance of Hashem urging Moshe to, "put these laws in front of them," as follows: At that time the Jewish Children were all rich. No one fathomed that one day, out of poverty, he might be compelled to sell himself as a slave. For this reason, it seemed unfair to a master to free a slave after six years. Therefore Moshe had to put these laws, "in front of them." One day the wheels of fortune may turn and by empathizing with the poor slave, and freeing him, this will serve as a merit for not having to fall prey to selling themselves as slaves.

- 3) "If you will buy a Jewish slave." 21:2

Ramban explains that all the laws are written in orderly fashion. This first one speaks about freeing a slave after six years because of its connection to the first of the Ten Commandments that speaks of our being freed from slavery in Egypt.

Ramban also connects this law to Shabbos, the creation of the universe and the jubilee year. "These laws hint at great things that connect to the creation of the universe."

Ohr HaChaim says the Torah alludes to the special sensitivity one must have to his fellow Jew, which is that if he is compelled to buy a slave and he has a choice between a Jewish slave and a non-Jewish slave, he should buy the former as to help him in his troubling situation, even though he must free him in a shorter time (6 years).

- 4) "A Jewish slave..." 21:2

Ohr HaChaim points out that the Torah refers to a Jewish slave as *eved Ivri*. The correct Hebrew grammar would be *Ivri eved*. However, the Torah alludes to the fact that the master must acknowledge his slave is first and foremost a slave to Hashem as

we find in *Vayikra*: "Because the children of Israel are my slaves." (25:55) Therefore, he is freed after six years.

The Torah refers to a Jewish slave as *eved Ivri* not *eved Yisrael*. *Ohr Ha Chaim* gives three reasons why this terminology is used: a) It is below the dignity of a Jew to sell himself as a slave. Therefore, *Yisrael* (which is a more praiseworthy title) is not used; b) Jews are only slaves to Hashem therefore, *ivri* (which can also mean 'passing') is used—connoting that his slavery to another human being is only in the passing (6 years); and c) one can only come to the level of being a slave by either the Jewish Court selling him because he stole [see *Mechilta*] or he sold himself out of poverty, which helps toward cleansing his soul as *Rebbe Ami* says, "There is no pain without sin [Tr. *Shabbos* 55]." *Ivri* in this case alludes to *aveirah* (sin).

5) "If his master will give him a wife." 21:4

Kli Yakar explains the reason one who was married prior to being a slave may be given a maid for a wife is because since he is already married, we do not suspect he will want to stay on with this wife, since he would rather go back, after six years, to his Jewish wife, to whom his soul is connected with great love.

Daas Z'keinim adds if he was never married before, Hashem was afraid that since this is first wife, he would long to stay with her.

Kli Yakar gives another answer that if a slave is single, he is marketable; however, if one has a wife and children at home and, sadly enough, must be sold as a slave, the Torah requires the master that acquires him to support his wife and children back at home also. Therefore, he is not that attractive to a prospective buyer, so the Torah says the master may give this slave a wife in order to produce children and then the children and wife remain as slaves even after the slave is freed (after 6 years) and this is an initiative for one to acquire a slave, even though the master must support his Jewish wife for 6 years.

6) "And his master shall bring him to court (Elokim)." 21:6

Ibn Ezra, quoted by *Ramban*, explains the reason the Jewish courts are referred to as "Elokim" (G-d). It is because they are responsible for carrying out Hashem's law in the world.

Ramban says "Elokim" is used for Jewish courts because He is present when the court decides, as *Midrash [Shmos Rabbah 30:24]* says: At the time a judge puts forth a true judgment, Hashem (so to

say) leaves the Heaven of Heavens and rests His Shechinah (so to say) at the side of the judge.

7) "...bore his ear through with an awl." 21:6

Baal HaTurim says the numerical equivalent of the word martaiah (awl) is 400, because the Jews were taken out of Egypt after being enslaved for 400 years and, because this person wants to be enslaved longer, his ear is bored with a martaiah.

