

**Parshas Mishpatim in a Nutshell**  
(Exodus 21:1–24:18)

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.

*(continued next column)*



Most people have good intentions and they try to live morally and ethically. But Judaism gives us the potential for more than this. The Torah gives us an objective standard of ethical conduct determined by G-d. It is not man who decides whether or not something is good, ethical, or just. [Because] mortal standards of justice can lead to error.

-- The Rebbe

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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. ❖

**תהילים**  
*Tehillim - Psalms*  
Join us this Shabbos morning  
Jan 29 at 8:00 AM for  
Shabbos Mevorchim Tehillim.  
This week's Tehillim reading is  
dedicated to  
a refuah sh'laima  
for  
Yoel Avraham ben Yetta.

**Thank You to:**  
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Join us each weekday  
morning Mon-Fri as we  
delve into the mysteries of  
**Chassidic concepts.**  
**5:55 am, followed  
immediately by Shacharis.**

**Halachic Zmanim**  
Shabbos, Jan 29, 2022  
Eastern Standard Time  
Earliest Tallis ..... 6:11 AM  
Latest Morning Shema..... 9:37 AM  
Earliest Mincha (Gedola) 12:36 PM  
Plag Hamincha..... 4:11 PM  
Earliest Evening Shema.... 5:40 PM

**Anshei Lubavitch Congregation**  
Rabbi Levi and Leah Neubort  
  
*Adult education:*  
Rabbi Avrohom and Rivky Bergstein  
  
*Youth Outreach:*  
Rabbi Eli and Ruty Steinhauser

**Shabbos Schedule**

**Erev Shabbos – Jan 28 / Shevat 26**

Candle Lighting.....4:51 pm  
Mincha .....4:55 pm

**Shabbos Day – Jan 29 / Shevat 27**

Tehillim Reading..... 8:00 am  
Shacharis..... 9:30 am\*  
Torah Reading ..... 10:40 am  
Kiddush .....12:15 pm

Mincha .....4:35 pm  
Farbrengen.....4:55 pm  
Shabbos Ends .....5:53 pm

\*Latest morning Shema is now **9:37 AM**. Be sure to recite the Shema at or before that time (even if at home).

**Weekday Schedule (not on a holiday):**

**Minyan**

Shacharis (Mon-Fri) ..... 6:15 am  
Shacharis (Sunday) ..... 9:00 am  
Mincha (Sun-Thurs) .....1:45 pm  
Maariv (Sun-Thurs) .....9:15 pm

**Bulletin**  
*This week's Bulletin  
is sponsored by  
The Shul .*

## Chassidic Masters

### Mitzvos of the Third Kind

*From Torah Studies (Kehot 1986), an adaptation of the Lubavitcher Rebbe's talks by Rabbi Jonathan Sacks*

Our parshah opens with the words, "And these are the mishpatim (laws) which you shall set before them." The Sages have given several explanations of the phrase "before them."

The first explanation is that every legal dispute amongst Jews should be tried "before them" — before a Jewish court of law, which tries cases according to the Torah. They should not take the case before non-Jewish judges, even if their law in this instance coincides with that of the Torah.

The second is that when one is teaching the Torah to a pupil, he should "show the face" (another possible translation of *lifneihem*). In other words, he should explain the reasons for the law, so that the pupil understands it rather than receiving it as dogma.

The third, given by Chassidic master Rabbi Schneur Zalman of Liadi, is that "before them" means "to their innermost selves" (yet a third possible interpretation of *lifneihem*). The verse therefore means that the knowledge of G-d should enter the most inward reaches of the Jewish soul.

#### **Decrees, Testimonies and Laws**

It is a general principle that different interpretations of the same words of Torah bear an inner relationship to one another.

What, then, is the connection between these three explanations?

Also, why should the words "before them," however they are interpreted, be attached specifically to the particular type of mitzvah called *mishpatim*?

There are three kinds of commandments contained in the Torah: *mishpatim*, *eidot* and *chukim*. *Chukim* ("decrees") are laws which transcend our understanding and which we obey simply because they are the word of G-d. *Eidot* ("testimonies") can be rationally explained, but they are not necessitated by rational considerations: had G-d not commanded them, man would not have invented them. Finally, *mishpatim* ("laws") are laws which reason would have compelled man to devise even if they had not been Divinely revealed; as the Rabbis say, "If the Torah had not been given, we would have learnt modesty from the cat and honesty from the ant."

Why, then, is it *mishpatim* that the Torah singles out to be set "before them"?

If we take the first interpretation of "before them," this is easy to understand. It is only in the sphere of *mishpatim* that Jewish and non-Jewish law are likely to coincide. Hence the necessity to urge, specifically regarding *mishpatim*, that disputes concerning them be taken to a Jewish court. In the case of *eidot* and *chukim*, which can be derived only from Divine revelation, there would be no possibility of taking disputes to a non-Jewish court which bases its laws on human reason.

