



TT 896
Rabbeinu Tam
6:37pm (J'm)

<u>Candles</u>	<u>Mishpatim-Sh'kalim</u>	<u>Havdala</u>	<u>Next week</u>
4:47pm	Yerushalayim	6:01pm	4:53/6:07
5:05pm	S'derot	6:04pm	5:11/6:10
5:03pm	Gush Etzion	6:02pm	5:09/6:07
5:03pm	Raanana	6:02pm	5:09/6:08
5:03pm	Beit Shemesh	6:02pm	5:09/6:08
5:04pm	Rehovot	6:03pm	5:10/6:08
5:03pm	Netanya	6:02pm	5:09/6:08
5:03pm	Be'er Sheva	6:03pm	5:08/6:09
5:03pm	Modi'in	6:02pm	5:09/6:08
4:47pm	Petach Tikva	6:02pm	4:53/6:08
4:47pm	Maale Adumim	6:01pm	4:53/6:06
5:02pm	Ginot Shomron	6:02pm	5:08/6:07
5:02pm	Gush Shiloh	6:01pm	5:08/6:06
5:03pm	K4 & Hevron	6:02pm	5:09/6:07
5:02pm	Giv'at Ze'ev	6:01pm	5:08/6:07
5:04pm	Yad Binyamin	6:03pm	5:10/6:08
5:05pm	Ashkelon	6:04pm	5:11/6:10
4:50pm	Tzfat	5:59pm	4:56/6:05



Ranges are 10 days. WED-FRI
26 Sh'vat - 5 Adar (Feb 10-19)

Earliest Talit & T'filin	5:35-5:27am
Sunrise	6:27-6:18am
Sof Z'man K' Sh'ma	9:09-9:05am
(Magen Avraham: 8:24-8:20am)	
Sof Z'man T'fila	10:04-10:01am
(Magen Avraham: 9:34-9:31am)	
Chatzot	11:53¼-11:53am
(halachic noon)	
Mincha Gedola	12:24-12:23pm
(earliest Mincha)	
Plag Mincha	4:12¾-4:18¾pm
Sunset	5:25-5:33pm
(based on sea level: 5:20-5:28pm)	

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Lead Tidbit: **Torah Popcorn, revisited**

Every time Mishpatim or Kedoshim come around, the image of popcorn pops (sorry) to mind.

Here's how it works. In the Aseret HaDibrot, commandment #6 (for example) consists of a two-word parsha that is part of a single pasuk together with three other commandments (#7, #8, and #9). Those two words are LO TIRTZACH. Hebrew is more compact than English, and the translation of those two words is "You shall not kill". That's it for the Aseret HaDibrot in Parshat Yitro (and the version in Va'etchanan, as well).

Picture those two wrds as being represented by a single kernel of unpopped popcorn. A tiny little thing.

Now let's heat it up as we start reading this week's sedra of Mishpatim. MAKEI ISH VAMEIT... One who strikes a man so that he dies, shall surely be put to death. Now we are up to 5 words in the pasuk that need 15 words in English. The kernel has popped and is now much bigger (and tastier) than originally.

But we are not finished. And here the analogy falls apart unless we fantasize that a popped kernel can continue popping and growing and multiplying. It can't, but if you use your imagination, you'll see where we go from here.

The next pasuk continues... But for one who had not lain in ambush and G-d has caused it to come to his hand, I shall provide you a place to which he shall flee. More details - important details. That the issue of one taking another's life cannot be understood from only a two-word command. The Torah in these

p'sukim is teaching us the difference between intentional murder and, let's call it, manslaughter. Or just homicide. We see a hint of IR MIKLAT - not even identified in Mishpatim - which will be presented in much more detail elsewhere in the Torah.

The next pasuk gives us more detail. If a man shall act intentionally against his fellow to kill him with guile, from My Altar (says G-d), shall you take him to die (to be executed).

A few p'sukim later, the Torah tell us more. And the popcorn is increasing to bucket proportions. If men quarrel and one strikes his fellow with a stone or a fist, and he does not die, but falls into bed... If he gets up and goes about outside under his own power, the one who struck is absolved (of a murder charge). Only for his lost time shall he pay, and he shall provide for healing.

This goes on and on throughout the Torah until we have an impressive quantity of Torah popcorn on the one topic of LO TIRTZACH.

Each of the Aseret HaDibrot are similarly "popped" into their own bucket of popcorn.

So let's run the analogy further (at the risk of running it into the ground). We have not said a word about the Oral Toarh yet. About the Talmud and the Codes and the commentaries and the responsa throughout the generations. Perhaps think of them as the seasoning and buttering of the popcorn. It all started from a single kernel. In many cases, volumes can and have been

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written on mitzvot that have their original expression in the form of a phrase of a few words.

The partial account of Maamad Har Sinai - the receiving of the Torah - in Parshat Yitro is just that - partial. We get a dramatic presentation of the precious kernels upon which the Torah is based - or, if we stick with the analogy, from which the whole Torah is popped.

The episode of Matan Torah continues at the end of this week's sedra of Mishpatim. Immediately after the awesome events of Revelation at Sinai, the Torah tells us that G-d said to Moshe, Ascend to Me to the mountain and remain there, and I shall give you the Tablets of stone AND the Torah (teching) AND the body of Mitzva that I have written, to teach them.

We received a lot more from G-d at Sinai than two tablets of stone engraved with the Aseret HaDibrot. That was the chapter headings. That was the package of unpopped kernels. Rashi on this just quoted pasuk says that all 613 mitzot are linked to the words of the Aseret HaDibrot, and that Rav Sadiya HaGaon wrote about the Aseret HaDibrot and the links to all of the Torah's Mitzvot.

As flippant as the image of Torah popcorn might appear to be to some TTreaders, do not lose sight of the point we are trying to make.

The Ten Commandments is not the sum total of what G-d revealed to us, gave to us, at Sinai. The whole Written Torah is not the sum total of what G-d gave us at

Sinai.

Our Torah, which G-d gave us, consists of the Written Word, the Oral Law, the Tradition, Halacha - a package deal, a precious, multi-layered package deal, that we were "offered" - and which we resoundedly accepted and repeatedly have reconfirmed throughout our history. It is the basis upon which or Nationhood is built. It is our reason for existing. It is that which we must study, cling to, transmit to our children, and live by - forever.

Mishpatim STATS

18th of 54 sedras; 6th of 11 in Sh'mot

Written on 185 lines in a Sefer Torah, ranks 31st

33 parshiyot; 6 open and 27 closed

3rd most in the Torah; 2nd most S'tumot

118 p'sukim - ranks 22nd (5th in Sh'mot)

1462 words - ranks 31st (7th in Sh'mot)

5313 letters - ranks 37th (8th in Sh'mot)

The noticeable drop in ranking from p'sukim to words indicates short p'sukim; in fact, Mishpatim's p'sukim are among the shortest in the Torah.

Note the partial pasuk quoted below. First of all, we should realize that it does NOT come from Yitro. Its place at the end of Mishpatim is significant in that it reminds us that the Torah's account of Matan Torah is not just from Yitro. On the lighter (but serious) side, note the perek and pasuk of the quote (and apply it): 24/7

This Shabbat is the 148th day (of 355), 22nd Shabbat (of 51) of 5770

...וַיֹּאמְרוּ כָּל־אֲשֶׁר־דִּבֶּר־ה' וַיַּעֲשֵׂה וַיִּשְׁמָע: שְׁמוֹת כַּד:

MITZVOT

MISHPATIM has 53 mitzvot; 23 positive and

30 prohibitions. Only 3 sedras have more mitzvot - Ki Teitzei (74), Emor (63), and R'ei (55).

Kedoshim follows Mishpatim with 51 mitzvot. And let's add Shoftim with 41, since the next in line is way down at 28.

Mishpatim has 8.65% of the Torah's mitzvot

(1.85% is average); 48% of the mitzvot in Sh'mot

These top 6 mitzva-sedras account for 337 of the 613 mitzvot - that's 55% of the Torah's mitzvot in 7½% of its sedras.

Aliya-by-Aliya Sedra Summary

Numbers in [square brackets] are the Mitzva-counts of Sefer HaChinuch AND Rambam's Sefer HaMitzvot. A=ASEI (positive mitzva); L=LAV (prohibition) - Rambam counts positives (248) and prohibitions (365) separately. X:Y is the perek and pasuk from which the mitzva is counted.

[P> X:Y (Z)] and [S> X:Y (Z)] indicate start of a parsha p'tucha or s'tuma respectively. X:Y is Perek:Pasuk of the beginning of the parsha; (Z) is the number of p'sukim in the parsha.

Kohen - First Aliya 19 p'sukim - 21:1-19

[P> 21:1 (6)] EVED IVRI, a Jewish male indentured servant, works for 6 years and goes free in the 7th year. He leaves as he

entered, i.e. if he had a wife and children previously, they, of course, leave with him. If, on the other hand, his master had given him a SHIFCHA K'NAANIT as a wife, she and any children he fathered remain the possessions of the master - they are halachically not his wife or children.

