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מִשְׁפָּטִים 18 Mishpatim

Overview

The sequence of events covered in *parashat Mishpatim* appears quite confusing. In *parashat Yitro*, the Torah recounted all the preparations for the Giving of the Torah up to halfway through the 4th of Sivan, omitted the events of the rest of the fourth and fifth days and continued with the account of the Giving of the Torah on the sixth day of the month. Then, without even mentioning that God told Moses to ascend Mount Sinai again after the Giving of the Torah to learn the details of the law, the Torah proceeds to articulate these details in the beginning of *parashat Mishpatim*. After giving these laws and recording God's promise to protect and assist the people in their conquest of the Canaanite nations,¹ *parashat Mishpatim* backtracks to the buildup to the Giving of the Torah. It describes the preparations of the fourth day and the fifth day of Sivan (which were mysteriously omitted in *parashat Yitro*), briefly recapitulates the Giving of the Torah, and describes Moses' ascent afterward to learn the details of the law (which also was mysteriously omitted from either the end of *parashat Yitro* or the beginning of *parashat Mishpatim*). This puzzling and ambiguous sequence demands an explanation, for the Torah only deviates from the chronological description of events when there is good reason to do so.

In rearranging the narrative, the Torah accentuates the dual effect of the revelation at Sinai. As we have mentioned,³ the Torah is God's guide to living, but it is also much more than that. As alluded to in the opening word of the Ten Commandments,² God declares that "I have written and bestowed My very soul in the Torah"; He implanted His *essence* within us when He gave us the Torah. Thus, giving the Torah established a double connection between God and the Jewish people: a *contractual agreement* based on commandments, compliance, reward, and punishment, and a *covenantal bond* transcending the parameters of behavior and forging an inviolable, eternal bond between God and His people. The contractual agreement was expressed through God's commandments and our acceptance of them; the covenantal bond was expressed through the rituals and rites surrounding the revelation.

To help us recognize this distinction, the Torah describes these two types of relationship separately. The account of the Giving of the Torah in *parashat Yitro* opens with a

1. Nachmanides understands this narrative with its warning concerning idolatry to be the culmination of the earlier laws. 2. See on Exodus 20:2. 3. Overview to *parashat Bereishit*; above, on 20:2.

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general prelude, on the second day of Sivan, encompassing both of these aspects,⁴ and then deals exclusively with the contractual agreement. In discussing the preparations for the revelation, it focuses on the *directives* that God gave the people to ready themselves for it, and its description of the revelation comprises solely the *instructions* God gave the people—the Ten Commandments and the commandments that constitute their direct follow-through.⁵ Following the revelation, the Torah continues with the commandments principally governing civil law, in order to demonstrate how God’s law is to permeate and determine even the seemingly logical conventions of a just society. This continuation forms the first and greater part of *parashat Mishpatim*.⁶

From that point on, *parashat Mishpatim* returns to the preparations for the Giving of the Torah, this time focusing on the covenantal bond between God and the Israelites, through which the nation was granted its unique identity as God’s holy people. It describes the people’s preparations to enter into the *covenant*: how they accepted the Torah unconditionally by proclaiming “we will do and we will learn”; how Moses wrote down the “Book of the Covenant”; how God had them build an altar, offer sacrifices, and had Moses sprinkle them with “the blood of the covenant.” Tellingly, this *parashah* places great emphasis on *ascending* the mountain,⁷ for the focus here is the covenant, through which the Jewish people rose spiritually and connected to God. This conspicuous emphasis on ascent also reflects the second element of the bond between God and the people on the cosmic level, the empowerment of the world to draw nearer to God.

The narrative of Moses’ ascent after the revelation is likewise split into two separate accounts. This is because when God summoned Moses to ascend Mount Sinai again after the revelation and remain there for forty days and nights to receive the rest of the Torah, it was in order to present him with *both* of these aspects of the Torah in more concrete form. On the one hand, God taught him the numerous detailed laws of the beginning of *parashat Mishpatim*—the commandments, which constitute the *contractual* side of the relationship. On the other hand, He gave him the two tablets, which serve as enduring testimony to the *covenantal* side of the relationship between God and the Jewish people. (This is seen in the terms the Torah uses to refer to the tablets: “the Tablets of Testimony”⁸ and “the tablets of the covenant.”⁹) The first element—the laws in the beginning of *parashat Mishpatim*—follows the first account of the revelation in *parashat Yitro*; the second element—which begins with God summoning Moses to “come up...and I will give you the tablets of stone”¹⁰—follows the second account, at the very end of *parashat Mishpatim*.

The sequence in this narrative can now be understood: first the Torah describes the contractual aspect of the Giving of the Torah in its entirety—by relating all those parts of the event, from the preparatory instructions, to the Ten Commandments, the commandments of the altar, and the commandments of *parashat Mishpatim*, which God taught Moses on the mountain. After its exhaustive portrayal of this side of the coin, the Torah sets out to convey the covenantal aspect of the Giving of the Torah by describing those details of the event, from start to finish.

Immediately thereafter, the Torah proceeds to the design for the Tabernacle—although its mandate, Rashi notes,¹¹ came much later—after the sin of the Golden Calf and Yom

4. See on Exodus 19:5. 5. The verse that introduces these commandments (20:19) reads: “You have seen that I spoke with you from heaven, [therefore] you shall not make [a representation of anything that is] with Me.” 6. I.e., until the end of chapter 23. 7. 24:1, 9, 12, 13, 15, 18. 8. Exodus 31:18; 32:15; 34:29. 9. Deuteronomy 9:9, 11, 15. 10. Exodus 24:12. 11. Exodus 31:18; 33:11.

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Kippur—for the bond of the covenant culminated in the construction of the Tabernacle, by means of which¹² God dwelled in the midst of the Jewish people. Hence, the tablets of the covenant were kept in the innermost sanctum of the Tabernacle.

As for the name *Mishpatim*, this word is one of the Torah's synonyms for "laws," and refers specifically to those laws whose logic we readily understand—laws that any civilized society would conceive of and institute on its own. Indeed, most of the laws given in the beginning of this *parashah* fall into this category. But how does this name apply to the second half of the *parashah* if, as we have just said, it is devoted to the covenantal, supra-rational aspect of our relationship with God?

The Torah's message here is actually quite lofty. The *mishpatim* were taught right after the Giving of the Torah in order to emphasize that "just as the [Ten] earlier [Commandments] are from Sinai, so, too, are these from Sinai."¹³ As has been pointed out,¹⁴ the Ten Commandments comprised both sublime principles of faith and *mishpatim* in order to teach us that we must fulfill the *mishpatim* because they are transcendent Divine laws ("from Sinai")—not only because they make sense. The apparently prosaic *mishpatim* are not merely the means to ensure society's survival; they are meant to be ways to connect to God. To abide by them simply because they are sensible is to fail to recognize their infinite value as part of the Divine vision. Thus, our challenge is to fulfill the rational *mishpatim*—and indeed, even those commandments for which the Torah itself gives a reason—with the same unquestioning acceptance and self-abnegation with which we fulfill those commandments whose explanation is entirely elusive.

Precisely because the Torah's rational laws are also part of our supra-rational connection to God, the Torah prohibits¹⁵ Jews to bring legal cases before a non-Jewish court, even cases that non-Jewish courts judge the same way the Torah does. For while their laws are founded exclusively on reason, Jewish law encompasses transcendent reality, as well.¹⁶

On the other hand, were we to perform God's will *solely* out of unquestioning acceptance, transcendent Divinity would not penetrate into our personalities and would not change us in any intrinsic way. Our religiosity would be imposed from without rather than driven from within. By understanding God's will, we attune our intellect as well as our behavior to Divine truth; Divine truth becomes the interface through which we engage the world. The Torah's ideals become our ideals, affecting every fiber of our being.

Nonetheless, despite our intellect's ability to enable Divine consciousness to permeate us and thereby remake us, it remains limited. Since God is infinite, there will always be aspects of Divinity that are simply beyond the reach of human intellect. It would therefore seem that there is no way that these aspects can be integrated into our normative consciousness.

