

Kol Rina  
*An Independent Minyan*  
Parashat Mishpatim  
February 22, 2020 \*\*\* 27 Shevat, 5780

Kol Rina – An Independent Minyan, is a traditional egalitarian community. We are haimish (homey/folksy), friendly, participatory, warm and welcoming. We hold weekly services in South Orange as well as holiday services and celebrations which are completely lay led. We **welcome all** to our services and programs from non-Hebrew readers to Jewish communal and education professionals.

Today's Portions

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Mishpatim in a Nutshell

[https://www.chabad.org/parshah/article\\_cdo/aid/1298/jewish/Mishpatim-in-a-Nutshell.htm](https://www.chabad.org/parshah/article_cdo/aid/1298/jewish/Mishpatim-in-a-Nutshell.htm)

Following the revelation at Sinai, G-d legislates a series of laws for the people of Israel. These include the laws of the indentured servant; the penalties for murder, kidnapping, assault and theft; civil laws pertaining to redress of damages, the granting of loans and the responsibilities of the “Four Guardians”; and the rules governing the conduct of justice by courts of law.

Also included are laws warning against mistreatment of foreigners; the observance of the seasonal festivals, and the agricultural gifts that are to be brought to the Holy Temple in Jerusalem; the prohibition against cooking meat with milk; and the mitzvah of prayer. Altogether, the Parshah of Mishpatim contains 53 mitzvot—23 imperative commandments and 30 prohibitions.

G-d promises to bring the people of Israel to the Holy Land, and warns them against assuming the pagan ways of its current inhabitants.

The people of Israel proclaim, “We will do and we will hear all that G-d commands us.” Leaving Aaron and Hur in charge in the Israelite camp, Moses ascends Mount Sinai and remains there for forty days and forty nights to receive the Torah from G-d.

Shabbat Shekalim

[https://www.chabad.org/holidays/purim/article\\_cdo/aid/644308/jewish/Shekalim.htm](https://www.chabad.org/holidays/purim/article_cdo/aid/644308/jewish/Shekalim.htm)

When the Holy Temple stood in Jerusalem, each Jew contributed an annual half-shekel to the Temple.

The funds raised were primarily used to purchase cattle for the communal sacrifices. The leftover monies were used for a variety of communal purposes, including providing salaries for the judges and maintenance of the Temple, its vessels, and the city walls. This annual tax, known as the machatzit hashekel, was due on the 1st of Nissan. One month earlier, on the 1st of Adar, the courts began posting reminders about this Biblical obligation. In commemoration, the Torah reading of the Shabbat that falls on or before Adar is supplemented with the verses (Exodus 30:11-16) that relate G-d's commandment to Moses regarding the first giving of the half-shekel.

The Shekalim haftarah (II Kings 11:17-12:17) continues on the same theme, discussing the efforts of King Jehoash (9th century BCE) to earmark communal funds for the upkeep of the first Holy Temple.

(We too give a commemorative half shekel to charity—on the Fast of Esther. Click here for more about this practice.)

"Parshat Shekalim" is the first of four special readings added during or immediately before the month of Adar (the other three being Zachor, Parah and Hachodesh).

The Shekalim reading is also related to the upcoming holiday of Purim. According to the Talmud, Haman's decree was averted in merit of the mitzvah of machatzit hashekel.

### Food For Thought

We Will Do and We Will Hear (Mishpatim 5780) by Rabbi Jonathan Sacks

<http://rabbisacks.org/mishpatim-5780/>

Two words we read towards the end of our parsha – na'aseh ve-nishma, "We will do and we will hear" – are among the most famous in Judaism. They are what our ancestors said when they accepted the covenant at Sinai. They stand in the sharpest possible contrast to the complaints, sins, backslidings and rebellions that seem to mark so much of the Torah's account of the wilderness years.

