

# Shabbat Kodesh: A Weekly Reader from Kodesh Press

## Parshat Mishpatim

### MAIMONIDES ON THE COMMANDMENT TO EASE THE LOAD OF YOUR ENEMIES DONKEY

*Rabbi Alec Goldstein*

**23:5. If you see your enemy's donkey struggling under its load, and consider abandoning him, you shall surely help him.** — the instructions “you shall surely help” (Exod. 23:5) and “you shall surely raise up” (Deut. 22:4) weaken the qualities of wrath and anger (Shemonah Perakim, ch. 4).

Notes: Concerning this commandment, Rashi writes, “Now who is it who sees his enemy being kind to him, whose heart will not be inspired to embrace and kiss him?” (on Psalm 99:4). There are several issues here. First, Maimonides assumes that one person would only consider another as an *oyev* (enemy) within legal parameters. Therefore he concludes that the only type of *oyev* is a sinner whom one is obligated to hate. However, Rashi seems to imply that the two were rivals for reasons beyond what halakhah would permit.

Second, the reason for the commandment is different (and this is significant because Rashi rarely engages in *ta'amei ha-mitzvot*—speculating in reasons for the commandments). For Rashi, the act of kindness in unloading can help mend the broken relationship between two rivals. Maimonides gives two entirely different rationales. In Shemonah Perakim, he says the reason is to reduce the quality of anger. (For Rashi, it is an interpersonal commandment, while for Maimonides here it is to reduce the quality of anger in the individual.) However, Maimonides also gives a second answer (Rotze'ah 13:14), where he says he must not let the wicked person perish before he has a chance to repent.

### PATHWAYS TO THE HEART

*Rabbi Reuven Boshnack*

This week's parsha discusses the laws of the *eved Ivri* (Hebrew servant). The Mechilta (Mishpatim 21:2) describes the background of the story in the *pasuk* of the thief who was sold for stealing. However, the *pasuk* starts the story in the middle. The *בית יעקב* asks, “Why does it do that?”

The Torah does not speak about the theft, only about the punishment. The *בית יעקב* explains that the first theft happened at the very beginning of history. It took place when Adam Ha-Rishon ate from the tree of knowledge. This all took place in a supernal realm, the Garden of Eden. His punishment, which is having to enter into this world, is tantamount to being sold into slavery for his theft.

What is theft? It is a delusion of ownership; the thief believes that he owns something that doesn't belong to him. Of course, this is a fallacy, as Hashem owns everything.

The sin itself is its own punishment. By accepting the delusion of ownership of something which he didn't own, he lost his ownership over that which he truly should own. This loss of ownership manifests itself in a sense of ownership over one's self as well. When people feel that they are not in charge of their lives, they lose the zest for living and clarity of purpose.

Through this, man entered the “world of doubts,” a world view of ambiguity and ambivalence. Therefore the slave is sold by the *Beis Din*. When there were *Battei Din*, they had the confidence to resolve the ambiguities of life. Adam Ha-Rishon, who was Hashem's handiwork, originally felt this clarity as well. But when he stole, he fell into delusions of ownership.

### ONKELOS CORNER

*Rabbi Jack Abramowitz*

If it's displeasing in the eyes of her master to keep her for himself, he shall redeem her. He has no permission to sell her to another man because he ruled over her. (Shemot 21:8)

The Torah has a *kri/ksiv* in which the text says that he did not designate her for himself but it is read that he did.

Onkelos circumvents this discrepancy.

— Adapted from *The Complete Targum Onkelos*

This delusion was accompanied by the constant fear that he was missing something.

This is why the eved Ivri is sold based on his inability to make restitution. But it is for his benefit as well. The slave cannot receive his sustenance from Hashem directly, only through an intermediary, his master. However, there are times that Hashem shines a light into the soul of every Jew, even despite their distance from Him. This is why the eved Ivri goes free in the seventh year. This is when he stands before Hashem and no one else can rule over him.

When people stand before Hashem, they develop strength of character and have clarity in life; they recognize that they are the creations of Hashem and the children of the Avos.

## MINUTIAE

### *Rabbi Ari Kahn*

Some words are upbeat; they energize and inspire us. Other words deflate and confound us. “Spiritual” and “ethereal” are among the former; “minutiae” is a prime example of the latter.

The theophany at Sinai, the spiritual symphony of sight and sound in which God revealed Himself to the Jewish People, embodied all of the uplifting resonance that words are capable of imparting. On the other hand, Parashat Mishpatim, with its myriad details and legal minutia, seems more than an anticlimax; we can almost feel the words themselves drag us down from the spiritual heights experienced at Sinai.

Many of us do not love details, especially when we are told what we should do, what we must do, and precisely how we must do it. Our generation is characterized by freelancing, going with the flow, doing “what feels right.” Ours is the age in which personal autonomy is regarded as foremost among man’s inalienable rights. We find being told what to do stifling and demoralizing. How, then, do we contend with the Torah’s shift between the spectacular Revelation of Parashat Yitro, when ten magnificent utterances were shared by God that would uplift us by revealing the basis for a lofty existence, and this parashah—which goes into painstaking, even painful legal detail? If we are careful in reading Parashat Mishpatim, the transition between these two seemingly different sections appears less a sharp turn and more of a segue: The details contained in this parashah are, in fact, intrinsic to the content of the Revelation recounted in the preceding parashah. This insight forces us to reconsider the Ten Commandments in a new light: Parashat Mishpatim contains a “fleshing out” of the Ten Commandments transmit-

ted at Sinai, which are ten broad principles or categories of law and not particular, specific points. . . .

God gives us responsibilities, drawing us into a proactive, reciprocal relationship. He gives us tasks and taboos that empower us and enable us to give expression to our desire to bridge the chasm that separates us from Him.

For some people, the opportunity to be even a slave to the Almighty is sufficient; the relationship itself is reward enough. For others, the detailed commandments may be framed as terms of endearment: As in the case of loving spouses, intimacy is often expressed by small gestures and behaviors. Gala celebrations and expensive gifts are nice, and are certainly an apt expression of appreciation and emotion, but the big gestures are not the wool and warp of the relationship. The fabric of a loving marriage is woven from details, from everyday kindness, care and consideration. In a loving relationship, these details are neither bothersome, cumbersome nor daunting; rather, they are opportunities to build and grow a relationship, to express appreciation, respect and value. These details are not “minutiae” or annoying demands. They are opportunities—small but constant expressions of love.

When a spouse feels “used” or put upon, enslaved by the gestures or stifled by the restrictions involved in maintaining this relationship, resentful of the small acts of kindness and expressions of love, the relationship becomes dysfunctional. And herein lies the key to understanding Parashat Mishpatim, and all of Jewish Law: The ultimate goal is to build a relationship with God, with each detailed commandment or restriction representing an opportunity to express our love and appreciation for the myriad gifts and kindnesses, large and small, which God bestows upon us every day. As in interpersonal relationships, true expressions of love that build a relationship—small gifts of flowers or chocolate, a cup of coffee, a smile, any small but meaningful gesture—are to be cherished. They are not “minutiae”; they are, individually and in total, overwhelming expressions of love.

When framed in this manner, legal minutiae are magically transformed into acts and expressions of love, reciprocal gestures that help us build a relationship with God—a relationship that is spiritual and ethereal, uplifting and inspiring.