

JewishTimes

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PATTERNS ARE PURPOSEFUL
CLUES TO GOD'S WISDOM.

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NEW BOOK PREVIEW



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LETTERS

RABBI MOSHE BEN-CHAIM

Tznius/Modesty

Reader: I'm a non-Jewish woman who has become interested in the topic of tznius. I find myself very drawn to dressing modestly and wanting to wear a headcovering. But then I think that it doesn't matter one way or the other how I dress because I'm an older woman and nobody is looking at me anyway! Please explain what benefits, if any, there would be for a woman such as myself who is no longer considered attractive, to dress in a modest fashion. The reason I want to know is because for some reason, I want to dress modestly and cover my hair, and I'm trying to determine if there are spiritual benefits in it even for an older, non-Jewish woman. Thank you.

Rabbi: First, covering the hair is only a law for a married woman. Modest dress is for all, men and women, married or single. The purpose in either is not to be less attractive, since a woman should desire to be attractive for her husband, and vice versa.

Modesty is meant to focus a person less on themselves, and more on God. The self, and certainly the body, are not our objectives. As man alone received the gift of intelligence, it is God's intent that man pursue a life of studying God's creations and His Torah. Wisdom offers man the greatest satisfaction. A step in preparedness for such a life, is to remove our energies and attention from material pursuits, such as wealth, over eating, sex and ego (immodest dress). Controlling these areas as God's Torah outlines, our minds are more free to engage our intellectual pursuits.

Therefore, these moral perfections apply to any person at any stage of life. ■



SECRETS OF THE

BIBLE

CHAPTERS FROM THE FORTHCOMING BOOK



RABBI MOSHE BEN-CHAIM

GOD CODED HIS BIBLE WITH HIDDEN MESSAGES BEYOND THE WORDS. THE VERSES' ORDER, JUXTAPOSITIONS, CONTRADICTIONS, SEEMING REDUNDANCIES AND OTHER PATTERNS ARE PURPOSEFUL CLUES TO GOD'S WISDOM.

SECRETS OF THE BIBLE

METAPHOR

Parshas Mishpatim describes numerous laws, without resorting to metaphor. We are taught of slaves, damages and other laws in a literal manner. Why then, when treating of the intruder, does God state, "If the sun shines upon you...(Exod. 22:2)?" Rashi interprets this "sunshine" as follows: "This is only a kind of metaphor; if it is clear the intruder is at peace with you, just as the sun brings peace...you are liable for shedding the intruder's blood." Torah teaches (according to Rashi) that despite the intruder's monetary crime, he does not forfeit his right to life if he would not kill you, had you opposed his robbery. And if you did kill him, you would have no defense based on grounds of trespass and/or robbery. From here we see 3 lessons:

1) Torah demands a level of intelligence. It demands we understand and apply metaphor. God's lesson of employing metaphor is that God desires that we use intelligence. By not resorting to literal description, but employing metaphor, God's lesson is that the modes of deduction, induction and parallels are indications that intelligence are essential to understanding Torah. That is, God purposefully employs metaphor to teach the very lesson that Torah requires intelligence. But why here? In what manner is the intruder a more fitting case to be described using metaphor?

2) We are absolutely clear about what a pit is, what a fire is, and what damages are. These are clearly measured by absolute physical parameters. But can one be absolutely certain of the intent



IN THESE 2 ESSAYS TAKEN FROM MY NEW BOOK "SECRETS OF THE BIBLE" (LATE FEB. 2016) I GIVE EXAMPLES OF GOD'S METHODS OF ENGAGING MAN'S MIND TO OBTAIN GREATER TRUTHS. THESE INCLUDE METAPHOR AS USED IN THIS ESSAY, AND JUXTAPOSITION AS GOD EMPLOYS IN THE FOLLOWING ESSAY ON WITCHCRAFT AND BESTIALITY.

(CONT. ON NEXT PAGE)

of another (the intruder)? How does one measure such an amorphous thing called “intent?” Perhaps as this is a “grey” area, since there is no unit that can accurately quantify “intent”, a metaphoric description of the degree required is necessary. Thus, God tells us that it must be as clear as sunshine: 100%. So if you know with 100% clarity that the intruder is not intent on killing you, you cannot kill him. How do you know this? It’s a personal call, as seen from the Torah’s lack of a concrete measure. Each relationship is different, and only the victim through his own intuition can gauge if this specific intruder would kill him. Perhaps this is why the verse says, “If the sun shines upon him...” It’s up to “him” to make this determination.

3) God equates the degree of our certainty to daylight. If there is any doubt the intruder might kill you, your defense is justified. Thus, error in this case sides with the victim. Any sense of risk allows the victim to use action. ■



since the two verses form a single section (parsha) in the Torah, the two commands must be linked. That link being that since a Noachide is prohibited in sexual deviations, and this verse is grouped with witchcraft, therefore, the Noachide is also prohibited in witchcraft. Torah groups concepts precisely due to commonalities. This makes sense. But we wonder at these two verses. What commonality exists between witchcraft and bestiality, as opposed to witchcraft and other sexual violations? And what about the inverse: why is it witchcraft that God links to bestiality, as opposed to fortune-tellers, superstitions, idolatry and all other idolatrous beliefs?