There is a tradition in the Talmud[1] that God had to suspend the mountain over the heads of the Israelites to persuade them to accept the Torah. But our verse seems to suggest the opposite, that the Israelites accepted the covenant voluntarily and enthusiastically:

Then [Moses] took the Book of the Covenant and read it to the people. They responded, "We will do and hear [na'aseh ve-nishma] everything the Lord has said." (Ex. 24:7)

On the basis of this, a counter tradition developed, that in saying these words, the assembled Israelites ascended to the level of the angels.

Rabbi Simlai said, when the Israelites rushed to say "We will do" before saying "We will hear," sixty myriads of ministering angels came down and fastened two crowns on each person in Israel, one as a reward for saying "We will do" and the other is a reward for saying "We will hear."

Rabbi Eliezer said, when the Israelites rushed to say "We will do" before saying "We will hear" a Divine voice went forth and said: Who has revealed to My children this secret which only the ministering angels make use of?[2]

What, though, do the words actually mean? Na'aseh is straightforward. It means, "We will do." It is about action, behaviour, deed. But readers of my work will know that the word nishma is anything but clear. It could mean "We will hear." But it could also mean, "We will obey." Or it could mean "We will understand." These suggest that there is more than one way of interpreting na'aseh ve-nishma. Here are some:

[1] It means "We will do and then we will hear." This is the view of the Talmud (Shabbat 88a) and Rashi. The people expressed their total faith in God. They accepted the covenant even before they heard its terms. They said "we will do" before they knew what it was that God wanted them to do. This is a beautiful interpretation, but it depends on reading Exodus 24 out of sequence. According to a straightforward reading of the events in the order in which they occurred, first the Israelites agreed to the covenant (Ex. 19:8), then God revealed to them the Ten Commandments (Ex. 20), then Moses outlined many of the details of the law (Ex. 21-23), and only then did the Israelites say na'aseh ve-nishma, by which time they had already heard much of the Torah.

[2] "We will do [what we have already been commanded until now] and we will obey [all future commands]." This is the view of Rashbam. The Israelites' statement thus looked both back and forward. The people understood that they were on a spiritual as well as a physical journey and they might not know all the details of the law at once. Nishma here means not "to hear" but "to hearken, to obey, to respond faithfully in deed."

[3] "We will obediently do" (Sforno). On this view the words na'aseh and nishma are a hendiadys, that is, a single idea expressed by two words. The Israelites were saying that they would do what God asked of them, not because they sought any benefit but simply because they sought to do His will. He had saved them from slavery, led and fed them through the wilderness, and they sought to express their complete loyalty to Him as their redeemer and lawgiver.

[4] "We will do and we will understand" (Isaac Arama in Akeidat Yitzchak). The word shema can have the sense of "understanding" as in God's statement about the

Tower of Babel: "Let us, then, go down and confound their speech there, so that they shall not understand [yishme'u] one another's speech" (Gen. 11:7). According to this explanation, when the Israelites put 'doing' before 'understanding', they were giving expression to a profound philosophical truth. There are certain things we only understand by doing. We only understand leadership by leading. We only understand authorship by writing. We only understand music by listening. Reading books about these things is not enough. So it is with faith. We only truly understand Judaism by living in accordance with its commands. You cannot comprehend a faith from the outside. Doing leads to understanding.

Staying with this interpretation, we may be able to hear a further and important implication. If you look carefully at Exodus chapters 19 and 24 you will see that the Israelites accepted the covenant three times. But the three verses in which these acceptances took place are significantly different:

1. The people all responded together, "We will do [na'aseh] everything the Lord has said." (Ex. 19:8)

2. When Moses went and told the people all the Lord's words and laws, they responded with one voice, "Everything the Lord has said we will do [na'aseh]." (Ex. 24:3)

3. Then [Moses] took the Book of the Covenant and read it to the people. They responded, "We will do and hear [na'aseh ve-nishma] everything the Lord has said." (Ex. 24:7)

Only the third of these contains the phrase na'aseh ve-nishma. And only the third lacks a *statement about the people's unanimity*. The other two are emphatic in saying that the people were as one: the people "responded together" and "responded with one voice." Are these differences connected?

