

PARSHAS MISHPATIM

תשפ"ו

Last week we read Parshas Yisro, which told the story of kabbolas haTorah. This week, at the end of Parshas Mishpatim, we have another account of kabbolas haTorah. In Yisro we read that Klal Yisroel said 'naaseh'. At the end of Mishpatim, we hear Klal Yisroel saying 'naaseh v'nishmah.'

In between these two declarations of Klal Yisroel at Har Sinai, we have the laws of mishpatim.

When Klal Yisroel were still in Egypt, Moshe conveyed the message of Hashem to Pharaoh to let Klal Yisroel leave for three days to worship Hashem and then return to being slaves. But this wasn't true – they never intended to come back! So why play these games?

The answer is that Klal Yisroel were not going to become permanently free when they left Egypt to accept the Torah. They were going to return to avdus – but this time, instead of becoming slaves to Pharaoh, at kabbolas haTorah we became slaves to Hashem.

There is no such thing as a truly free human being. A human being always serves something or someone. Either they serve their ego and their material desires, or they serve more spiritual goals. A person can be a big masmid while in yeshiva, but then when he goes to work, he becomes a slave to his boss and to his work – with no spare minute to himself to learn. Others get addicted to pleasure and cannot free themselves from the compulsion to indulge. Most people serve something, and we choose which master we serve.

Hashem said at Sinai that we are His slaves and no-one else's.

At the Yeshiva dinner, one of our honorees conveyed a very powerful idea in the name of Rav Yisroel Salanter. At the beginning of the parsha, we read about a Jew who is sold as a slave to another Jew. Either he sold himself, or beis din sold him to pay for his theft.

What is the difference between a hired worker and a slave? A hired worker is paid to carry out a specific job described at the time of employment. The employer does not have the right to ask the worker to do random things for him during the time he is hired for a specific job. But a slave has no specific job – he needs to do whatever his master asks, whenever his master wants him to do it. Any time of day or night. His time and his work are not his own.

Similarly, as Jews, Hashem can tell us whatever He wants us to do, whenever He wants us to do it.

A Jew might think it is a nice, easy life – to sell himself out to work for somebody and not have any responsibilities to provide for himself food or shelter. But the Torah says it is not ideal. Although it works and the kinyan is chal – still he shouldn't do it.

The Jewish thief who is sold by beis din to pay off the debt of his theft is also not the ideal situation. The maximum you are sold for is six years. Because you should not make yourself subservient to anyone but Hashem.

Beis din wants to sell the thief to a family who beis din hopes will train this eved to become moral and upstanding. The master is supposed to serve as a good role model so that when the slave leaves, he will no longer go back to live a life of crime.

The master has the right to ask the eved Ivri to do anything he wants – up to a point. But, he must be treated like family. The master can also give him a second wife who is a shifchoh kna'anis to make children

slaves with. The eved Ivri and the shifchoh both have no choice in the matter. The children will remain slaves, and the eved Ivri who fathered them will go free. Both a shifchoh kna'anis and an eved kna'ani are half-Jews – they are no longer non-Jews, but they are not yet Jewish.

But what if the eved Ivri says he likes this situation and he doesn't want to leave his half-non-Jewish family with no responsibilities? The Torah says beis din arranges for his master to drill a hole in his ear against the door. Why? Rashi explains that this ear was supposed to hear at Har Sinai that we became Hashem's slaves because He is our only master – and instead, he goes and finds himself a human master.

Rav Yisroel Salanter asks – shouldn't it be beis din who pierces his ear? Why does the master do it?

He answers that if the master had done his job properly of being a strong role-model for this Jewish slave, he shouldn't be trying to remain a slave when the six years are up. He should have been inspired by his Jewish master to aspire for freedom – to serve Hashem fully without the constraints of being a slave to another human being. But the master failed in this task – the Jewish slave wants to remain with his half-non-Jewish wife and kids to whom he has no real responsibilities. He didn't absorb the right goals after these six years. The master has failed in his job. So the master has to pierce his ear.

People have a choice as to what level of ruchniyus they want to live their lives on. Do you just want mediocrity – just to get by in your Yiddishkeit? Or do you want to strive for the maximum of avodas Hashem that you can?

