

Yad Avraham Institute
Weekly Torah Commentaries Series
The Portion of
Mishpatim

February 19, 2009

Presented By: Rabbi Yosef Kalatsky, Shlita

<i>Inside This Week's Edition</i>	<u>Page</u>
1. <i>The Breadth of One's Scope</i>	2
2. <i>Realizing One's Innate Value</i>	3
3. <i>How Does One Come Upon Truth?</i>	4
4. <i>Yisro's Ability to Process and See Truth</i>	4
5. <i>One's Qualification to Study Torah</i>	5

About the Yad Avraham Institute

The Yad Avraham is a Torah learning institute located in midtown Manhattan. Classes are offered every day during the week starting at 5:50am and throughout the day. Classes in Chumash, Halacha, Hashkofa, Gemara, and general topics are well attended by businessmen, professionals, and students. The Yad Avraham invites you to participate in our extensive offerings of classes and events.

If you would like to receive this Weekly Torah Commentary Series by email

Please call 212-371-9555 or email:

info@yadavraham.org

TUNE IN TO OUR LIVE VIDEO BROADCAST OF CLASSES

And over

50,000 online classes 24 hours a day

Mishpatim

Presented by

Rabbi Yosef Kalatsky, Shlita

Dean

1. *The Breadth of One's Scope*

At the time of the splitting of the Sea G'd's revelation was at such a level that His Presence was tangible and obvious to all the Jewish people. The Torah states that the Jewish people had said, **"This is my G'd and I will extol him..."** The Gemara in Tractate Shabbos tells us that we learn from the verse *"Ze Keili v'anveihu – This is my G'd and I will extol Him..."* that when one performs a mitzvah one must do so in the most elaborate manner. This is referred to as *"hidur mitzvah – the beautification of the mitzvah"* The Gemara states that when one purchases a talis (four cornered garment with fringes) or a Torah scroll, etc. these items should be of the best and most attractive quality. By performing a mitzvah in the most elaborate manner one demonstrates one's reverence for the mitzvah because it is G'd's Will. It is only because one esteems the mitzvah that one performs it in the most elaborate manner.

Chazal explain that at the time of the splitting of the Sea, G'd's Presence was so palpable that the Jewish people were able to point to His Presence. Even the lowly maidservant was privy to a level of G'd's revelation that the great prophet Yechezkel was not. What did they come upon and experience that Yechezkel did not?

Every evening we say after the recitation of the Shema, "Who is like You among the heavenly powers....Your children beheld Your majesty/kingship as You split the sea before Moshe: 'This is my G'd' they exclaimed then they said, 'Hashem shall reign for all eternity...'" As a result of witnessing G'd's kingship the Jewish people exclaimed "This is my G'd and I will extol Him." Thus, the basis for their praise of G'd at the Sea was the revelation of His Kingship.

There is a law that states that one is not permitted to perform a mitzvah in a manner that would be considered inappropriate to present before a nobleman. This is rooted in the fact that when one performs a mitzvah, he is only doing so for the sake of G'd. Although it would be considered satisfactory to present to a commoner, it would be an affront to G'd, Who Wills existence.

When one may perform a mitzvah in a neutral manner, although he has done nothing inappropriate, he is nevertheless indicating that he is only doing the mitzvah to execute his obligation. The Gemara in Tractate Shabbos cites examples of mitzvos that one should perform in an elaborate manner. These examples are mitzvos that involve material objects that can be beautified and ornamented in a qualitative and lavish manner. When one intends to beautify a mitzvah, one must ask himself the question, is he doing so in order to esteem the particular mitzvah or is it an expression of his reverence of G'd, which manifests itself by doing the mitzvah in the most elaborate manner.

One's reverence for G'd through the performance of mitzvos in the most elaborate manner should be equally applied without any level of discrimination. This should be done whether it expresses itself through the material quality of the mitzvah or the meticulousness of its performance. The Jewish people at the Sea were inspired because they witnessed G'd's kingship through His revelation, which is the basis for adorning and extolling a mitzvah. How can one have an inkling of G'd's kingship in a time of concealment in order to be able to extol him properly?