It is possible that they are. At the level of na'aseh, the Jewish deed, we are one. To be sure, there are differences between Ashkenazim and Sefardim. In every generation there are disagreements between leading *poskim*, halachic authorities. That is true in every legal system. Poor is the Supreme Court that leaves no space for dissenting opinions. Yet these differences are minor in comparison with the area of agreement on the fundamentals of *halachah*.

This is what historically united the Jewish people. Judaism is a legal system. It is a code of behaviour. It is a community of deed. That is where we require consensus. Hence, when it came to doing – na'aseh – the Israelites spoke "together" and "with one voice." Despite the differences between Hillel and Shammai, Abaye and Rava, Rambam and Rosh, R. Yosef Karo and R. Moshe Isserles, we are bound together by the choreography of the Jewish deed.

At the level of nishma, understanding, however, we are not called on to be one. Judaism has had its rationalists and its mystics, its philosophers and poets, scholars whose minds were firmly fixed on earth and saints whose souls soared to heaven. The Rabbis said that at Sinai, everyone received the revelation in his or her own way:

"And all the people saw" (Ex. 20:15): the sounds of sounds and the flames of flames. How many sounds were there and how many flames were there? Each heard according to their own level of understanding what they were experiencing", and this is what it means when it says (Ps. 29:4) "the voice of the Lord in power, the voice of the Lord in majesty.[3]

What unites Jews, or should do, is action, not reflection. We do the same deeds but we understand them differently. There is agreement on the na'aseh but not the nishma. That is what Maimonides meant when he wrote in his Commentary to the Mishnah, that "When there is a disagreement between the Sages and it does not concern an action, but only the establishment of an opinion (sevarah), it is not appropriate to make a halachic ruling in favour of one of the sides." [4]

This does not mean that Judaism does not have strong beliefs. It does. The simplest formulation – according to R. Shimon ben Zemach Duran and Joseph Albo, and in the

twentieth century, Franz Rosenzweig – consists of three fundamental beliefs: in creation, revelation and redemption.[5] Maimonides' 13 principles elaborate this basic structure. And as I have shown in my Introduction to the Siddur, these three beliefs form the pattern of Jewish prayer.[6]

Creation means seeing the universe as God's work. Revelation means seeing Torah as God's word. Redemption means seeing history as God's deed and God's call. But within these broad parameters, we must each find our own understanding, guided by the Sages of the past, instructed by our teachers in the present, and finding our own route to the Divine presence.

Judaism is a matter of creed as well as deed. But we should allow people great leeway in how they understand the faith of our ancestors. Heresy-hunting is not our happiest activity. One of the great ironies of Jewish history is that no one did more than Maimonides himself to elevate creed to the level of halachically normative dogma, and he *became the first victim of this doctrine*. In his lifetime, he was accused of heresy, and after his death his books were burned. These were shameful episodes.

"We will do and we will understand," means: we will do in the same way; we will understand in our own way.

I believe that action unites us, leaving us space to find our own way to faith. [1] Shabbat 88a, Avodah Zarah 2b. [2] Shabbat 88a. [3] Mechilta 20:15b. [4] Maimonides, Commentary to the Mishnah, Sanhedrin, 10:3. [5] See Menachem Kellner, *Dogma in Medieval Jewish Thought* (1986); Marc Shapiro, *The Limits of Orthodox Jewish Theology* (2011) and *Changing the Immutable* (2015).