[BTW, if the SHIFCHA and/or the children are freed, they become Jews (similar to converts) - unrelated to their "husband" or biological father, the former EVED IVRI. It's more complicated than presented, does not apply in our time, but that's the idea.]

If the EVED IVRI wants to remain in his master's service, his ear is pierced (a symbolic rebuke: "The ear that heard at Sinai that we are G-d's servants, should not want to be a servant to a servant.") and now he serves "forever" (until Yovel). The details of EVED IVRI constitute a positive commandment [42,A232 21:1].

SDT: *Of all the topics to begin this mitzva-filled sedra, we see a significance in the Torah's choice of SERVITUDE. This is part of the definition of Belief in G-d, the first Commandment. G-d puts Himself in the context of He Who freed us from slavery. We should not be slaves anymore; and we probably shouldn't have any. But at a time when it was still practiced, we are duty-bound to treat the EVED in the manner commanded by the Torah, thus reflecting our belief in G-d. In fact, the Gemara says that he who acquires an EVED (IVRI), it is as if he has acquired a master. One blanket in cold weather - the EVED gets it, not the*

"owner". No humiliating treatment permitted. And more.

As you can tell by the large number of parshiyot, the many topics and mitzvot are subdivided well in this sedra. This indicates not only many mitzvot, but many different types and categories of mitzvot. The first parsha deals with EVED IVRI, as just explained, and is introduced by the opening pasuk of this entire mitzva-filled sedra - And these are the laws that you shall place before them...

[S> 21:7 (5)] A man can arrange for his daughter to be "in service". She, the AMA IVRIYA, does not have the same rules as an EVED IVRI. Either her master, master's son, or someone else, takes her as a wife [43,A233 21:8] with the full rights and respect accorded a Jewish wife - NOT LESS [46, L262 21:10], or she is to be redeemed or returned to her family [44,A234 21:8], but she may not be sold to anyone else [45,L261 21:8] or belittled or disgraced.

The alternative to the above options is to free her completely. (Apparently, the purpose of AMA IVRIYA is to help the young girl improve her status in society.)

It is interesting and important to note that mitzva #46 includes giving ALL wives (not just the former maid-servant) their rights under Jewish Law. This is an example (there are others) of a mitzva whose context in the Written Torah is

narrow, but whose scope, as taught to us by the Oral Torah, is much broader. This is **NOT** a case of Rabbinic extension of Torah Law, nor of Rabbinic legislation. It is a DEFINITION of the Torah's intent, as transmitted to us via the Oral Tradition. Our Sages did both - transmit G-d's law and legislate their laws... and teach us which is which.

[S> 21:12 (2)] Murder is punishable by beheading, known as HEREG or SAYIF. This is an example of the Torah's presenting both a warning - LO TIRTZACH, Thou shalt not murder, and a punishment - He who strikes a man and he dies, he shall be put to death.

There are 4 capital punishments, each fitting particular crimes and sins. Rambam counts four separate mitzvot commanding the courts to carry out executions when some- one is thus sentenced. At this point in Mishpatim, Rambam counts the mitzva to execute by strangulation he who is tried, convicted, and sentenced for a sin whose punishment is strangulation [47,A227 21:12]. (It seems that this mitzva was meant to link to 21:16 below, because the punishment fits that context.)

Unintentional killers are provided with a place of refuge.

[S> 21:14 (1)] Intentional murderers who flee to a city of refuge are forcibly returned to stand judgment.

[S> 21:15 (1)] Striking one's

parent (and drawing blood) is a capital offense [48,L319 21:15].

[S> 21:16 (1)] Kidnapping (which was prohibited by LO TIGNOV, Commandment #8) is a capital offense if the kidnapper sells the victim into slavery. (Rashi explains the seeming anomaly in the text.)

[S> 21:17 (1)] Cursing one's parent (even after death) is a capital offense.

[S> 21:18 (2)] If one inflicts a non-fatal injury upon another, he must pay full compensation based on five factors: damage, pain, insult, expenses, and lost earning potential [49,A236 21:18].

Implied in this concluding portion of the first Aliya is our Jewish and human obligation and challenge to heal the sick. This derives from the double wording of V'RAPO Y'RAPEI. We do not see G-d as the only healer, so to speak. Of course, everything depends upon G-d, but He expects us, so to speak, to do our share of the task of healing. He supervises that, helps out, and takes over when we've done all we can.

(The plain meaning of V'RAPO Y'RAPEI is that part of the payment required of the one who caused the injury is covering the medical expenses.)

Levi - Second Aliya

21 p'sukim - 21:20-22:3

[S> 21:20 (2)] Next we have the command to the courts to carry

out the punishment for murder, viz. execution by beheading [50, A226 21:20]. It is significant that the Torah "chose" as the context for this mitzva, the situation of one who beat his EVED CANAANI to death. This is considered an act of murder, the world's attitude and mistreatment of slaves throughout history notwithstanding. In Jewish law, one may not mistreat his slaves. On the other hand, corporal punishment which does not result in death or even the loss of limb, is within the prerogative of the slave's owner. (But even causing a tooth to fall out is considered excessive and results in the slave being freed.)

[S> 21:22 (4)] The Torah next elaborates on the rules of personal injuries requiring the guilty party to pay compensatory damages. The famous "an eye for an eye..." passage has stimulated much slander against Torah and Judaism by being construed literally. Our Oral Tradition explains the passage as requiring a thorough evaluation by the court to determine the proper amounts to be paid to the injured party.

[S> 21:26 (2)] A few p'sukim back, the Torah was discussing killing a slave or just injuring him mildly. Here the Torah teaches that if striking a slave causes the loss of an eye... or even a tooth, the slave must be freed.

[P> 21:28 (5)] The next passage of the Torah deals with damages caused by one's ox (all animals are included; the Torah uses a practical example) [51,A237 21:28].

We distinguish between damages that can, and therefore must be foreseen by the owner (for which he is held completely responsible), as opposed to an unexpected and unusual action by the animal that causes damage, for which the owner is held only partially responsible.

An animal that kills a human, is to be destroyed by stoning and its carcass may not benefit anyone **[52,L188 21:29]**.

[S> 21:33 (2)] The Torah then discusses damages caused by a pit dug in the ground and negligently left uncovered **[53,A238 21:33]**.

The Gemara enumerates various categories of damages. Each case is to be examined on its own merits, so that the fairest treatment of the parties will result. For example...

[S> 21:35 (2)] If an ox owned by one person gores the ox of another person and kills it, then the two owners share the responsibility and each gets 50% of the value of both the live ox and the dead one. But if the ox that gored had developed a reputation for violent attacks, then its owner is held more accountable. He gives his live ox to the other owner and takes the carcass of the dead ox. It has value, but not as much as a live ox.

[S> 21:37 (4)] Stealing an animal for slaughter or sale is punished by compensation of 4 (for a small

animal) or 5 (for a large animal) times market value. This reflects the seriousness of stealing another person's livelihood.

If a thief is caught "red-handed" and is killed by the home-owner, there are certain circumstances for which the killing would be justified, and other cases where it would be considered criminal homicide. This is the very sensitive passage that deals with self-defense and preemptive action to protect oneself. The Torah presents both possibilities; it is a Court (of 23) that would have to rule on specific cases and perhaps provide us with rough guidelines to distinguish between cases. This is the Torah source of "He who comes to kill you, beat him to the draw and kill him first." **הבא להרגך, השכם והורגו**

This "permission" to kill is conditional upon it being the only way to save yourself. This is part of what makes this issue so sensitive. It is a "judgment call" on the part of the person, and, literally, a judgment call on the part of the Beit Din.

A thief who voluntarily turns himself in repays that which he stole. (In certain cases where a false oath compounded a theft, there can be an added penalty of "one fifth - 25% more than the principal.) If a thief is caught, he pays double **[54,A239 22:2]**, or 4-5 times in the case of livestock. A thief (male, not female) who

cannot make full restitution can be sold by the court as an Eved Ivri in order to pay off his debts.

Shlishi - Third Aliya **23 p'sukim - 22:4-26**

[S> 22:4 (1)] Compensation must be made for damages caused by one's animal's grazing on another's property **[55, A240 22:4]**.

[S> 22:5 (1)] So too, if damages result from a fire that one carelessly caused, he must pay damages. **[56,A241 22:5]**.

[S> 22:6 (4)] Next, the Torah presents the responsibilities of guardianship - when one is watching that which belongs to someone else without being paid for the service, then the guardian is responsible if something happens to that which he is watching, only if he was negligent in his guardianship. Properly carrying out the laws of the SHOMEIR CHINAM is a positive mitzva **[57,A242 22:6]**.

