

SHABBAT SHALOM FROM CYBERSPACE

MISHPATIM

FEBRUARY 17-18, 2012

25 SHEBAT 5772

Rosh Hodesh Adar will be celebrated on Thursday and Friday, February 23 & 24.

DEDICATIONS : In memory of Sarina Bat Victoria – Sally (Gindi) Azrak whose Yahrzeit is today 24 Shebat.

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PHOTO: A Ju-Bu Jewish
Buddhist ... From Gil Locks who
comments ...G-d Bless Chabad!

SEPHARDIC CONGREGATION ANNOUNCEMENTS AND SCHEDULE

This Shabbat we will host as our
Scholar in Residence, Rabbi Shimon
Grady, the Rabbi of the Sephardic
Synagogue in Ocean City, Maryland
and a dear friend of Rabbi Michael
Wagner along with Rabbi Grady's
new bride. Rabbi Grady plans to
speak on Shabbat on the topic
"Other people's physical needs are
the key to my spirituality." Rabbi
Grady will be reading the Torah and
instead of our typical class after
Shabbat, Rabbi Grady will lead a
Musical Melave Malka.

Rabbi Grady although young in years
has lived a remarkable life have
published his first sefer on the
Talmud at the age of 13. One
incredible story he tells is that at the
age of 20 he was asked to go to
Yemen to serve the Jewish
community there during the High
Holidays. With a lot of siata
deshmaya he got there successfully
despite the many difficulties. Once
there, he saw that the Jewish
community there had such a vast
lack in fulfilling their basic spiritual
needs that he decided to extend my
stay beyond the originally planned
two weeks for the Yamim Noraim.
With the help of the organization
'Hasadim Tovim' he built mikvaot,
schools (for boys and for girls) and a



kolel. He also assisted families from
remote areas to move to Jewish
communities in Yemen. Additionally,
he assisted families with emigration.
One more of his volunteer duties
while was to check the knives for
shohetim, and bring them kosher
knives from Israel. Two weeks slowly
turned into one year.

At age 29 Rabbi Grady moved to
upstate New York, to work as a
mashgiah on a dairy farm. While
there, he raised sheep, calves and
goats, learned shehita and finished
working on his third book, Pirkei
Hatzlaha. His sefarim have haskamot
from the leading sages of our
generation.

There are many more stories. I
personally look forward to meeting

Rabbi Grady and spending a Shabbat
with him and I invite you to join us.

We'll have a beautiful Kiddush
sponsored jointly this week by Lloyd
Schoenberg in memory of his
mother, Rivka Rachel bat Eliezer, and
by Aliza Siegel in memory of her
father Shmuel ben Shlomo.

The Synagogue wants to wish a
Refuah Shelemah to Linda Weinstein

Next Shabbat our resident scholar
will be Baruch Abittan while Rabbi
Colish will be away in Memphis (any
one have any friends or relatives and
Chantelle and I will be away
celebrating a Simcha for our nephew
Isaac Jemal.

SCHEDULE

FRIDAY NIGHT

- Mincha at 5:15 – Followed by Kabalat Shabbat and Arbit (Candle Lighting: 5:13)

SHABBAT SCHEDULE

- Shaharith: 9:00 followed by Kidush
- Benai Asher Youth Program
- Mincha following Kiddush – not before
- Women's Learning Group 4:15 Alternating speakers, seudat shlishit served, at the Lemberger's 1 East Olive. Class is always cancelled if there is inclement weather.
- Arbit at 6:30pm followed by Havdalah – Shabbat ends at 6:14pm
- Class with David and Movie night for the kids 7:00
- Latte and learn with Leah at the Life Café – girls only 7:00
- Sunday Fun Day continues this Sunday with an Amazing Art Project – Decorate your own "dog tag" necklace. 10:45 – 11:45 AM. \$5 at the door. Led by Riki Waldman

WEEKDAY TEFILLA SCHEDULE

- Shaharit Sunday 8:00, Mon-Fri at 7:00 (6:55 Mondays and Thursdays)

WEEKDAY TORAH CLASS SCHEDULE

- "Mystical Torah Insights" 9:00 – 9:30 Sunday Mornings with breakfast with David Bibi or Rabbi Colish

- Kosher Kitchen Series 6:30pm – Led by Rabbi Colish - please join us
- "Pathway to G-d" Mon-Fri 6:30 AM – based upon the Ramchal's Derech Hashem with Rabbi Colish
- Men's Halacha Class Tuesday Nights 8:30-10:30: Basar BeChalav
- "Sephardic Women's Prayer" Tuesday nights at the Bibi's @ 8PM with Rabbi Colish. - deep insights, simple translations and a how to guide.