[6] "Understanding Jewish Prayer", *Authorised Daily Prayer Book*, Collins, 2006, pp20-21; *The Koren Siddur*, Koren Publishers Jerusalem Ltd., 2006, pp. xxxi – xxxii

### [Mother's Milk by Marcus Mordecai Schwartz](http://www.jtsa.edu/mothers-milk)

<http://www.jtsa.edu/mothers-milk>

In 1976 the Italian historian Carlo Ginzburg published a book called *The Cheese and the Worms*, an account and analysis of a 16th-century Inquisition trial. The defendant in this trial was a miller from the Friuli region of Italy named Menocchio. Among the heresies that he stood accused of was his apparent claim that the world came into existence through a process of putrefaction. Here are his words at the trial as Ginzburg reports them:

Menocchio said:

I have said that, in my opinion, all was chaos, that is, earth, air, water, and fire were mixed together; and out of that bulk a mass formed—just as cheese is made out of milk—and worms appeared in it, and these were the angels. The most holy majesty decreed that these should be God and the angels, and among that number of angels there was also God, he too having been created out of that mass at the same time . . .

Aside from the Gnostic influence (positing the existence of an inferior divine being as well as a more remote superior God), the truly creative bit of cosmology here is the idea that the world curdled itself into existence. He describes the primordial chaos—the *tohu vavohu* of Genesis 1—as akin to milk before the cheese-making process. Despite the strangeness of the description, and its fantastical imaginings, I do think there is an inspiring insight contained within his description of his personal cosmology.

It is undoubtedly true that we associate milk with motherhood and new life. It is no great leap to imagine that the world originates in something like milk. Indeed, this concept may stand behind Exod. 23:19, a verse we read in this week's Torah reading, Parashat Mishpatim:

The choice first fruits of your soil you shall bring to the house of the LORD your God. You shall not boil a kid in its mother's milk.

The identical verse appears as Exod. 34:26. These verses seem to associate the prohibition on cooking a young animal in milk with the first fruits, leading us to ask what sort of connection exists between the harvest offering of thanksgiving, on the one hand, and the Torah's warning against cooking a kid in milk, on the other. (The third time that

the provision regarding meat and milk appears in the Torah, Deut. 14:21, it is not associated with the harvest offering, but with holiness generally.)

The Torah presents these two verses in Exodus in the context of sacrificial laws relating to the three pilgrimage festivals. Perhaps the prohibition on cooking flesh in milk is designed to prevent the pious Israelite from offering a sacrifice of thanksgiving in this manner. The Torah may be asserting that such an offering not only fails as a pious act, but actually stands in conflict with the Torah's values. Indeed, in *The Guide for the Perplexed*, Maimonides explains the prohibition on cooking milk and meat as probably deriving from the existence of a Canaanite sacrifice that was brought as a thanksgiving offering at a festival:

Meat boiled in milk is undoubtedly gross food, and makes overfull; but I think that most probably it is also prohibited because it is somehow connected with idolatry, forming perhaps part of the service, or being used on some festival of the heathen. I find a support for this view in the circumstance that the Law mentions the prohibition twice after the commandment given concerning the festivals: "Three times in the year all thy males shall appear before the Lord God" (Exod. 23:77), as if to say, "When you come before me on your festivals, do not seethe your food in the manner as the heathen used to do." (III:48; transl. M. Friedlander)

But is the objection only to idolatry? Or is there something that the Torah finds more repellent in an offering of the young cooked in mother's milk? The association of mother's milk with new life and creation at the moment of harvest is powerful symbolism. But using that symbol of life as the instrument that ensures the young animal's consumption strikes me as cruel. Milk gives us life; to use it this way is hard-hearted.

As Samuel ben Meir (Troyes, c. 1085–c. 1158) writes in his commentary on Exod. 23:19:

It is something distasteful, revolting, a rapacious thing, to consume the mother's milk together with the young animal that this milk was intended to nourish. We find a parallel in the legislation not to slaughter mother animal and her young on the same day, as well as the prohibition not to take the young chicks while the mother bird is present. (Lev. 22:25 and Deut. 22:6-7) The Torah teaches you these matters as a matter of elementary culture, i.e. respecting life. (transl. based on E. Munk, *HaChut Hameshulash*)

To be perfectly clear, this prohibition seems to have both a sacrificial and an ethical element. In the Canaanites' sacrificial culture, which Deuteronomy repeatedly worries will be attractive to the Israelites, offering a kid with mother's milk was perhaps not only unremarkable, but seen as pious and encouraged. The Torah views sacrifice presented in this manner as abhorrent. However, in clinging to the rabbinic dictum that our tables are supposed to be like altars, (BT Hagigah 27a) it is clear that the uncaring cruelty our Sages saw in combining milk with meat would be inappropriate at any Jewish table.