King David writes in Psalms, "The heavens speak the Glory of G'd, and their expanse declares the work of His Hands..." One may gaze upon the sky itself and behold the kingship of G'd. However, in order to be able to perceive the heavens in this manner and not merely as a beautiful evening sky, one must gaze upon it through the same eyes that King David had. It is through the eyes of an individual who is imbued with spirituality. If one is spiritualized through the study of Torah and performance of mitzvos, then one will be able to have relevance to appreciating the kingship of G'd. This will motivate and inspire him to perform mitzvos in the most elaborate and selfless manner. How is one to be impacted by the study of Torah to this degree?

There is a Positive Commandment, **"Es Hashem Elokecha Tirah –you shall fear (revere) G'd."** The Gemara explains that the word "es," which in its own right has no interpretation but indicates an adjunct to the subject

matter being discussed (which is the reverence of G'd in this case), is coming to include Torah Sages. The Torah requires one to revere the Torah Sage no less than one must revere G'd Himself. By revering the Torah sage as one would revere G'd will cause the Torah knowledge that is imparted by the Sage to be revered as if it were given by G'd Himself. The study of Torah at this level will allow the individual to appreciate the kingship of G'd, thus expressing itself through praise.

2. *Realizing One's Innate Value*

The Torah states that after Avraham had asked G'd an inappropriate question G'd decreed, **“You shall know that your offspring will be strangers in a land that is not their own. There, they will be enslaved and afflicted for 400 years. Ultimately they will go out from there with great wealth.”** Thus, the Jewish people were to be in exile for 400 years and be afflicted by their taskmasters. Ultimately, they would be redeemed and go out with great wealth. What was the purpose of the great wealth that they would receive at the time of their departure? One would think that simply being redeemed from a state of great suffering would be adequate.

The Torah states, **“G'd said to Moshe, ‘...Please speak in the ears of the people: Let each man request of his fellow and each woman from her fellow silver vessels and gold vessels.’ Hashem granted the people favor in the eyes of Egypt; moreover, the man Moshe was very great in Egypt,... in the eyes of the people.”** G'd had promised Avraham that after the Jewish people completed their years of bondage, they would leave with great wealth. In order to actualize this promise, G'd had instructed the Jewish people to borrow from their masters silver and gold vessels. The Egyptian people agreed to release their most precious items to their slaves not because they had been decimated by the nine plagues that had come upon them, but rather only because the Jewish people found special favor in their eyes. G'd performed a miracle so that the Jew should be perceived as someone special by their Egyptian masters. Since the Egyptians believed that all they had left was their own material wealth, they could not be compelled to give their valuables upon request unless they felt that they were the beneficiaries. That was the purpose of the miracle of causing the Jew to find special favor in the eyes of the Egyptians.

The objective of the redemption from Egypt was so that the Jewish people should accept the Torah at Sinai and become G'd's holy nation. This was not only the

objective of redemption but also of Creation itself. Chazal explain that the opening words of the Torah allude to this fact. Existence only came into being for the specific purpose for the fulfillment of Torah, which is the ultimate. Another interpretation of Chazal for the opening words of the Torah is that G'd created the world for the sake of the Jewish people who are referred to as “reishis (chosen). In essence, the world was created only for the fulfillment of the Torah; however, because the Jewish people are the only ones qualified to receive it, it is considered to be the equivalent of the world being created for them. After the Jewish people received the Torah at Sinai they were commanded by G'd, **“Make for Me a dwelling place so that I may dwell amongst you...”**

The Jewish people were commanded to build the Mishkan to be the dwelling location for the Divine Presence. This elaborate and intricate edifice needed to be constructed from gold, silver, and an assortment of precious and rare items. The Jewish people, being in the desert needed to have sufficient materials in order to build the Mishkan. Therefore, they were in need of an abundance of wealth in order to provide the materials that were needed to build the Mishkan, without experiencing a sense of loss. The Midrash tells us that the least amount of wealth that was taken out by any Jew was the equivalent of forty pack animals laden with riches. This was the degree of wealth of the Jewish people after they had left Egypt. However, we see that the importance of the wealth that was granted to the Jewish people goes beyond the building of the Mishkan.