We need to ask ourselves – are we living our lives as slaves to Hashem? Or as slaves to our desires and egos? Are we preoccupied with Torah and avodoh throughout the day, like a slave is preoccupied with the demands of his master – around the clock? Are we ready to give everything we have and everything we are to Hashem, without holding anything back?

How many people ask shailos in Choshen Mishpat when it comes to their business? Of the people who ask me shailos, only a few ask me these shailos about their business. A few do – and sometimes their business shailos have millions of dollars on the line!

Where are our priorities in life? When we wake up in the morning, do we get up like we are slaves under the crack of a master's whip? Or do we turn over and pull the blanket over our heads because we think we have a choice? This question can be applied to countless decisions we make every day.

The story of Parshas Mattos-Massei is very instructive. Bnei Gad and Bnei Reuven wanted to stay in Ever HaYarden. In response, Moshe Rabbeinu makes three orei miklot for just two and a half shevotim, and another three for the remaining nine and a half. Why so many for just two and a half? The gemara says there will be more murderers in Ever HaYarden than in Eretz Yisroel proper. How did Moshe Rabbeinu know that?

After Klal Yisroel conquered the territory of Sichon and Og and took all the spoils, there was a lot of trading that went on. Each shevet decided to barter with the other shevotim to give away what they didn't want in exchange for what they did want. Some shevotim amassed gold and silver, some amassed slaves, and Shevet Gad and Reuven traded what they had from the spoils for sheep and cattle. They realized that Ever HaYarden, where they currently were, had the best grazing land

which was perfect for large flocks of sheep and cattle. Naturally, they wanted to stay and not cross over the Yarden. Moshe said this is not a valid request.

This land of Ever HaYarden has a lower level kedushoh than the other side. Bnei Gad and Reuven said this is obviously what Hashem wants – He gave us all this cattle! We will settle for this land with the lower level kedushoh. Moshe said this attitude reflects the fact that you don't care about your neshomo.

What is a rotzeach beshogeg? Someone who is careless about the safety of others to the point where he kills accidentally. It means he is careless about the value of life in general – including his own. This is the connection between retzicha beshogeg and Bnei Gad and Reuven. They didn't value their neshomos enough to care that they were living in a place with a lower level kedushoh. They valued their money more. So they won't value the neshomos of others as well, and will come to have more fatal accidents.

The question is what gives your life value?

This Jewish eved thinks to himself that he has the best of all worlds. He has his Jewish wife and kids, and his half-Jewish wife and kids. Nothing about his serious lack in ruchniyus because of his situation matters to him. He completely missed the point of being a slave to Hashem.

When people make decisions about their lives – do they factor in where is the best place for their growth in ruchniyus? For their limud Torah and yiras shomayim? Not every yeshiva is the same for everyone. Not every frum neighborhood is the same for everyone. There are many factors that people prefer to focus on – the level of comfort, geshmak,

and gashmiyus, etc. But who takes the most important factors into account? Very few.

Millions of people are very interested in watching the Super Bowl. They say they can't help themselves but be glued to a screen watching a bunch of 250 pound athletes plow into each other. What is the pull? What is the excitement about? Millions upon millions of people! When I was young, I too was very involved in sports. But at one point in my life I decided to get involved in avodas Hashem and the Torah instead. This is something infinitely more important and more meaningful than sports.

One of the teams in the Superbowl was Robert Kraft's New England Patriots. Robert Kraft grew up Shomer Shabbos and his father never let him play sports on Shabbos while he lived at home. He resented it and when he left home for college, he said goodbye to Yiddishkeit and played sports on Shabbos. He decided what his priorities in life were – and totally missed the point of what life is about.

This is why, in between the two parts of kabbolas haTorah, is the parsha of eved Ivri. It teaches us that accepting the Torah means accepting avdus upon ourselves. We needed to go through the shibbud of Egypt and become slaves to Pharaoh in order to understand what it means to become an eved Hashem. The posuk says that Klal Yisroel are Mine because I took them out of Egypt, I am Hashem your G-d.

It is an important lesson for kabbolas haTorah in Parshas Mishpotim. We have to know who we are. How do we become a mamleches kohanim and goy kodosh? By leaving Egypt and becoming an eved Hashem.