SPECIAL EVENTS

- February 26 – Sunday Long Beach Synagogues Joint Ski Trip – coordinated by Ernie Davidson. See attached flyer in shul for details. If you're planning on skiing, please sign up ASAP to reserve your spot.
- March 2 – Friday Night Dinner in the Shul celebrating Shabbat Across America. Please try to reach out to at least one friend/co-worker/neighbor/family member who may not otherwise experience the beauty and joy of Shabbat and invite them for the meal @5:45. Speak to Rabbi Colish for more details or to volunteer. We are looking for a dozen sponsors at \$101 each. We have one so far! Please let us know if you can sponsor and if you will attend.
- Joint Movie Night with the Lido synagogue continues on Motzei Shabbat, March 3rd. Last Saturday

night's event was a success. We hope to do this every first Saturday night of the month. Coordinate by Elsa Farbiarz

- PURIM IS APPROACHING! Many of our members have requested that we send out Purim cards to members of our Synagogue in lieu of Mishloach Manot in order to save so much food from being wasted. Herman and Rebecca Ovadia have graciously accepted to undertake this project. The Purim cards will be delivered in person to members at the reading of the Megillah. We will mail cards to those not with us for Purim. The cost is \$1 a name or \$54 to send to the entire congregation. Checks should be made out to Sisterhood of the Sephardic Congregation. Email your list to Rebecca at uft183@yahoo.com. If you have any questions feel free to call Rebecca 516-432-5690 or Hindy 516-431-8664. The list of names is attached to the email and was sent this week. If you notice anyone missing who should be on the list, please email back the Name, Address, Phone and Email address. We will B'H add them to our list. AND DON'T FORGET ... the cards don't absolve each of us of the misvah of Mishloach Manot so that on the day of Purim each of us must still send two items of food to at least one person.

Editors Notes

Families, Relationships, Facebook and Five Coins

This week we begin the portion of Mishpatim translated as laws, which highlights 53 commandments dealing with everything from manslaughter to money lending. The portion though begins with the laws of a Hebrew Servant – typically someone who stole something, couldn't pay back and was sold as a servant in order to compensate the owner of the object he had stolen.

One might ask why begin the portion which follows the Ten Commandments and deals with rules and regulations with such a negative story about a thief sold off as a slave?

I heard my dear friend, Rabbi Eli Mansour explain this in the name of the Saba of Kelm. Our Torah is Divine, authored by the Creator of the World, our Father in Heaven. Any parent is typically most concerned, not with their perfect child, but with the imperfect one. When our children have a problem, we focus our effort and attention on fixing that problem. Hashem is the same. Here he tells of his concern for his child who stole. How does that child get help? How does that child become rehabilitated? How do we get that child back into society as productive instead of as a threat?

In Western society, we send him to jail. We take him off the street for our own protection. We punish him imagining the punishment of being incarcerated will prevent him from doing it again. Yet what really happens? The first time criminal meets other criminals, some hardened, others with different specialties. He learns from them. And when he gets out, he is often worse off than when

he came in. And although the parole board may believe that this is a changed man, court records of repeat offenders paint a different story. And what of the family he leaves behind? Without their father, without support, those children often resort to the same criminal activity.

The Torah has a different prescription. He is sold as a servant into a Jewish home. His wife and children come along and there, they too are supported. He and they see what its like to be in a strong connected family. His "master" must treat the servant as good as he treats himself and in some ways even better. The servant's self-esteem builds. He experiences a different way. He lives in a different way. After six years, he is a new person. And he is sent away with gifts, with something to help him and his family to begin anew.

Last week, I had the pleasure of meeting Rabbi Tawil who was visiting from Israel and spoke at The Safra Synagogue on Shabbat during Seudat Shelishi. He spoke of the importance of family and gave examples from the portion where Yitro brings his daughter and grandchildren to Moses.