[S> 22:9 (4)] There are differences in the rules in the case that the guardian is being paid for his services. E.g. paying someone to house-sit while one is on vacation. Because the guardian is being compensated, he is held responsible for some situations besides his own negligence. These rules also constitute a mitzva **[59,A243 22:9]**. Included

in the rules for SHOMEIR SACHAR are the rules for renting and leasing (SOCHEIR).

Shomeir Sachar and Socheir are similar and different. Shomer Sachar may not use that which he is watching (without permission of the owner). Socheir obviously can use the object - that's why he rented it. But the similarity is this: both the owner and the shomeir benefit from their deal. The owner gets his object guarded or he gets the rental fee. The shomeir gets paid for his services or has the benefit of the use of the object. With the Shomeir Chinam, the owner gets the benefit and the guardian is doing him a favor. With borrowing, the borrower gets the benefit and the owner is doing him a favor. This impacts on what the Shomer is or isn't held liable for.

The courts are charged **[58,A246 22:8]** with careful handling all of these types of cases.

[P> 22:13 (2)] The 4th "guardian" is the borrower who is responsible for all losses except the death of a work animal in the normal course of work **[60,A244 22:13]** (and by extension, the ruin of an object from "normal wear & tear").

[S> 22:15 (2)] A man who seduces an unmarried woman is required to pay punitive damages to her &/or her father. And he must marry her, if she insists **[61,A220 22:15]**.

[S> 22:17 (2)] Sorcery is a capital offense, and it is forbidden for the courts not to judge and execute its practitioners **[62,L310 22:17]**.

Bestiality is a capital offense.

[S> 22:19 (8)] Sacrificing to a god other than HaShem is condemned (to death).

A convert to Judaism must not be embarrassed or taken advantage of with words **[63,L252 22:20]** or in money matters **[64, L253 22:20]**. These rules vis-à-vis the Ger are in addition to the "regular" prohibitions of embarrassing and taking advantage of any Jew. Thus the Torah sensitizes us to the plight of the more vulnerable members of our society. The Torah also spells this out vis-à-vis the orphan and widow **[65,L256 22:21]**.

With so many different parshiyot to handle so many different mitzvot, it is instructive to notice which mitzvot find themselves in a single parsha. Here we find the requirements of sensitive behavior towards the convert, widow and orphan sharing a parsha with sacrificing to idolatry. One can imagine G-d saying to us, be very careful, I take this as seriously as that. Mistreat a GER? That to Me is as serious as if you mistreated Me, so to speak.

[P> 22:24 (3)] It is a mitzva to lend money to a poor person **[66,A197 22:24]** and not demand repayment when none is reasonably forthcoming **[67, L234 22:24]**. Included in this passage is the prohibition of charging interest on personal loans or having any part in such a loan **[68,L237 22:20]**.

If one took a poor person's

bedding as security for a loan, it must be returned each evening for his use. This is but one of the many lesson's in the Torah in G'milut Chasadim.

Note that the Torah requires a behavior of us that is far above the standards of the world, even the civilized world. The rest of the world recognizes that taking advantage of people by charging exorbitant interest is wrong. Usury or loan-sharking is understood to be improper by most societies. Charging a "reasonable" amount of interest is universally accepted as okay. Except within the Jewish world. We might not always live up to G-d's expectations of us, but we are supposed to. This is our *raison d'être*.

R'vi'i - Fourth Aliya **9 p'sukim - 22:27-23:5**

[S> 22:27 (4)] Do not curse judges **[69,L315 22:27]** nor The Judge (the prohibition of blasphemy) **[70,L60 22:27]**, nor may we curse our leaders **[71, L316 22:27]**. Note that 69 & 70 are counted as two separate mitzvot (prohibitions) although they share the very same words in the verse - ELOHIM LO T'KALEIL. Here, Elokim is taken as referring to G-d, as well as Elohim, meaning judges.

Do not withhold the gifts of the produce - T'ruma, Maaser, etc. - nor confuse the order in which these gifts should be taken from produce **[72,L154 22:28]**.

Firstborn sons are to "be given to G-d" (i.e. redeemed, with Pidyon HaBen). Firstborn cows, goats, and sheep are sanctified and require special procedures.

The Torah here briefly mentions the prohibition of taking an animal for a korban from its mother before it is eight days old. Such a korban would be automatically invalid, a M'CHUSAR Z'MAN, lacking in time.

TREIFA, literally an animal torn up by a predator and left to die, is forbidden to eat (even though the animal was killed by sh'chita, ritual slaughter), but other benefits may be derived from it. Included in the laws of TREIFA are animals found, upon post-mortem examination, to have specific defects **[73,L181 22:30]**. Note that the term TREIF is also used for all non-kosher, but its specific meaning is as above.

How's that for an interesting collection of mitzvot to be contained within one parsha! (Remember that Mishpatim is not "Stingy" with its parsha arrangements.)

[S> 23:1 (3)] Courts may not hear one side of a dispute without the other party being present **[74, L281 23:1]**. Included in this prohibition is not being influenced by rumors. Judges may not accept testimony from unworthy witnesses **[75,L286 23:1]**. A majority of one is not sufficient to convict in capital or corporal cases **[76, L282 23:2]**. In their deliberations,

judges must be careful not to do anything that might pervert justice or unfairly shift the feelings of the court against the accused **[77, L283 23:2]**. Generally, rules of law are determined by majority vote of the judges **[78, A175 23:2]**. Judges may not show favoritism, even towards the poor **[79,L277 23:3]**.

SDT: *A judge's heart might go out to a poor person who stands before him in a dispute with a wealthy man. Would it not be an act of kindness, of Chesed, to see to it that the poor person wins the dispute? NO! Not at the expense of justice. A judge wants to give charity? Fine. He wants to convince the rich guy to help the poor guy out? Nice. But justice must be fairly meted out. Every bent case shakes the whole society's confidence in the justice system.*

[S> 23:4 (1)] If one finds a stray animal, he shall return it to its rightful owner (even if it involves personal expense). This command is related to Lost & Found whose "primary" place is Ki Teitzei.

[S> 23:5 (1)] One must help even his enemy unload his beast of burden **[80,A202 23:5]**. This mitzva is one of several that are considered the sources of the concept of Tzaar Baalei Chayim.

SDT: *Sefer HaChinuch says that if this mitzva applies to a donkey, how much more so does it apply to humans. If one sees a fellow loaded down with bundles, it is a Torah mitzva to help him with them. And what might follow from that idea is that when someone offers to help*

you with packages, don't immediately say "no thank you". It is a nice thing to be gracious and accept the help - good for you and a merit for the one offering.

By the way, when someone does a mitzva that is also helpful to you, it is proper to say THANK YOU and TIZKEH L'MITZVOT (not just Tizkeh L'mitzvot). Thank you addresses the BEIN ADAM L'CHAVEIRO aspect of what was done, and Tizkeh L'Mitzvot relates to the BEIN ADAM LAMAKOM.

Chamishi 5th Aliya **14 p'sukim - 23:6-19**

[S> 23:6 (14)] One must not pervert justice even by slanting a case against a wicked person [81, L278 23:6]. Keep far away from falsehood and be careful not to build a case on circumstantial evidence and supposition [82, L290 23:7]. Do not take bribes, even if they won't affect the outcome of a case [83, L274 23:8]. Do not oppress a stranger (convert?); this is a lesson of the Egyptian experience. One's fields are to be worked for six years and rested during the seventh, so that the poor and even the wildlife will be able to enjoy the land [84, A134 23:11]. One must abstain from all manner of creative Melacha on Shabbat [85, A154 23:12]. (This mitzva is the positive counterpart of the prohibition of melacha on Shabbat from Commandment #4. It gives a positive slant to the restrictions of Shabbat. As Dayan Grunfeld z"l puts it, we lay at the feet of G-d in homage to Him the

Creator, the various gifts and skills He gave us for our workaday week. This partially explains the significance of the distinction between "abstain from" and "do not do".)

Swearing in the name of (and sometimes even just mentioning) a deity is forbidden [96, L14 23:13]. In the spirit of this mitzva, one should avoid popular interjections whose origins are associated with other religions - Gee!, Holy cow! Etc.

Inciting others to idolatry (even without worshiping) is forbidden [87, L15 23:13]. Chagiga offerings in the Mikdash are to be brought on each of the Three Festivals [88, A52 23:14]. Matzot are to be eaten during the 7 days of Pesach. It marks the Spring season during which we left Egypt. We must not appear empty-handed at the Beit HaMikdash (but rather bring specific Festival sacrifices). Shavuot is the Festival of the First Harvest and Sukkot marks the final harvest at "the turn of the year". We are expected to go to Jerusalem for the Three Festivals. The Korban Pesach may not be brought while we are in possession of Chametz [89, L115 23:18] nor may its fats be left over for the morning [90, L116 23:18]. Bikurim are to be brought to the Mikdash from Shavuot time and on [91, A125 23:19]; it is forbidden to cook meat with milk [92, L186 23:19]. This is the first of three times that the Torah commands LO TVASHEIL... Rambam, Chinuch, and

others consider this first time to be the prohibition of cooking meat in milk, regardless of who does or doesn't eat or benefit from it. The act of cooking itself is a Torah violation.