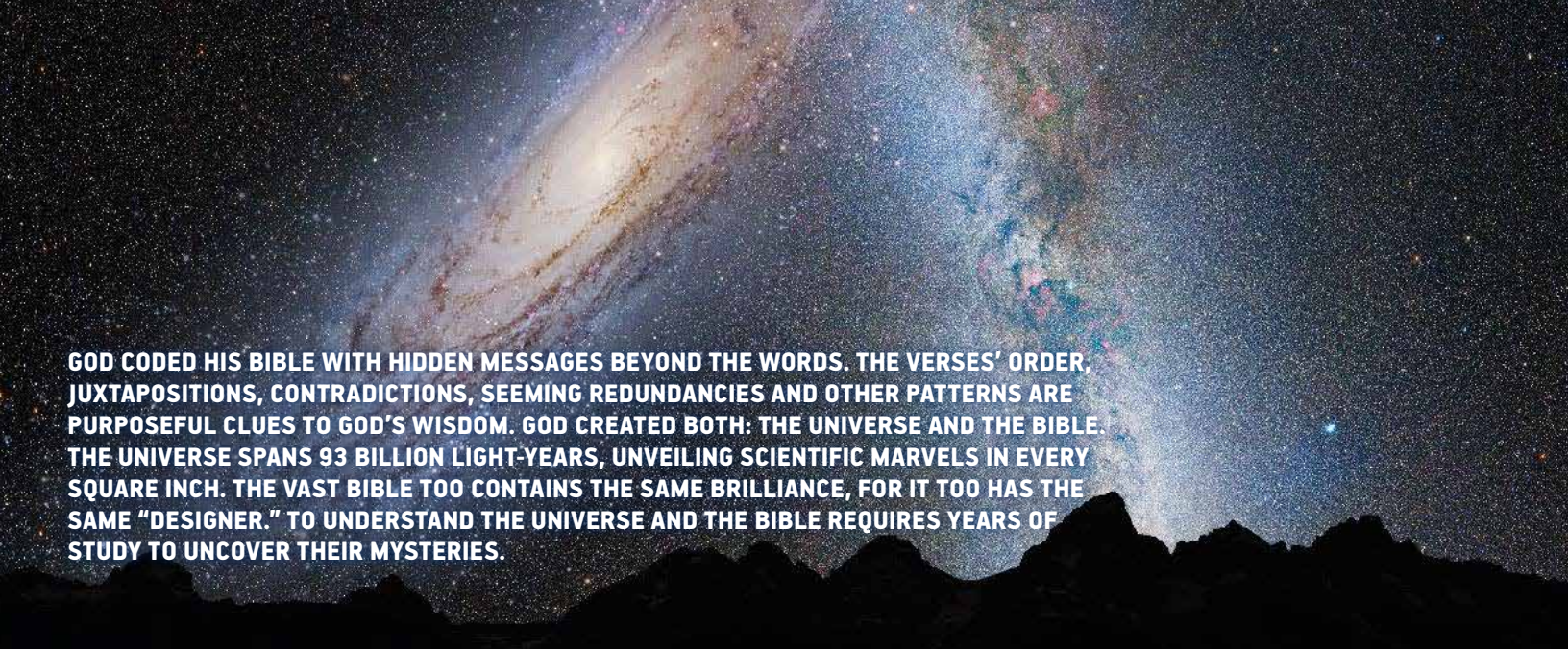
The Midrash states that Adam had intercourse with all the animals, but “Adam could not find a mate (Gen. 2:20).” Of course this is not literal. But what is the lesson? God said, “It is not good that man is alone (ibid 18).” What did God mean?

The Midrash teaches that man sought a partner. However, man’s partner is not simply one that gratifies sexual needs. That is why Adam was dissatisfied with the animals. He didn’t literally have intercourse with all animals: this is impossible. But it means to say that Adam recognized an essential component was missing in the animal kingdom. That component was the psychological identification with another. Animals do not possess a Tzelem Elokim – a soul. This is necessary for man’s attachment to, and enjoyment with his partner. What does this teach us about one who performs bestiality? It is clear: one desires the sexual gratification alone, without the element of identification, companionship or procreation. Such a

SECRETS OF THE BIBLE JUXTAPOSITION

In proving that Noachides are prohibited from practicing witchcraft in addition to their other commands, Talmud Sanhedrin (59b-60a) cites Rabbi Shimon citing two Torah verses: “A witch, one shall not let live. All who lie [sexually] with animals must certainly be killed (Exod. 22:17,18)”. The derivation is that

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deviant seeks to pleasure himself, and no one else. He is abnormal, as he does not seek a union with another human being. The self is the focus. It is all about "me." Part of the sexual act is that both partners desire to pleasure each other. This satisfies man psychologically, and it is a healthy emotion. But this deviant has only himself as his sole focus. Bestiality is thereby different than all other sexual deviations, as all others include two human partners. Bestiality is limited to one person. Let us now understand witchcraft.

What exactly is witchcraft, and how does it differ from all other idolatrous practices? In the base act of idolatry, one assumes a powerless object (stone, metal, animals, etc.) to possess powers. The idolater prays or serves the idol, awaiting a positive result. A necromancer assumes he or she has contact with the dead, but it is the dead person who offers power or knowledge. The same is true of fortunetellers: they say that certain times or fortuitous. And those who follow superstitions assume objects or events to be causal, when in fact they are unrelated to the anticipated

outcome. Molech is also an assumed power outside the self. In all these cases, one assumes powers to exist. But the witch is different. The witch or warlock boasts powers to be possessed by themselves. As a witch or warlock, "I" claim to be the cause of future events; "I" possess powers to alter nature.

We now see the unique commonality that exists in bestiality and witchcraft. In both cases, the "me" is the focus. In bestiality, the deviant sees only the self; he is seeking gratification for the self and no other. Witches and warlocks too live a life where their sense of reality is self-centered. In both cases, these deviant personalities suffers from an egomania, in which, he or she creates a reality around their sensual and psychological needs; they are the center of reality. They do not examine true reality to determine what is truth. Their sole focus is dictated by the self. And when someone lives a life where reality is dictated by ego, God is mutually excluded. So focused on the self are these two personalities, that their lives are no longer justified. Both must be killed. And they are not killed for idolatrous or sexual

violations per se, but for the corruption of the soul that is generated by such an attachment to the self. I thank my brother Brett for this keen insight.