I would add much of exodus surrounds this theme of family. From the list of names in Shemot of the family of Jacob to Miriam following her brother's basket as it floated in the Nile. We see the midrash which tells how the women came out to the fields to wash and feed their working husbands and to be with them. And the Torah tells us Moses' response to Pharaoh who offers a limited exodus. Moses responds, we will go "with our elders and with our children".

Rabbi Tawil went on to explain that the key in relationship is time

together. He told us how he recently took a group of 190 Israeli army officers on a trip to Poland where they saw the places where the Nazi, yimach shemam, committed their terrible atrocities.

The group one night was sitting around talking and the conversation came to Face Book. One officer went on about how wonderful it was to have Face Book, how Face Book was changing the world and how it allowed people to stay connected and reconnect.

Afterwards Rabbi Tawil said he was forced to get up and comment that as good as Face Book sounds, one must be very careful with how one used Face Book. Our electronic relationships too often replace our real face to face relationships and we tend to forget the value in being there.

He went on to tell us about a man, Simcha Hochstein, who took on as a personal mission to visit wounded soldiers and help them. He influenced a Michael Lerner who because of a precondition could not join the IDF, but who more than anything wanted to contribute and help. (I hope I get the facts correct as I heard it on Saturday evening last week.)

He told us of a soldier who was wounded in battle and lost a leg. The soldier returned from his base and was placed in the hospital. He was as one could imagine worried and depressed. Michael Lerner came to visit him and took upon himself the responsibility to be there for this soldier, to assist him and help care for him. Michael became a fixture in the hospital. He encourage him and when the soldier was released, Michael became his constant aid, taking him to rehab and nursing him

through the difficult changes in his life.

About a year later, the soldier had become fully functional using his prosthetic leg. He was back to work. He was productive again. He had overcome his depression and saw himself in a new light. With that he decided to make a party of thanks. He invited all his friends and relatives and when the time came, he got up to speak.

He told that some might wonder how he could be thankful given the fact that he had lost a leg. He went on to explain that he had realized that it was kedai – worth it - to be wounded, worth it – to suffer through rehab and even worth it to lose a leg simply to have afforded him to meet Michael Lerner. He told the people of everything that Michal Lerner did and how Michael Lerner gave him a lease on life even greater than before his injury. Could Michael Lerner have done this via texting, via email, or via Face Book, certainly not! It was not Face Book, but real face time (and not the Apple FaceTime) that made all the difference.

In the same way, we must ask ourselves. Has our relationship with our children lost its face time? Has it gone electronic? Is it relegated to texts, emails and postings?

Rabbi Tawil concluded with this. At a Pidyon HaBen – the ceremony where the first born son is redeemed from the Kohen, the father is asked a strange question. "What would you rather have, these five silver coins, or this baby"? And the Rabbis tell us that the response is really unimportant because the father has no choice. He MUST redeem his son. He can't tell the Kohen to keep the kid til he is 21 in order to avoid 18 years of tuition – that's a

joke!. And at this point after his wife became pregnant, after nine months of doctor visits, after the hospital stay and the bris and with all his friends and relatives present, is there any question what he will take?

Rabbi Tawil suggested that the question is not for that day, but it's a question we need to ask every single day of our lives. Every day we weigh those few extra hours at the office against doing homework with the kids. Every business trip we take where an extra appointment means we'll have to be away for that Shabbat missing the special connect time Shabbat offers. Do we want the child or the five coins?

Shabbat Shalom
David Bibi

Summary of The Weekly Torah Reading:

The following Aliya summary will list the numerous laws detailed in Parshas Mishpatim. A total of 53 Mitzvot are commanded.

1st Aliya: The Jewish slave, Jewish maidservant, manslaughter, murder, injuring a parent, kidnapping, cursing a parent.

2nd Aliya: Killing of slaves, personal damages, injury to slaves, the killer ox, a hole in the ground, damage by goring, penalties for stealing.

3rd Aliya: Damage by grazing, damage by fire, the unpaid custodian, the paid custodian, the borrowed article, seduction, occult practices, idolatry and oppression, lending money.

