

## PARSHAS MISHPATIM 5778

In Parshas Yisro, we read about kabbolas haTorah. Before that, in Moroh, Klal Yisroel received the mitzvos of Shabbos, Poroh and dinim. Why did they receive specifically these mitzvos?

There is a powerful message being sent to us. It means that the moment Klal Yisroel emerged from Yam Suf and became a people, they had to receive basic mitzvos about how to function as a nation—even before kabbolas haTorah. It was a prerequisite for their lives even before they received the Torah.

When we keep Shabbos, we bear testimony to the fact that Hashem created heaven and earth and that he took us out of Egypt. At that point, Hashem forged a special relationship with us exclusively.

Poroh Adumoh is a chok which is beyond any human understanding. You cannot accept the Torah unless you accept the idea that there are certain things about the Divine Will that you can't understand, and you must accept them anyway. You understand as much as you can, but some things remain beyond the human being. The symbol of this sacrifice of our intellect to the will of Hashem is Poroh Adumoh.

Dinim means our financial dealing as Hashem's nation have to be based on Torah.

After all the nissim we experienced and all the makkos we saw, there is more to our relationship with Hashem than just wonders and miracles. Hashem wants us to live a certain way—living with Hashem in our everyday mundane lives. Moshe Rabbeinu sat and judged the people to show them how to live their lives as Hashem's people.

Kabbolas HaTorah shows that Hashem Himself reveals Himself to human beings.

After kabbolas HaTorah, Hashem says do not make any images of the celestial beings that carry out My will in the world. Don't worship those forces that are used by Me to run the world. Do not make the kruvim outside the mishkan and mikdash where I did not command—not in shuls nor in the beis midrash. Don't think that Hashem needs your silver and gold—make a simple mizbeach from earth and stone. Don't get carried away with materialism. Furthermore, don't use metal tools to build the Mizbeach. The service of Hashem has to be a total rejection of violence between human beings. Additionally, there can be no steps up to the Mizbeach. There has to be a great sensitivity to tzniyus and looking at the human being as a tzelem Elokim and not just a body.

The beginning of Parshas Yisro is about how Klal Yisroel organize financial dealings according to the Torah. The end of Parshas Yisro shows a rejection of violence between human beings in avodas Hashem. And it demands total tzniyus.

One of the forces pulling Klal Yisroel towards avodo zoro, besides the spiritual component, was the license it gives for zenus. Even

after 40 years in the wilderness, living with miracles and the Shechinoh on a daily basis, Klal Yisroel fell for the most revolting avodo zoro of Ba'al Peor. Why? Because it allowed them to live with daughters of Midian and Moav. The two go hand-in-hand.

We are told that Hashem doesn't care about silver and gold; don't use any fancy rationalizations to emphasize material wealth. Don't make anything but a simple mizbeach adomo, no trace of violence, and an utmost sensitivity to tzniyus.

But we are not finished with kabbolas haTorah. Right after Yisro, we have all the dinim of Choshen Mishpot.

The most difficult area where we subject ourselves to the will of Hashem is in finances. A person wants to feel accomplished and self-sufficient with his financial situation. He doesn't want to admit that he is under another being's authority and dependence.

There is a deep logic in the seder of nezikin discussed in Mishpotim.

First we learn about the institution of slavery in the Torah. A Jewish slave has to work for his master for six years. We are talking about a Jew who stole money and can't pay back. He has to be sold to work off the debt. What is the logic behind this punishment for theft?

People struggle with the nisoyon of money. It can dominate a person and become an obsession to the point where a person becomes capable of stealing other people's possessions. This happens when you become over-ambitious and think you can get what you want without any restrictions. The resulting punishment is losing your independence and become subject to whatever job your master wants you to do at any given time. You have to learn any trade he wants you to learn. You have totally lost your independence. You don't control your time and your life. It is an incredible middoh kinneged middoh.

After a person thinks he can get the money he wants without any restrictions, he ends up losing control over everything in his life. Not just everything financial—you even have to live with another woman to produce children for your master. No control over any aspect of your life.

If you want to assert your freedom and independence too much, and cause a loss to other people's property, then you lose all that freedom. We remove you from your old life and you have to start a new one with a new family—and after six years, it's gone again. All self-determination is taken away from you.

If you start to get used to this dependant lifestyle, and you want to stay with your new family and your generous master, we make a permanent mark on your ear to remind you that really, you should be free. Klal Yisroel are an independent people limited by the will of Hashem—not to any human being. It is a powerful message.

After we finish with slavery, we move to laws of murder.

After we receive the Torah we need to know that when we take another human being's life, we have forfeited our own right to live. We confront another human being as a tzelem Elokim. Murder is a denial of the divine dimension of another person's life. People kill other people because they look at them as a problem which needs to be eliminated. You don't recognize his tzelem Elokim.

Murder is a grave sin with the most serious punishment. However, even though murder breaks down society and makes human co-existence very unstable, the reason the Torah itself gives in Parshas Noach for the severity of murder is that murder denies the tzelem Elokim in your victim and in yourself. That is the real reason for the severity of murder in the Torah's viewpoint. All contemporary society is based on denying the tzelem Elokim in a human being. This is why murder is treated very lightly in contemporary life.