Maimonides teaches that one must seek a life where one is equidistant from both poles in all emotional spectrums. One must not be greedy, or a spend-thrift...but generous to a point. One must not be a glutton or fasting at all times, but enjoy food moderately. But when it comes to ego, Maimonides teaches that one must never cave into that emotion, but always refrain and be humble. Maimonides teaches that the ego plays no role in our serving God. One who follows the dictates of the ego to this degree, opposes the purpose of human life, where we are to recognize God, and not the self.

This insight, I find most unique, for it further defines two prohibitions in the categories of idolatry and sexual prohibitions, normally viewed as just other deviations of the "same kind." It unveils a new facet of human nature. And with this recognition, we may now detect other Torah violations committed because we tend to view the "me" as the sole focus. ■

Bribing One to be Truthful?

MISHPATIM

Rabbi Moshe Abarbanel



If someone offers a judge a bribe, without any conditions, is it still considered a bribe? What if a litigant gives a judge a gift and tells him, "Whatever you decide is fine"...is that a bribe? Let us examine this week's Torah portion, which states: "And a bribe you shall not take, for the bribe blinds those who have sight and perverts the words of the righteous (Exod. 23:8)." What does the Torah mean by "blinding those who have sight?" Rashi makes this posuk even more confusing by commenting as follows: "Even to judge the truth and certainly, not to pervert justice; as regarding perverting justice it already stated (Deut. 16:19) 'You shall not pervert judgment'." So, Rashi clearly holds that this statement in Exodus is a warning against accepting bribes...even if you decide in favor truth, against the person who gave it you. But what would be wrong if the judge accepted this gift and came out with the correct ruling?

Rashi continues, "Blinding those that have sight: even [regarding] one learned in the Torah and who takes a bribe, in the end

his mind will become confused and his learning will be forgotten and the light of his eyes will become dimmed." How would accepting this gift and deciding righteously adversely affect a wise, learned judge? If he ignores the gift and makes the correct decision, one would think there should be no harm. Justice was done! What is Rashi trying to tell us?

Let us consider why a person typically bribes people. The briber wants to get his way. This stems from a self-centered view of the universe. This person does not care about justice, or others. His desire is rooted in an infantile mindset. "It is all about me and getting my way." This is very instinctual. Even if he is sophisticated and tenders a gift to a judge without any conditions, he is hoping to sway the judge towards his position. When a judge accepts this non-conditional gift, he becomes part of the briber's desire, even though he intends and acts correctly. Otherwise there is no reason to accept this gift, if he intends on deciding fairly. This will cause internal conflict in the judge. His instinc-

tual drive (yetzer harah) will be stimulated, which fights against his intellectual part (yetzer hatov). Hence, Rashi: "in the end his mind will become confused." The first part of the conflict is confusion: "His learning is forgotten." As he partakes of the instinctual, it forces him to forget his Torah knowledge. This is a must, otherwise the intellectual part would dominate and force the judge to return the money and recuse himself.

As the instinctual drive takes over it will become dominant; interfering with his ability to be involved with the great ideas of the Torah, i.e., "his eyes will become dim." The eyes and vision refer to man's perception. At this point it becomes hard for the Judge engage in Torah as he uses his position not for wisdom, but self gain. (Self gain is the same problem from which the bribing litigant suffers.) This makes it harder for him to return to his wisdom as his perception changed.

We see the greatness of the Torah. A non-conditional bribe is forbidden because of the corruption that it causes to the Judge – not because of the judgment. The Torah wants man to be perfected – not perverted – so he may serve his Creator. According to Rashi, this corruption may not disturb justice, but it will disturb man's perfection.

Rambam also considers this forbidden, however he considers this a bribe. In his listing of Mitzvot, he lists negative command number 274: "Do not accept bribes as Exodus 23:8 states, 'Do not take a bribe'." Here he uses our quote and makes no distinctions. But let's examine the Rambam's Mishnah Torah. In the book of Judges, Sanhedrin chapter 23, Rambam goes into depth at what constitutes a bribe. He writes in the first halacha, "Do not accept a bribe, it is not necessary to say to pervert justice but rather even to acquit the innocent and obligate the guilty – it is forbidden and you violate a negative command." In fact the Rambam includes anything a litigant might do to gain favor of the Judge with a bribe. Even a benign accidental act may cause a problem. He writes in the second halacha that a judge who is helped out of a small canoe by a litigant, must recuse himself.

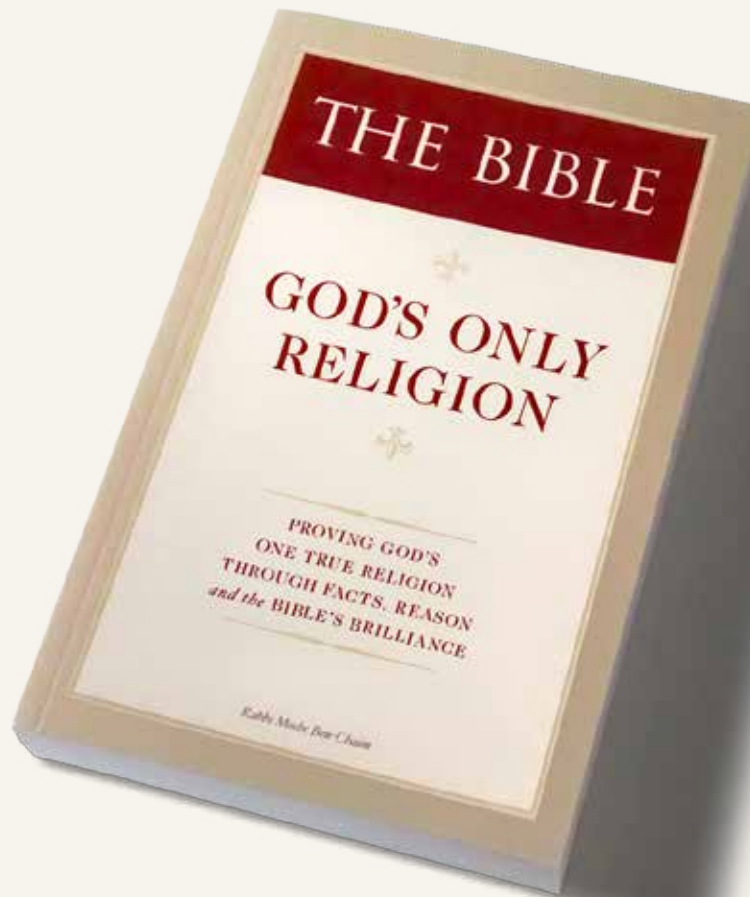
Even though the Rambam formally defines this as a bribe, both he and Rashi agree that it is forbidden, even though a proper decision was rendered by the judge. ■