4th Aliya: Accepting authority, justice, strayed animals, the fallen animal.

5th Aliya: Justice, the Shmitah (7th) year, Shabbos, Pesach, Shavous, Succos, prohibition against milk and meat.

6th Aliya: Hashem (G-d) instructed the nation to respect the authority of His messengers, the Prophets and Rabbis. He promised to chase out the seven nations who inhabited Canaan and forewarned us against making a treaty of peace with them, or being influenced by their practices and values.

7th Aliya: Hashem stated the means by which the seven nations would be chased out of Israel, and promised that if we do as instructed no woman would miscarry. The borders of Eretz Yisroel (The Land of Israel) were defined. The conclusion of the Parsha returns to the aftermath of Revelation. Moshe built an altar, offered a sacrifice, and in 24:7 the nation proclaimed "we will first obey Hashem's commands and then attempt to understand". Moshe, Aharon, Nadav, Avihu, and the 70 elders have a shared vision in 24:10 and then Moshe is told to ascend Sinai where he would remain for 40 days and nights.

This week, in addition to the regular Parsha, we read Parshas Shekalim. Parshas Shekalim is the first of the four special Shabbosim preceding Pesach when additional portions from the Torah are read. Shekalim is read on the Shabbos that precedes the month of Adar, or the Shabbos of Rosh Chodesh Adar (when Rosh Chodesh and Shabbos coincide).

A key function of the Bais Hamikdash (Temple) was the offering of the daily, korban - public sacrifices. The designation of "public" was because every male adult, 20 years and older, donated a 1/2 Shekel toward the purchase of the communal

sacrifices. These moneys were gathered and used to purchase the daily public offerings.

The law demands that all sacrifices must be purchased from moneys collected for that year. The fiscal year for public offerings was from Nissan to Nissan. Therefore, the Rabbi's ordained that the portion of the Torah describing the first giving of the 1/2 Shekel be read on the Shabbos of or before Rosh Chodesh Adar, one month before the 1/2 shekel was due, as a reminder that everyone should send in their money to the Temple.

EXCERPTS FROM THE JERSEY SHORE TORAH BULLETIN

"Do not pervert the judgment of your destitute person in his dispute." (Shemot 23:6)

The above verse prohibits a judge to give preferential treatment to a poor person. However the Midrash (Mechilta) interprets this pasuk a little differently. If someone is destitute of misvot, a non-religious person, do not pervert the judgment against him. Do not say, "Since he is a sinner, I will turn the judgment against him."

A true story is told by Rabbi Shimon Finkelman: Two men were standing in front of Rabbi Chaim Leib Stavisker. One was considered the community leader. He was distinguished, wealthy and religious. His opponent was the town's pharmacist, who was not observant. They had a monetary dispute so they came to Rabbi Chaim Leib's bet din. The leader felt he was a shoe-in because he was right, and he was religious. The pharmacist agreed to come due to the Rabbi's reputation as a man of integrity.

The Rabbi heard both sides. He probed, contemplated and researched the appropriate sources. He then issued his ruling in favor of the pharmacist. The community leader was blinded by personal interest and felt humiliated by being handed a defeat by his Rabbi who ruled against him in favor of a man who did not observe the Shabbat. He declared, "I reject the Rabbi's decision." He then told the pharmacist, "It is clearly a miscarriage of justice and I have no intention of giving you even one cent."

The pharmacist reported these words to the Rabbi, and asked what he should do. The Rabbi said that it is normally forbidden for a Jew to go to a secular court, but in this case, where the case has come before a Jewish court and the other side refuses to abide by the ruling, it is permitted to go to a secular court to seek justice.

The case was brought before the secular court and the community leader won. The pharmacist went back to the Rabbi. "What do I do now?" The Rabbi replied, "You will appeal your case before the Supreme Court in St. Petersburg, and this time I will testify in court on your behalf."

And so it was. The scheduling of the case forced the Rabbi to spend Shabuot in St. Petersburg, away from his beloved congregation. His efforts bore fruit, as the higher court overturned the original ruling and ordered the community leader to make restitution to the pharmacist.

When Rabbi Chaim Leib returned to his town of Stavisk, his people asked him, "Why did the Rabbi go to such great lengths, even leaving us on Shabuot, to help a man who is

not even part of the community and not even a Sabbath observer?"

