



Ohr Yerushalayim News

כ"ד שבט תשפ"ה - משפטים - 22nd February 2025 - Volume 17 - Issue 29

News This Week

מזל טוב

Mazel Tov to Miles and Linda Levine on the occasion of their 55th wedding anniversary this Shabbos!

Chaim Aruchim

We wish Chaim Aruchim to the following who have Yahrtsits this week:

- Sun, 25th Shevat - Charles Bursk for his father
- Mon, 26th Shevat - Michael Wilks for his father and Sidney Shields for his father
- Weds, 28th Shevat - Vivienne Fagleman for her mother
- Thurs, 29th Shevat - Naomi Lewin for her father
- Fri, 30th Shevat - Malcolm Fagleman for his mother and Jonathan Grosskopf for his father

Shalosh Seudas

Please try and assist with the cost of the סעודה by sponsoring or jointly sponsoring a week by putting your name against a Sedra on the list on the notice wall in the foyer

The Jewish Dream

Rabbi J Rubinstein

It appears to be remarkable, that from the great number of topics dealt with in this week's Parshah, the first one to be mentioned is the laws of servants. However perhaps the answer is, we have a vision of the Jewish people in which every person conducts his life in all areas of activity, according to the highest standards and levels of behaviour. This would be achieved by our acceptance that we are servants of Hashem and must follow his instructions at all times. In fact the first rule of the ערוך ערוך is שלחן תמיד ה' לנוגדי תמיד "place Hashem in front of me constantly". One could argue that the rest of the ערוך ערוך, which tells us the laws which govern the whole of our lives, is but the fulfilment of that first teaching.

The fundamental principle underlying the laws of servants is, that Hashem does not want us to be servants. As the Verse says, כי לי בני ישראל עבדים עבדים עבדי הם אשר הוצאתי אותם מארץ מצרים "For the Jewish people are servants to me, they are my servants who I brought out of Egypt" (Vayikro 25:55). The Talmud comments, this means they should not become servants to anyone else (Bava Metsia 10). The explanation is, they have to be free to follow Hashem's instructions. This is the reason the topic of servants is mentioned first. The Torah tells us if a person did become a servant, because of great financial need or as a punishment, he should still go free after six years. If he does not want to go free then, the lobe of his ear is pierced and he must go free in the Jubilee year. But really the Torah wants him to be free all the time, in order to be a servant of Hashem.

Many years ago, I read a description of what happened when gold was first discovered in Alaska in 1897. A ship arrived in San Francisco with people aboard who had found gold. A kind of mass lunacy seized the continent. People walked out of their jobs, left their families, the Mayor of Seattle wired his resignation, they were all intent on sailing to Alaska, mesmerised by a vision of gold! They sailed, packed like sardines, in ships with little food, no proper sleeping accommodation, and with an overwhelming unspeakable stench. When they reached Alaska they climbed a snow-covered mountain, and endured indescribable hardship, all driven by the dream of discovering gold. I have always thought, this was an example, or a kind of parable, of the

energy people can find within themselves, if only they realise the value of what they are striving for.

We have a different kind of "Bar of gold" Our dream is, אלה המשפטים "And these are the judgements which you shall place before them". We dream of an elevated society, which would behave in every area of life according to all the laws in this Parshah and the rest of the Torah. The first step towards attaining this dream, is to recognise that we are meant to be servants of Hashem.

Being a Chassid in Nezek

Richard Danziger

The Nesivos Shalom brings a gemara in Bava Kama דף 7:

אמר רב יהודה: האי מאן דבטי למיהו חסידא - לקיים מילי דנזיקין. רבא אמר: מילי דאבות. ואמר ר' לוי: מילי דברכות.

"Rav Yehuda says, anyone who wants to be pious should uphold matters of nizikin (damages). Rava says, matters of the Avos. And they said to him, matters of berachos".

This statement needs explanation. We can seemingly understand ethics and berachos being applicable to being a chassid, but what does halachos of damages have to do with piety? What differentiates damages from any other monetary halacha that makes them so essential?

There is a way to approach this according to the four categories of damage as enumerated in the first Mishnah in Bava Kama: the ox, the pit, the tooth and the fire. These four categories each represent an aspect of the yetzer hara that are found in a person. Chazal tell us that the ox is the most haughty of the all the animals, so the category of ox represents a person's arrogance. The pit represents depression and despair which can lead a person on to all other aveiros. Teeth represent teivas achila - physical pleasure and eating. Lastly, fire represents teivos of the yetzer hara that literally burn within a person. These are the four 'avos' of nizikin that are the root of all evil. Any person that wants to be a chassid has to train himself to uproot these four aspects of the yetzer hara from himself.