Chazal tell us that after the sea closed upon the Egyptian army that was pursuing the Jewish people, the sea spit out their remains upon the shore. In addition to their remains, all of the chariots and horses that were bedecked with gold and diamonds were also cast upon the shore. Chazal tell us that the spoils of the sea dwarfed the wealth that they had taken out of Egypt. The wealth at the sea was more than enough to provide the materials that was necessary to build the Mishkan. If so, then what was the value of the wealth that the Jewish people had taken out of Egypt itself?

Before the Jews were redeemed from Egypt, they were considered to be slaves of their Egyptian masters. They were the equivalent of the chattel of the Egyptian. They were fully subjugated and subject to the whims and wishes of their masters. They had no independent identity or value. Rather than compelling the Egyptian to give his wealth through intimidation, G'd performed a miracle so that the Jew found favor in the eyes of his master. He was no longer seen as a slave by the master but rather as a peer

of elevated status. The Egyptian felt that he was the beneficiary of lending the Jew his most precious articles. Had they left Egypt with the wealth that came about through extortion, they would have seen themselves as slaves who had revolted against their masters and plundered their wealth.

It was of the utmost importance that after being slaves in Egypt for hundreds of years, that there was a period of transition in order for the Jewish people to see themselves as truly freemen ascending to becoming the Chosen people of G'd. It was necessary for the Jewish people to view themselves as a kingly nation comprised of princes. The value of the wealth of Egypt was not for its own sake but rather it was a medium to uplift the Jewish people. However, the spoils of the sea, were more than sufficient to provide all the necessary materials for the Mishkan.

3. *How Does One Come Upon Truth?*

The Torah states, **“Yisro, the minister of Midian, the father-in-law of Moshe, heard everything that G'd did...”** The Midrash states, “There are those who listen and hear but do not gain from what they had heard. There are those who hear and benefit from it. As it states in the Song at the Sea, ‘The nations heard...they trembled with terror.’ However, despite what they had heard regarding the miracles that had come upon Egypt, they did not change their evil ways. In contrast, Yisro heard and he benefited. He had been a high priest of idolatry; however, after he had heard everything that G'd had done, he abandoned his position of prestige and attached himself to Moshe. (Although Moshe had been married to Yisro's daughter for many years, it was not until he heard about the miracles that G'd had performed on behalf of the Jewish people that he felt privileged to be the father-in-law of Moshe). It is because of Yisro that a Portion was added to the Torah. He was brought under the wings of the Divine Presence. He had criticized Moshe for the manner in which he was adjudicating the legal issues of the Jewish people....” It is not sufficient to be exposed to truth, but rather one must be willing to reflect upon it and then internalize its reality. One does not come upon clarity until this process has taken place. This is what Yisro had done.

The Midrash continues, “Yisro advised Moshe to appoint judges who were ‘men of great strength.’ In what way should they be strong? Those who qualify to be judges must be powerful in Torah. As it states in Psalms regarding the angels, ‘Bless G'd His angels mighty in strength (*geborei koach*) that do His bidding to obey the

voice of His word.’” Angels are mighty in strength because of their degree of clarity of G'd's Will. Because they know His Will, they do His bidding. Similarly, a Torah sage, because he is permeated with Torah, his perspective causes him to take on an unwavering initiative. He follows the Will of G'd without deviation because of his understanding that he gained through his Torah study. This is what qualifies one to be a judge.

Regarding the tablets containing the Ten Commandments, the Torah uses the term “*charus*-engraved.” The Mishna in Pirkei Avos (Ethics of our Fathers) states that the word “*charus*” (without vowels) could be read as “*cheirus* – freedom.” Meaning, the only truly “free” person is the one who is engaged in Torah study. The only way one can act within a context of choice and make the correct choice is through the study of Torah. If one does not have a sense of his own spirituality, he is driven and controlled by his physical inclinations, which have no relevance to spiritual growth. He is a slave of his desires.

The Gemara in Tractate Kiddushin tells us that when two Torah sages initially enter into a dialogue regarding the analysis of a Torah subject they begin as being the equivalent of enemies engaged in fierce battle. However, ultimately they conclude their discussion as beloved friends because they had come upon the truth of Torah through each other's interaction.

