



THE HARRY H. BEREN TORAH WEEKLY

A project of the Denver Community Kollel



Because Torah Is for Every Jew

Mishpatim 5776

February 5, 2016

A Taste of Torah Logically Illogical

By Rabbi Ari Aragon

One of the first things a child learns in grade school grammar is that you NEVER... EVER... start a sentence with the word “and.” That being the case, it’s puzzling to see that the parsha starts with, “And these are the *mishpatim* (laws)...” Why does the Torah start with “And?”

Rashi notes this and quotes a Medrash that says that this parsha is a continuation of the last. This teaches us, says Rashi, that just as the laws of the previous parsha, given following the Giving of the Torah, were given at Mt. Sinai, these were as well. Why did the Torah go out of its way to tell us such a seemingly inconsequential fact?

To explain this, we have to understand what *mishpatim* are. In Judaism, there are many different words for “laws.” Two common terms are *mishpatim* and *chukim*. Rashi explains the difference between these two things: *mishpatim* are laws that logically make sense, whereas *chukim* are laws that you can’t arrive at through mere logic - laws that man wouldn’t come up with on his own.

This distinction makes a verse we say every day very strange. Each morning during the morning prayers we recite (Psalms 147:19-20), “[Hashem] relays his words to Ya’akov, His *chukim* and His *mishpatim* to Yisroel. [But] He did not do this for any other nation, such *mishpotim* they don’t understand - *hallelukah*.” King David is praising Hashem and explaining that since Hashem did not give His *mishpatim* to the other nations, they don’t understand them. The obvious question is that if they’re *mishpatim*, which are things that man can figure out on his own, why can’t the other nations understand them?

I heard a very beautiful explanation to this question from a Rebbe of mine, Rabbi Knobel.

Even though a person can understand the shell of the law on his own, nevertheless, in its essence, each law is filled with *chukim* that we are not able to arrive at through our own logic. For example, if you ask a person, “What happens when a person steals from one person and sells it to another person?” The obvious answer would seem to be, “Thief! The object must be returned to the original owner, and the thief needs to reimburse the person he sold it to. And he needs to pay a fine to the one he stole from! AND he needs to spend some time in the slammer to learn his lesson!” Simple. But if we ask the Torah the same question, we get a totally different thought process. “First we have to understand the acquisition the thief created on the stolen object and to what extent he owns it, thereby giving him the possibility to make a valid sale. Then, we need to know if, at the time the acquisition was made, he did something else that would make him liable to the death penalty. If that is the case, he is not obligated to pay. Then we need to understand if, after a thief steals something then transfers it to someone else’s possession, the original owner still has rights to the object.”

There are endless shelves full of different foundational concepts that would never be found in a standard court of law - even in regards to the extent of the law itself. The Torah says that there’s an element of theft if you pass a poor person and don’t acknowledge him and say hello or give him a smile. Stealing a person’s honor is also theft! Such a perspective has never been heard in a

continued on back side

Stories For The Soul

Don’t Keep the Change

based on a story in Rav Schwab on Chumash
by Rabbi Myer J. Schwab

Rabbi Shimon Schwab (1908-1995) travelled from Baltimore to visit his son, Rabbi Myer J. Schwab, in early 1956. Rabbi Myer Schwab was still a young man studying in Yeshivas Rabbi Chaim Berlin in Brooklyn at the time. After concluding the visit, Myer accompanied his father on the subway to Mahattan. Some distance from the token booth, Myer found some coins on the floor. There was no way to locate the owner of the coins, as there were no identifying features on the money; Myer assumed he could simply keep the money.

“My father must have noticed that the cashier had watched me pick them up,” says Rabbi Myer Schwab. “He instructed me to go back to the token booth and give them to the cashier. I tried to reason that halachah allows me to keep them, but he said, ‘No, give them back, and I want to put my beard into the window so that she should see that Jewish people do not want other people’s money.’ He smiled and nodded to the cashier as I returned the money.”

This week’s parsha, Mishpatim, deals with the laws of other people’s money and possessions. But the Torah demands that we do more than just keep the laws; we must be sensitive to our relationship with money, and, at times, go beyond the letter of the law.

Kollel Happenings

RABBANIT MIZRACHI THIS SUNDAY AT AISH

The Women's Division of the Denver Community Kollel and Aish Denver present a video for women, *Tu BiShvat: Lessons for Our Growth*. This Sunday, February 7th at 8 pm at Aish Denver. Rabbanit Yemima is one of the most in-demand speakers today, attracting hundreds of women to her lectures, where she presents deep messages with a sense of humor.