An alternative explanation is that the root of חסיד is חסד - that the essence of a chassid should be a constant existence of chessed. The gemara doesn't discuss a person who wants to be immersed in mitzvos and maasim tovim, rather it discusses someone who wants to be a חסידא, he wants to be a chassid so that his root and existence is completely good and b'shleimus. The way to achieve this, as explained by the Maharal, is that shleimus is dependant on three parts: shalom between himself and his Creator, shalom between

Davening Times

זמן שבת & Candle Lighting	5.16pm
Mincha & Kabbolas Shabbos	5.21pm
Shacharis	7.25am / 9.15am
סוף זמן ק"ש	9.47am
Mincha	1.30pm / 5.03pm
Seuda Shlishis	Following Mincha
Motzei Shabbos	6.23pm
Ovos uBonim/Bonos	7.23pm
Sun	7.15am / 8.20am / 9.30am
Mon / Thurs	6.45am / 7.10am / 8.00am
Tues / Wed	6.45am / 7.20am / 8.00am
ראש חודש	6.30am / 7.00am / 8.00am
Mincha & Maariv	5.25pm
Late Maariv	8.00pm

himself and his fellow, and shalom between himself. We can explain our original statement according to this – that a person who wants to be a chassid should uphold matters of damages according to Rav Yehuda. Dinei nizikin are the basis of shalom between a person and others – in order that he never cause harm or damage to another person. Knowing about restitution or appeasement following damage isn't chassidus – that is ikar hadin. Rather a person who wants to a chassid must l'chatchila be careful never to cause damage or loss to another person. An example is brought in the gemara of the חסידיים הרטונים that would store thorns and pebbles in their fields 3 tefachim under the ground in order to remove the possibility of anyone being hurt by them. This is the level the gemara expresses of a person who upholds matters of nizikin – that he takes every care never to harm a person, whether bodily or monetarily. This is the portion of shelaimus between a person and his fellow.

Milei d'Avos, according to this explanation, is the basis of shalom for a person to himself, as Pirkei Avos is the ethical direction of a person to achieve personal shelaimus. Avos doesn't really deal with avoiding damage to other people, it concentrates on a person's middos and matters that remove him from the oilam haruchni, like arrogance, anger and honour. All the time a person hasn't mastered milei d'Avos, his middos are in a sense broken.

Lastly, milei d'berachos deals with a person's relationship to Hashem. Berachos are the vehicle by which a person can see that all physical enjoyment he experiences are from Hashem and the way Hashem created the world. Physical enjoyment is from Hashem and given to us from the goodness of Hashem. In reality food doesn't need to be tasty or look or smell good, rather that is an enhancement of a basic function elevated to be an enjoyable experience. We can be m'taken physical actions like eating through our berachos and lift them up to be a ruchni experience. This is one aspect of berachos – they allow us to elevate physical experiences and bring us to a closer relationship with Hashem. These 3 aspects are the three chalakim of shelaimus that bring a person to the level of אידם.

Eved Ivri: Rehabilitation, Not Just Reimbursement

Rabbi Yissocher Frand (Torah.org)

Parshas Misphatim begins with the eved Ivri. A person who stole, and who could not make proper restitution for the stolen items, is sold as an eved Ivri. The proceeds of the sale are used to pay back the victim of his robbery. Even though he is a full-fledged Jew, his master has the right to give him a shifcha Canaanis for the purpose of fathering children, who will all belong to the master.

There are several halachos regarding the treatment of an eved Ivri. The Gemara in Kiddushin says that the food and drink served to an eved Ivri must match the food and drink served to the master. This means that if the master eats steak for supper, the eved Ivri needs to be served steak. He is not a second-class citizen. He is treated like any other member of the family. Likewise, it is forbidden for the slave owner to sleep on a deluxe mattress and expect his slave to sleep on straw. What you eat, he eats. Where you sleep, he sleeps. The Gemara famously concludes that whoever purchases an eved Ivri has, in effect, purchased a master for himself (Kiddushin 20a).