Shishi - Sixth Aliya **6 p'sukim - 23:20-25**

[P> 23:20 (6)] G-d will send an angel (a prophet?) to lead and protect the People upon our entrance into the Promised Land. We must heed his words so that our enemies will fall before us. We may not bow to idols, nor worship them, nor learn from the deeds of pagans; we must destroy their idols. We must serve G-d and He will bless us with wealth and health.

Sh'VII - Seventh Aliya **26 p'sukim - 23:26-24:18**

[S> 23:26 (8)] G-d promises that we will live full satisfying lives and that our enemies will panic before us and will be driven out of the Land - not quickly, but slowly, so that the People of Israel may properly populate the Land.

SdT: *Wait a minute! Miracles, laws of nature turned upside down. Plagues. Splitting of the Sea. Manna. Water from this and that. MA PITOM that we will only take over the Land of Israel slowly? What about a couple of miracles to handle the problem? The answer is that miracles are nice, but we don't live by them. We get them when we need them.*

The purpose of going (coming) to Eretz Yisrael is to live a Torah life in the place it was made for; we have to do it naturally. This is the difference between the suspended animation experience of the Midbar and the down to earth, practical life in Eretz Yisrael.

We may not make treaties with the 7 Nations nor with other idolaters [93, L48 23:32], nor shall we permit idolaters a foothold in the Land [94, L51 23:33], so that we will not be entrapped by them.

[P> 24:1 (11)] The sedra concludes with a description of Matan Torah, including the famous NAASEH V'NISHMA response of the People to the offer of a Torah way of Life. Some of the things described in this portion "confuse" commentaries as to when they exactly happened.

[S> 24:12 (7)] This final parsha of Mishpatim seems to be the immediate aftermath of Matan Torah - really a continuation of it. G-d tells Moshe that He will be giving him the Luchot AND the Torah and the mitzvot. (If anyone you know thinks that all G-d gave us at Sinai was the "Big Ten", just show him the end of Mishpatim.) After six days of "cloud-cover", which prevented Moshe from ascending Har Sinai, he is then welcomed on the 7th day. He remains on the mountain for 40 days and 40 nights.

Maftir 2nd Torah **6 p'sukim**

Shmot 30:11-16

The six p'sukim of the Maftir deal with the mitzva of Machatzit HaShekel, the half shekel that was collected from every adult Jewish male each year. If a woman wanted to give, it was accepted from her. Not so with a non-Jew - even one who observes the 7 Noahide laws.

Although the ½-shekel collection was used for the census, its main purpose was to provide funds (to which all Jews contributed equally) for communal offerings and other specific Mikdash needs throughout the year. It was on Rosh Chodesh Adar that announcements were made throughout Israel to remind people to get their half-shekel ready for collection.

One of the ways we commemorate this mitzva is the reading of Parshat Sh'kalim on the Shabbat of or before Rosh Chodesh Adar.

(The other way we remember this mitzva is the giving ZEICHER L'MACHATZIT HASHEKEL - usually shortly before Megila reading, via collection plates and boxes in shuls.)

The mitzva of Sh'kalim represents Jewish Unity and serves as an antidote, so to speak, to the sh'kalim that Haman offered to Achashveirosh's treasury in exchange for permission to exter-

minate the nation that Haman told the king was widely scattered and fractionalized. This is one of the reasons that we read Sh'kalim right before Parshat Zachor and shortly before Purim.

Haftara 17 p'sukim Melachim Bet 12:1-17 (Sfaradim start 4 p'sukim earlier)

Silver is a recurring theme in the special Haftara of "Sh'kalim". It was used for repairs in the Beit HaMikdash and symbolized the people's return to G-d after severe straying.

Rabbi Julian Jacobs z"l suggests this: "A message of both the sedra and the haftara is that Jews in each generation have duties towards the upkeep of the Shul and other communal causes. Apart from the practical financial benefits this brings, the acceptance of this responsibility has contributed to the inner strength of the Jewish people down the ages."

Divrei Menachem

Parshat Mishpatim is so full of laws that we may lose our way in the forest from the density its trees. We find laws relating to damages and to murder and manslaughter; we find directives pertaining to loans; and we find ourselves knowing what to do as we face all kinds of people in a variety of social situations.

These vary from seducers to sorcerers, from perverts to pawn-brokers, from the disadvantaged widow, orphan and stranger to the judges of the people. And what is the central message that pervades the lines of the Law Book? What essential spirit blows through this rich forest?

One would like to think that the guiding principle permeating the whole parsha of Mishpatim is the seminal verse: MIDVAR SHEKER TIRCHAK - 'You shall distance yourself from a false word.'

Perhaps this means our recognizing the central proposition that I am not the center of reality; that what I think and crave after are but secondary matters with respect to the greater goal of our purpose in this world. That when we recognize that our subjective and nagging need for recognition, power, and profit distorts our judgment, then we shall better be in a position to create the ideal society envisaged in Parshat Mishpatim, of being what the Torah describes succinctly as, "A people of holiness" (Sh'mot 22:30).

The should be cut on the 8th;
they can be cut on the 8th

VEBDE REBDE

QUESTION

What does halacha have to say about full body scans that are being implemented in airports for security checks?

ANSWER

We base our answer on the situation as it appears to exist (based on our basic level research) at this time. The body scans enable security agents to view the exterior of the subject's body, including the private parts, as if his or her clothes were not on. However, the quality of the picture, which is more like a sketch than a photograph, is such that it is difficult to recognize the subject. The current system also seems to be that while one security guard takes the pictures at a portal, the agent(s) who views it is in a closed booth nearby, only informing other agents if something suspicious is detected.

Under these circumstances, the matter is permitted for the following reasons. There is a concept of B'AVID'TEI TARID (Bava Metzia 91a), that one who is preoccupied with his professional activities is not aroused by what he sees. This is commonly used to permit doctors to examine all different parts of a patient's body without special tzniut precautions (Igrot Moshe, Yoreh Deah III, 54). The same applies to X-ray technicians who see parts of the body exposed that they should not normally see. Some other, albeit not universally accepted, appli-


cations are lifeguards and photographers, the matter depending on the context and the likelihood that they will not normally view their subjects in an inappropriate manner. Thus, the agent and, thereby, the traveler in our case do not have tzniut problems from these pictures. It is hard to believe that a normal person who would see these not particularly clear pictures would be aroused by what he saw. While one who sees such images on a one-time basis might find them suggestive, one who sees thousands of such images daily is not likely to be exposed to emotions other than boredom (or perhaps ridicule at someone's obesity or scars, which appears to be behind much of public objections).

There are further reasons for leniency. The gemara (Megilla 15a) says that whoever said the name Rachav would be aroused, but only if he knew her. Based on this, some say that the prohibition of hearing a woman's singing voice applies only when the one listening has seen the woman who is singing (Yabia Omer, I, Orach Chayim 6). In this case, where the guard does not know the person and would not recognize her based on what he saw, there is little cause for concern that he will be aroused.

Let us consider the possibility that some of the security men are the type to be aroused anyway. If such a security agent were to ask the halachic question, we would forbid him (as well as such a doctor, etc.) to take the job, given his unusual "sensitivity". However, this is not the unknowing

traveler's concern. The gemara (B'rachot 24a) says that it is forbidden for a man to look at a woman's finger to get enjoyment from it. Yet, since it is not the norm for this to happen, women may certainly keep their fingers and other permitted parts of the body uncovered, even if they can assume that from time to time someone will look at them improperly. That is the problem of the person who looks in an improper way, not the person who dresses reasonably.

If the security agent is a non-Jew, who may not engage in illicit relations but is not commanded to refrain from improper thought, the matter is even less problematic since there is no reason to believe that the situation could bring about contact that could cause sin. Although this leniency would not be of much help in Ben Gurion Airport, we have already seen ample grounds for leniency and conclude that this system is permitted. Note that the ultimate purpose of these checks is to save lives (although there are disagreements as to whether it is the most effective system). Note also that one of the major alternatives, to replace it with a full body search, is more problematic when it involves members of the different genders.

 We look forward very eagerly to very many things, but very rarely do we look back fondly upon the things we had once looked forward to so eagerly.

From "A Candle by Day" by Rabbi Shraga Silverstein

Towards Better Davening and Torah Reading

NU? again!

A number of weeks ago, we introduced the following topic, which we will now review - but with a serious application this time.

N. Sharoni in EIM LAMIKRA HASHALEIM (the sefer most involved in this column's creation and continued existence) lists 6 different words in Parshat Mishpatim with the same feature. Let's take one example.