8) Kli Yakar comments that many times, people get involved with 'making money' so much that they forget their real purpose in this world. When they are asked why they are so busy acquiring so much physical property while neglecting their spiritual, eternal business, a common reply is, "I must support my wife and children." But, the Torah tells this person although it is of utmost importance to support one's family, there will come a day when the wife and family will escort the person to the 'exit door', (i.e., the grave), and after that, the only consolation and warmth that one has is Torah and mitzvos that he acquired while in this life.

9) 21:13

Rashi explains this verse as follows. There were two people who committed murder: Mr. A murdered purposefully. Mr. B committed murder accidentally. There were no witnesses to either murder. Mr. A was not punished and Mr. B was not sent to a city of refuge. Hashem intervenes and they both happen to be in a motel and Mr. B climbs up a ladder that Mr. A is sitting under. Mr. B falls off the ladder and again, by accident, kills Mr. A. In this case there were witnesses, so Mr. A is punished for his murder and Mr. B goes to one of the cities of refuge. Ibn Ezra adds that Hashem (so to say) must rearrange the whereabouts of these two murderers so this can happen. All this occurs because of the sin of man.

10) 21:13

Ohr HaChaim asks if Hashem eventually 'catches up' with one who murders by accident and conceals the murder then commits a second murder, again by accident, and goes into exile (see #11) why doesn't Hashem make him go to a city of refuge twice—once for each murder? Ohr HaChaim answers that a person, who commits the horrible sin of murder, even if it is an accident, should realize he should go to exile, if for no other reason than to humble himself. Therefore, the person who didn't take exile upon himself

will eventually wind up there by Divine Providence. The accidental murderer stays in exile until the High Priest dies. Hashem made the time of his exile relative (dependent on the time of the High Priest's term) instead of fixed—because each murder situation is unique. For this reason, we have no idea about the sentence for either one murder or two, etc.

11) 21:11

Ohr HaChaim reveals a deeper insight into this portion of the parsha. Although Hashem performed great miracles for the Jewish Children when they left Egypt, still the miracles of Moshiach's coming we eagerly await can be much greater. There are many ways the redemption will occur. It all depends on how much we repent.

12) "One who curses his father or mother shall be put to death." 21:17

Ramban says the Torah is stringent about cursing because when fools become angry, they may curse their parent or their king. Sometimes, they curse all day. Therefore the Torah wanted to put a stop to this. A Jew should not behave this way under any circumstance.

13) Kli Yakar says the reason a robber must pay back double is that one of man's weaknesses is money. "If one has one hundred he lusts after two hundred." [Midrash Koheles 1:13]

Kli Yakar says 'money' in Aramaic is mammon (spelled mem-mem-nun). When the letter mem is spelled out, it is mem-mem, and nun is spelled nun-nun—each of these letters when spelled is double.

14) "An eye for an eye..." 21:24

Seforno explains that really, one who knocks out another's eye should have his eye knocked out according to the principle of "measure for measure." However, our Sages say he pays the worth of the eye instead [Tr. Bava Kama 83b]. Since belief in the words of our Sages is one of the fundamental strongholds of our religion, we adhere to their kaballah from Mt. Sinai that this is the will of Hashem.

15) "If one destroys a slave's eye, the slave is set free." 21:26

Ibn Ezra explains the rationale for this: The Torah did not want a Jewish master to be harsh with his non-Jewish slaves. This

penalty, then, would cause the owner to be sensitive to his slave's care. If he were not, he would be compelled to free the slave altogether.

- 16) "Five times the amount for an ox and four times the amount for a sheep." 21:37

Quoting Rebbi Y'shua, Ibn Ezra explains that since it is harder to steal an ox than sheep, he would have to be a professional robber to accomplish this crime. For this reason, he must pay five times the animal's value.

Ibn Ezra quotes the Gaon: Since the ox is used for working the field, the damages to the farmer are more than the loss of sheep.

- 17) "He shall be sold as a slave to pay back." 22:2

Seforno explains the reason that otherwise, poor people who cannot pay for what they had stolen, would steal all the time and not be punished.

- 18) "An oath of Hashem shall be between both of them." 22:10

Although only the person suspected of stealing the animal he was given to protect was guilty, Ohr HaChaim says, still, if the owner knows the robber would take a false oath, he too is guilty for allowing this to happen.