Ultimately, I prefer to view this as another one of the Torah's concessions to our desire. The act of killing animals for food is undoubtedly morally tainted. But the Torah seems to think that our desires for meat will be so strong that it cannot prohibit such food.

However, it is a basic tenet of the Torah's values that we are to be kind, and caring, and avoid cruelty whenever possible. In this prohibition, the Torah seeks to moderate our desires, refine our behavior, and sensitize us to cruelty, so that we can avoid it in all areas of our lives.

We are all made of the same stuff, as Menocchio noted, and we inevitably rot and decay, like all living creatures. Yet, according to Menocchio—and according to the Book of Job—that "stuff" can be compared to milk. As Job 10:10-11 has it: "Did you not pour me out like milk and curdle me like cheese, clothe me with skin and flesh and knit me together with bones and sinews?" We are made, then, out of mother's milk: a sign that all life is a blessing. (*Marcus Mordecai Schwartz is Director of the Matthew Eisenfeld and Sara Duker Beit Midrash and Assistant Professor of Talmud and Rabbinics at JTS*)

## Knowing What We Don't Know: Parashat Mishpatim By Rabbi Jill Hammer

<https://airsem.org/teachings/divreitorah/>

Parashat Mishpatim deals, among many other matters, with the laws of robbery. Exodus 22:1-2, which is part of the larger discussion of robbery, reads: "If one finds someone who comes through a tunnel [into one's house], and one strikes them and they are killed, one is not liable for bloodguilt [murder]. But if the sun shone upon them, there is bloodguilt [it is murder if one kills them]..." When I was in rabbinical school, in one of my Talmud classes, we studied a section (sugya) of the Talmud known as "haba b'mahteret" or "one who comes through a tunnel." (Babylonian Talmud, Sanhedrin 72a)—which comments on these verses. The sugya offers three possible interpretations of this verse, which invite us to contemplate how we judge others we fear.

The text considers the possibility that, as safe as we feel in our homes, someone with malevolent intent could break in and harm us. But what does the text mean? One opinion in the Gemara reads the text as follows: if a thief tunnels into someone's house, that person clearly knows that they might meet the homeowner and that there might be violence. Therefore, from the second that the thief begins to tunnel, "ain lo damim"—he has no bloodguilt. A homeowner is not liable for killing a person who breaks in, because the assumption is that such a person expected violence to begin with, or they wouldn't have tried to enter the house. Essentially, this reading suggests, the person's actions clearly indicate their ill intent, and homeowners who come upon such a person in their basement are justified in using lethal force to defend their homes.

However, the Gemara also offers an alternative reading. The Gemara reads the verse differently, and less literally: "Does the sun rise only on him?" (In other words, the text "if the sun rose upon him" should be read as a metaphor). Rather, if the matter is as clear to you as the sun that he has come with intention to violence, you may kill him (this interpretation assumes that damim lo, "he has blood" means "you may kill him"). But if you are not sure, do not kill him." In this text, only if the person has specifically demonstrated that they intend to harm you may you use lethal force against them. Otherwise you must wait in order to determine their intentions.

The Gemara follows this up with a deceptively similar, but opposite, reading: "Does the sun rise only on him?" Rather, if the matter is as clear to you as the sun that he has not come with intention to violence, you may not kill him (this interpretation assumes that damim lo, "he has blood" means "you may not kill him." But if you are not sure, kill him"). This reading understands the text as follows: if the person who breaks in is "in a tunnel"—i.e. their intentions are obscure—you may kill them to defend yourself. But if "the sun has shone" upon the person—i.e. it is clear they don't mean to harm you, you may not harm them.