Herein, however, lies the lesson of how the name of this *parashah*, *Mishpatim*, applies even to its second half. If our solid foundation of transcendent faith permeates even our rational relationship with God (*parashat Yitro*), and, based on that foundation, we then endeavor to comprehend our rational relationship with God to the limits of human intellect (the first half of *parashat Mishpatim*), the Torah promises us that even transcendent Divinity will permeate our being, enabling us to think, feel, and relate to the world as emissaries of Divine consciousness on earth.¹⁷

12. Exodus 25:8. 13. *Mechilta; Shemot Rabbah* 30:3. 14. Above, on 20:12. 15. Below, 21:1. 16. *Likutei Sichot*, vol. 8, p. 131, note 50. This is the inner, spiritual reason for this law; the contextual reason is given in 21:1, below. 17. *Likutei Sichot*, vol. 26, pp. 153-159, vol. 16, pp. 242-249.

— ONKELOS —
 21:1 וְאֵלֶּיךָ דִּינָא דִּי תִסְדֵּר
 קְדָמִיחוּן: 2 אָרִי תִבְנֵן עֲבָדָא
 בְּרִי שְׂרָאָל שִׁית שְׁנִין יִפְלַח
 וּבִשְׁבִיעָתָא יִפּוֹק לְבַר חוֹרִין מִגֵּן:

21:1 וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר תִּשִּׁים לַפְּנִיָּהֶם: 2 בִּי
 תִּקְנֶה עֶבֶד עֲבָרִי יֵשׁ שְׁנַיִם יַעֲבֹד וּבִשְׁבַעַת יֵצֵא
 לַחֲפָשִׁי חֲנָם:

— RASHI —

וְאֵלֶּיךָ דִּינָא דִּי תִסְדֵּר — בְּשִׁאֲוֵיבְדֵינוּ פְּלִילִים, וְהוּא עֵדוּת
 לְעֵלְוֵי יִרְאָתָם: 2 בִּי תִקְנֶה עֶבֶד עֲבָרִי. עֶבֶד שֶׁהוּא עֲבָרִי.
 אוֹ אֵינוֹ אֶלָּא עֶבֶדוֹ שֶׁל עֲבָרִי, עֶבֶד כְּנַעֲנִי שֶׁלֹּקְחָתוֹ
 מִיִּשְׂרָאֵל, וְעָלְיוֹ הוּא אוֹמֵר: "שֵׁשׁ שָׁנִים יַעֲבֹד", וּמָה
 אֲנִי מְקִים "וְהִתְנַחֲלָתָם אִתָּם"? — בְּלִקְוֹחַ מִן הַגּוֹי, אֲבָל
 בְּלִקְוֹחַ מִיִּשְׂרָאֵל יֵצֵא בְּשֵׁשׁ? תִּלְמוּד לֹאֹמֵר: "כִּי־יִמְכֹר
 לְךָ אֲחִיךָ הָעֲבָרִי", לֹא אִמְרָתִי אֶלָּא בְּאֲחִיךָ: **בִּי תִקְנֶה.**
 מִיָּד בֵּית דִּין שֶׁמְכָרוּהוּ בְּגִבְתוֹ, כְּמוֹ שֶׁנֶּאֱמָר: "אִם־אֵין
 לוֹ וְנִמְכַּר בְּגִבְתוֹ". אוֹ אֵינוֹ אֶלָּא בְּמוֹכֵר עֲצָמוֹ מִפְּנֵי
 דְּחֻקוֹ, אֲבָל מְכָרוּהוּ בֵּית דִּין לֹא יֵצֵא בְּשֵׁשׁ? כִּשְׁהוּא
 אוֹמֵר: "כִּי־יִמְוֶה אֲחִיךָ עֲמָךְ וְנִמְכַּר־לְךָ", הֲרִי מוֹכֵר
 עֲצָמוֹ מִפְּנֵי דְּחֻקוֹ אֲמֹר, וּמָה אֲנִי מְקִים "כִּי תִקְנֶה"?
 בְּנִמְכַּר בְּבֵית דִּין: **לַחֲפָשִׁי.** לַחֲרוּת:

1 וְאֵלֶּה הַמִּשְׁפָּטִים. כָּל־מְקוֹם שֶׁנֶּאֱמָר "אֵלֶּה" — פָּסֹל
 אֶת הָרָאוּשׁוֹנִים. "וְאֵלֶּה" — מוֹסִיף עַל הָרָאוּשׁוֹנִים, מָה
 הָרָאוּשׁוֹנִים מְסִינִי, אֵף אֵלוֹ מְסִינִי. וְלָמָּה נִסְמְכָה פְּרִשְׁת
 דִּינִין לַפְּרִשְׁת מוֹבָח? לֹאֹמֵר לָךְ, שֶׁתִּשִּׁים סִנְהֶדְרִין אֲצִל
 הַמִּקְדָּשׁ: **אֲשֶׁר תִּשִּׁים לַפְּנִיָּהֶם.** אֲמַר לוֹ הַקָּדוֹשׁ בְּרוּךְ־
 הוּא לְמַשָּׁה: לֹא תַעֲלֶה עַל דַּעְתְּךָ לֹאֹמֵר: אֲשַׁנֶּה לָּהֶם
 הַפֶּרֶק וְהִתְלַכָּה שְׁנַיִם אוֹ שְׁלֹשָׁה פְּעָמִים, עַד שֶׁתִּהְיֶה
 סְדוּרָה בְּפִיָּהֶם כְּמִשְׁנֵתָהּ, וְאֵינִי מְטָרִיחַ עֲצָמִי לְהִבְיִנֵם
 טַעֲמֵי הַדָּבָר וּפְרוּשׁוֹ. לָכֵךְ נֶאֱמָר: "אֲשֶׁר תִּשִּׁים לַפְּנִיָּהֶם"
 — כְּשֶׁלֹּחַן הָעֶרְוָה וּמוֹכֵר לְאֶבֶל לַפְּנֵי הָאָדָם: **לַפְּנִיָּהֶם.**
 וְלֹא לַפְּנֵי גוֹיִם. וְאֶפְלוּ יִדְעַת בְּדִין אֶחָד שֶׁהֵם דִּנִּין אוֹתוֹ
 כְּדִינֵי יִשְׂרָאֵל, אֵל תְּבִיאָהוּ בְּעֶרְכָּאוֹת שְׁלָהֶם, שֶׁהִמְכִּיא
 דִּינֵי יִשְׂרָאֵל לַפְּנֵי גוֹיִם — מַחֲלֵל אֶת הַשֵּׁם וּמִיָּקָר שֵׁם
 עֲבוּדָה וְרָה לְהַחֲשִׁיבָהּ, שֶׁנֶּאֱמָר: "כִּי לֹא כְּצוּרָנוּ צוּרֵם,

1. דברים לב, לא. 2. ויקרא כה, מו. 3. דברים טו, יב. 4. שמות כב, ב. 5. ויקרא כה, לט.

— CHASIDIC INSIGHTS —

explain in our comments on the following verse, the laws of slavery allegorically reflect varying degrees of servitude to God. The laws applying to the non-Jewish bondman are not discussed at this time, for, as we will explain presently, every person can attain that level of servitude to God on his own. For the greater, more spiritual levels, however, Moses' assistance is required. Thus, God tells Moses:

These are the laws you shall set before them.... "Set these guidelines before the Jewish people; make these spiritual levels accessible to them. Moreover, ensure that they actually attain these levels; make them a part of them."¹⁴ As a result of this help from Moses, it becomes possible for every Jew to—

...buy a Jewish bondman: to attain (the degree of spiritual servitude personified by) the Jewish bondman.¹⁵

2 If you buy a Jewish bondman: The case of a Jew who is sold by the court as a bondman in order to repay what he stole is quite rare and it reflects negatively on the Jewish people, focusing on the sinners among them. It is nevertheless chosen to open the Torah's presentation of civil law.

One could argue that such a Jew is not important; after all, he succumbed to the materialistic desires of

his body, rather than following the calling of his soul. Why bother with him? Therefore, the Torah begins by dealing *specifically* with this type of person and immediately informs us that even this sinner must be treated with respect and compassion. Regardless of a Jew's spiritual state, he is still one of God's chosen people.