The Rabbi answered in wonderment, "What do you mean? It is an explicit teaching in the Mechilta. 'Do not pervert the judgment of one who is poor in misvot' It makes no difference who the litigant is, rich or poor, saddik or rasha. All must be treated the same and all must receive the full backing of the bet din against those who fail to heed the bet din's ruling." Rabbi Reuven Semah

"If you will lend to my people, the poor with you" (Shemot 22:24)

Although lending money to those who need it is a misvah, the Torah phrases it as if it's voluntary, "if" to teach us that we should do the lending with all the goodness of our heart. The obligation should be as if it's voluntary. How can we bring ourselves to this feeling?

The Torah says "the poor with you," as if to say to view the poor as if he's one of your family. If we would have someone very close to us in a financial difficulty and we could help them, there is no question we would do it, and in a positive manner. We would be eager to help out our loved ones if we were able to. The Torah wants us to visualize those in need as if they were our close family, so that our helping them would come from love, not as an obligation. It is a tall order, but Hashem knows that we have it within us to be able to do it as He commands it of us. Rabbi Shmuel Choueka

RABBI ELI MANSOUR The Altar and the Courts

The bulk of Parashat Mishpatim deals with civil law, the guidelines for settling monetary disputes and for addressing situations such as theft, property damage, negligence, and the like.

The Rabbis raised the question as to the connection between Parashat Mishpatim and the final verses of the previous Parasha, Parashat Yitro. Parashat Yitro concluded with laws relating to the altar in the Bet Ha'mikdash, such as the requirement to have a ramp, as opposed to stairs, leading to the altar. Parashat Mishpatim then begins, "Ve'eleh Ha'mishpatim" – "AND these are the laws." The letter "Vav" ("And") at the beginning of a sentence indicates that the sentence bears a close connection to what was stated previously. It thus appears that the code of civil laws presented here in Parashat Mishpatim is closely associated with the closing section of Parashat Yitro, which deals with the Mizbe'ah, the altar in the Temple.

The Rabbis inferred from this connection that the Sanhedrin – the highest Rabbinic court – should convene on the Temple Mount, near the Bet Hamikdash. Just as the Torah juxtaposed the laws of the altar and the civil laws, similarly, the chief authoritative court must be situated near the altar.

The location of the Sanhedrin conveys the powerful lesson that legal jurisprudence is an integral part of religion. The United States follows a system of complete separation between religion and state, whereby legal matters may not be determined and laws may not be legislated on the basis of religious belief. From the Torah's perspective, the precise opposite

is true. Civil laws are an inseparable part of religion. The Sanhedrin sits alongside the Bet Hamikdash to show that the legal proceedings in the Rabbinic courts is no less "religious" than the sacrifices offered in the Temple. It is all part of the same system.

As such, there is no such thing as religious commitment without adherence to the Torah's code of civil law. If a person prays, observes Shabbat, keeps Kosher, studies for several hours a day and recites Tehillim, but he is dishonest in business, then he is not religious. The laws of Parashat Mishpatim are as much a part of Judaism as the rituals we read about at the end of Parashat Yitro. The laws of ethics and civic responsibility represented by the Sanhedrin are as integral to Torah observance as the sacrifices offered nearby on the altar.

There is also another lesson to be learned from the location of the Sanhedrin. The Mizbe'ah serves to bring peace between God and the Jewish people. Sin interferes with our relationship with the Almighty, and the atonement achieved through sacrifices restores the strained relationship. The Torah's civil laws similarly serve to bring peace between parties in conflict. Just as the altar brings peace between people and God, the laws, as determined and applied by the Sanhedrin, serve to bring peace among people.

This is an especially relevant message to a community such as ours, which consists of many businesspeople. It is the nature of business to lead to disputes; legal battles are almost endemic to commerce. The solution is turn to the Torah, to consult competent Bateh Din who resolve disputes in accordance with God's laws. When disputing parties bring their

case to a Bet Din, they both win, because they are guided according to Torah. In this sense, the Bet Din acts like the altar, restoring peace among the litigants who know that they have acted properly. Complex and unpleasant situations are bound to arise in the context of business, but there is a sound solution – the Torah's laws, and this is the solution that we should all utilize in resolving disputes.