TIKACHENNU, as in Sh'mot 21:14 -

...מֵעַם מִזְבְּחֵי תִקְחֶנּוּ לְבוֹת:

If a person intentionally kills someone (and then flees to the Mishkan for sanctuary), you shall take him even from the Mizbei'ach to which he clings - in order to execute him (after trial, etc.)

The NUN in the word has a DAGESH CHAZAK in it, making the word third person singular - take HIM. Without the DAGESH, the word would be first person plural, take US. (In that case, not only is the NUN not DAGESHed, but the vowel under the CHET is a TZEIREI rather than a SEGOL.) The way these words are said with an Israeli pronunciation are only distinguished by the emphasis on the DAGESHed NUN or lack of emphasis on the NUN without a dot. So if a BK (Baal K'ri'a or Baal Korei as some people call him) reads the word TIKACHENU with a soft NUN, he must be told to repeat the word and

emphasize the NUN: TIKACHENNU. This, according to the Kaf HaChayim, would be so because the meaning of the word has been changed by de-emphasizing the NUN.

It is possible (probable?) that when a BK pronounces his SEGOLs and TZEIREIs differently, then saying TIKACHENU can still be understood as "take him", because "take us" would be TIKACHEINU. And it is also possible, that people who have lost the distinction between yes or no DAGESH, can get away with a flub.

TTreader FEEDBACK

72 p'sukim in Yitro?

Here's an email we received from jben

Phil, To answer your question of how we get 72 psukim in Yitro. (1) It IS with the Taam Ha'elyon. (2) It is NOT as printed in most of our chumashim, with the 1st and 2nd dibrot as one pasuk; rather, each of the ten gets its own pasuk. This goes according to a teshuva by Wolf Heidenheim. My Tikun HaM'fu'ar Simanim also has it this way, as does the Minchas Shai on the side gloss.

jben followed up with a scan of the page with the ANOCHI pasuk separate, as its own pasuk. This would, indeed, explain the traditional number of 72 for the p'sukim of Yitro. As jben pointed out, most Chumashim combine the first two dibrot (the ones

6 (48) but not entitled yet

we traditional say were from "PI HA-GEVURA", from G-d's mouth, so to speak - in contrast to the rest of the Torah, including the 611 other mitzvot, that we are taught from Moshe Rabeinu), in Taam HaElyon. And, as stated in last week's TT, some Chumashim (relatively fewer), combine the two p'sukim (ANOCHA and LO YIHYEH) even in Taam Tachton.

CLARIFICATION: The Aseret Ha-Dibrot consists of 13 p'sukim:

ANOCHI = 1 pasuk, first command.

LO YIHYEH, LO TAASEH, LO TISH-TACHAVEH, V'OSEH CHESED = 4 p'sukim, 2nd command.

LO TISA = 1 pasuk, 3rd command.

ZACHOR, SHEISHET YAMIM, V'YOM HASH'VI'I, KI SHEISHET YAMIM = 4 p'sukim, 4th command.

KABEID = 1 pasuk, 5th command.

LO TIRTZACH, LO TIN-OF, LO TIGNOV, TO TAANEH = 1 pasuk, 4 commands (#6, #7, #8, #9).

LO TACHMOD = 1 pasuk, 10th command.

Add them up. 13 p'sukim, 10 commandment-p'sukim. (Only this option explains 75 vs. 72 p'sukim.)

Or, combine the first 2 commandments and get 9 p'sukim. Combine the first two p'sukim and you get 12 p'sukim in the Taamei Tachton.

Rabbi Weinreb's Weekly Column:

Parshat Mishpatim

Responsibility

I have to thank my dear parents, may they rest in peace, for many things. I must especially thank them for having chosen to provide me with a yeshiva day school education.

This was not an obvious choice back in the 1940s, for few parents chose the day school option. Indeed, many of their friends advised them against depriving me of a public school education, and the cost of tuition was a great strain on my father's meager income. But I remember my mother insisting that she wanted to teach me "responsibility", and her belief was that I would learn it best in a Jewish school.

Looking back on my early school years, I certainly cannot recall any lessons specifically devoted to "responsibility". Learning the Hebrew alphabet and then going on to study the fascinating stories of B'reishit were certainly interesting and exciting to me. But in those early grades, the concept of responsibility never came up, at least not explicitly.

In the school I attended, Talmud study began in the fifth or sixth grade. It was then that I first heard the word "responsibility" in the

classroom and began to learn what it really meant.

We were introduced to Talmud study with selected passages in the tractates Bava Kama and Bava Metzia. The passages we studied were almost exclusively based upon verses found in this week's Torah portion, Mishpatim. And the single dominant theme of this week's portion is unarguably responsibility.

I look back on my first exposure to Talmud, and to this week's Torah portion as studied through its lenses, and remember the teacher admonishing us, "A person is responsible for all of his actions, deliberate or unintentional, purposeful or accidental, awake or asleep." It was a direct quote from the Talmud, but he emphatically conveyed to us that it was also a formula for life.

And, furthermore, it is a lesson derived from Parshat Mishpatim. Read it, even superficially, and you will learn that we all are not only responsible for our own actions, but also for the actions of the animals we own. We are responsible for damage caused by our possessions if we leave them in a place where someone might trip over them and harm himself. We are responsible not only to compensate those whom we have harmed for the damages they suffered, but are also responsible to compensate them for lost

employment or for the healthcare costs that were incurred by whatever harm we caused them.

What a revelation to a ten year-old boy! How many ten year-olds in other educational settings were exposed to these high ethical standards? Certainly not the boys in the park with whom I played stickball, whose parents had not opted for a day school education for them.

Even today, many criticize the curriculum of the type of education that I experienced. They point to the many verses in this week's portion that speak of one ox goring another and question the contemporary relevance of such arcane legalities.

But when I studied about my responsibility for my oxen and the consequences which applied if my ox gored you, or your slave, or your ox, I was living in Brooklyn where I had certainly seen neither oxen nor slaves. But I do not at all recall being troubled by that; nor were any of my classmates.

Rather, we easily internalized the underlying principles of those passages. We understood that all the laws of oxen were relevant even for us Brooklyn Dodger fans. We got the message: Each of us is responsible for the well-being of the other, be he a free man or the slave of old. We are not only to take care that we avoid harming another, but we are to take care

that our possessions, be they farm animals, pets, or mislaid baseball bats, do not endanger those around us.

There was so much more that we learned about responsibility from those elementary, yet strikingly related, Talmud passages. For example, we learned that a kohen guilty of a crime was to be held responsible and brought to justice, even if that meant "taking him down from the sacrificial altar". No sacrificial altars in Brooklyn, then or now. But plenty of people in leadership positions try to use their status to avoid responsibility for their actions.

We learned that it was perfectly permissible to borrow objects from our friends and neighbors, but that we were totally responsible to care for those objects. We learned that if those objects were somehow damaged, even if that damage was not due to our negligence, we had to compensate the object's owner. Yes, we learned to borrow responsibly, but we also learned the importance of lending our possessions to others, especially others less fortunate than ourselves.

We learned that we were responsible to help others, and that that obligation extended even to strangers in our midst; indeed, it extended all the more to those strangers.

And we learned to be responsible

for our very words, and to distance ourselves from lies and falsehoods.

All this from a grade school introductory course in Talmud!

How valuable our Torah is as a guide to a truly ethical life, and how fortunate those of us who learned these lessons early in life, or who discover them at a later age, are!

What an opportunity we all have to awaken ourselves to these vital ethical teachings by attentively listening to this week's Torah portion!

And how fortunate I was to have parents who sensed that it was essential for their son to learn responsibility, and that enrollment in a school which taught Torah and Talmud would help him learn it well!

CHIZUK & IDUD

We tend to think that idol-worship is an all-or-nothing proposition: You either believe in G-d or believe in idols. But it isn't that simple.

This week's parsha warns that when we enter Eretz Yisrael we must not worship the gods of the Canaanite nations, but rather we must destroy them. "You shall worship Hashem, your G-d, and He shall bless your bread and your water..." (23:25)

On this pasuk, the Ramban explains that most idol-worshippers recognize that G-d runs the world. And their intention in worshiping idols isn't to reject G-d, but rather to improve their odds for better parnasa.

They worship the sun because they discovered that the sun has influence on their crops. They worship the moon because they saw that it influenced the movement of water in their fountains and underground reservoirs. Via the moon and the sun they came to worship the other heavenly bodies. And of course it made perfect sense to worship the angels that serve Hashem.

This pasuk comes along and says "worship Hashem" alone, and your bread and water will be blessed. You don't need to worship other gods – whether it's the sun and the moon or the stock market and real estate investments -- to feed your family. If we have it clear that it is Hashem alone who provides for our needs, then it isn't too difficult to give up some of the gods that keep us from living in Eretz Yisrael.