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“

Chaya, My name is Jim Keller. You do not know me; nor do I know you. During R' Moshe ben Chaim's class on his new book, you were asking questions about how to deal with Christians. I understand the difficulty you must be having to some degree though I do not know the specifics of your situation, because I was once a Christian. I understand the emotional attachment that a Christian has to the object of his faith. I understand the way he reads Tanach. As I was thinking about your difficulty, I thought of an approach I have taken to examining the claims of the NT, and I thought it might be of use to you. So, I have typed up a short essay regarding the credibility of the resurrection claim.

This is not the greatest problem with Christianity, obviously. I am certain you are quite aware of the true problems with that faith. That one should worship a man is an abhorrent idea and certainly does not align with Torah. And there are other greater problems besides. But what I have written below is an approach I have never seen taken. If it can be of any service to you, please make use of it. If not, then discard it and think no more on the matter.

Shalom,
Jim Keller

”



Problems with Christianity

JIM KELLER

The Christian says that one needs to have faith in the atoning death and resurrection of Jesus. He will admit that it is true that none of us saw the resurrection of Jesus, but insist that we can rely upon it because of eyewitness testimony. One has good reasons to doubt this testimony, partly because there is a dearth of it. We do not have the accounts of many of the eyewitnesses, quite possibly none. We do not have an account by Peter or Andrew or James the son of Zebedee. Only two of the gospels are attributed to non-witnesses. And those two, Matthew and John, contradict each other on many points. This makes the credibility of the witnesses suspect, obviously. I propose a second test to the credibility of the resurrection story, however. I propose that we consider the story of the resurrection from a different perspective than that given by the NT, an outsider's perspective and consider the credibility of the story from a new angle.

To adopt the outsider's perspective, one can imagine that he existed during the time of Jesus but that he is not one of the disciples, only an interested party in the possible messiahship of Jesus. He should consider what information he would have had at that time and how he would have received it. Most importantly, he should imagine that he would have no knowledge of any private events unless and until they were later publicized. For example, he would not have seen Jesus tempted in the wilderness nor have any knowledge of such an event, because the gospels had not yet been written, but he would know of the feeding of the 5,000 either through direct experience or rumor. This will change the way he understands the story of the resurrection. Instead of being with the disciples for the resurrection of Jesus, the viewpoint of

the narrative, he can ask himself what it would be like to be alive during that time but not have seen the risen Jesus. What would he have heard? What would he have seen? And when those facts are considered, one is likely to see that the story of the resurrection is highly suspect.

So, let the reader imagine that he heard that Jesus claimed that he would rise from the dead after three days. Perhaps he was there when the Pharisees asked Jesus for a sign and he obstreperously answered: "An evil and adulterous generation asks for a sign, but no sign will be given to it except of the sign of the prophet Jonah. For just as Jonah was three days and three nights in the belly of the sea monster, so for three days and three nights the Son of Man will be in the heart of the earth" (Matthew 12:39-40). Or, if he did not witness this particular event, he heard about it. Either way, he knows of the claim Jesus has made that he will return to life after three days.

And let the reader also imagine that he heard some grand claims about Jesus being made. He was a healer, a teacher, a wonder-worker. He was the awaited Messiah. Even demons listened to him. Perhaps the reader heard Jesus on occasion and thought it might be possible. Perhaps, he thinks, Jesus might be the Messiah. Only time would tell. He may even hope that Jesus is the Messiah.

But then the unthinkable happens. Just when things seemed to be going so well, this candidate for Messiah was put to death by the Romans. It is a horrible death, a crucifixion. It seemed to put an end to the hopes that he was the Messiah. Still, all is not lost, because there is still that claim that he would come back from the dead. In theory one might tell himself that the jury is still out on Jesus.

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There is still a sign to be fulfilled in three days. All one must do is wait.

And so one does.

It is important now that the reader remembers that he, though existing at the time of Jesus in this imagined scenario, has no knowledge of any of the private events of the gospels. Thus, even though the gospels tell a story of Jesus coming back from the dead and appearing to his disciples, the reader would not know of them during the time they are supposed to have happened. Jesus did not appear publicly, so he has not seen him. Nor have the disciples reported the event, not on the third day. For the reader, as an interested person, three days come and go with no Jesus. A fourth day: no Jesus. A week: no Jesus. Two weeks: no Jesus. He has not come back after three weeks, let alone three days.

At this point, it would be fair for the reader to consider that Jesus' claims were false. He did not come back as he said he would. Perhaps the reader is disheartened. Or perhaps he just shrugs and continues on as before. Life goes on.

But then something quite strange happens. After seven weeks (fifty days), on the day of Pentecost Jesus' disciples reappear on the scene. They claim to have good news: Jesus rose from the dead just as he said he would! Initially, the reader may be troubled that the timeframe is wrong. Jesus predicted that he would raise after three days. He is forty-seven days late. On the other hand, coming back from the dead is a monumental feat. Perhaps it just took Jesus longer than he thought he would. It is still impressive.