In the second interpretation, however, we run up against a difficulty. If "set before them" means to teach them with explanations, then this is surely more applicable to "testimonies" and "decrees," which are difficult to understand, than to "laws." It is obvious that *mishpatim* should be explained; whereas it would be a significant point to demand that *eidot* (which can be comprehended, even if they are not necessitated by reason) and *chukim* (which reason cannot grasp) should also be taught as far as possible through explanation and rational acceptance.

The same difficulty arises with the third explanation of "set before them." It surely is not necessary to awaken the innermost reaches of the soul in order to obey *mishpatim*, when reason is sufficient to compel adherence to them. But obedience to *eidot* and *chukim* is not demanded by reason, and so it requires the arousal and assent of the inward self if it is to be done with a feeling of involvement rather than simply in blank response to coercion. Again, the connection between *mishpatim* and the phrase "before them" seems misplaced.

#### **Action and Intention**

An important truth about the Divine command is that "the principal thing is the act." If, for example, a person has made all the appropriate mental preparations for putting on *tefillin* but stops short of actually putting them on, he has not fulfilled the commandment.

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And if, on the other hand, he has put them on, but without the proper intentions, he has nonetheless performed the mitzvah.

Despite this, it is also G-d's will that every facet of man be involved in the mitzvah; not only his power of action and speech, but also his emotion, intellect, will and delight. This applies not only to the commandments which obviously involve feeling and understanding — like the mitzvot of loving and fearing, believing in and knowing G-d — but to every command, including those which require a specific action. Each mitzvah must be affirmed by the deepest reaches of man's being, especially by his delight, so that he performs it with joy and a willing heart.

This is true, furthermore, even of the "decrees," which by nature lie beyond his understanding. It is not enough to obey them in action only, as if he had no choice but to submit to G-d's will without sense or comprehension. Nor is it enough to say: I do not understand them, but G-d must certainly have a reason for decreeing them, and that is sufficient for me. For this attitude is not one of unconditional obedience. It is as if to say: I will obey only what is reasonable, but I will allow a mind greater than mine to decide what is reasonable and what is not. Instead, the true acceptance of chukim is one which goes beyond reason, and which makes no conditions. It is one in which the desire to serve G-d for His own sake is so strong that even the intellect positively assents to the call of He who is beyond it.

In the light of this we can understand the Rabbinical saying about the word chok: "It is a decree before Me, and you have no right to speculate about it" (Rashi, Numbers 19:2). This is strange because, since "the principal thing is the act," it would have been more natural to say, "you have no right to disobey it." However, the saying implies that the physical act is not enough: it must be accompanied by the assent of the mind. And this means more than the silencing of doubt, more than prudential acquiescence in the face of G-d's wisdom. It means that simple faith floods his mind, leaving no room for second thoughts.

This is why chukim need the awakening of a Jew's innermost soul. Without it, there would still be room for "speculation" or doubt, even if outwardly he continued to obey. With it, his thoughts and feelings are fired by an inner enthusiasm.

And this is the connection between the second and third interpretations of "before them": "inwardness" leads to "understanding," to an acceptance of the law by mind and heart.

But a question remains. Why are these insights attached by the Torah to mishpatim, instead of to the chukim, where they would seem more appropriate? There is no difficulty in understanding mishpatim, and reason — without "inwardness" — is sufficient to lead a man to obey willingly.

#### **Faith and Reason**

The answer is to be found in another Rabbinic commentary to our verse. Noticing that the parshah of Mishpatim begins with the word "and" ("And these are the mishpatim...") they said: "'And these' indicates a continuation of the previous subject." In other words, the laws of which our parshah speaks are a continuation of the Ten Commandments, and were, like them, given at Sinai.

The Ten Commandments fall into two categories. The first five commands concern the highest principles of the unity of G-d. But the others state simple, social laws like "You shall not murder" and "You shall not steal" — mishpatim whose purpose is immediately intelligible. By fusing these extremes, the principles of faith and the mishpatim of reason, the Torah teaches that even commands such as "You shall not steal" should be obeyed not simply because they are reasonable but because they are the will of He who said, "I am the L-rd your G-d."

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Thus, when the Rabbis said that the words "And these are the mishpatim..." were a continuation of the Ten Commandments, they meant that these laws should be obeyed not because they are understood, but because they were commanded by G-d at Sinai.

This explains the first interpretation — that one should not bring a Jewish dispute before a non-Jewish court. Even if the laws coincide in practice, a law which has its source in reason is not the same as one which is based on the words, "I am the L-rd your G-d," and its verdicts do not emanate from Torah.