Parsha Points to Ponder

MISHPATIM

1) Why does the Torah say the double language of MOT YUMAT when relating that certain sinners should be killed by the Jewish court (example - 21:12)?

2) Why does the Torah interrupt the laws regarding hitting and killing parents with the seemingly unrelated law about a kidnapper (21:16)?

3) Why does the Torah describe afflicting a widow and orphan in the singular (OTO) and not the plural (OTAM) since it is describing both of them (22:22)?

Parsha Points to Ponder

is prepared by **Rabbi Dov Lipman** who teaches at Reishit Yerushalayim and Machon Maayan in Beit Shemesh and is the author of "DISCOVER: Answers for Teenagers (and Adults) to Questions about the Jewish Faith" (Feldheim) and "TIMEOUT: Sports Stories as a Game Plan for Spiritual Success" (Devora). His Hagada commentary, "SEDER SAVVY" will be IY"Y published by Targum before Pesach ppp@ouisrael.org

Answers are somewhere else in this issue. Look for them, but only after a good pondering.

Joel Rebibo, Beit El

TORAH THOUGHTS as contributed by Aloh Naaleh members for publication in the Orthodox Union's 'Torah Insights', a weekly Torah publication on Parshat HaShavu'a

Designer Babies

Part 2 - the Child

Last issue, we introduced the concept of using Pre-implantation Genetic Diagnosis (PGD) to create a baby who would be a genetic match to serve as a donor for an ill sibling. In last month's 10th annual PUAH conference on Medicine in Halacha in Jerusalem, Rav Yaakov Ariel, Chief Rabbi of Ramat Gan, spoke about the halachic ramifications of such a case.

As we reviewed last week, Rav Ariel ruled that regardless of the motivations the parents may have, such a pregnancy is a fulfillment of the mitzva of procreation. Therefore, the "dangers" of pregnancy and delivery are permitted. However, he raised concerns about our obligations to the unborn child.

This child or any other minor child (under the age of bar/bat mitzva) is not considered halachically competent to consent to the performance of the necessary medical procedures being performed. Instead, it is his parents who are giving consent on his behalf. While this is acceptable for the removal of umbilical cord blood, what if the proposed procedure is not effective? What if a different, more dangerous procedure were to be contemplated - one that could endanger the life or well being of this child?

Halachically, a person is obligated to take action in order to save someone else's life. However, although it is

certainly not forbidden, he is not required to take action to save the other person if by that action he himself will be put in danger. Endangering one's life or body in order to save someone else's life is called an act of "kindness" by the Rabbis. Such a person could even be called meritorious.

Another halachic principal allows us to assume that any person would want us to act on his behalf if, by that action, he would stand to gain something. [ZAKIN L'ADAM SHELO B'FANAV.] Indeed, this is the reasoning by which we are able to convert a minor child. Even though he is not considered halachically competent to consent to conversion on his own, we assume that he would want us to give consent on his behalf, since it is meritorious to be a Jew.

Rav Ariel combined these two principles to justify our allowing the new child to undergo dangerous procedures in order to save the life of his sick older sibling. It is meritorious to save someone else's life even when yours might be in danger. Since we are allowed to assume that a person would consent to something that would bring him merit, we are allowed to assume that the baby would, if he could, consent to gaining the mitzva of undergoing the procedure to save his sibling's life.

Next week we will discuss the philosophical and moral issues involved with case.

THE CHALLENGE OF MONEY:
Acquiring and Spending Wealth [2]

by **Dr. Meir Tamari**

"There are 4 types of people regarding money" (Avot 5:10); 4 approaches to evaluating wealth that are the basis for the whole question of ethics and morality in acquiring and spending money. All of them revolve around our attitude to what other people earn, what they spend and what assets they possess.

Greed fuels the acquiring of money and wealth and coveting stimulates us to emulate others and to strive to achieve the wealth or possessions that they have. This yetzer hara is so essential for people's living, that without it there would be no progress, no development and no human creativity. "And G-d saw all that He had created and it was very good": what was very good? Good is the yetzer hara" (B'reishit Rabba).

However, it is that same greed and covetousness which fuels immorality in the acquiring of wealth. When we are unwilling or unable to satisfy that yetzer through moral and legitimate means, then we often resort to fraud, crime or coercion to gain that which other people possess and which we desire. "Coveting leads to desiring which leads to theft which, when the theft is opposed, leads to murder. As we see from Achav who coveted the vineyard of Navot. [When Navot refused to sell his vineyard, Achav sulked, refused to eat or drink showing his frustration with his unsatisfied lust]. Achav oppressed him and when he still refused to sell his vineyard, Achav had Navot murdered"

Hilkhot G'zeila v'Aveida 1:11.]

"One who says, what's mine is mine and what's yours is mine', is evil" (Avot 5:10). In that definition of economic evil there is no mention of any evil action, no theft and no fraud, only of a thought process, a thought process which is the father to immoral economic acts, since it is that need, that lust, that jealousy that leads one to steal or to injure another's wealth or property. In our modern consumer society, pressures from our peers, from the media, from advertising and from all the various and manifold marketers, revealed and hidden, lead to similar evil effects of coveting and desiring. Such coveting and desiring represents a major test to present day Judaism.

It would seem that the same Tanna of the Mishna offers an alternative scenario for this yetzer for money, one that does not involve theft, fraud or oppression. "One who says, 'Mine is mine and yours is yours', is of average merit: Many say that this is the way of the people of Sodom". Such a person will not harm the private property of others, but neither will he help them; egoism substituted for greed. At best this is mediocre moral and religious behavior, but when it becomes the prevalent accepted social norm then we find ourselves in S'dom. "S'dom was rich and powerful but its people feared that the poor and needy would enter their city and benefit from their money. Therefore they legislated against such entries and punished anybody extending help to the poor and to the strangers" (Malbim).

S'dom is the anti-thesis of Avraham, of whom G-d said, "I know that he will teach his descendants to do justice and righteousness" (B'reishit 18:19). The nation-community nature of Judaism makes society a real and viable economic personality having an obligation to meet social needs but also the right to use some of the private wealth to fund them. Personal charity, taxation of private wealth and public sector intervention in the market have always been accepted by halakha as tools to finance the needs of the poor, the weak, and the sick.

S'dom is the antithesis of the 'you shall love your neighbor', 'you shall pursue justice', and 'you shall do that which is good and straight in the eyes of G-d', of the Torah given to Avraham's descendants, to be observed in their Promised Land. "The people of S'dom were no more immoral or more egoistical than any other nation, but since they dwelt in the Land promised to Avraham, S'dom had to be destroyed" (Ramban).

The unlimited yetzer for money that leads to greed and the uncontrolled egoism of S'dom are 2 sides of the same coin; neither of them have a place in Israel's Torah or in its Promised Land.

Torah Tidbits FOLDERS not only perform KIPUL (folding) but K'VISHA (pressing) as well.

Portion in the Portion

SET BEFORE THEM

The first verse of our portion is worded in an unusual way: These are the laws that you shall put before them - V'EILEH HAMISHPATIM ASHER TASIM LIFNEIHEM. The Ramban says it should have said ASHER TASIM LAHEM, that you should give them. What is the significance of the word LIFNEIHEM, before them?

There are various explanations. The Gemara in Gitin (88) says: in front of THEM - and not in front of goyim. From here we learn the prohibition of taking our disputes to a non-Jewish court.

Rashi brings a different explanation for the use of this word. He quotes from the Mechilta which says that this is what G-d said to Moshe: "If you were to think that you would teach the laws to the nation of Israel two or three times until they know them, but won't trouble to help them understand the reasons for the laws and all the explanations then I am instructing you otherwise. EILEH HAMISHPATIM ASHER TASIM LIFNEIHEM - you shall set before them - as a set table which is all ready for the person to eat from". G-d told Moshe that he had to teach the laws in a way that was completely clear to everyone. Rabbi Yisroel Yaakov Lubchanski explained that this is a message to everyone how to teach others. It's not

enough to repeat a lesson two or three times. We must continue explaining until the other person has grasped everything. This sometimes requires a lot of patience, which unfortunately, not all teachers possess. Not every teacher will go over the same lesson numerous times till it is clear to every student.

Lack of patience is not the only reason teachers might not give over all the material required. Perhaps they prefer to spend their time increasing their own knowledge and would rather not "waste" their precious time explaining everything thoroughly, or maybe since he himself understands the material, he may not be aware of that someone else might have difficulty understanding. He himself is unable to grasp the other's difficulty in understanding.

Another reason a teacher might not teach with all the details mapped out might be that he fears that if he teaches his students everything, he knows his students will no longer consider him their teacher since they will know as much as he does.

Our verse teaches us that this is not the proper way for a teacher to be. Teachers must be patient and willing to explain things as many times as needed and in as many ways as needed. Teachers must, at times, be willing to "sacrifice" their own spiritual and intellectual growth in order to help their students. In general, teachers must have their students best interest in mind at all times.