This compassionate approach to justice, exemplified in the Torah's treatment of the bondman, is the very heart of the Jewish civil law system, whose thrust is the refinement and elevation of the physical and material day-to-day life of a Jew. The case study of a bondman, therefore, is a fitting introduction to the ensuing legal discussions.¹⁶

Another reason the subject of bondmen was chosen to begin this portion is because of its spiritual significance. We are all expected to serve God with total devotion. There are three levels of this devotion to God, corresponding allegorically to the three types of bondmen:

— The Non-Jewish Bondman

Although the sages advise against it on humanitarian grounds, it is theoretically permissible to have a non-Jewish bondman do work that has no apparent

14. Reading the word for "before them" (לפניהם) as implying "into their inward selves". 15. *Sefer HaMa'amarim* 5714, pp. 74-75; *Sefer HaMa'amarim Melukat*, vol. 1, pp. 307-308. 16. *Hitva'aduyot* 5747, vol. 2, pp. 481-482.

The Jewish Legal System

21:1 While Moses was still on Mount Sinai, God gave him the general outline of all the Torah's commandments.¹ In this context, He repeated the legal code that He gave the people at Marah² and that Moses reviewed before the Giving of the Torah.³ By repeating these laws on Mount Sinai, God endowed them with the same legal force as the rest of the Torah.⁴ He also taught Moses the *details* of the commandments in the following section.⁵ Inasmuch as the details of these laws are too complex to learn in only forty days, God "gave" Moses a full understanding of them on the last day.⁶ God gave the details of the rest of the commandments (with a few exceptions⁷) between Tishrei 10, 2449, when Moses descended Mount Sinai,⁸ and Iyar 20, 2449, when the people began their journeys.⁹

God prefaced this section by saying: "In order to adjudicate legal cases, you will have to set up a system of courts. The highest of these courts, the Sanhedrin, must be located adjacent to the Tabernacle, wherein the people will offer their sacrifices, in order to decide cases of ritual law. Furthermore, you must teach the legal code to the people thoroughly and explain the derivations and reasoning behind each law so they understand it well. Tell them that they must bring all their legal cases to their own courts and not to those of other nations—even if these other courts try a particular case according to the same legal principles laid out in the Torah—for this would imply that the Jewish courts are incapable of trying such a case. This causes embarrassment to the Jewish people and enhances the prestige of these non-Jewish courts, whereas My intent is that the Jewish people inspire the other nations to imitate *them*."

These are some of the laws that you shall set before them:

The Hebrew Bondman

2 "Although you are all now wealthy because of the booty you took in Egypt and at the Sea of Reeds, there may nonetheless come a time when things will be different.¹⁰ Thus, if, in the future, a man among you becomes so poor that he steals something, and he cannot pay back its value, the court may sell him for a period of service in order to pay back his debt.¹¹ (The court may not, however, sell a woman thief.¹²) **If any of you buy such a Hebrew bondman from the court, he shall serve his master for six years, and in the seventh year he shall go free without further obligation to make any payment.** He will also go free in the Jubilee year, even if this occurs prior to the end of the six years from when he was purchased.¹³

❧ CHASIDIC INSIGHTS ❧

1-2 And these are the laws that you shall set before them. If you buy a Jewish bondman: The Torah defines two categories of bondmen: non-Jewish and Jew-

ish; different laws apply to each category. This verse, which discusses the Jewish bondman, is addressed in the singular—as if directly to Moses. As we will

1. *Likutei Sichot*, vol. 17, p. 276, note 6. 2. Above, 15:25. 3. Below, 24:3. 4. *Sefer HaSichot* 5749, vol. 1, pp. 244-245. 5. Rashi on 31:18, below; *Likutei Sichot*, vol. 17, p. 276, note 6, vol. 26, p. 154, note 9. 6. Rashi on 31:8, below; *Sichot Kodesh* 5733, vol. 2, p. 335. 7. *Likutei Sichot*, vol. 17, p. 280, note 25. 8. Below, 34:28. 9. Numbers 10:11. *Likutei Sichot*, vol. 13, p. 93, note 5, vol. 17, pp. 281-282. 10. *Likutei Sichot*, vol. 16, pp. 251-256. 11. Below, 22:2. 12. *Mishneh Torah, Geneivah* 3:12. 13. Leviticus 25:40.

— ONKELOS —

3 אם בלחודוהי ייעול בלחודוהי יפוק אם בעיל אתתא הוא ותפוק אתתה עמה: 4 אם רבונה יתן לה אתתא ותליד לה בנן או בנן אתתא ובנהא תהי לרבונה וזוא יפוק בלחודוהי: 5 ואם מימר עבדא רחמינא ית רבוני ית אתתה וית בנן לא אפוק לבר חורין:

3 אִם-בִּגְפוֹ יָבֵא בִּגְפוֹ יֵצֵא אִם-בְּעַל אִשָּׁה הוּא ויֵצֵאָה אִשְׁתּוֹ עִמּוֹ: 4 אִם-אֲדָנִיו יִתֵּן לָו אִשָּׁה ויִלְדֶּה-לּוֹ בָּנִים אוֹ בָנוֹת הָאִשָּׁה ויִלְדֶּיהָ תִּהְיֶה לְאֲדֹנֶיהָ וְהוּא יֵצֵא בִּגְפוֹ: 5 וְאִם-אָמַר יֹאמֵר הָעֶבֶד אֶהְבֵּתִי אֶת-אֲדֹנִי אֶת-אִשְׁתִּי וְאֶת-בְּנֵי לֹא יֵצֵא חֲפָזִי:

— RASHI —

במזונות אשתו ובניו: 4 אִם-אֲדָנִיו יִתֵּן לָו אִשָּׁה. מכאן, שְׁהָרְשׁוֹת בֵּיד רַבּוֹ לְמַסֵּר לוֹ שִׁפְחָה בְּנִעְנִית לְהוֹלִיד מִמֶּנָּה עֲבָדִים. אוֹ אֵינוֹ אֶלָּא יִשְׂרָאֵלִית? תִּלְמוּד לומר: "הָאִשָּׁה ויִלְדֶּיהָ תִּהְיֶה לְאֲדֹנֶיהָ", הָאֵינוֹ מְדַבֵּר אֶלָּא בְּכַנְעֲנִית, שֶׁהִרֵּי הָעֶבְרִיָּה אֵף הִיא יוֹצֵאָה בְּשֵׁשׁ, וְאֶפְלוּ לִפְנֵי שֵׁשׁ אִם הִבִּיָּאָה סִמְנֵין יוֹצֵאָה, שֶׁנֶּאֱמַר: "אֲחִירָהּ הָעֶבְרִי אוֹ הָעֶבְרִיָּה", מִלְּמַד שֶׁאֵף הָעֶבְרִיָּה יוֹצֵאָה בְּשֵׁשׁ: 5 אֶת-אִשְׁתִּי. הַשִּׁפְחָה:

3 אִם-בִּגְפוֹ יָבֵא. שֶׁלֹּא הָיָה נָשׁוּי אִשָּׁה, כְּתִרְגוּמוֹ: "אִם-בְּלַחֲדוּהִי". וּלְשׁוֹן "בִּגְפוֹ" — בְּכַנְפּוֹ, שֶׁלֹּא בָּא אֶלָּא כְּמוֹת שֶׁהוּא יְחִידִי בְּתוֹךְ לְבוּשׁוֹ בְּכַנֵּף בְּגָדוֹ: בִּגְפוֹ יֵצֵא. מְגִיד, שֶׁאִם לֹא הָיָה נָשׁוּי מִתְחַלָּה, אֵין רַבּוֹ מוֹסֵר לוֹ שִׁפְחָה בְּנִעְנִית לְהוֹלִיד מִמֶּנָּה עֲבָדִים: אִם-בְּעַל אִשָּׁה הוּא. יִשְׂרָאֵלִית: וְיוֹצֵאָה אִשְׁתּוֹ עִמּוֹ. וְכִי מִי הַכְּנִיסָה שֶׁתֵּצֵא? אֶלָּא מְגִיד הַכְּתוּב, שֶׁהַקּוֹנֶה עֶבֶד עֲבָרִי חֵיב 6. דברים טו, יב.