One receives the Torah because he identifies himself as a spiritual human being. If you don't view other people with a tzelem Elokim, that means you don't see it in yourself as well. This is the antithesis of kabbolas haTorah.

The parsha tell us that killing someone by mistake requires the murderer to flee to an ir miklot to be safe from the relatives of the victim. But the Torah doesn't just use the term "you killed by accident". It says Hashem forced his hand. Hashem wanted to punish the accidental murder victim with death and the murderer with golus. The unintentional murder is phrased in a way which teaches us a deep message. Hashem is orchestrating everything that happens. Hashem uses people's evil intent to achieve His purposes. The victim didn't die because of your actions. He died because Hashem used your bad middos to bring about his death for other reasons.

This is what Yosef tells his brothers. Hashem wanted me to come to Egypt and become king. He used your bad middos and my devotion to Yaakov to achieve this outcome. It is a whole hashkofos ha'olam. Even though Reuven killed Shimon, Reuven is punished only because of his evil intent in denying Shimon's tzelem Elokim. The fact that Shimon actually died is the will of Hashem for other reasons. It is not because Reuven killed him.

The accidental murderer goes into golus because he didn't appreciate another person's tzelem Elokim sufficiently to take extreme safety precautions. When you appreciate the tzelem Elokim within people, you take the utmost caution with other people's lives.

The gemara says that a certain type of am ho'oretz is suspect of murder. Why? Because if he doesn't value his own life and he thinks nothing of wasting it by doing all kinds of frivolous activities, then he doesn't value human life in general and he might come to murder. When you engage in reckless actions which endanger your own life, it means you don't adequately value life and what it means to possess a tzelem Elokim.

When I drive on the highway and someone zooms past me weaving in and out of traffic, I think about this gemara. He doesn't value his own life and as a result, he doesn't value other's lives either. Even a murderer beshogeg needs to be sent to golus as a punishment for not sufficiently valuing human life—for not appreciating the tzelem Elokim in other people.

Hashem arranges everything that happens in the world. He takes advantage of one person's evil and one person's carelessness to bring about justice. Golus means overturning your routine completely. There is no more "life as usual".

It is strange. 100 years ago, killing a violent murderer was considered just and moral, and killing the unborn and the elderly was a crime. Today it is just the opposite—killing an inconvenient fetus is a mitzvah because it is a burden on its mother. Killing an inconvenient terminal patient is a mitzvah because he is a burden on society. But killing a murderer is cruel and insensitive to life!

Just the opposite. Life is a gift from Hashem and we don't have the right to take it from anyone for convenience and to avoid suffering. We have a neshomo given to us as a chelek Eloka and every second of life is a gift and an opportunity to grow and develop—even from suffering.

A murderer has lost his right to life—even if he is a kohen doing the avodo on the Mizbeach.

Taken all together, the Parsha is full of messages. But the biggest message is how to lead your life and how to view the value of life. Right after we received the Torah we read about how we deal with money and deal with other human beings.

The Torah view of what a human life is and what is the proper for place money in our lives, then you understand what Torah is all about. It is bringing Hashem and the awareness of our tzelem Elokim into our everyday life.

Parshas Mishpotim continues to go through many other halachos.

After the halachos are discussed, Hashem promises to send a messenger to us to help us on our journey and conquest of Eretz Yisroel. Rashi explains that this is a promise made before but in anticipation of the sin of the golden calf. After that sin and after Moshe achieved forgiveness, Hashem said again that He will send a messenger to lead Klal Yisroel. He warns us that the judgment through a messenger is very strict.

Hashem deals with different communities on different levels. The higher the level people are on, the more directly Hashem deals with them on a higher level—without using the rules of nature and by overriding the middas hadin.

Hashem is giving us the Torah, but there is a serious possibility that we won't deserve the level of hashgocho that we are currently working with. If we lower our level, we will still go into Eretz Yisroel, but Hashem will use a messenger instead of leading us personally. This messenger has rigid instructions to act with us according to strict din—no room for rachamim. He can make no exceptions or adjustments.

Hashem is letting Klal Yisroel understand that now, at Har Sinai, there is a tremendous closeness that can override the middas hadin. But when the hanhogoh goes through a maloch with middas hadin, there is less flexibility, and any mistake can have immediate, dire consequences.

Hashem sets boundaries for people on various levels to get close to Hashem on Har Sinai. Moshe Rabbeinu was on the highest level where his physical dimension was no longer interfering with the complete functioning of his neshomo. This is why Moshe received the most direct communication of Hashem's word than any other novi—because his body did not distract his neshomo. Other nevi'im had layers of separation between them and their nevuah from Hashem because of their body.

Moshe brought down a Torah comprised of Sefer Bereishis and Sefer Shemos until Matan Torah.

This is a Sefer Habris.