We all have opportunities to be

What some called the territories, under themselves

teachers whether as parents or with colleagues... One way to help us remember our obligation to make sure the lesson we are trying to impart is fully understood by the other is to remember the words of the Rambam in the Mishneh Torah, Hilchot Talmud Torah, 5:13 -

"Disciples increase the teacher's wisdom and broaden his mind. The sages said, "Much wisdom I learned from my teachers, more from my colleagues, from my pupils most of all." Even as a small piece of wood kindles a large log, so a pupil of small attainment sharpens the mind of his teacher, so that by his questions, he elicits glorious wisdom.

I had our verse in mind this past week when I participated in a cooking class given by Linda Asher in her restaurant - Belinda's. Some chefs don't like to share their secrets with others - but Linda and her colleague Molly taught us many tricks of the trade in a very patient clear way. The lesson was definitely "set out before us". This week's recipe is from Linda. And anyone looking for a good cooking class, I can definitely recommend Linda's. And to "set out your table" this Shabbat nicely, here's a website for napkin folding:

www.napkinfoldingguide.com

SWEET SHORTCRUST PASTRY

- 300g flour
- 200g margarine
(you can use butter if you prefer)
- 100g icing sugar
- 3 egg yolks

This can be made in the food processor. Cut margarine into pieces. Mix with flour. Add icing sugar. Slowly add egg yolks. Bake a few minutes till hard and cool before filling.

CHOLCOLATE GANACHE

100ml cream (you can use parve cream if you want)

100g bitter chocolate

Heat the cream and just as it comes to the boil take off the heat. Immediately add the chocolate and whisk until the chocolate has melted. Pour into pastry crusts.

The Four Parshiyot

As indicated on the front page, the four possible arrangements of the FOUR PARSHIYOT are coded as in the top row of the chart. The first letter, as indicated in the second row, is the day of the week that the first of Adar falls (i.e. the second day of Rosh Chodesh Adar). The other letter or letters tells you on which day of Adar, the hafsaka (break in the sequence of the Four Parshiyot) - as indicated on the rows marked HAFSAKA.

In blue are the dates and possible sedras of the special Shabbatot in a "plain" year (12 months, one Adar).

In dark red are the dates and sedras during 13-month (two-Adar) years.

Details for this year, 5770, are indicated by the pointing finger. Follow the column down with the BLUE DATES and SEDRAS, since this year is a P'shuta.

ParshaPix

EXPLANATIONS

- ✎ Upper-left is the starting point, the scales representing JUSTICE. In this case, MISHPATIM. In addition to the broad idea of justice, see what else can be found in the sedra (by yourself, your children, Shabbat guests...) for which the scales of justice would be an appropriate representation
- ✎ The "fist" is referred to as one of the weapons that can injure or kill
- ✎ An eye for an eye, literally, an eye UNDER (TACHAT) an eye, is depicted here as money under an eye, according to our Oral Tradition.
- ✎ The bull and the fire are two potential causes of damages - one of the many key topics of the sedra. We have the bull with horns, the tooth, the feet of the bull, the fire, and the pit (peach) representing the hole-in-the-ground meaning of the word
- ✎ The sneaking thief was caught in the cellar.
- ✎ The guard at his post represents the whole topic of the FOUR SHOMRIM
- ✎ The hands pulling the money out of the wallet are about to lend money at 0% interest

- ✎ Or, perhaps, they are about to offer a bribe. Which will blind the judge receiving it...
- ✎ as in the image of the blindfolded head
- ✎ The Three Regalim, Pesach, Shavuot, and Sukkot, are pictorially represented.
- ✎ The witch on the broomstick stands for the 3-word pasuk which requires Sanhedrin to rid society of witches (just a representation - there are many differences between the broom-flying image of a witch and what the Torah means by KISHUF and M'CHASHEIFA).
- ✎ The Har Sinai pix for Shavuot also corresponds to the end of Mishpatim where the events of Matan Torah are presented with other details not presented in Yitro.
- ✎ The quill and scroll is for Moshe writing down "all of G-d's words"
- ✎ There is milk & meat for LO T'VASHEIL G'DI...
- ✎ The TZIR'A (wasp) that G-d will send into the Land to help slowly drive out some of the nations there.
- ✎ The cloud is covering Har Sinai (end of the sedra).
- ✎ The tooth is referred to in the mitzvot related to injuring an EVED K'NAANI and being required to free him. It is also one

of the forms of damages. Also, there is a tooth for a tooth. This is a good example of the type of Pix you can question a youngster at the Shabbat table and then ask older kids or guests for another and another explanation.

- ✎ The knitting reminds us of the prohibitions of Shabbat, as commanded with a positive mitzva in Mishpatim. In other words, not just "DO NOT KNIT", but forgo your knitting in honor of the Shabbat and G-d's commands. Remember, the Torah command to "rest on the Shabbat" does not mean to take a nap (that we learn from the verse in Yeshayahu calling Shabbat an ONEG), but rather to abstain from MELACHA.
- ✎ There is a happy dog, happy to receive our TREIF meat, as expressly stated in Sh'mot 22:30.
- ✎ The mortar & pestle is for V'RAPO Y'RAPEI - our mandate from the Torah to be part of the healing and treatment process of sickness and injuries, and not to leave that only in G-d's hands.
- ✎ The Tzedaka box reminds us of the highest form of Tzedaka - namely, lending those in need of financial assistance - as commanded in the sedra.
- ✎ The Otzar HaAretz logo is for the mitzva to observe Sh'mita.
- ✎ There is a overloaded donkey which we are commanded to help

unload.

- ✚ Upper-right - the reverse (side) of the current Israeli half-shekel coin, which is commonly used (3 of them) in the giving of ZEICHER L'MACHATZIT HASHEKEL, usually before Megila reading in shul.
- ✚ Below it is the reverse of a half-shekel coin dating back to the end of the Second Temple period. The obverse has an idolatrous image from Tyre, so we are not sure of its use back then.
- ✚ The cluster of grapes represents the mitzva of Bikurim.
- ✚ The three items go together: G-d says that He will give Moshe the tablets of stone AND the Torah AND the mitzvot...
- ✚ And there is also a new MazalPic because we bench Rosh Chodesh this Shabbat.

The least necessary, but we don't differentiate

sort of like MODEH

The eye anchor and the general basin

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WISDOM & WIT

by Shmuel Himelstein

Once, when R' Moshe Feinstein was being driven by car on a sleet-covered road, the car skidded and R' Moshe's head bumped into the windshield, causing a bruise to form on his head.

When he arrived at his destination, R' Moshe asked for a few minutes to himself. In accordance with the Talmudic dictum that nothing happens by chance, he wanted to make a cheshbon hanefesh - to engage in soul searching - to understand why this had happened to him.

Only after he had spent few minutes in introspection did he return to give the shi'ur he was due to deliver.



After the Chasam Sofer lost his first wife, he was informed that R' Akiva Eiger had a daughter who might be suitable as a wife. Knowing R' Akiva Eiger for what he was - a great Torah scholar of impeccable honesty - The Chasam Sofer wrote to him and asked him about his daughter.

In his reply, R' Akiva Eiger praised his daughter highly, for she was indeed worthy of such praise. In concluding his letter, though, he added: "There is one thing I must warn you about in advance. I know that you would like to marry the daughter of a talmid chacham - a Torah scholar. Unfortunately, I have not attained such a rank."

Lesson # 508 (part 1)

THE JERUSALEM INSTITUTE OF JEWISH LAW

**Rabbi Emanuel Quint,
Dean**

Laws of Primogeniture

Primogeniture is the halachic provision whereby a firstborn, if male, receives a special portion of the estate of his father. For example, Reuven's mother was married to her first husband and had children with her first husband. The first husband divorced her or died. She then married Yaakov who had no previous children and has a child, Reuven by Yaakov. Such child, Reuven, is the firstborn for the purpose of primogeniture, although he is not the firstborn to his mother. The first born receives a primogeniture share only if he is the firstborn to the father and only from the father's estate. He does not receive a primogeniture share of his mother's estate even if he is her firstborn and also the firstborn of his father. He receives a portion of his mother's estate equal to that of the other sons. In order to be the one whom the halacha recognizes as the firstborn, he must be born while his father is still alive. There is an opinion that if the father was in a coma when Reuven was born and died without recovering, that Reuven is not considered the firstborn for estate purposes. The verse states that the father "must recognize the firstborn" and if he is in a coma he cannot recognize him.