The natural thing for the reader to say to the disciples at this point is: "Take me to Jesus." But, the disciples cannot do that. They tell him that Jesus did indeed arise, but ten days ago Jesus rose up into the heavens. And this is good news because it means that Jesus is sitting at the right hand of God! It should be noted at this point that everything written herein is consonant with the NT.

The writer of this short essay is not fabricating new elements to the story. He is only giving the reader a new perspective on the story. According to the Gospels and Acts this is what happened. Jesus appeared to his disciples in private encounters. He did not publicly come forth. He did not come to the Pharisees to whom he promised the sign and show himself. According to Acts 2, the disciples announced the resurrection of Jesus

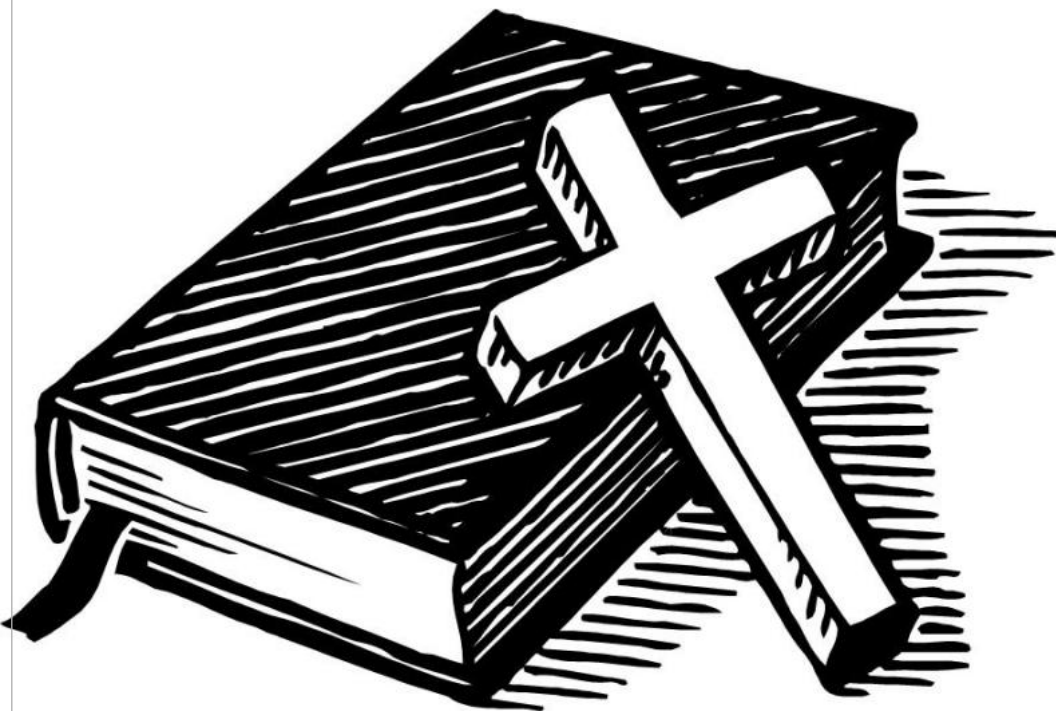
publicly on the Day of Pentecost, fifty days after the crucifixion, 47 days later than the projected resurrection. At that time, they produced no living Jesus. One had to take their word for it. The reader could be forgiven for finding this story suspect. It is easy to claim that a resurrection happened in somewhere far from here where the reader could not see. It is much harder to produce a once dead person now living.

Is this a credible story?

One cannot help but notice the great difference between Shavuot and Pentecost. It is incredible that the NT authors should choose Shavuot, what they call Pentecost, as the time of the proclamation of the resurrection of Jesus. On Shavuot over 2,000,000 sons of Israel heard the voice of God at Sinai. The event was public. And God did this to establish Moses as His prophet, so that the Jewish people would know to trust the Torah he taught them: "I am going to come to you in a dense cloud, in order that the people may hear when I speak to you and so trust you ever after" (Exodus 19:9). Could the Christian Pentecost be any more different? As the disciples claimed Jesus was resurrected, they had no Jesus to show the people. None of those who adopted Christianity on that day had seen the resurrected Jesus. They had to 'take the disciples' word for it.' How strange that when God established Moses, he did it

publicly so that Israel could know to trust him but with the supposed Messiah, upon whom one must believe according to Christianity, God does nothing to establish him.

The Christian teaches that one must be careful of his soul. If so, then he cannot deny that one must carefully weigh the evidence of the Christian claim. One cannot blindly commit himself to worshipping a man without calm consideration of the facts. When the facts are considered, one sees that he has no reason to trust the Christian claim that Jesus resurrected himself. The claim is not credible. Even the NT admits that Jesus did not publicly appear after his death. The claim that he was resurrected was made almost a full seven weeks after he was supposed to have risen with no living Jesus to support the claim. If one's neighbor came to him this afternoon and said to him, "You won't believe it! I can walk on water. I've been doing it all afternoon," it is likely that one would respond, "You're right, I don't believe it." He would expect to see this dubious feat before he believed it. Neither should one blindly believe in the resurrection with such a dearth of evidence. The Christian is right that one should guard his soul carefully. Let him put his trust in the Creator of the Universe rather than unsubstantiated fables. ■



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PARSHA

Contemplations of the Life of a Slave

MISHPATIM

Rabbi Bernie Fox



If you buy a Hebrew servant, six years he shall serve; and in the seventh he shall go out free for nothing. If he comes in by himself, he shall go out by himself; if he is married, then his wife shall go out with him. If his master gives him a wife, and she bears him sons or daughters; the wife and her children shall be her master's, and he shall go out by himself. (Sefer Shemot 21:2-4)

1. The basic laws of a Jewish servant

Parshat Mishpatim opens by outlining the laws governing the treatment of Jewish servants. There are two ways in which a Jewish person can enter into servitude. First, a person who steals and is unable to make restitution may be sold by the court. Second, a person may sell himself into servitude. This is permitted only if the person is completely destitute and has no other alternative. In either instance, the person must enter into the service of a fellow Jew and not a non-Jew.