Lecture sponsored by Rhoda Reiss-Pitler for a refuah shelaima for Tziporah bas Tzirel and Chana Pasha bas Chaya Sura.

No charge, suggested donation of \$5 to help cover costs of future video presentations.

LEARN 2 LEARN

You have long dreamed of acquiring the tools to achieve proficiency in learning Gemara on your own. But how? The Denver Community Kollel offers a comprehensive, step-by-step, level-by-level program crafted for people just like you. All you need is the ability to read Hebrew; we will teach you the rest. For more information, contact rmh@denverkollel.org.

RAV SCHWAB ON CHUMASH AVAILABLE FROM KOLLEL

The Denver Community Kollel is pleased to offer *Rav Schwab on Chumash*, a seminal collection of Rabbi Shimon Schwab's insights on the weekly parsha, for sale.

The book is available through the Kollel at a special discount rate of \$24.

To order, call 303-820-2855, email info@denverkollel.org, or go to www.denverkollel.org.

Increase Your Jewish IQ

By Rabbi Yaakov Zions

Last week we asked: What is unique about the *haftarah* of *Parshas Mishpatim*?

A: *Haftarah* is a portion of Prophets read after the Torah reading on Shabbos, holidays and fast days. Sometimes the selection ends on a negative message, and we therefore skip ahead (to another passage in the same book of Prophets currently being read) and conclude with a positive message. The

Haftarah of *Mishpatim* is the only time we skip backward to an earlier chapter. (For further reference, see *Mishna Berurah* 144:9 and *Ta'ama Dikra*, end of *Mishpatim*)

This week's question: Is it possible to have a complete Jewish calendar year without any Shabbos coincide with Yom Tov, Rosh Hashana or Yom Kippur?

To submit an answer to Rabbi Zions, email ryz@denverkollel.org.

Lives of Our Torah Leaders

Rabbeinu Tam, Part III

There are various reasons given as to why Rabbi Yaakov ben Meir was given the name "Tam." Perhaps the simplest approach is due to the fact that his namesake, the patriarch Yaakov, was called "ish tam". The simple meaning is that he was a simple person (in contradistinction to his brother Eisav, who was cunning). But the word *tam* can also mean "perfect and unblemished," and there is thus a Midrashic interpretation that the Torah is referring to Yaakov's perfection of character. Due to Rabbi Yaakov's great piety, leadership and scholarship, he was given the same appellation.

A more complicated explanation of the name offers the following: When a woman marries and brings a dowry into the marriage, the husband keeps the dowry if her death precedes his. In the section of the Torah listing the punishments that will befall the Jewish People if they fail to live up to their obligations, the Torah states

(*Vayikra* 26:20), "*Vesam larik kochachem*, "And your strength will be expended in vain." There is a Midrashic interpretation that this refers to one who gives his daughter a substantial sum for her dowry. The wedding takes place, and before the *sheva brachos* (seven days of celebrating the wedding) are over, the newlywed woman dies. Not only does the woman's father lose his child, he also loses the dowry, as the husband keeps it. The father is thus regarded as having expended his strength - his financial resources - in vain

Rabbeinu Tam enacted that if a woman dies within the first year of a marriage, the dowry reverts to her family. Because the verse expounded to allude to the tragedy begins with the word "*Vesam*," a word based on the word "*tam*," meaning "expend," and Rabbeinu Tam created an enactment to avoid the financial loss alluded to by the verse, he is referred to as Rabbeinu Tam.

A Taste of Torah

continued from front side

secular court of law!

This, then, is the answer, that every law in the Torah, including the ones that are perfectly logical, are really *chukim* in their essence. Every part of the Torah's wisdom is essentially a reality formed from the Creator Himself, and that truth is something that man wouldn't be able to grasp unless, as Rashi tells us, they were given to us at Mt. Sinai with the rest of the

Torah's *chukim*. The Torah is a picture of the true reality and values of life. Even though many times we can, on our own, arrive at the external laws of the Torah, we always have to keep in mind that the overall goal is to take ourselves and our perspective on life and reform them into the people the Torah wants us to be, with the perspective of reality of life and values through which the Torah itself sees the world.

The Torah Weekly is made possible through a generous grant from the Harry H. Beren Foundation of Lakewood, NJ, in memory of Harry H. Beren, z"l.

Denver Community Kollel: 1516 Xavier Street, Denver, CO 80204 Tel: 303-820-2855 Fax: 303-820-2806

Email: info@denverkollel.org Web: www.denverkollel.org

To receive Torah Weekly by email, send an email to torah-subscribe@denverkollel.org