People are confused about the status of Taryag Mitzvos. The Rambam writes that although Klal Yisroel already accepted many mitzvos before Har Sinai, and various individuals in earlier history had received various individual commands from Hashem, all that became irrelevant once we received the entire Torah at Har Sinai. The bris at Har Sinai superseded everything that happened before. We do not perform a bris miloh today because Avrihom Ovinu was commanded to do so to himself and to his descendants. We keep Shabbos not because of what Hashem told Klal Yisroel at Moroh. It is now a part of our bris.

There is a geirus going on at Har Sinai which transformed our relationship with Hashem. The Rambam says we made a bris with Hashem with the miloh in Egypt, and teviloh and korbon at Sinai in the very same way a ger converts.

Moshe took this Sefer Habris and now Klal Yisroel say Na'aseh Ve'nishma.

Before they received the Sefer Habris there were individual commands from a novi. Now it is Torah. What is the difference?

The Beis HaLevi writes that there are two mitzvos of Talmud Torah. There is the mitzvah to learn in order to fulfil 'na'aseh' properly. 'Nishma' is a whole different dimension. We relate to the will of Hashem at a much deeper level. It is not just to fulfil the practical rules of halacha properly. It is to learn to understand and connect our minds deeply with Hashem's will with every mitzvah we do.

The Minchas Chinuch asks why every mitzvah isn't treated like the command of a novi whose violation is punishable by death? The answer is that there are two levels of Hashem's will. There are individual commands from a novi, and there are Taryag Mitzvos which comprise the bris of Torah. This bris has different levels of punishments for different violations.

This bris requires deep contemplation and understanding of each and every word. There was no specific text to the other commands received by individuals. They weren't written down and we don't have to know which phrases were used. But Torah is the word of Hashem which my mind has to understand and immerse itself in all its details to the deepest degree possible.

When Klal Yisroel said 'na'aseh ve'nishmah', the angels were astonished that Klal Yisroel discovered the secret and gave each Jew two crowns.

The secret is that there are two levels of relating to the bris—fulfilling the rules of the bris, and connecting deeply with the object which forms the relationship between Hashem and His chosen people.

A ger doesn't have to master all of Shulchan Aruch before he converts. He is able to become a ger without knowing all the details because he made a commitment to keep whatever is involved in Torah. So too, Klal Yisroel are saying 'nishma'—we accept everything that comes later—even if we don't know what the details are. I enter into a bris with Hashem no matter what He demands. The commitment is absolute and open-ended. This is another aspect of 'nishma': accepting the bris as a totality—as a total commitment to a relationship without needing to accept all the details individually.

Limud HaTorah is a whole different dimension of relating to the

will of Hashem.

Someone once asked me a very interesting question. A business man can run a very successful business to the best of his ability without getting into the nitty-gritty of what is legal and what's not. He can just ask his lawyer to write the contract and make it legal. A business man doesn't need to go to law school before he starts to run a business! So why can't you be a frum Jew without learning all the details from the gemara? Just ask the rabbi if it's permitted or forbidden!

The answer is that there are two reasons. Torah is a much more complicated system than any other system of law. It is unavoidable that you have to master it yourself to stay out of all of the prohibitions. But that's only the superficial answer. If you stay with that you are missing a whole separate dimension of connecting to Hashem with your mind and serving Hashem with your deepest self and all of your being.

We start Krias Shema with kabbolas ol malchus shomayim and then proceed to kabbolas ol mitzvos. Before Krias Shema we have a brocho describing how Hashem created everything in the spiritual world and everything in the physical world. I understand this is necessary for kabbolas ol malchus shomayim. But why do we then ask Hashem for enlightenment and understanding of His Torah and mitzvos? In Maariv, we ask to contemplate Torah day and night. What is the relevance?

I accept the malchus of HaShem. But more than that, I want to connect deeply and intimately with the King. We rejoice in His Torah and think about it all the time.

The Rambam says kabbolas ol malchus has three components: yichud Hashem, ahavas Hashem, and then limud haTorah. The last component is the great fundamental principle upon which everything depends. It is not yichud and not ahavoh! You keep Torah on your mind all the time, because that is how you achieve yichud and ahavoh. You can't do any of those things without a deep immersion in limud haTorah.

In the Birchas Hachodesh on Shabbos Mevorchim, we daven for yiras shomayim, and then there is yiras shomayim connected to ahavas Torah. It is a whole different dimension of yiras shomayim when I have ahavas Torah with it.

Until Har Sinai, Klal Yisroel received directions and commands from a novi. Now it is a bris they have with Hashem—it is our whole life. It is a secret that gives value and meaning to the life of a Jew. We transformed our identity like a ger converts from gentile to Jew.

Klal Yisroel first had to accept all the mitzvos, that are a part of the bris—unconditionally. We do certain acts to finalize the commitment—bris miloh, teviloh and the blood of the korbon.

Hashem then tells Moshe to go up to Har Sinai to receive the Torah.

The answer to the business man was that for him business is all about getting the result. He does care about what makes a deal legal or not. But he has no interest in the way the laws were formed and legislated. He has no desire to connect his mind to the legal mind of the judges and the legislators. But Torah is different. We want to connect to Hashem in the deepest possible way. A Jew learns because he is connecting his mind to Hashem.