Tosfos there bring a fascinating Talmud Yerushalmi, which states that if the household only owns one pillow, the master has no choice but to give the pillow to his eved Ivri, rather than take it for himself. He can't even say "neither of us will use the pillow." Why is this the case? It is because we need to be sensitive to the feelings of the eved. The master is a free man. He does not suffer from a persecution complex or feel discriminated against. If he needs to sleep without a pillow, then – nu – he sleeps without a pillow. The eved, on the other hand, will feel persecuted and discriminated against if he sleeps without a pillow. We can't let him feel that he is being degraded. "Ki tov lo imach" (for it is good for him by you) (Devarim 15:16)!

All this brings us to the following question: If we need to treat our avadim (plural of eved) with such utmost respect, how is it that the Torah allows us to provide him with a shifcha Canaanis? Is that not degrading? Will that not make him feel that he is somehow of lower stature? The same person who we are so worried about that at supper time he needs to have steak just like his master, now at night should live with a shifcha Canaanis! Why is that alright?

Then, even more difficult than the fact that he produces slaves for his master is the fact that after working for the master for six years, he is told that he needs to leave the master's home but his 'wife' and kids stay with the master! Is that treating the eved with honor and respect? Certainly not! He is treated like chattel!

Rav Matisyahu Solomon once said in the name of 'chacham echad' that what we are trying to do over here is to rehabilitate this eved Ivri. We are trying to send him a message: Don't ever steal again. When a person steals, he steals for money. He takes someone else's property. But he also fails to realize the emotional attachment that the victim has to the item he is taking.

For example, our wives light Shabbos candles with their special Shabbos leichter (candlesticks). How would they feel if someone stole their Shabbos leichter? They would be devastated. Women have a strong attachment to their Shabbos leichter. My wife has her mother's Shabbos leichter. Shabbos candles have been lit on those candlesticks in her family for who knows how many decades. My wife has a strong emotional attachment to those candlesticks and would be devastated if they would be taken from her. It would not be just a monetary loss. The insurance would pay that back, but these are my leichter!

There are some things (like random pens) that we may not mind at all if someone takes and doesn't return. There are other things (like a car) that the hassle involved in submitting an insurance claim and needing to look for a new car would make us very upset, but ultimately, we would get over such a loss. However, for instance, I have a Seder plate that was my father's Seder plate. I am attached to it. It is an heirloom! If chas v'shalom someone came into my house and stole it, it is not only a monetary loss. It is an emotional punch in the stomach.

When a person steals, he fails to take that into account. He is not just taking away money. He may be stealing items to which the victim has a strong emotional attachment. How do we teach a person never to do that again? We teach him by having him establish a strong emotional attachment – to a shifcha Canaanis, with whom he lives with for six years, and to his sons and daughters that he has brought into the world and raised with this shifcha Canaanis, and then, at the end of the six years, guess what? He needs to leave his wife and his children. On a smaller level, that is what he did to the person from whom he stole. We want to teach him that he lacked the sensitivity to the reality that people can become attached to things.

The point of the service of an eved Ivri is not merely punishment or reimbursement. This status as an eved Ivri is meant to be rehabilitative. We are teaching a lesson: When the Torah says Lo sigzol (Don't steal!), it is not just about money. There is attachment and there is sensitivity, which you failed to recognize.

Perhaps we can ask that the eved Ivri can avoid this lesson by using another option: He can say: "I love my wife and my children. I want to stay with my master." In that case, there is another way of teaching him. We take him to the doorpost and we put a peg through his ear. He failed to hear the commandments against theft (Lo signov; Lo sigzol) on Har Sinai. There are two ways of teaching him this lesson of how destructive it is to steal:

Number 1 – We teach him what it means to be attached (by letting him marry and raise children and then taking his wife and kids away from him).

Number 2 – We put a peg through his ear, which is not a pleasant experience. There is no anesthesia when we do that. We do it because he needs to remember what he heard (at Sinai). Apparently, he didn't hear when the Almighty commanded Lo sigzol.

This also answers another question. Why do we wait six years to put the peg through his ear? The person who violated Lo sigzol did so more than six years earlier. Why don't we send him this message immediately? You didn't hear the command not to steal on Sinai: We are going to teach your ear a lesson!

The answer is that this is a punishment of last resort. We prefer to teach him the lesson of what it means not to steal by his master giving him a shifcha Canaanis and letting the children stay with the master. Now, if after six years he still hasn't learned that lesson, we have no other choice. But now the only way we can teach him the lesson of what it means to listen to Lo sigzol, is by piercing his ear.