There is a continuous battle between the inclination of man, which identifies only with the physical, the positive inclination to do the Will of G'd. The only way to be victorious in this battle is to appreciate and internalize the value of a mitzvah, which is a dictate of G'd. This internalization of truth can only come about to the one who is imbued with Torah.

4. *Yisro's Ability to Process and See Truth*

The Torah states, **“He (through an agent) said to Moshe, ‘I your father-in-law, Yisro, have come to you, with your wife and her two sons with her.’”** Moshe was informed by Yisro's agent to come out and greet him. If he would not come for the sake of Yisro, he should do so for the sake of his wife and children. The Torah continues, **“Moshe went out to meet his father-in-law...”** The Midrash tells us that because Moshe went out to greet Yisro, his brother Aaron also followed him out of respect. Out of respect to Moshe and Aaron, Nadav, Avihu, the elders of Israel and the entire Jewish people also went out to greet Yisro. Literally millions of people went out to

greet Yisro. This level of honor was unique. Why did Moshe afford his father-in-law such honor by going out to greet him?

The Midrash states, "G'd said to Moshe, 'I am the One who Willed existence. I am the One who brings close and does not push away...I am the One who brought Yisro close and did not push him away...Identically just as I do not push anyone away, now you Moshe, must not push Yisro away because he is approaching you to convert. Rather, you should bring him close and do not keep him at a distance. Immediately, Moshe went out to greet his father-in-law.'" In what way did G'd bring Yisro "close?"

The Torah states, "**Yisro, the minister of Midian, the father-in-law of Moshe, heard everything that G'd did...**" Yisro had heard what the nations of the world had heard, yet he was the only one who was affected. As a result of his understanding, Yisro chose to forgo his position of honor in Midian to follow the Jewish people into the desert and become attached to Moshe. Although the nations of the world also heard what Yisro had, they remained unaffected and unimpressed. The only way that Yisro was able to have such a unique understanding of what he had heard, was because G'd had afforded him Divine Assistance. Because of this special Divine Assistance, he was the only one to be affected so profoundly that he was compelled to follow the Jewish people into the desert and come under the wings of the Divine Presence. Without G'd's intervention, Yisro would not have been affected by what he had heard. This is how G'd brought Yisro close. Why did Yisro merit this level of Divine Assistance?

One would think that perhaps it is because of the hospitality and gratitude that he had demonstrated to Moshe after he had assisted his daughters. One could also say that it was because Yisro had taken him into his house and offered his daughter as a wife, when he was a fugitive from Egypt. However, we see that Yisro offered his daughter in marriage because he recognized the special qualities of Moshe. He understood that it was a unique opportunity to be able to have someone of the dimension of Moshe as a son-in-law.

Yisro was a man who sought truth and justice. The Gemara in Tractate Sanhedrin tells us that Pharaoh had three advisors in his court – Yisro, Bilaam, and Eyov. Initially when Bilaam had suggested enslaving the Jewish people, Eyov had remained silent and Yisro fled to Midian as a sign of protest. He could not tolerate this level of injustice, especially after all that Yosef had done for Egypt as its Viceroy. In the merit of this sensitivity to the Jewish

people and truth, Yisro merited to be endowed with special clarity that allowed him to become closer to the truth. Thus, his desire for truth brought him to the ultimate truth, which was to convert and become part of the Jewish people. It was not because of his intellect that he decided to leave his position in Midian, but rather it was his profound attachment to truth that caused him to hear what the nations of the world did not.

5. *One's Qualification to Study Torah*

The Torah states, "**In the third month from the Exodus of the Children of Israel from Egypt, on this day, they arrived at the Wilderness of Sinai.**" The Midrash asks, "Why did G'd not give the Torah to the Jewish people immediately after they had left Egypt? As the verse states, 'G'd said to Moshe, **when the people shall leave Egypt they will serve Hashem, Your G'd on this mountain...**' Why then did G'd wait three months to give the Torah to the Jewish people after leaving Egypt? Reb Yehudah bar Shalom explains it is analogous to a prince who had just recovered from a serious illness. His father the king said, 'We shall wait three months until my son recuperates fully. Only then shall he return to the house of his rebbe's to continue his Torah study.' Similarly, when the Jewish people left Egypt they were spiritually blemished from the years of bondage. G'd had said, 'I will wait until they recover and heal. Then I will give them the Torah.'"