— CHASIDIC INSIGHTS —

We are still bound by the self-centered limitations of our nature; we are simply using that nature to serve God. Our emotions are involved, but we have not yet sublimated them to God altogether.

In contrast to life at the level of the "non-Jewish bondman," we study the Torah for a noble purpose: to be connected with God. Nonetheless, we strive to be connected to God for our own benefit rather for the sake of God or the Torah. The same is true of how we fulfill the commandments: we fulfill them in order to draw God's infinite light into our soul. We recognize that God is the source of life and that the way to connect to Him is through His commandments; therefore we comply with His will.

☞ The Jewish Bondwoman

The highest level of service is that of the Jewish bondwoman. She plays a central and vital role in the master's household: she prepares the food and is thus responsible for the health, enjoyment, and social welfare of the family. Under certain circumstances, the Jewish bondwoman can actually marry into the household.

Spiritually, this is the stage where we are no longer limited by our egocentric nature, for we have risen above it. We no longer focus solely on our own good; we feel part of God and His agenda becomes ours.

At this level, we study the Torah for its own sake. We have become so connected with the Torah that we

have become one with it, so there is no dichotomy between the student and the subject. Similarly, we fulfill the commandments because that is who we are rather than for any benefits that may result.

The Torah begins its legal code with the case of the Jewish bondman because, once the Torah has been given, the opportunity exists for us to orient our emotions toward Godliness. Then, as we mature spiritually, we can advance to the level of the Jewish bondwoman and identify with God totally.²⁰

He shall serve for six years, and in the seventh he shall go free: Allegorically, the six years allude to the six millennia between the creation of the world and the messianic era. During the first six millennia, we must struggle with the imperfections of the world and work to improve and perfect it. But in the seventh millennium, "he shall go free," for there will no longer be any need for work.²¹

The bondman's release in the seventh year is dependent upon his having worked during the preceding six years. The knowledge that his labor will ultimately bring him to freedom makes it easier for him to work; the promise of liberty inspires him to work with joy and vigor.

At this point in our history, the knowledge that we stand so close to the end of the sixth millennium should imbue our labor with the joyous anticipation of the impending redemption.²²

20. *Torat Chaim* 2:71b ff; *Or HaTorah, Mishpatim*, pp. 1127 ff; *Derech Chaim, Sha'ar HaTefilah* §66 ff; *Derech Mitzvotecha*, pp. 83b-85a; *Sefer HaMa'amarim* 5714, pp. 67-75; *Sefer HaMa'amarim Melukat*, vol. 1, pp. 308 ff; *Likutei Sichot*, vol. 16, pp. 256-257.
21. *Torah Or, Mishpatim* 76a. 22. *Hitva'aduyot* 5711, vol. 1, pp. 241-242.

3 It will be explained presently¹⁷ that if his master wishes, he may give this bondman a non-Jewish maidservant in order to father non-Jewish children through her, who will then be the master's legal servants. But this applies only if the bondman is already married to a Jewish woman: **if he comes** to his master **single**, his master may not give him a non-Jewish bondwoman for a wife, and thus, when he leaves his master's service, **he shall leave** still being **single**. On the other hand, **if he has a Jewish wife** when he begins his term of service, his master is obligated to provide not only for the bondman's needs but also for those of his wife and his family as long as he is in his master's service—even though they do not become servants together with him. Of course, when he leaves his service, **his wife shall leave** his master's care **with him**, i.e., the master will no longer have to provide for her.¹⁸

4 **If** the bondman has a Jewish wife and **his master gives him** a non-Jewish bondwoman for a **wife**, and **she bears him sons or daughters**, **the woman and her children shall belong to her master**, and when he leaves his master's service, **he shall leave alone**, i.e., without them, and return to his Jewish wife and family.

5 **But if**, in such a case, **the bondman repeatedly says**, **'I am fond of my master, my non-Jewish wife and my non-Jewish children; I do not want to go free,'**

✧ CHASIDIC INSIGHTS ✧

purpose. Thus, even though this was probably rarely if ever done, the fact that it is permissible in theory indicates that this level of bondage is one in which the bondman does not *necessarily* feel any personal satisfaction in his work. Such a bondman would understandably prefer to indulge his natural propensity for permissiveness and irresponsibility rather than submit to a life of service to someone else. He works either out of resignation to his stature or due to fear of punishment, but not because he expects any emotional satisfaction.¹⁹

This type of service is similar to our relationship with God before we have developed any enthusiasm for our Divine mission. Our *a priori* animal nature still has the upper hand and our emotional focus is still on the fulfillment of our material needs and desires. We may perform our religious duties perfectly, but that is merely the result of our reticence to sin. Alternatively, we may indeed succumb to sin, but we struggle against our evil inclination and attempt to mend our ways. In either case, our submission is merely the result of God's will having been imposed upon us, or, worse, no more than our fear of physical or spiritual punishment. Our actions are technically correct, but void of any positive emotional involvement.

At this level, we study Torah coldly and for ulterior motives: for the sake of knowing how to behave (and thus avoid punishment), for the enjoyment provided by the intellectual stimulation, for employment pur-

poses, or even in order to find fault in another's behavior. Similarly, we fulfill God's commandments, but we do them either by rote, to avoid punishment, or for personal aggrandizement.

✧ *The Jewish Bondman*

In contrast, it is forbidden *by law* to force a Jewish bondman into meaningless labor. Therefore, this type of bondman reaps satisfaction through his labor, and consequently harbors positive feeling for it, even toiling enthusiastically.

However, servant work may generally be divided into two types: the ongoing, routine work necessary for the upkeep of the master's household and the more delicate, refined work involved in preparing the household's meals. The Jewish bondman's work is the former; he works around the house, not in the kitchen.

Spiritually, the Jewish bondman personifies the stage in which we find meaning and enjoyment in our Divine mission because we realize that it is in fact the best way of satisfying our animal desires. We have learned that the joys of serving God are incomparably more sublime than the transient joys of material life and that the pain of living an ungodly life is greater than any other pain we may fear. We have channeled all of our faculties in the proper directions.

Although this is a major step in the right direction, we have still not fundamentally transformed ourselves.

17. v. 4. 18. See *Likutei Sichot*, vol. 22, p. 154, note 30. 19. This is also indicated in the formal name for this type of servant: a "Canaanite bondman": the word for "Canaanite" (כנעני) is related to the words for "resignation" (כניעה) and "subjugation" (הכנעה).

— ONKELOS —

6 וְקָרְבָנָה רְבוּנָה לְקָדֶם דִּינָא וְקָרְבָנָה לֹת דָּשָׁא או דלֹת מוֹזוֹתָ וְרָצַע רְבוּנָה יֵת אֲדָנָה בְּמִרְצָעָא וִיחִי לָהּ עֶבֶד פִּלְחָ לְעֵלָם: 7 וְאִרִי יִזְבֵּן גִּבְרִית בְּרִתָּהּ לְאִמָּהּ לֹא תִפּוֹק בְּמִפְקָנֹת עֲבָדִין: 8 אִם בִּישָׁא בְּעֵינֵי רְבוּנָה דִּי קָמָה לָהּ וְיִפְרָקָהּ לְגִבְרִית אֲחֵרָה לֵית לָהּ רֶשׁוּ לְזוּבֹנָה בְּמִשְׁלֵטָה בָּהּ:

6 וְהִגִּישׁוּ אֲדָנָיו אֶל־הָאֱלֹהִים וְהִגִּישׁוּ אֶל־הַדֹּלֶת אוֹ אֶל־הַמִּזְבֵּיחַ וְרָצַע אֲדָנָיו אֶת־אֲזָנוֹ בְּמִרְצָע וְעִבְדוּ לְעֵלָם: 7 וְכִי־יִמְכֹּר אִישׁ אֶת־בִּתּוֹ לְאִמָּה לֹא תֵצֵא בְּצֵאת הָעֲבָדִים: 8 אִם־רָעָה בְּעֵינֵי אֲדָנֶיהָ אֲשֶׁר־לֹא {לוֹ} יַעֲדָה וְהִפְדָּה לְעַם נָכְרִי לֹא־יִמְשַׁל לַמִּכְרָה בְּבִגְדוֹ־בָּהּ:

— RASHI —

תמכרה: לא תצא בציאת העבדים. כיציאת עבדים בנענים, שיוצאים בשן ועין. אבל זו לא תצא בשן ועין, אלא עובדת שש, או עד היוכל, או עד שתביא סימנין, וכל־הקודם — קודם לחירותה, ונותן לה דמי עינה או דמי שנה. או אינו אלא לא תצא בציאת העבדים בשש וביוכל? תלמוד לומר: "כי־ימכר לך אחיך העברי או העבריה"¹³ — מקיש עבריה לעברי לכל־יציאותיו, מה עברי יוצא בשש וביוכל, אף עבריה יוצאה בשש וביוכל. ומהו "לא תצא בציאת העבדים"? לא תצא בראשי אברים בעבדים בנענים. יכול, העברי יוצא בראשי אברים? תלמוד לומר: "העברי או העבריה" — מקיש עברי לעבריה, מה־העבריה אינה יוצאה בראשי אברים, אף הוא אינו יוצא בראשי אברים: 8 אִם־רָעָה בְּעֵינֵי אֲדָנֶיהָ. שלא נשאה חן בעיניו לכנסה: אֲשֶׁר־לֹא יַעֲדָה. שהיה לו ליעדה ולהכניסה לו לאשה, וכסף קנייתה הוא כסף קדושיה. וכאן רמז לך הכתוב, שמצוה ביעור. ורמז לך, שאינה צריכה קדושין אחרים: וְהִפְדָּה. יתן־לה מקום להפדות ולצאת, שאף הוא מסייע בפדיונה. ומה־הוא מקום שנותר לה? שמגרע מפדיונה במספר השנים שעשתה אצלו, באלו היא שבוּרָה אצלו. כיצד? הרי שקנאה במנה ועשתה אצלו שתי שנים, אומרים לו: יודע היית שעתידיה לצאת לסוף שש, נמצא שקניית עבדות כל־שנה ושנה בששית המנה, ועשתה אצלו שתי שנים, הרי שלישית המנה, טל שני שלישיות המנה ותצא מאצלו: לְעַם נָכְרִי לֹא־יִמְשַׁל לַמִּכְרָה. אינו רשאי למכרה לאחר, לא האדון ולא האב: בְּבִגְדוֹ־בָּהּ. אם בא לבגד בה, שלא לקיים בה מצות יעור. וכן אביה, מאחר שבגד בה ומכרה לזה:

6 אֶל־הָאֱלֹהִים. לבית דין, צריך שימלך במוכריו שמכרוהו לו: אֶל־הַדֹּלֶת אוֹ אֶל־הַמִּזְבֵּיחַ. יכול, שתהא המזוזה בשרה לרצע עליה? תלמוד לומר: "ונתתה באזנו ובדלת" — בדלת ולא במזוזה. הא מה־תלמוד לומר: "או אֶל־הַמִּזְבֵּיחַ"? הקיש דלת למזוזה — מה מזוזה מצמד, אף דלת מצמד: וְרָצַע אֲדָנָיו אֶת־אֲזָנוֹ. הימנית. או אינו אלא של שמאל? תלמוד לומר: "אזן און" לגורה שנה: נאמר כאן "ורצע אדניו את־אָזְנוֹ", ונאמר במצורע: "תנוף און המטהר הימנית"¹⁴. מה־לחלן הימנית אף כאן הימנית. ומה ראה און להרצע מכל־שאר אברים שבגוף? אמר רבן יוחנן בן־זכאי: און זאת ששמעה על הר סיני "לא תגב", והלך וגנב — תרצע. ואם מוכר עצמו, און ששמעה על הר סיני "כִּי־לִי בְּנִי־שָׂרָאֵל עֲבָדִים"¹⁵, והלך וקנה אדון לעצמו — תרצע. רבי שמעון היה דורש מקרא זה במין חמר: מה־נשתנו דלת ומזוזה מכל־כלים שבבית? אמר הקדוש ברוך־הוא: דלת ומזוזה שהיו עדים במצרים בשפסחתי על המשקוף ועל שתי המזוזות, ואמרת: "כי לי בני ישראל עבדים" — עבדי הם ולא עבדים לעבדים, והלך זה וקנה אדון לעצמו — ירצע בפניהם: וְעִבְדוּ לְעֵלָם. עד היוכל. או אינו אלא לעולם במשמעות? תלמוד לומר: "ואיש אֶל־מִשְׁפַּחְתּוֹ תִּשְׁבּוּ"¹⁶, מגיד שחמשים שנה קרוים "עולם". ולא שהיה עובדו כל־חמשים שנה, אלא עובדו עד היוכל בין סמוך בין מכלל: 7 וְכִי־יִמְכֹּר אִישׁ אֶת־בִּתּוֹ לְאִמָּה. בקטנה הכתוב מדבר. יכול, אפלו הביאה סימנים? אמרת קל וחמר: ומה־מכורה קדם לכן יוצאה בסימנין, כמו שכתוב: "ויצאה חנם אין כסף"¹⁷, שאנו דורשים אותו לסימני נעירות. שאינה מכורה — אינו דין שלא

7. שם, יז. 8. ויקרא יד, יד. 9. שמות כ, יג. 10. ויקרא כה, נח. 11. ויקרא כה, י. 12. פסוק יא. 13. דברים טו, יב.

— CHASIDIC INSIGHTS —

6 His master shall then pierce his ear with an awl: The person in question is a thief, who not only committed the crime but also subsequently squandered the money, leaving nothing with which to repay the per-

son he robbed. Yet, God does not exempt even such a scoundrel from his obligation to abide by the Torah's laws. He, too, was present at Mount Sinai, and was indelibly affected by hearing God's voice. Precisely be-

6 then his master shall bring him to the court that sold him **and they shall take him to the door.** The door must be standing upright, like **the doorpost.** **His master shall then pierce his right ear with an awl, and the bondman shall serve him until the next Jubilee year,** when he will go free whether he wants to or not.²³ He is given the relatively light punishment of having his ear pierced²⁴ since we give him the benefit of the doubt: he probably stole because of his abject poverty, and it is certainly natural that he should harbor affection for his wife and children, even though they are not Jewish. Nonetheless, his *right* ear is pierced, because the ear on his stronger side signifies proper use of the power of hearing.²⁵ He heard Me say ‘You shall not steal!’²⁶ on Mount Sinai, but he nonetheless went and stole, and is not embarrassed about it—as evidenced by the fact that he is in no hurry to be rid of the stigma of having been sold into slavery because of it. The ear is pierced against a door, which in turn must be standing upright like a doorpost, because the door and doorpost were witnesses, so to speak, to how I liberated the people from slavery in Egypt,²⁷ and this individual nonetheless chooses to prolong his slavery.”²⁸

Because the laws of the Hebrew bondman recall the Giving of the Torah, they are the first ones God gave after the Giving of the Torah.²⁹

The Hebrew Bondmaid

7 “If a man is too poor to marry off his daughter, he may sell her for a period of service to a wealthier family with the intention that she eventually marry a member of this family: ideally, the father, or if that is not appropriate, the son. In such a case, the money paid to the girl’s father will retroactively become her betrothal money. If a man sells his daughter in this way as a bondmaid, he can only do so if she is still a minor, that is, if she is less than twelve years old and has not yet shown signs of incipient puberty.³⁰ She shall serve the master either for six years, or until the Jubilee year, or until she shows signs of incipient puberty—whichever comes first. **She shall not leave his service as non-Jewish bondmen do,** i.e., in consequence of the master inflicting a blow that causes the loss of a tooth or an eye.³¹ If her master causes her such damage, he must pay her full restitution according to law, but she does not go free because of it.