Rabbi Wein

A viable legal system is of necessity composed of two parts. One is the law itself, the rules that govern society and are enforced by the proper designated legal authorities. The other part of the legal system is the moral, transcendental value system that governs human and societal behavior generally. If the legalities and rules are the body - the corpus of the legal system, then the value system and moral imperatives that accompany those rules are the soul and spirit of that legal system.

In a general sense, we can say that the Written Law represents the body of the legal system while the accompanying Oral Law represents the soul and spirit of Jewish jurisprudence and Jewish societal life and its mores and behavior. The Written Law is interpreted and tempered by the Oral Law that accompanies it, and both of these systems are Divine in origin.

And, it is perfectly understandable how, for instance, "an eye for an eye" in Jewish law means the monetary value of the injury must be paid to the victim of that injury but not that the perpetrator's eye should also be put out as punishment for his behavior.

In the Talmud we have many examples of the overriding moral

influence of the Oral Law when applied to the seemingly strict literal words of the Written Law. The rabbis of the Talmud taught us that there is even a third layer to Jewish law that governs those that wish to be considered righteous in the eyes of man and God and that is the concept of going beyond what the law – even the Oral Law – requires of us.

So, when studying this week's parsha of laws, rules and commandments we must always bear in mind the whole picture of Jewish jurisprudence in its many layers and not be blinded by adopting a purely literal stance on the subject matter being discussed by the Torah in the parsha.

Throughout the ages, the process of halachic decision-making has been subject to this ability to see the forest and not just the trees, to deal with the actual people involved and not only with the books and precedents available concerning the issue at hand. Every issue is thus debated, argued over, buttressed and sometimes refuted by opposing or supporting sources. Independence of thought and creativity of solutions are the hallmarks of the history of rabbinic responsa on all halachic issues.

There are issues that are seemingly decided on the preponderance of soul and spirit over the pure letter of the law. There is the famous responsa of the great Rabbi Chaim Rabinowitz of Volozhin who allowed a woman, whose husband had disappeared, to remarry though the proof of her husband's death was not literally conclusive. He stated there that he made "an arrangement with my God" that permitted her to remarry.

This is but one example of many similar instances strewn throughout rabbinic responsa of the necessary components of spirit and soul that combine with literal precedents that always exist in order to arrive at correct interpretations of the holy and Divine books of law that govern Jewish life.

Rabbi Mordechai Kamenetzky - Double Jeopardy

In addition to the many dinim that Parshas Mishpatim teaches about animals damaging property, people damaging property, and people hurting people - both physically and emotionally, the Torah reserves a special verse for hurting the feelings of a special group of people - almonos and y'somim, widows and orphans. Hashem swears His revenge on the perpetrators: "You shall not taunt a widow or orphan. For if you shall cause pain, and there will be a cry to me, I shall hear the cry. My wrath shall blaze... and your wives shall be widows and your children, orphans" (Shmos 22:20). The words of the posuk are repetitive. "For if pain -- you shall cause pain ... and cry -- there will be a cry to me... hear I shall hear the cry." It seems that there are two pains, two cries and Hashem hears them all. What are the two pains that the orphan and widow experience? What are the two cries? And why does Hashem hear the cries twice?

The Story

A true story, that I heard, [but will only repeat with the names changed,] casts a light that can be used to explain the seemingly extra phraseology. The sudden death of Velvel Mansberg, two months before Pesach, left his bereaved widow and four young children in a terrible state of despair. The community tried hard to help them

put their lives together after their terrible ordeal.

During a trip to the shoe store a week before the Yom Tov, the salesman, who knew the sad situation, went to the back of the store. He came out with a very special treat. He slowly handed each child a large, helium-filled, Mylar balloon. He started with the youngest. "One for Tzippy, one for Dovi, one for Leah, one for Shimmi, and," he slowly said with a smile, "one for Mommy." As the children were cherishing their shiny balloons, Leah began walking out of the store. She opened the door and confidently let go of her beautiful balloon. Both Mrs. Mansberg and the salesman watched in shock as the balloon floated skyward. "Why did you do that?" snarled the insulted salesman. Trying to compose himself, he added, "You know, Leah, it is terribly wrong to throw away a gift -- especially in front of the person who gave it!" Five-year-old Leah ignored the salesman's protests as she watched the Mylar balloon float away. She waited until all that appeared was the image of a silver coin floating like a feather. With one eye focused on the clouds, she turned to her mother and stoically explained her actions. With tears swelling in her eyes she explained, "Tatty didn't get one."