The third interpretation also becomes clear. Even mishpatim, which can be obeyed for the sake of reason, must be obeyed from the inwardness of the soul. Mishpatim must be obeyed like eidot and chukim: not from reason alone but from an inward response which animates every facet of one's being.

And this explains the force and subtlety of the second interpretation: that the mishpatim should be taught so that the pupil understands them. The point is that, on the one hand, they should not be regarded as the mere dictates of reason; on the other, they should not be thought of as irrational. They are to be obeyed with but not because of the mind's assent. The mind is to be shaped by what lies beyond it.

Why is human reason not sufficient in itself?

Firstly, because it has no absolute commitment. In the words of the Sages: "Today it [one's evil inclination] says to him, 'Do this'; tomorrow it tells him, 'Do that'; until it bids him, 'Go and serve idols'" (Talmud, Shabbat 105b). This description of the gradual erosion of spiritual standards is interpreted by the previous Lubavitcher Rebbe thus: the Jew's evil impulse cannot begin with enticement to a forbidden act. Rather, it bids him "Do this", "Do that", i.e., do something good, a mitzvah, but do it because your intellect and ego concur. Thus, gradually the framework is developed whereby even a forbidden act is not excluded.

Secondly, because even though it might lead a man to obey mishpatim, it would not bring him to closeness with G-d. This is the difference between an act which is reasonable and an act which is a mitzvah. "Mitzvah" means "connection": it is the link between man and G-d.

Thus the verse speaks of both the "decrees" and the "laws" of G-d when it says: "And you shall keep My chukim and My mishpatim, which man shall do and live by them." If man brings the whole of his life — action, emotion, reason and inwardness — into the performance of a mitzvah because it was given at Sinai, he recreates Sinai: the meeting of man and G-d. ❖

### **Haftorah for Mishpatim in a nutshell**

*Jeremiah 34:8-22; 33:25-26*

In this week's haftorah, Jeremiah describes the punishment that would befall the Jews because they continued enslaving their Hebrew slaves after six years of service—transgressing the commandment discussed in the beginning of this week's Torah reading.

King Zedekiah made a pact with the people according to which they would all release their Jewish slaves after six years of service—as commanded in the Torah. Shortly thereafter, the Jews reneged on this pact and forced their freed slaves to re-enter into service. G-d then dispatched Jeremiah with a message of rebuke: "Therefore, so says the Lord: You have not hearkened to Me to proclaim freedom, every one to his brother and every one to his neighbor; behold I proclaim freedom to you, says the Lord, to the sword, to the pestilence, and to the famine, and I will make you an object of horror to all the kingdoms of the earth." The haftorah then vividly depicts the destruction and devastation that the Jews would experience.

The haftorah concludes with words of reassurance: "Just as I would not cancel My covenant with the day and night and I would not cancel the laws of heaven and earth, so too I will not cast away the descendants of Jacob . . . for I will return their captivity [to their land] and have mercy on them." ❖

## From Our Sages -- Mishpatim

### **And these are the laws which you shall set before them (Exodus 21:1)**

The phrase "and these" (ve'eileh) implies that they are a continuation of what is written before. This is to teach us that just as the laws written above (the Ten Commandments) are from Sinai, these too are from Sinai.

-- (Mechilta; Rashi)

Since the majority of laws set forth in the Parshah of Mishpatim are logical laws, the Torah wishes to emphasize that these too are divinely ordained.

-- (Commentaries)

### **If a man . . . allowed his beast to go forth and feed in another man's field (Exodus 22:4)**

Goring is not normal behavior for an ox, so the owner pays only half-damages, unless this ox has gored three times in the past, in which case he pays full damages. On the other hand, eating and trampling is common behavior for an ox, which the owner should have anticipated; so for damages thus inflicted, he must pay full compensation.

-- (Talmud, Bava Kamma 2a ff.)

### **When you lend money to any of My people (Exodus 22:24)**

Wherever the Torah says the word "im" ("if" or "when"), the implication is that we are speaking of an action that is optional, except in three instances, where the spoken action is obligatory; this is one of them. (In other words, a person is obligated to lend money to a fellow in need of a loan.)

-- (Mechilta; Rashi)

### **You shall not act toward him as a creditor (Exodus 22:24)**

Do not show yourself constantly to him. . . . Do not press him for payment when you know that he is unable to pay.

-- (Mechilta; Rashi)

### **Neither shall you eat any meat that is torn by beasts in the field; you shall throw it to the dogs (Exodus 22:30)**

This is to teach us that G-d does not deprive any creature of its just reward. Because the dogs did not bark at the Israelites when they came out of Egypt (see Exodus 11:7), G-d said: Give them their reward.

-- (Mechilta) ❖

שבת שלום גוט שבת!



**Gutt Shabbos to all!**