8 If she is displeasing in the eyes of her master, who should have designated her as a wife for himself, and prior to the end of her term of service the opportunity arises for her to be redeemed from the term monetarily, the master **shall assist in her redemption** by allowing her to be redeemed for less money than he paid for her, proportionate to the fraction of the six-year period she actually served. **He is not authorized to sell her to another master, for he betrayed her by not marrying her. Similarly, her father is not authorized to sell her to another master, for he already betrayed her** once by selling her to someone who did not eventually marry her, and he may not subject her to such an ordeal again.

23. Leviticus 25:10. 24. We see later (32:2-3, below) that it was customary for men in those times to pierce their ears. 25. Cf. Genesis 48:13-19. 26. Leviticus 19:11. 27. Above, 12:7. 28. *Likutei Sichot*, vol. 11, pp. 89-97. 29. *Likutei Sichot*, vol. 16, pp. 255-256. Additional laws regarding the Hebrew bondman are found in Deuteronomy 15:12-18. 30. See *Nidah* 6:11, 45b-46a; *Mishneh Torah*, *Nashim* 2:1-2, 16-20. 31. Below, vv. 26-27.

ONKELOS

9 ואם לבנו ייעדנה במשפט הבנות יעשה לה:
10 אם אחרת יקחלו שארה בסותה וענתה לא יגרע:
11 ואם שלשאלה לא יעשה לה ויצאה חנם אין
כסף: 8
12 מכה איש ומת מות יומת:

RASHI

אומר שתצא אלא בבגרות? תלמוד לומר: "אין כסף" — לרבות יציאת בגרות. ואם לא נאמרו שניהם, הייתי אומר: "ויצאה חנם" — זו בגרות, לכך נאמרו שניהם, שלא לתן פתחון פה לבעל הדין לחלוק: 12 מכה איש ומת. כמה כתובים נאמרו בפרשת רוצחין, ומה שבידי לפרש למה באו כלם, אפרש: מכה איש ומת. למה נאמר? לפי שנאמר: "ואיש כי יכה כל-נפש אדם, מות יומת", שומע אני הכאה בלא מיתה. תלמוד לומר: "מכה איש ומת" — אינו חיב אלא בהכאה של מיתה. ואם נאמר: "מכה איש" ולא נאמר "ואיש כי יכה", הייתי אומר: אינו חיב עד שיכה איש. הכה את האשה ואת הקטן, מניין? תלמוד לומר: "כי יכה כל-נפש אדם" — אפלו קטן ואפלו אשה. ועוד, אלו נאמר: "מכה איש", שומע אני אפלו קטן שהכה והרג יהא חיב. תלמוד לומר: "ואיש כי יכה" — ולא קטן שהכה. ועוד, "כי יכה כל-נפש אדם" — אפלו נפלים במשמע. תלמוד לומר: "מכה איש" — אינו חיב עד שיכה בן-קנא, הראוי להיות איש:

9 ואם לבנו ייעדנה במשפט הבנות יעשה לה:
10 אם אחרת יקחלו שארה בסותה וענתה לא יגרע:
11 ואם שלשאלה לא יעשה לה ויצאה חנם אין
כסף: 8
12 מכה איש ומת מות יומת:

9 ואם לבנו ייעדנה. האדון. מלמד, שאף בנו קם תחתיו ליעדה, אם ירצה אביו. ואינו צריך לקדשה קדושין אחרים, אלא אומר לה: הרי את מעדת לי, בכסף שקבל אביו בדמיון: במשפט הבנות. שאר כסות ועונה: 10 אם אחרת יקחלו. עליה: שארה בסותה וענתה לא יגרע. מן האמה שיעד לו כבר: שארה. מוונות: בסותה. במשמעו: ענתה. תשמיש: 11 ואם שלשאלה לא יעשה לה. אם אחת משלשאלה לא יעשה לה. ומה-הן השלש? ייעדנה לו, או לבנו, או יגרע מפדיונה ונצא. וזה לא יעדה לא לו ולא לבנו, והיא לא היה בידה לפדות את עצמה: ויצאה חנם. רבה לה יציאה לזו יותר ממה שרבה לעבדים. ומה היא היציאה? ללמדך שתצא בסימנין, ותשקה עמו עד שתביא סימנין. ואם הגיעו שש שנים קדם סימנין — כבר למדנו שתצא, שנאמר: "העברי או העבריה, ועבדך שש שנים"14. ומהו האמור כאן: "ויצאה חנם"? — שאם קדמו סימנים לשש שנים, תצא כהן. או אינו

14. דברים טו, יב. 15. ויקרא כד, יז.

CHASIDIC INSIGHTS

12-13 He who strikes a man so that he dies must be put to death. If, however, he did not lie in wait, but God caused it to happen to him, then I shall provide you a place to which he shall flee: Metaphorically, committing a sin is a form of murder; in both cases the soul is ripped away from its spiritual source of life. In the case of a sin, the "slain" party is the person's own soul.

Inasmuch as the Jewish people are intrinsically connected to God, it is totally "unnatural" for a Jew to sin. The fact that we do sin is as a result of a sudden, fleeting spirit of folly, which convinces us that our connection to God will not suffer as a result of improper behavior. Therefore, God considers the "murder" unintentional, and provides us with a "city of refuge" where we may repent and escape punishment. This "city of refuge" is the study of the Torah and the prayers we recite with a sincere and repentant heart.

One of the court's obligations was to ensure that there were wide and well-paved roads leading to the cities of refuge, with clear signposts along the way.³⁸ This teaches us that it is not enough to take refuge in our own "city of refuge"; it is our responsibility and privilege to also help others reach their "city of refuge" through our own exemplary behavior and helpful advice. When we help others, God helps us reach our own "city of refuge" as well.

This is alluded to in the wording of this verse. The verse begins in the third person ("to happen to him"), and then switches to the second person ("I shall provide you").³⁹ When we notice a fault in a friend and see what is "happening to him," we must steer him toward the path to repentance—to the city of refuge. Upon seeing this, God declares, "I shall provide for you"—"I will ensure that you, too, benefit as a result."⁴⁰

[continues...]

37. Likutei Sichot, vol. 17, p. 476. 38. See Mishneh Torah, Rotzeach 8:5. 39. See Sha'ar HaPesukim ad loc. 40. Likutei Sichot, vol. 9, pp. 297-300.

9 If, on the other hand, the master **designates her** as a wife **for his son**, the son may also consider the money paid to the girl's father as her betrothal money. The son, as her husband, **shall accord her the standard rights of girls** who marry: food, clothing, and conjugal rights.

10 If he marries an additional wife, he may not reduce this one's food, clothing, or conjugal rights.

11 If the master takes none of these three earlier-listed courses of action **for her**—i.e., marrying her himself, marrying her off to his son, or letting her be redeemed—**she shall go out free** at the end of her term, **without** owing him any additional payment.

Murder and Manslaughter

12 "An adult who strikes a man, woman, or child so that the latter dies must be put to death.

✧ CHASIDIC INSIGHTS ✧

cause of this fact, he is held accountable for any later disobedience, and therefore, despite the fact that it is normally forbidden to injure or harm another Jew, the court is instructed to pierce this person's ear.³²

10 Food, clothing, or conjugal rights: These are the husband's three basic obligations to his wife.

According to the Midrash,³³ God Himself allegorically fulfills all the precepts that He commanded the Jewish people. The relationship between God and the Jewish people is compared to that between husband and wife.³⁴ Therefore, God has "obligated" Himself to always provide the Jewish people with all of their needs.³⁵

In spiritual terms, our one "need" is Divine consciousness, the awareness that allows us to lead spiritual lives. In this context, food, clothing, and conjugal rights are three different levels of Divine consciousness that God provides us with:

"Food" connotes spiritual consciousness that can be "digested," i.e., grasped. This is the level of Divine consciousness wherein we are conscious of God's presence within reality. This awareness helps us relate to all aspects of life as opportunities to connect to God. Such consciousness is only possible when God "lowers" Himself to be truly within the reach of human comprehension.