- 19) "One shall not fool a stranger ... because you were strangers in Egypt." 22:20

Ohr HaChaim interprets this verse to mean: Just as the stranger stems from an unholy source (klipah), so too the Jews were drowned in an unholy source in Egypt. Therefore you are equal.

Ramban translates this verse as follows: You shall not hurt the stranger and think that you will flee from punishment for this grave sin because the stranger doesn't have anyone to advocate for him. From your experience in Egypt, you know this is not so, because when you were strangers there, I saw the pain they inflicted upon you and I took revenge because I see the tears of the victim and those that don't have anyone to console them, and I save the weaker person from the hands of a stronger person. Therefore, the same can be said for the widow and orphan.

- 20) "Any widow or orphan you shall not afflict." 22:21

Ramban says 'any' includes even the wealthy; one still may not afflict them because although they are wealthy in properties, their tears are common and esteem is low.

21) "If you will afflict them..." 22:22

Ibn Ezra says the connotation is, 'if one witnesses someone afflicting a widow or orphan and doesn't come to her help—this is considered as if he himself afflicted the pain on the widow or orphan.

22) Kli Yakar says that since Hashem is the 'Father of orphans', if one afflicts an orphan, then the Father in Heaven Hashem is also afflicted and therefore the punishment is double. This is the reason everything is mentioned twice in verse 22.

23) 22:24

Ohr HaChaim explains the positive commandment to lend money to the poor: The rich are given money in order to guard it and distribute it to the poor. The rich cannot be haughty, since they are only holding others' money.

24) Ohr HaChaim explains that if one has more money than is necessary, the reason is because the extra money should go for charity and showing loving-kindness to others. Many things are gained: a) the poor man's suffering is an atonement for his sins and as a result, he doesn't have to suffer in the Coming World; b) the rich man realizes that the excess money isn't his—it was given to him so he can merit giving charity; and, c) the rich man doesn't consider himself aloof.

25) "Neither shall you dispense respect to a pauper in his dispute."
23:3

Ohr HaChaim asks why the Torah uses the words, "his dispute," and says that by one Jew giving charity to his fellow poor Jew, he 'quiets' the 'dispute' between the pauper and Hashem because deep down, every poor person feels horrible about their lot, asking, 'Why did Hashem make me poor?'

26) 23:9

The Torah adds, "because you know the soul of the stranger, etc." Ramban expounds upon this theme and says that a stranger is always more dependent on Hashem and is therefore always 'shouting their hearts out' to Him; He has mercy on them, not necessarily because of their merit, but rather because of their shouting out to Him.

27) "From a false word you shall distance yourself." 23:7

Seforno explains this verse to mean that one shall not lie is self-understood; however, one shall even distance themselves from causing falsehood as the Sages say in Ethics of our Fathers, "Be careful with your words lest students will learn from them falsehood."

28) 23:12

Seforno says the Torah teaches us that when we rest on Shabbos, our slave, maid and animals should all rest as well—this is contrary to the way that the Egyptians treated us, as it says, "make the work even harder, etc." Through this attribute, we will remember the Exodus from Egypt on Shabbos as is mentioned in the Second Tablets.

29) "...shall not be mentioned nor heard on your mouth." 23:13

Ibn Ezra and Seforno translate, "on your mouth," to mean 'through you.' One should not even tell an idol-worshipper to swear by his god.

30) Ohr HaChaim explains the Torah to mean as follows: We know that the 248 commandments are equivalent to—and serve as a safeguard for—the 248 spiritual limbs (which correlate to the physical limbs). The 365 negative commandments are equivalent to and safeguard the 365 veins. One cannot say they will only keep the things that are to their liking and ignore the rest, because Hashem says, "In all that I have said to you, shall you keep." (23:13) However, just as every commandment is a safeguard for a specific 'limb' or 'vein', so too, denial of any false gods is a general safeguard, as the Sages teach us, "Whoever denies idol-worship is considered as if he keeps the whole Torah." This is a 'vitamin' that, though he might have never done a specific mitzvah, or has never had the test from Hashem not to transgress a specific sin, still, this 'overall vitamin' makes it considered as if he has done the mitzvah or kept from transgressing the sin.

Good Shabbos