Rambam writes in the Laws of Torah Study, "One can only teach Torah to one who exhibits proper behavior. If one is living a life that is contrary to the ways of Torah, he must first be redirected to the proper path. It is only after this has been achieved that you may bring him to the study hall and commence to teach him Torah. Chazal tell us that if one teaches Torah to an inappropriate student it is similar to throwing a stone at Marculos." The Gemara in Tractate Avodah Zorah explains that the pagan ritual of worshiping Marculos entailed placing a horizontal stone upon a vertical stone and then throwing stones at the structure. One would think that by stoning this idol, one is actually disgracing it; however, because it is its method of worship, it is considered bona fide idol worship. Thus, one would be subject to the death penalty. One may think that regardless of one's behavior or beliefs it would be beneficial to teach this individual Torah; however Chazal teach us differently. They equate it to the worshiping of Marculos, which is the antithesis of G'd's Will.

The manner in which one processes and understands information is affected by their character, emotional condition and spiritual make up. If one has a corrupted disposition, it will distort everything that he processes and internalizes. One who is tainted by paganism or other falsehoods will not be able to process the Torah correctly. He will distort and corrupt the Torah that he is taught in a manner that is consistent with his own issues. If G'd were to have given the Torah to the Jewish people immediately after they had left Egypt, where they had descended to the forty-ninth level of spiritual impurity, they would have integrated it into their being, together with their spiritual imperfections that they possessed as a result of being pagans. They first needed to be purified and cleansed of their pagan beliefs and spiritually rehabilitated to the point where they could be able to process the Torah correctly. Similar to the prince who needed to recover for three months after his serious illness. By the time the Jewish people had come to Sinai they had ascended to the forty-ninth level of spiritual purity thus qualifying them to receive the Torah.

Chazal teach us "Proper character and qualities (*derech erez*) is a prerequisite for Torah." Meaning, one must possess innate qualities and character traits in order to be able to acquire and process Torah properly. If one does not naturally possess these characteristics, then they must be developed and acquired. Rambam writes in Hilchos Deos that even if one is born with deficient characteristics, one is able to establish a "second nature" within himself through positive conditioning. Through this process, he will the capacity to study Torah and internalize its precepts for what they truly are.

The Gemara tells us that the Torah can only be acquired and retained by one who has a humble mind. If one is not humble, then he is not seeking truth but rather is only attempting to satisfy his own needs and issues. It is the one who is truly humble who will be able to attain and retain the Torah because he is a qualified vessel for it.

6. Tempering One's Ego Through the Fear of G'd

At the beginning of the Portion of Mishpatim, Rashi cites Chazal who ask, "Why does the Torah juxtapose the Portion of Mishpatim (which begins with the laws pertaining to the rabbinic court of Israel /Sanhedrin) to the Portion of the building of the Altar? It is to teach us that the High Court of Israel (Sanhedrin Gedolah) needed to be placed adjacent to the Altar (the Sanctuary of the Temple). Meaning, that the Sanhedrin should convene in

one of the chambers of the Temple that was located alongside the Sanctuary. This location was known as the Chamber of Cut Stone (*Lishkas HaGazis*)." What is the significance of the Sanhedrin being located adjacent to the Sanctuary? Why must the location of the Divine Presence be associated with the High Court of Israel?

One could say that the Sanhedrin Gedolah, which was comprised of seventy-one judges, needed to be associated with the Divine Presence because it adjudicated issues that pertained to capital punishment, thus affording them with the necessary level of clarity. However, we see that the High Court was not the only court qualified to issue the death penalty. The lower courts comprised of twenty-three judges, which existed in every community, was qualified to issue the death penalty without being located adjacent to the Sanctuary.

The Torah tells us that if there was a dispute among the lower courts, regarding a Torah law or perspective, they would ascend to the High Court that was located on the Temple Mount in order to elucidate and resolve the matter. The verse states, "Torah goes forth from Zion... (*Ki me Tzion teitzei Torah*)." Meaning, the source of clarity regarding the Torah emanates from the location of the Divine Presence, which is the Sanctuary located in the Temple. Therefore, one needs to go to the location of the Sanhedrin Gedolah, who possess that special level of clarity.