The firstborn to Yaakov, Shimon was

born by a sectional birth and thereafter Reuven was born through a normal birth. Neither Shimon nor Reuven have the status of a firstborn in accordance with the laws of primogeniture (Rambam). Avraham is a proselyte, who before he converted had children with a non-Jewish woman; his firstborn with a Jewish woman after he converts does not have the status of a firstborn regarding primogeniture. A non-Jewish man has a child with a Jewish woman and after he converts has another son (whether or not with the same Jewish woman). This latter son is considered his firstborn for the purposes of primogeniture. The son that the non-Jew has with a Jewish woman is not considered his son according to halacha. The son is considered Jewish because his mother is Jewish, and the father who was not Jewish at the time the son was born is not considered related to the son. Thus his first son after he converted born to a Jewish woman is deemed to be his first son for the purposes of primogeniture. If Yaakov is a kohen and fathers a son Reuven with a woman who is a divorcee, Reuven is considered a firstborn for the purposes of primogeniture. Assuming that a question arises if Reuven is actually the firstborn. The testimony of witnesses is the highest form of proof. There may be documentary evidence such as letters of the father, birth records, or writings in a family Bible. The statements of the father made to people may be introduced if Beit Din finds it proper. If Reuven died and the eulogy refereed to him as the firstborn, it may be adequate to so establish him. The doctor (or midwife) who delivered Reuven is believed to state that Reuven is the firstborn of twin boys. He is believed if his statement is made contemporaneously with the birth. The

mother is believed to state that Reuven is the firstborn of twin boys during the seven days after his birth. The father is away believed if he states that Reuven is his firstborn even if he names a person who is not known to be his son that he is his firstborn.

Praying with Passion ASHER YATZAR continued from last week

בְּרוּךְ אַתָּה ה' אֱלֹהֵינוּ מְלֶכֶךְ
הַעוֹלָם, אֲשֶׁר יֵצֵר אֶת הָאָדָם
בְּחֶכְמָה, וּבָרָא בּוֹ נְקִבִים נְקִבִים,
חַלּוּלִים חַלּוּלִים. גְּלוּי וְיָדוּעַ לְפָנָי
כִּסָּא כְבוֹדֶךָ, שְׁאֵם יִפְתַּח אֶחָד
מֵהֶם, אוֹ יִסְתֵּם אֶחָד מֵהֶם, אִי
אֶפְשֵׁר לְהִתְקִים וְלַעֲמוֹד לְפָנֶיךָ.
בְּרוּךְ אַתָּה ה', רוֹפֵא כָּל בָּשָׂר
וּמַפְלִיא לַעֲשׂוֹת.

Further understanding: The pasuk states that upon hearing the news from the angel that he would have a son, Mano'ach brought a Korban. The pasuk continues "UMAFLI LAASOT - and a wondrous thing happened", as fire came out of a rock to consume the offering that Mano'ach had brought (Shoftim 13:19). The commentaries there explain that the word MAFLI is rooted in the word 'PELE' - an amazing and

phenomenal event had just occurred - something shocking, astonishing and miraculous - fire out of a rock! Chazal then remarkably "borrow" this two-word phrase UMAFLI LAASOT as the conclusion and climax of the Asher Yotzar bracha, which we recite several times a day in recognition of Hashem giving us the capability to take care of our bodily needs. By using this phrase, Chazal may want us to understand that it is the same MAFLI LAASOT that Mano'ach and his wife witnessed as they saw fire coming out of a rock to consume a Korban - as we witness every time we successfully take care of our bodily needs. It is a 'PELE' - wondrous and extraordinary - like fire out of a rock! Each and every time we conclude Asher Yotzar it should be with a huge acknowledgment - with a climactic recognition and blissful declaration - UMAFLI LAASOT!

Your personal connection: People have always been in awe of technology. If you are old enough to remember the introduction of the fax machine or email, you can remember the amazement you felt the first time you were able to transmit messages instantaneously. You may remember the "Wow!" of using a touch screen for the first time, or setting out on your first voyage guided by a GPS. We marvel at man's chochma (wisdom) and ingenuity when we encounter these breakthroughs in technology.

By telling us that Hashem created us with chochma, the "Asher Yotzar" blessing should arouse the greatest "Wow!" of all.

Sign in for Uncle Eki

We recite it after eliminating, but even that process is only a hint of the amazing, ingenious, infinitely subtle mechanisms at work in our bodies at each and every moment of the day. When we take the opportunity of reciting this blessing to marvel at our body's functioning, as we do over the workings of a new piece of technology, we go a long distance toward building a true awe of Hashem's chochma.

A special KAVANA: Try this the next occasions you have to say "Asher Yotzar":

Bring to mind this powerful promise quoted in a letter from HaRav Chaim Kanievsky:
"The Sefer Seder HaYom already wrote 'Recite the blessing (Asher Yotzar) with kavana and say it word for word ... and [the result will be] that one will not need doctors and medication.'"

Halacha: One is allowed to say (should say) ASHER YATZAR in the morning - even if he hasn't "used the facilities". (This usually doesn't happen; most people will "go" upon awakening in the morning.) It is part of Birchot HaShachar and can be said regardless. All other times, ASHER YATZAR is said only upon successful completion of tending to one's needs.

Parsha Points to Ponder

Suggested answers

1) The Ohr HaChayim explains that a person who receives capital punishment was already liable to be killed by G-D for his sin. G-D gives the Jewish court jurisdiction to be the ones to kill this person who already deserves to be killed from heaven. Thus, MOT refers to the person's automatic judgment for death from heaven and the Torah is telling us that that person YUMAT, should be killed by the court.

2) Da'at Zekainim MiBaalei Hatosfot answer that both one who hits a parent and one who kidnaps receive death by strangulation, while cursing a parent receives death by stoning. Therefore, the first two are grouped together in the Torah.

3) The Kli Yakar teaches that when a person afflicts a widow, he is likely also hurting the orphan who sees it happening or receives the emotional results of this hurt. The same applies to afflicting an orphan where the widow is usually impacted. The Torah captures this idea by describing the law of hurting both of them in the singular - the action to one hurts both. This also explains the use of double language throughout this section (ANEI T'ANEH, TZA'OK YITZAK).

TRIDDLES

Prizes for best solution sets are furnished by Noam Productions and/or Big Deal.

Last issue's (YITRO) TTriddles:

[1] This week, not 5 but 6 times!

In the haftara for Parshat Yitro, which is from the 6th perek of Yishayahu, we find the famous pasuk: KADOSH, KADOSH, KADOSH... One any Shabbat, we recite this pasuk as part of the brachot before the Sh'ma, in the Kedusha of Shacharit, in the Kedusha of Musaf, in UVA L'TZION of Mincha and in Kedusha of Mincha. That's five times. On Shabbat Parshat Yitro, it was said a 6th time by the Maftir who read the haftara.

[2] Gold: HaShem (by far!); Silver: David; Bronze: Moshe, Shaul (tie)... also ran: Yitro

In doing a search through Tanach for the word VAYISHMA, which opens Parshat Yitro, we find many people whose names follow the word. VAYISHMA YITRO, REUVEN, ZERUBAVEL, BEN HADAD, SANVALAT... to mention just a few. Tabulating the VAYISHMAs of the 86 that occur in Tanach - but only those followed by a name, we have awarded medals appropriate to the frequency of those who hear/listen. Gold medal goes to HaShem, whose Name follows 14 occurrences of VAYISHMA. The silver medal goes to David HaMelech - sometimes spelled with a YUD and mostly without, with 8 occurrences. Third place finds a tie between Moshe Rabeinu and Shaul HaMemech - the latter being an ironic awardee since his BIG mistake was not listening. Many occur only once with VAYISHMA, but we mentioned Yitro as an "also ran" because it's his

sedra that created this TTriddle in the first place.

[3] male and female form are both female

The word TZIPOR for bird, is in a masculine form but is treated as a feminine word grammatically, regardless of which sex bird is being referred to. The feminine form of the word is TZIPORA, who was, of course, female.

[4] tav HEADS 60%

In the printed Torah Tidbits, the word TAV was printed in subscript, that is, LOW down. It represented the word LO (as in Thou shalt not) followed by the letter TAV (TUFF, as we used to call it, the last letter in the ALEF-BET). 60% of the 10 Commandments are "headed" by LO TAV-something. LO TISA, LO TIR-TZACH, LO TIN'AF, LO TIGNOV, LO TAANEH, and LO TACHMOD. In the presentation of the TTriddle here, we used the LOWercase letters for the word TAV. In the text version of the TT, the TTriddle was not clearly presented.

[5] He did it without CHET; he without REISH. Who with both?

The full word is VAYECHERAD, and he trembled. Without the CHET, we get VAYEIREN, and he descended. Both HaShem and Moshe are mentioned with that word in Parshat Yitro. HaShem descends onto the mountain and Moshe descends from the mountain. Without the REISH we get VAYICHAD. That is what Yitro did when he heard all that Moshe told him about what had been happening to Bnei Yisrael. The full word applies to all the people and to Har Sinai itself. (We won't mention the anger represented by the word without the DALET.)