Three basic laws are derived from the above passages. First, whether the person is sold by the court or sells himself, the period of service is for no longer than six years. With the onset of the seventh year, the servant is liberated.[1]

Second, the master of the servant may assign to him a non-Jewish servant with whom to procreate. The offspring of this union will be regard-

ed as the children of their mother and share her status as non-Jewish servants.[2] There is an important qualification to this law. The servant may be given a servant-mate only if he enters into servitude with a wife and child. However, if he is unattached when he enters servitude, the master may not assign a servant-mate to the servant.[3]

Third, at the end of his period of servitude, the servant leaves behind his servant-mate and any biological children that were produced by their union.

The Torah's legitimization of the institution of servitude presents many questions. Perhaps, the most troubling aspect of the institution is the union between the servant and a non-Jewish woman servant. The Torah requires that we marry within our nation and not take a spouse from without. It is remarkable that in this instance, the master may ignore this restriction and that the Jewish servant is required to obey his master's directive. Furthermore, it is strange that this law applies only to the man entering servitude with a wife and child. Why is having an existing family a prerequisite for being assigned a non-Jewish servant-mate? Moreover, as will be shown, the Torah's attitude to this strange union is ambiguous and confusing.

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But if the servant shall plainly say: I love my master, my wife, and my children; I will not go out free; then his master shall bring him unto the judges, and shall bring him to the door, or unto the door-post; and his master shall bore his ear through with an awl; and he shall serve him forever. (Sefer Shemot 21:5-6)

2. The servant who wishes to extend his period of servitude

The above passages explain that the period of servitude can be extended beyond six years. A servant who wishes to extend his servitude beyond six years is taken to court. There, his ear is pierced. With the taking of this measure, his servitude is extended to the Jubilee year – the Yovel. With the arrival of the Yovel, the servant's freedom is restored whether or not he wishes so.

Why would a person wish to extend his servitude beyond the required period? The passages address this issue. As explained above, when one leaves servitude, he is required to abandon his servant-mate and the children of that union. This may be a heart-rending expectation that the servant is unwilling to accept upon himself. Second, he may have developed a very close relationship with

his master and not wish to be separated from him. The Torah is very solicitous of the rights of the servant. A considerable set of laws regulate the master's treatment of his servant. These laws are designed to assure that the master cares for his servant's welfare. Also, he is forbidden to oppress the servant or to subject him to unreasonable labors. This combination of care and reasonable labor may be an improvement over the servant's previous condition. He may not be eager to return to the challenges that previously overwhelmed him.

The passages do not provide much insight into the significance of piercing the servant's ear. However, Rashi explains that the pierced ear is intended to be a sign of disgrace.[4] In other words, although the servant is permitted to extend his period of servitude, he is discouraged from doing so.

The Torah's negative attitude toward servitude becomes even more pronounced with the arrival of the Yovel. As explained, at the arrival of the Yovel, the servant must leave his master. His freedom is restored whether or not he seeks it. The Talmud explains that the master is even permitted

to use force in ejecting his former servant from his home. If in the course of using necessary force the servant is harmed, the master is not held responsible. The Talmud explains that the reason the master is permitted to resort to force is that the servant is now forbidden to continue his relationship with his servant-mate. The master is acting properly using force to separate these parties.[5] It is amazing that the strange relationship between the servant and the non-Jewish mate was initially permitted and with the arrival of the Yovel is regarded with such extreme disfavor that the master may use force to terminate it!

For unto Me the children of Israel are servants; they are My servants whom I brought forth out of the land of Egypt: I am Hashem your G-d. (Sefer VaYikra 25:55)

3. The problem with servitude

Let us put aside our questions regarding the Torah's strange attitude toward the servant's union with a non-Jewish mate, and more carefully consider its attitude toward the basic institution of servitude. It is clear from the above discussion that the Torah's attitude is measured and nuanced. Servitude is permitted and even utilized by

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the courts. However, its nature and duration are carefully restricted. The welfare of the servant is protected by a body of regulations. The duration is restricted to six years. It may be extended at the insistence of the servant, but he is discouraged with the threat of stigmatization. In no event, may he enter into a permanent state of servitude. With the Yovel, he is liberated – even against his will.

These various aspects of the institution suggest that the Torah viewed servitude as an innately destructive state – dangerous for both the master and servant. Yet, in some instances the state is justified or even required. Servitude is treated like a form of chemotherapy. It is terribly toxic. But it may save the life of a cancer patient.

Rashi identifies the reason for the Torah's cautious attitude toward servitude. Every person should respond to a single master – Hashem. A servant has a second master.[6] Both from a practical and from the psychological perspective, his devotion to Hashem as his sole master are compromised. Psychologically, his master assumes the role of a powerful authority in his life. Practically, he cannot devote himself to the development of his relationship with Hashem. He has given up control over his own life and placed in the hands of another.[7]

Why did the Torah allow servitude? Apparently, it is only permitted as a rehabilitative measure. Because it is intended as a rehabilitative measure, it must be temporary. Its goal is to address the behaviors and attitudes, the personal chaos, and desperation that led to either abject poverty or crime. The goal is to return the servant to the normative state – personal freedom. When the servant seeks to extend his servitude, he is defeating its very purpose.

In short, a healthy person devotes oneself to a personal mission and journey of ongoing spiritual development – a journey to come closer to G-d. Freedom provides the opportunity to pursue this mission and travel on this journey. Servitude diverts a person from this mission and journey.

... that you may remember and do all My commandments, and be sacred unto your G-d.

