Points to Ponder Mishpatim/Shekalim 5778

And these are the ordinances that you shall place before them. If you buy a Jewish slave, he shall work for six years (21:1-2). Rav Avigdor Nebenzahl Shlita noted in the name of his father-in-law who wondered why the parsha begins with the laws relating to the Jewish slave. After all, these laws were only to apply once they entered Eretz Yisrael. There are other laws in Parshat Mishpatim which applied immediately so why does the Parsha open with the laws of the Jewish slave? Moreover, the Yerushalmi teaches us that the laws of the Jewish slave were taught while the people were still slaves in Egypt? Why was that the time to teach about the laws of a Jewish slave? Rav Nebenzahl's father in law answered that the best time to teach about the laws of the Jewish slave is when one is a slave and understands what it means to be a slave. Hashem wants us to understand, to live what we learn and not just to say the words - to feel what the other person is going through. Only a slave can truly understand what it's like to be a slave.

And his master shall pierce his ear with an awl (21:6) – Why the ear? Rabbi Yochanan Ben Zakkai explains (Bava Kama 7b) that the ear that heard that the Jews should only be servants to Hashem and now wants to take on a different master, that ear shall be pierced. Rav Yechezkel Levenstein ztl. noted that homiletically this section does not only speak to the person who is an Eved Ivri but rather to teach us that a regular human being was not naturally created to be a slave. He was created to be an Eved Hashem. What is an Eved? Rav Chatzkel explained that an Eved lacks personal strength and personal desires. He is totally submissive to his master. The same commitment to a master IS desirable when the master is Hashem. Rav Elya Sveii ztl. added that if one is enslaved to his own desires, such a person is also enslaved and has acquired a foreign master for himself. This is a contradiction to serving Hashem and needs corrective action and focus.

An eye for an eye ( 21:24) – The Talmud uses deductive logic to teach us that one is obligated financially – not like the Hammurabi code. But how can the Gemara go against the obvious literal meaning of the Possuk? And if it was to mean financial, why didn't the Torah just say that? Rav Avraham Yitzchak Kook ztl. explained that while the punishment is merely only financial, the Torah is teaching us that the offender really deserved a more serious penalty.

Don't distress any widow or orphan...for I will hear since I am merciful (22:21-22) – Rav Elimelech Biderman Shlita points out that this is a great source for one who calls out to Hashem when he has nowhere else to turn. Such Tefillos are sincere and are unlikely to go without response. Parenthetically, Daas Zekanim adds that those careful not to distress these people down on their luck will also benefit for when they offer Berachos of praise in gratitude for the good done to them, Hashem hears that too.

**3 Regalim...3 times (23:14)** – Why does the Torah refer to the time as both Regalim and then again as times? What is the difference? **Rashi** notes that even in the Shmitta year, the people will still observe the Regalim. **Rav Nissan Alpert ztl.** explained that during the other years, the Yamim Tovim are opportunities to thank Hashem for his involvement in the agricultural cycle of the year. That is why in those years, they are called Regalim from the word Regel as a reason for the trip (L' Regel HaMelacha Asher Lifanai). In a Shmitta year, the ground is not worked and this reason is not there. One is still obligated to be Oleh Regel though – because the time of the year demands it.

Moshe took the blood and he sprinkled it on the nation (24:8) – Rashi explains that this teaches us that Chazal entered a Bris here with Milah, Tevilah and Hazaah (as there is no Hazaah without Tevilah). Rav

**Gifter ztl.** pointed out that the preparation for Matan Torah described here is quite intense. First it required a communal acceptance as described in Parshas Yisro. After that, there needed to be a process that removed the regular "Ben Noach" status from them as described here and then only afterward did they enter the Bris at which time they were finally prepared to receive the Torah. Rav Gifter explained that if this is the preparation for the nation receiving the Torah, it must also be the attitude that we use when we get ready to go study it.

And I will give you the Luchos and the Torah and the Mitzva that I wrote to teach them (24:12) – The Gemara (Berachos ) learns that Hashem was going to give the written Torah, the Aseres HaDibbros, the Torah She'Baal Peh and the Neviim and Kesuvim. Rashi (Malachi) explains that anything that any other Novi was going to say, was given to Moshe at Sinai. Similarly, the Mabit notes that the reason some say KaAmur Poseich Es Yadecha even though Moshe composed the first Beracha of HaZon long before Dovid Hamelech gave us Tehillim because although Dovid revealed it within a Tehillim context, everyone else knew it at the time of Moshe for he knew anything else that was destined to be Torah based. Rav Schachter Shlita would regularly remind us that it is only based on this idea that Anshei Knesses HaGedolah were able to add to the Canon and to compose the Torah She'Baal Peh into a formal "Torah." Without it, adding would have been a subtraction from its divine nature.

When you count (30:12) – Why is the term Ki Sisa used instead of a more conventional term for counting? Rav Moshe Feinstein Ztl. explained that when it comes to being counted as a member of Bnei Yisrael, it is not enough to be counted but rather one must raise himself up to the standards and raise ourselves to stand proudly when we accept the responsibilities that being a part is all about.

Haftorah: The priests shall take for themselves each one from his acquaintance; and they shall strengthen the damage of the house, wherever damage is found (Melachim II:12:6) — The Rogachover explains that there is a difference between taking things from an individual which must be checked to see if he is giving things with a full heart versus if he gives it with a half-heart wherein it must be reexamined. Rav Yitzchok Sorotzkin Shlita explained why. The Beis HaMikdash had the status of a Korban Tzibbur which means that it cannot be made or maintained by personal monies. Hence, when collecting the coinage here, the Novi warns the people to take from his acquaintance (Makoro) — one he can state for sure, relinquishes personal hold over the monies he is giving to the Mikdash.