The Message

The Kotzker Rebbe once explained, "Every pain you cause an orphan is twofold. In addition to the taunt or callous remark, there is another hurt. The orphan thinks, "He would not have done that if my father was here to protect me!" Images of a lost loved one never leave the widow or child. Every action embodies a remembrance of their parent or spouse. Sometimes it is hard to realize that their feelings are amplified by deep reflections. "What would

Mommy have said?" "What if my husband was alive?" "I am sure that my Tatty would not have let this bully start with me!"

Those tragic memories die hard. When there is pain, the pain is doubled, and so is the cry. First there is the pain of the actual occurrence, then there is the pain of reflection; what would have or could have been." It is important to guard our tongues and watch for any words that may cause pain. Flippant remarks may cause agonizing ramifications. Surely then, it is more important to watch for words that may double the pain. For Hashem tells us, "... hear I shall hear the cry." And He hears that pain -- twice. ©

2012 Rabbi Mordechai Kamenetzky

**Sir Jonathan Sacks
Chief Rabbi of the United
Hebrew Congregations
of the Commonwealth**

In parshat Mishpatim we witness one of the great stylistic features of the Torah, its transition from narrative to law. Until now the book of Exodus has been primarily narrative: the story of the enslavement of the Israelites and their journey to freedom. Now comes detailed legislation, the "constitution of liberty."

This is not accidental but essential. In Judaism, law grows out of the historical experience of the people. Egypt was the Jewish people's school of the soul; memory was its ongoing seminar in the art and craft of freedom. It taught them what it felt like to be on the wrong side of power. "You know what it feels like to be a stranger," says a resonant phrase in this week's parsha (23: 9). Jews were the people commanded never to forget the bitter taste of slavery so that they would never take freedom for

granted. Those who do so, eventually lose it.

Nowhere is this clearer than in the opening of today's parsha. We have been reading about the Israelites' historic experience of slavery. So the social legislation of Mishpatim begins with slavery. What is fascinating is not only what it says but what it doesn't say.

It doesn't say: abolish slavery. Surely it should have done. Is that not the whole point of the story thus far? Joseph's brothers sell him into slavery. He, as the Egyptian viceroy Tzofenat Paneach, threatens them with slavery. Generations later, when a pharaoh arises who "knew not Joseph," the entire Israelite people become Egypt's slaves. Slavery, like vengeance, is a vicious circle that has no natural end. Why not, then, give it a supernatural end? Why did God not say: There shall be no more slavery?

The Torah has already given us an implicit answer. Change is possible in human nature but it takes time: time on a vast scale, centuries, even millennia. There is little doubt that in terms of the Torah's value system the exercise of power by one person over another, without their consent, is a fundamental assault against human dignity. This is not just true of the relationship between master and slave. It is even true, according to many classic Jewish commentators, of the relationship between king and subjects, rulers and ruled. According to the sages it is even true of the relationship between God and human beings. The Talmud says that if God really did coerce the Jewish people to accept the Torah by "suspending the mountain over their heads" (Shabbat 88a) that would constitute an objection to the very terms of the covenant

itself. We are God's avadim, servants, only because our ancestors freely chose to be (see Joshua 24, where Joshua offers the people freedom, if they so chose, to walk away from the covenant then and there).

So slavery is to be abolished, but it is a fundamental principle of God's relationship with us that he does not force us to change faster than we are able to do so of our own free will. So Mishpatim does not abolish slavery but it sets in motion a series of fundamental laws that will lead people, albeit at their own pace, to abolish it of their own accord. Here are the laws:

"If you buy a Hebrew servant, he is to serve you for six years. But in the seventh year, he shall go free, without paying anything . . . But if the servant declares, 'I love my master and my wife and children and do not want to go free,' then his master must take him before the judges. He shall take him to the door or the doorpost and pierce his ear with an awl. Then he will be his servant for life. (Ex. 21: 2-6)

What is being done in these laws? First, a fundamental change is taking place in the nature of slavery. No longer is it a permanent status; it is a temporary condition. A Hebrew slave goes free after seven years. He or she knows this. Liberty awaits the slave not at the whim of the master but by divine command. When you know that within a fixed time you are going to be free, you may be a slave in body but in your own mind you are a free human being who has temporarily lost his or her liberty. That in itself is revolutionary.