I am Hashem your G-d, who brought you out of the Land of Egypt, to be your G-d: I am Hashem your G-d. (Sefer BeMidbar 15:40-41)

4. The servant's relationship with his servant-mate is biological

Understanding the phenomenon of the servant's non-Jewish mate requires that we refocus on two essential details. First, this relationship is only permitted when the servant enters servitude with a family to whom he is attached and bound. He will remain the father and husband in that family during his period of servitude and beyond. Second, the servant who is assigned a non-Jewish servant-mate will procreate with that partner but he will never succeed in creating a family. He cannot marry this non-Jewish partner. The children will be his biological offspring but halachah will not recognize a familial relationship between them. They will be servants, like their mother. They will not be his true children or he their father.

What is the nature of the relationship between the servant and this servant-mate? What is its tenor and meaning? It is not a family. It is more a biological relationship than a spiritual union. It is pitted against the family life that the servant enjoys with his true wife and family. It is a comparison that is intended to demonstrate its shallowness when compared to his life in his real family. The intent is to frame the relationship with the servant-mate as reflecting a loss of dignity and a commentary on the servant's humanity.

This relationship communicates a very powerful message. The servant is a diminished individual. He cannot devote himself to the mission and journey that is the foundation of our humanity. His sacredness as a member of the nation of Israel is compromised by his servitude. Because of the compromise of his sanctity, this relationship with the servant-mate becomes permitted. This biological relationship is permitted and appropriate because the loss of personal freedom must be understood and recognized as a terrible defect in one's humanity. On the continuum of lifestyles between human and beast

this person has moved closer toward the lifestyle of the beast.

5. Choosing freedom in our own lives

We are not servants. However, we do make decisions that impact our personal freedom. The lesson of this Torah section is that we must set priorities. We need to ask ourselves difficult questions and answer them honestly. What are our lives about? What do we expect to accomplish? Do we have the freedom to achieve our goals or have we accepted upon ourselves masters who divert us from our missions and journeys? Do we have the courage to reject those masters? ■

FOOTNOTES

[1] Rashi, Shemot 21:2 explains that the above passages are dealing with the laws governing a person sold into servitude by the court. However, he maintains that the six-year limit on the period of servitude applies also to a person who sells himself into servitude. The Sages actually dispute this issue. Maimonides adopts the position that a person who sells himself into servitude may bind himself to his master for a longer period (Hilchot Avadim 2:3).

[2] This law applies to a person sold into servitude by the court. Some Sages extend it to a person who sold himself. Maimonides rules that a non-Jewish servant is forbidden to a person who sells himself into servitude (Hilchot Avadim 3:3).

[3] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Mishne Torah, Hilchot Avadim 3:4. Rashi, Shemot 21:3 notes that the servant must enter servitude with a wife but does not mention that he must also have children.

[4] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Shemot 21:6.

[5] Mesechet Baba Kamma 28a.

[6] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Shemot 21:6.

[7] For more thorough discussion of this issue see Rav Reuven Mann, Eved Ivri, TTL C-056.

The Right Historical Presentation

MISHPATIM

Rabbi Dr. Darrell Ginsberg

Chronology plays a critical role in helping to understand the flow of historical events. If the Torah is considered as a book of historical events, the way events are presented is incredibly confusing. There are times when events flatly contradict the historical chronology. Such inconsistencies are fodder for those who maintain the Torah was the invention of man as such an “old” book would be ripe for the many redactions and distortions that would emerge throughout its development. However, as the event at Sinai makes clear, the Torah is the word of God, and therefore reflects His infinite wisdom. We must ask about these deviations when they occur. However, we must accept the challenge of trying to understand the idea God is trying to convey rather than abandon the tenet of the Divine origin of the Torah.

One of the most well-known deviations in historical chronology can be found at the end of Parshat Mishpatim. The bulk of this Torah portion contains a milieu of commandments, ranging from civil law to the celebration of the three festivals to the punishment given to a sorceress. At the end of the instruction of these laws, the Torah turns to a completely different topic.

Starting with beginning of the 24th chapter, the Torah shifts tones. The first eleven verses detail a number of important occurrences. Moshe reports back to the Jewish people the “laws”, followed with their response of “we will do”. Moshe writes down that which God told him. There is a ceremony involving sacrifices, followed by the covenant of blood. Once more the Jewish people offer a famous response, this time “we will do, we will hear”. The section ends with a prophetic vision by the Jewish people.

The next section, as delineated in the

Torah, begins with Moshe being commanded to climb Mount Sinai alone to receive the tablets from God. The section ends with the revelation that Moshe would be on top of Mount Sinai for forty days.

Rashi, based on guidance from the Talmud, offers an approach regarding these two sections that is quite difficult to comprehend.

He first writes about the first section (Shemot 24:1):

“This section was [actually] said before the Ten Commandments [were given]”

Rashi then offers a more detailed explanation of each subsequent verse. For example, verse three mentions Moshe teaching the Jewish people the “laws”. Taking place two days prior to the Revelation at Sinai, Rashi explains that various laws were given over to the Jewish people. These included the seven Noachide laws, Shabbat, honoring one’s parents, and others that had been transmitted at the stop at Marah (see the Torah portion of Beshalach). If so, what was the book that Moshe wrote? This book was the present day Torah, from “In the beginning...” through the ongoing event at Sinai. Therefore, according to Rashi, when one reads from the Torah portion of Yitro, a large section of the history of the Sinai event recorded there was uprooted and moved to a postscript following the laws given in Mishpatim. True, there is an idea that the Torah is not a history book. However, such a breach in chronology surely deserved an explanation.

It only gets better. It turns out that the second section is also out of order. God commands Moshe to come up to Mount Sinai alone, receive the tablets, and remain there for forty days. Rashi (ibid 12) clarifies the date for us: “After the giving of the Torah”

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We have another confusing episodic disharmony at play here. Rashi is suggesting that the second section took place immediately after the event at Sinai. This would mean that this section, much like the above section, was moved from the Torah portion of Yitro to the end of Mishpatim. If so, then the actual giving of the laws contained in the Torah portion of Mishpatim took place after this conclusion to Mishpatim. Confused? Again, one can understand the premise of the Torah not being a book of history. But this re-arranging of events seems to be just impossible to appreciate.