The law states that if the Sanhedrin Gedolah is not in session in the Chamber of Cut Stone, the lower courts are not permitted to adjudicate cases involving the death penalty. We see from this that the clarity that the lower courts receive in order to be able to issue such rulings emanates from the High Court's relationship and proximity to G'd.

King David writes in Psalms, "The prerequisite (or) beginning of wisdom is the fear of G'd (*Reishis chachmah yiras Hashem*)" King David is stating that without the "fear of G'd" one could possess a level of genius that is unequalled, yet, simultaneously has no understanding of truth. He processes existence based on his own inner conflicts of interest. However, if one's intellect and knowledge is predicated on the fear of G'd, he will see the world within the context of G'd's perspective, which is in fact reality. If one truly fears G'd, then he will be negated, thus allowing him to see truth. His conflicts of interest will be removed.

The Gemara in Tractate Sanhedrin tells us that the Judges who were qualified to sit on the Sanhedrin were

required to understand seventy languages because they needed to hear the testimony directly from the witnesses without any intermediary. The Sanhedrin was composed of Judges that were not only proficient in the entire Torah but also many branches of knowledge because they were directly or indirectly related to their qualification to be able to render decisions. The Gemara tells us that although one is not permitted to study the laws of witchcraft, the judges of the Sanhedrin were permitted to be fully versed in all these areas in order to adjudicate those cases properly. The judges who qualified for the Sanhedrin possessed a level of genius and understanding that we are not able to comprehend.

Every person, especially one who is endowed with an exceptional level of genius is subject to ego. If one is not sufficiently humble, his ability to process truth becomes seriously impaired. The only way one can be truly humbled is to sense the presence of G'd. As King David writes in Psalms, the prerequisite of wisdom is the fear of G'd. Without the fear of G'd there can be no wisdom. Rambam tells us that Aristotle was one of the greatest geniuses that ever lived. However, because his genius was completely subjected by his ego, he did not come upon the truth of G'd. If one's genius is tempered and directed as a result of one's fear of G'd then that individual will come upon truth. This is the reason the Sanhedrin was located within the proximity of the Divine Presence. By being in the presence of G'd the judges of the Sanhedrin would remain humble, despite their dimension of person. This humility brought to them clarity in order to be able to render all levels of judgment. In addition, it was through them that the lower courts received Divine Assistance to be able to do the same. Moshe because he was the most humble person who ever lived was qualified to be the conduit of the ultimate truth, which is the Torah itself.

YAD AVRAHAM DAILY CLASS SCHEDULE

Monday Through Friday

5:50- 6:00 am	Chumash with Rashi
6:00- 6:15 am	Pirkei Avos (Maharal)
6:15- 6:30 am	Mishna Berurah
6:30 -6:45 am	Mussar – Derech Hashem
6:45 -7:25 am	Talmud—Tractate Chulin –Kisui Hadam
7:25 - 8:20 am	Davening Followed by Breakfast
8:20 - 8:45 am	Mishna - Rabbi Rovner
9:00 -10:00 am	Daf Yomi- Bava Kamah
2:00pm	Mincha

Special Weekday Classes

Monday

11:30 – 12:30pm	Talmud: Megilah Location: Sunrise Capital 641 Lexington (25 th FL.) Enter on 54 th Street
1:00-2:00 pm	Ramchal: Derech Hashem Location: Cedarview Capital 1Penn Plaza (45 th FL.)

Tuesday

12:10 - 1:10pm	Torah Insight Based on the Parsha Location: Yad Avraham
----------------	---

Wednesday

11:30 – 12:30 pm	Talmud: Megilah Location: Sunrise Capital 641 Lexington (25 th FL.) Enter on 54 th Street
1:00—2:00 pm	Daas Tevunos Location: Yad Avraham

Thursday

11:00 –12:00pm	Duties of The Heart Location: Yad Avraham
12:30 – 1:30 pm	Talmud: Megilah Sunrise Capital 641 Lexington (25 th FL)