This alone, though, was not enough. Six years are a long time. Hence the institution of Shabbat, ordained so that one

day in seven a slave could breathe free air: no one could command him to work:

Six days you shall labor and do all your work, but the seventh day is a sabbath to the Lord your God. On it you shall not do any work, neither you . . . nor your male or female servant . . . so that your male and female servants may rest, as you do. Remember that you were slaves in Egypt and that the Lord your God brought you out of there with a mighty hand and an outstretched arm. That is why the Lord your God has commanded you to observe the Sabbath day. (Deut. 5: 12-14)

But the Torah is acutely aware that not every slave wants liberty. This too emerges out of Israelite history. More than once in the wilderness the Israelites wanted to go back to Egypt. They say: "We remember the fish we ate in Egypt at no cost—also the cucumbers, melons, leeks, onions and garlic" (Num. 11: 5). As Rashi points out, the phrase "at no cost" [chinam] cannot be understood literally. They paid for it with their labour and their lives. "At no cost" means "free of mitzvot," of commands, obligations, duties. Freedom carries a highest price, namely, moral responsibility. Many people have shown what Erich Fromm called "fear of freedom." Rousseau spoke of "forcing people to be free" – a view that led in time to the reign of terror following the French revolution.

The Torah does not force people to be free but it does insist on a ritual of stigmatization. If a slave refuses to go free, his master "shall take him to the door or the doorpost and pierce his ear with an awl." Rashi explains:

Why was the ear chosen to be pierced rather than all the other limbs of the body? Said Rabbi

Yochanan ben Zakkai: ...The ear that heard on Mount Sinai: "For to Me are the children of Israel servants" and he, nevertheless, went ahead and acquired a master for himself, should [have his ear] pierced! Rabbi Shimon expounded this verse in a beautiful manner: Why are the door and the doorpost different from other objects of the house? G-d, in effect, said: "The door and doorpost were witnesses in Egypt when I passed over the lintel and the two doorposts, and I said: 'For to me are the children of Israel servants' " ---they are My servants, not servants of servants, and this person went ahead and acquired a master for himself, he shall [have his ear] pierced in their presence.

A slave may stay a slave but not without being reminded that this is not what God wants for His people. The result of these laws was to create a dynamic that would in the end lead to an abolition of slavery, at a time of free human choosing.

And so it happened. The Quakers, Methodists and Evangelicals, most famous among them William Wilberforce, who led the campaign in Britain to abolish the slave trade were driven by religious conviction, inspired not least by the biblical narrative of the Exodus, and by the challenge of Isaiah "to proclaim freedom for captives and for prisoners, release from darkness" (Is. 61: 1).

Slavery was abolished in the United States only after a civil war, and there were those who cited the Bible in defence of slavery. As Abraham Lincoln put it in his second Inaugural: "Both read the same Bible and pray to the same God, and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's

assistance in wringing their bread from the sweat of other men's faces, but let us judge not, that we be not judged."

Yet slavery was abolished in the United States, not least because of the affirmation in the Declaration of Independence that "all men are created equal," and are endowed by their Creator with inalienable rights, among them "life, liberty and the pursuit of happiness." Jefferson, who wrote those words, was himself a slave-owner. Yet such is the latent power of ideals that eventually people see that by insisting on their right to freedom and dignity while denying it to others, they are living a contradiction. That is when change takes place, and it takes time.

If history tells us anything it is that God has patience, though it is often sorely tried. He wanted slavery abolished but he wanted it to be done by free human beings coming to see of their own accord the evil it is and the evil it does. The God of history, who taught us to study history, had faith that eventually we would learn the lesson of history: that freedom is indivisible. We must grant freedom to others if we truly seek it for ourselves

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