The three readings offer three different standards for self-defense: a) You may use lethal force against anyone who breaks into your home, b) you may use lethal force against anyone who breaks into your home unless you have reason to believe they won't harm you, or c) you may not use lethal force against a person who breaks into your home unless they specifically demonstrate they are about to harm you. Each of these interpretations balances the question of risk to the homeowner and risk to a potentially innocent intruder differently, and each one reasons differently about what I can conclude about another human being when I don't have a lot of information. The Gemara has an obscure way of resolving the contradiction (it involves parents breaking into children's homes and vice versa), but to me, that is less interesting than this basic disagreement about how to handle a situation where we feel afraid for our lives.

We are all aware of times when a police officer or civilian, perhaps believing someone is going to harm them, uses lethal force—and then it comes out that the person who was shot "in self-defense" was unarmed and not threatening the shooter. In some of these cases, the shooter malevolently shot an unarmed person, but in many others, the shooter perceived a person as threatening when that wasn't the case. As we all know, biases

around race play a large part in these events: people of color are more likely to be shot even when they're innocent. Lack of awareness around mental illness can also be a factor in some of these cases: people may be treated as threatening when they're really just ill or non-responsive. These incredibly painful cases indicate that we can indeed make wrong judgments about whom we should fear, and those wrong judgments can lead to fatal error. These incidents show us that the Gemara's concern—that we might act before we know the individual's true intent, and harm an innocent person—is just as real today.

I'm not a legal expert, nor am I an expert in self-defense, and it wouldn't be right for me to give advice about what to do if, God forbid, someone actually breaks into a home. Nevertheless, I want to consider some larger implications of these three readings. One question we might consider is: are we any good at determining people's intent? Are our fears of others justified? And what if we're wrong? I am moved by the Gemara's attempt to consider, even in a situation where people might reasonably be afraid, that we may be judging before we have enough information.

We can learn from the Gemara's discussion as we consider, as citizens, how to improve our criminal justice system—but we can also learn from this discussion in our daily lives. When someone seems angry at us, we might consider that maybe we are misinterpreting their words or actions. If someone is whispering in the corner of the room, we shouldn't leap to the conclusion that they are talking about us. Often, we can afford to give people the benefit of the doubt—and when we do, we can end up with a much kinder interaction than we might otherwise have had. I often remember a moment when I was leading a service and a person got up and left. I was convinced I had offended that person and spent the rest of the service, not praying, but obsessing over what I might have done wrong. Later the person told me how enjoyable the service was, and that she was sorry she had developed a headache. I had judged her by an action I saw, but had reached entirely the wrong conclusion. It was a good learning experience for me about how not to waste my energy on assuming things I didn't know.

And, we should also remember that our biases can influence us even in daily interactions. A recent post by Marra Gad, a Jew of color, makes this clear. Marra Gad presented recently at a liberal Jewish conference, and she describes how person after person assumed that she didn't belong there, worked for the hotel, etc., etc. and harassed her with questions and demands until the conference organizers had to provide her with an escort to minimize further harassing incidents. The unthinking assumptions of the individuals who caused Marra Gad's discomfort contributed to a hostile environment. When we train ourselves and others not to make assumptions, we help others feel comfortable being themselves.

Sometimes, not knowing is a spiritual practice. Parashat Mishpatim, which deals with and prescribes behavior for many difficult moments in daily life, also reminds us to wait to assume until things have become clear—in the words of the parashah, until the sun has risen upon us. Just like Jacob who wrestled all night until the sun had risen upon him, we can receive a blessing from wrestling with the truth until we know for sure. (Rabbi Jill Hammer, PhD, is the Director of Spiritual Education at AJR. She is the author of several books, including *The Hebrew Priestess: Ancient and New Visions of Jewish Women's Spiritual Leadership*, *Sisters at Sinai: New Tales of Biblical Women*, and *The Jewish Book of Days: A Companion for All Seasons*—as well as the forthcoming *Return to the Place: The Magic, Meditation, and Mystery of Sefer Yetzirah*.)