It is challenging to try and develop an idea that encompasses every detail presented in the above sections, as there is no apparent underlying theme. However, it is possible to develop an approach to offer some degree of insight.

The first section, according to Rashi, took place immediately prior to the event at Sinai. What might be the problem in sticking with the history and placing these verses in their “rightful” place? When we speak of the event at Sinai, we are no doubt speaking of a transformative moment for the Jewish people. This was the beginning of the receiving of the Torah, the path of ideal life for man. There was one pivotal moment, in some ways the product of all the various occurrences at Sinai. God says that the Jewish people will be “a kingdom of princes and a holy nation”. The Jewish people were

going to be transformed into the nation of God through the event at Sinai. They would no longer be like any other nation. Their new status would be inculcated permanently into their makeup. This could be the reason why the first section was placed apart from its actual historical occurrence. When reading that section, we do see elements necessary in building a nation. The Jews had left Egypt together as a result of the exodus. Before receiving the Torah, there were certain preliminary laws that needed to be understood, a primer to the future system. There were covenants and ceremonies, all adding to the development of the identity of the nation. And this culminated at the event at Sinai. However, if the process of nationhood were described prior to the event at Sinai, one might think there indeed was a reality to the Jewish nation as the nation of God preceding the event at Sinai. In other words, it could be that the focus of our attention should be solely on this transformation to nation of God, sans any buildup. However, since these actions were part of the development of the nation, they were included as part of the text. Placing them in a different section tells us they are important, but that they would serve to possibly create a distortion when told in the normal order.

The second section above took place immediately after the Divine Revelation. Yet, according to Rashi, it was positioned after the laws described in the Torah portion

of Mishpatim. This shift could also be avoiding a potential distortion. When reading through the event at Sinai, it is easy for someone to conclude that the Ten Commandments assume a greater significance than other parts of the Torah; after all, they occupy the central moment of communication between God and the Jewish people. However, it is critical to understand that there is no greater quality to one section of laws over another. Moshe was to return to receive the rest of the Torah over a forty day period of time. Had this been recorded immediately after the event at Sinai, one might consider that the Torah was really a two-tier system. The Ten Commandments would occupy a qualitatively disproportionate position relative to the rest of the Torah. This does not mean the Ten Commandments are not to be viewed as being unique. According to many commentators, they serve as the categorical bedrock for the rest of the commandments. However, this does not mean that everything given after the Ten Commandments occupies a lower perch. Therefore, the Torah moves the command to return to Sinai to after a large contingent of multi-faceted commandments was given to the Jewish people, as if demonstrating that all the laws are equal. Upon reading the Torah in its current order, one would be able to relate to the importance of the Ten Commandments in the appropriate framework. ■

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PARSHA

Religious Narcissism

MISHPATIM

Rabbi Reuven Mann



This week's parsha, Mishpatim, sets forth the civil ordinances for governing Jewish society. This detailed exposition of laws pertaining to all forms of personal and property damage is surprising. Of course, the nation must be ruled by law, as vigorous social interaction will inevitably engender disputes that need to be equitably resolved.

What is unusual is the primacy accorded to this category of commandments. Most people associate religion with activities like prayer, ritual performances, and acts of compassion. Intense study of the most minute details pertaining to damages is not generally regarded as having spiritual significance.

Yet Judaism clearly places the subject of justice at the center of its religious system. The Rabbis say, "The whole Torah is dependent on justice; that is why the Holy One gave Laws after the Ten Utterances." What is the meaning of this statement?

To answer, this we must understand the nature of religion. For many people, it serves as a security blanket against the uncertainties of life. No matter how confident a person may seem to be, deep down there exists a nagging sense of insecurity.

No area of life is free of worries. We are concerned about earning our sustenance, about our children and our health. Our inability to control the most important

aspects of our lives weighs heavily upon our souls.

Beyond this is the fear that no one can escape. G-d endowed man with a sense of immortality, and there is nothing more disturbing than the prospect of death. Human insecurity and the fear of death are the most powerful forces which attract people to religion. At bottom, religious observance is a very selfish phenomenon.

This can be seen by the impact of the sufferings of devout people. It is difficult for religious people to believe that pious people can experience major calamities. This is rooted in the unspoken expectation that religious behavior should protect us from life's dangers.

People with this mindset draw a line between justice and spirituality. Many people who are less than honest in their business dealings are ardent in fulfilling their religious rituals. They worship a deity of their own making whose "job" it is to serve them by protecting them from harm. But this is the religion of narcissism.

Judaism is totally different. Its goal is to be the guide that leads a person to perfection. The most important realm of behavior is the proper interaction with others. So the supreme religious personality is the humble person who relinquishes narcissism and serves Hashem by striving to emulate His righteous ways. This person's goal is to elevate himself by increasing his wisdom and governing all his actions with honesty and consideration of others.

This ideal spiritual personality is cognizant of Divine Providence and desires Hashem's protection. He fervently beseeches his Creator to assist him in all his endeavors. However, he truly cares about the welfare of others as well. He does not view himself as special or more "deserving" than anyone else.

His goal is to perfect his character and to be beneficial to others in any way he can. He realizes the supreme importance of justice and why it is at the center of religious observance. The entire Torah is dependent on it, for otherwise, religion becomes a tool for mundane narcissistic objectives. The goal of Judaism is to create a "Kingdom of Priests and a Holy Nation." This is why the Torah exhorts, "Justice, Justice shalt thou pursue." And the Prophet proclaims, "Zion shall be redeemed through Justice". May we merit to see it.

Shabbat shalom. ■



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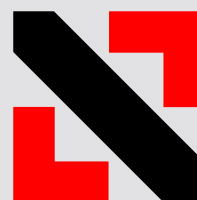
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