[Mishpatim: Free the Slaves by Rabbi Jay Kelman](https://www.torahinmotion.org/civicrm/ mailing/view?reset=1&id=2317)

<https://www.torahinmotion.org/civicrm/ mailing/view?reset=1&id=2317>

One of the revolutions that Judaism brought to the world was its attitude towards, and its treatment of, slaves. Whereas in the ancient world slaves were considered to be no more than chattel, Judaism taught that slaves are to be accorded the same rights and privileges as their masters.

Parshat Mishpatim, following immediately after the Divine revelation at Sinai, opens with the laws of slavery. On the heels of Sinai, the Torah's concern is the treatment of the slave. The true measure of any society can be seen in its treatment of the "underclass", and the Torah was not about to tolerate the treatment to which slaves were generally subject.

The Talmud (Kiddushin 22a) teaches that one who acquires a slave is really acquiring a master for oneself. The slave must be given the same food and accommodation as his master. If there is only one bedroom with an ensuite it is the slave who gets to sleep there; and the slave, no less than his master, is not to work on Shabbat.

This change in the status of the slave is the message of the first of the Aseret HaDibrot. "I am the Lord your G-d, who brought you out of Egypt, from the home of slavery" (Shemot 20:2). Egypt was synonymous with slavery. Man, not G-d, was the controlling feature of people's lives. Freedom, our Sages assert, can be attained only by enslaving ourselves to G-d. "No one is free, save for one who occupies himself with Torah" (Avot 6:2). By serving G-d and only G-d, we free ourselves from the often-petty concerns that plague man. Impressing others, something that distorts our way of thinking and affects our actions, no longer concerns us. We have the higher goal of "impressing" G-d.

Sefer Shemot details our transition from slaves of man to servants of G-d, from building cities for man to building a tabernacle for G-d. We have replaced ten plagues with Ten "Commandments", and physical labour with spiritual strivings.

As interpreted by our Sages, the slave described in the Torah is a thief who is sold into slavery in order to pay off his debts (Rashi 21:2). The years of slavery provide that thief an opportunity to discover that he can become a productive member of society, learning the value of work in a protective environment. It is to be hoped that after six years of this training, he is ready to take his rightful place in society.

Unfortunately, man often prefers slavery to freedom. Freedom requires man to make choices, to think critically, to make distinctions and to take personal responsibility. Slavery creates and enforces dependence on others, a much easier though less meaningful existence. His master provides for the slave's needs, at times even providing him with a wife. With everything "taken care of", it is no wonder the Torah tells us that many a slave had no desire to be free. "If the slave declares, 'I am fond of my master, my wife and my children: I do not want to go free', his master shall pierce his ear and he shall serve his master forever" (Shemot 21:5). For many, the security of relying on others is more appealing than the uncertainty that comes with independence.

For the most part, the Jewish people who left Egypt had been onlookers to the miraculous events in Egypt and at Sinai. In parshat Mishpatim, we begin the transition to a society in which man can no longer sit passively, but must take responsibility for his environment. Setting up a court system, a social welfare network, learning how to properly treat a spouse or strangers in our midst, taking responsibility for damages we may have caused are just some of tasks that the Torah demands we take on in the aftermath of Sinai. These are the tasks that enable the flourishing of a just and free society. May we merit living in a society suffused with Torah freedom. (Rabbi Jay Kelman, founder of Torah in Motion, received a BSc in accounting from Yeshiva University and Smicha from its affiliate, Rabbi Isaac Elchanan Theological Seminary.)

### [Yahrtzeits](#)

Neal Fox remembers his friend Susan Marx on Sunday February 23rd (Shevat 28)

Lenny Levin remembers his mother Hadassah Ruth Routtenberg (Esther Rochel bat Zvi David ve-Dobrush) on Monday February 24th (Shevat 29)