"Clothing" does not sustain us, it only protects us. Although, like food, it is also tailored to us, we nonetheless wear it *outside* ourselves. Clothing therefore connotes higher levels of spiritual consciousness that we can conceive of intellectually but can grasp in only the most general terms. When we become aware of the

existence of these spiritual levels, this awareness can indeed "protect" us from the invasion of negativity. Nonetheless, our awareness of these levels is too abstract to enhance the way we relate to the world in any concrete form. Thus it remains beyond, or "outside" of us. At this level, too, God has "lowered" Himself, albeit to a lesser degree than with "food."

The highest of the three levels of consciousness is "conjugal rights," reflecting a true union with the essence of God. This level is one of pure Divine recognition, which is only possible because of God's great love for us.³⁶

In this allegorical context, the Torah is the marriage contract between God and Israel. Just as the three above-mentioned obligations are written into the marriage contract between husband and wife, so, too, the Torah reflects these three categories:

"Food"—that which can be fully digested—refers to the revealed aspects of Torah. These aspects can be fully grasped by human intellect and become completely integrated into our being.

"Clothing" refers to the esoteric, hidden parts of Torah. These can be analyzed, and do indeed affect the learner. However, because they are spiritual and abstract in nature, they are never fully assimilated, and remain essentially beyond our grasp.

"Conjugal rights," the third and deepest level, is the most intimate dimension of the Torah, which requires special preparation and refinement in order to be approached. This level of the Torah leads to the pinnacle of connectedness with God.³⁷

32. *Sichot Kodesh* 5739, vol. 2, pp. 601-602. 33. *Shemot Rabbah* 30:9. 34. See, *inter alia*, *Shemot Rabbah* 15:31. 35. *Hitva'aduyot* 5747, vol. 2, p. 298. 36. See *Reshimot* 169, p. 10; *Sefer HaMa'amarim Melukat*, vol. 5, pp. 204-205.

ONKELOS

13 וְדִי לֹא כִמֶּן לֹה וּמִן קִדְם יִי
אֲתִמְסֵר לִידֵה וְאִשְׁוִי לָךְ אֲתֵרֵא
דִּי יִעְרוֹק לְתַמָּן: 14 וְאָרִי יִרְשַׁע
גִּבֵּר עַל חֲבֵרָה לְמִקְטֵלָה בְּנִכִּילו
מִן מִדְּבָחִי תִדְּבָרָה לְמִקְטֵל:
15 וְדִימְחִי אֲבוּהִי וְאִמָּה אֲתִקְטֵלָא
יִתְקַטֵּל: 16 וְדִיגִנוּב נִפְשָׁא מִבְּנֵי
יִשְׂרָאֵל וְיִשְׁתַּבַּח בִּידֵה
אֲתִקְטֵלָא יִתְקַטֵּל:

13 וְאִשֶּׁר לֹא צָדָה וְהָאֱלֹהִים אָנָּה לִידּוֹ וְשִׁמְתִּי לְךָ מָקוֹם

בְּאִשֶּׁר יָנוּס שָׁמָּה: 8

14 וְכִי־יִזְדֹּר אִישׁ עַל־רַעְהוֹ לְהִרְגּוֹ בְּעֶרְמָה מֵעַם מִזִּבְחִי

תִּקְחֵנּוּ לְמוֹת: 8

15 וּמִכָּה אָבִיו וְאִמּוֹ מוֹת יוֹמָת: 8

16 וְגִנְבֵי אִישׁ וּמִכְרוֹ וְנִמְצָא בִידּוֹ מוֹת יוֹמָת: 8

RASHI

לְךָ מָקוֹם. אף במדבר, שִׁינּוּס שָׁמָּה. וְאִי זֶה מָקוֹם
קוֹלְטוֹ? זֶה מִחֲנֵה לְוִיָּה: 14 וְכִי־יִזְדֹּר. לָמָּה נֶאֱמַר? לְפִי
שְׁנָאֵמֶר: "מִכָּה אִישׁ וְגו'" ²⁵, שׁוֹמֵעַ אֲנִי אֶפְלוּ הֶרֶג גּוֹי,
וְהַרְפָּא שְׁהֵמִית, וְשָׁלִיחַ בֵּית דִּין שְׁהֵמִית בְּמִלְקוֹת
אֲרָבָעִים, וְהָאֵב הַמִּכָּה אֶת בְּנוֹ, וְהָרֵב הַרְוֵדָה אֶת
תַּלְמִידוֹ, וְהַשׁוֹגֵג. תַּלְמוּד לומר: "כִּי יוֹד" — וְלֹא
שׁוֹגֵג. "עַל־רַעְהוֹ" — וְלֹא עַל גּוֹי. "לְהִרְגּוֹ בְּעֶרְמָה"
— וְלֹא שָׁלִיחַ בֵּית דִּין, וְהַרְפָּא, וְהַרְוֵדָה בְּנוֹ וְתַלְמִידוֹ,
שְׁאֵף־עַל־פִּי שְׁהֵם מוֹיָדִין אֵין מַעֲרִימִין: מֵעַם מִזִּבְחִי.
אִם הָיָה כֵּהֵן וְרוֹצֵחַ לַעֲבוֹד עֲבוּדָה, תִּקְחֵנּוּ לְמוֹת:
15 וּמִכָּה אָבִיו וְאִמּוֹ. לְפִי שְׁלֹמֹדָנוּ עַל הַחוּבֵל בְּחִבְרוֹ
שֶׁהוּא בְּתִשְׁלוּמִין וְלֹא בְּמִיתָה, הִצְרֵף לומר עַל הַחוּבֵל
בְּאִבּוֹ שֶׁהוּא בְּמִיתָה, וְאִינוּ חֵיב אֶלָּא בְּהִכָּאָה שֵׁישׁ
בָּהּ חֲבוּרָה: אָבִיו וְאִמּוֹ. אוֹ זֶה אוֹ זֶה: מוֹת יוֹמָת. בְּחֻקֵּי:
16 וְגִנְבֵי אִישׁ וּמִכְרוֹ. לָמָּה נֶאֱמַר? לְפִי שְׁנָאֵמֶר: "כִּי־
יִמְצָא אִישׁ גִּנְבֵי נִפְשָׁא מִאֲחֵיו" ²⁶, אֵין לִי אֶלָּא אִישׁ שֶׁגִּנְבֵי
נִפְשָׁא. אִשָּׁה אוֹ טַמְטוּם אוֹ אֲנִדְרוּגִינוּס שֶׁגִּנְבוּ מִנִּין?
תַּלְמוּד לומר: "וְגִנְבֵי אִישׁ וּמִכְרוֹ". וְלִפִּי שְׁנָאֵמֶר כֵּן:
"וְגִנְבֵי אִישׁ" — אֵין לִי אֶלָּא גִנְבֵי אִישׁ. גִּנְבֵי אִשָּׁה מִנִּין?
תַּלְמוּד לומר: "גִּנְבֵי נִפְשָׁא". לְכָף הִצְרֵכּוּ שְׁנִיָּהֶם, מִדֵּי־
שֶׁחֲסֵר זֶה גִּלְהָ זֶה: וְנִמְצָא בִידּוֹ. שְׁרָאוּהוּ עֲדִים שֶׁגִּנְבוּ
וּמִכְרוּ, וְנִמְצָא כֶּבֶד בִּידּוֹ קִדְם מְכִירָה: מוֹת יוֹמָת.
בְּחֻקֵּי. כֹּל־מִיתָה הָאֲמוּרָה בְּתוֹרָה סֵתֵם — חֻקֵּי הִיא.
וְהַפְסִיק הָעֵנִין וְכָתַב: "וְגִנְבֵי אִישׁ", בֵּין מִכָּה אָבִיו וְאִמּוֹ
לְמִקְטֵל אָבִיו וְאִמּוֹ. וְנִרְאֶה לִי, הֵינּוּ פְּלִגְתָּא דְּמֵר סִבֵּר
מִקְשִׁינֵי הַכָּאָה לְקִלְלָהּ, וּמֵר סִבֵּר לֹא מִקְשִׁינֵי:

13 וְאִשֶּׁר לֹא צָדָה. לֹא אָרַב לוֹ וְלֹא נִתְכַּוֵּן. "צָדָה"
— לְשׁוֹן אָרַב, וְכֵן הוּא אוֹמֵר: "וְאִתָּה צָדָה אֶת־נִפְשִׁי
לְקַחְתָּה" ¹⁶. וְלֹא יִתְכַּן לומר "צָדָה" לְשׁוֹן "הִצַּד־צִיד" ¹⁷,
שֶׁצֶדֶת חַיּוֹת אֵין נּוֹפֵל הֵ"א בְּפֹעֵל שְׁלָה. וְשֵׁם דְּבָר
בָּהּ — "צִיד", וְזֶה שֵׁם דְּבָר בּוֹ — "צִדִּידָה". וּפֹעֵל שְׁלָה
"צוּדָה", וְזֶה פֹעֵל שְׁלָה — "צִד". וְאוֹמֵר אֲנִי: פְּתוּרוֹנוֹ
בְּתַרְגוּמוֹ: "וְדִלָּא כִמֶּן לֹה". וּמִנַּחֲס חֲבֵרוֹ בְּחֻלְקֵי "צִד"
צִיד", וְאֵין אֲנִי מוֹדָה לוֹ, וְאִם יֵשׁ לְחֲבֵרוֹ בְּאִחַת
מִמְחֻלְקוֹת שֶׁל "צִד" נִחְבְּרָנוּ בְּחֻלְקֵי "עַל־צִד תִּנְשְׂאוּ" ¹⁸,
"צָדָה אוֹרָה" ¹⁹, "וּמִלִּין לְצִד עֲלָאָה וּמִלָּל" ²⁰, אִף כֵּן:
"אִשֶּׁר לֹא צָדָה" — לֹא צִיד לְמִצּוֹא לוֹ שׁוֹם צִד מִיתָה.
וְאִף זֶה יֵשׁ לְהַרְהֵר עָלָיו, מִכָּל מָקוֹם לְשׁוֹן אוֹרָה הוּא:
וְהָאֱלֹהִים אָנָּה לִידּוֹ. וּמִן לִידּוֹ, לְשׁוֹן "לֹא־תִאֲנָה אֵלָיִךְ
רַעְהוֹ" ²¹, "לֹא־יִאֲנָה לְצִדִּיק כֹּל־אֶן" ²², "מִתְאֲנָה הוּא
לִי" ²³ — מוֹדֵמֵן לְמִצּוֹא לִי עֲלָה: וְהָאֱלֹהִים אָנָּה לִידּוֹ.
וְלָמָּה תִּצָּא זֹאת מִלְּפָנָיו? הוּא שְׁאֵמֶר דּוֹד: "בְּאִשֶּׁר
יֵאמֹר מִשַּׁל הַקְּדָמְנִי, מִרְשָׁעִים יֵצֵא רִשְׁעוֹ" ²⁴. וְ"מִשַּׁל
הַקְּדָמְנִי" הוּא הַתּוֹרָה, שֶׁהִיא מִשַּׁל הַקְּדוֹשׁ בְּרוּךְ־הוּא,
שֶׁהוּא קְדָמוֹנוֹ שֶׁל עוֹלָם. וְהִיכֵן אֲמָרָה תּוֹרָה "מִרְשָׁעִים
יֵצֵא רִשְׁעוֹ" — "וְהָאֱלֹהִים אָנָּה לִידּוֹ", בְּמָה הַכְּתוּב
מְדַבֵּר? — בְּשֵׁנֵי בְנֵי אָדָם, אֶחָד הֶרֶג שׁוֹגֵג וְאֶחָד הֶרֶג
מִזִּיד, וְלֹא הָיוּ עֲדִים בְּדָבָר שֶׁיַּעֲדִידוּ, זֶה לֹא נִהְרַג וְזֶה
לֹא גִלְהָ. וְהַקְּדוֹשׁ בְּרוּךְ־הוּא מוֹמֵנֵן לְפָנֶיךָ אֶחָד, זֶה
שֶׁהֶרֶג בְּמוֹזֵד — יוֹשֵׁב תַּחַת הַסֵּלֶם, וְזֶה שֶׁהֶרֶג שׁוֹגֵג
— עוֹלָה בְּסֵלֶם וְנוֹפֵל עַל זֶה שֶׁהֶרֶג בְּמוֹזֵד וְהוֹרְגוֹ,
וְעֲדִים מַעֲדִידִים עָלָיו וּמְחַיִּיבִים אוֹתוֹ לְגִלּוֹת. נִמְצָא, זֶה
שֶׁהֶרֶג בְּשׁוֹגֵג גּוֹלָה, וְזֶה שֶׁהֶרֶג בְּמוֹזֵד נִהְרַג: וְשִׁמְתִּי

16. שְׁמוּאֵל כד, יא. 17. בְּרַאשִׁית כז, לו. 18. יִשְׁעִיָּה סו, יב. 19. שְׁמוּאֵל א כ, כ. 20. דְּנִיאל ז, כה. 21. תַּחֲלִים צא, י. 22. מִשְׁלִי יב, כא. 23. מַלְכִּים ב, ה, ז.
24. שְׁמוּאֵל כד, יג. 25. פְּסוּק יב. 26. דְּבָרִים כד, ז.

13 If, however, he did not lie in wait or intend to kill, but God caused it to happen to him, then I shall provide you a place to which he shall flee. During your trek in the desert, this place of refuge will be the Levite camp;⁴¹ when you enter the Land of Israel, you will designate specific cities to serve as cities of refuge.⁴² God causes someone to kill someone else inadvertently in order for justice to be served. For example: a person killed someone intentionally, and another killed someone inadvertently, and there were no witnesses to either crime. Since there were no witnesses, the intentional murderer cannot be executed and the unintentional killer cannot be exiled. God arranges for them to stay at the same inn; the intentional murderer sits under a ladder and the unintentional killer climbs down this same ladder, slips, and falls on the intentional murderer, killing him. Thus, the intentional murderer receives his death penalty, while the unintentional killer is witnessed committing a second unintentional killing and is thus tried and sentenced to exile.

14 “The law that a murderer must be put to death applies only if such a person acts intentionally against his fellow Jew to kill him with guile. But if a Jew kills someone while intending to kill someone else, or kills a non-Jew, or kills someone while administering a court-ordered punishment, or kills someone while trying to heal him, or kills his son or pupil while disciplining him, he is liable to other forms of punishment but does not incur the death penalty. But if someone *is* liable to the death penalty, you must administer it; even if he is a priest and is about to perform some priestly function, **you shall take him from My very altar to die.**

Honor to Parents

15 “Someone who strikes his father or mother and thereby inflicts a wound on them **must be put to death** by strangulation. A person who inflicts a wound on anyone else, however, is only liable for damages.⁴³

Kidnapping

16 “Someone who kidnaps and sells a man or woman must be put to death by strangulation, provided that both the kidnapping and sale were witnessed, and thus the victim **was seen in** the kidnapper’s **possession** before the sale .

❧ CHASIDIC INSIGHTS ❧

Alternatively, this whole verse may be applied to one individual. As mentioned, our Divine soul is naturally incapable of sinning; only when our human/animal soul prevails can it cause us to sin. This phenomenon is referred to in this verse in the third person — “happening to *him*” — since it is not a reflection of our true, Divine self.

Nonetheless, the Divine soul is tarnished by the sin as well. Therefore God tells us, “I shall provide for *you* a place,” I will enable you to rectify this wrongdoing through repentance, and as a result “*he* shall flee” — you will positively affect the animal soul, too.⁴⁴

41. Numbers 1:50-53. 42. Numbers 35:9-34. 43. Below, v. 24. 44. *Likutei Sichot*, vol. 9, pp. 301-302.

— ONKELOS —

17 וְיִיְלֹוּט אַבְוּהִי וְאַמְהָ
אֶתְקַטְלָא יִתְקַטְלָ: 18 וְאַרִי יִצְוֹן
גְּבִרִין וְיִמְחִי גִבֹר יִתְחַבֵּה בְּאֶבְנָא
אוּ בְכוּרִימִזָּא וְלֹא יָמוּת וְיִפְל
לְבוּטְלָן: 19 אִם יָקוּם וְיִתְחַלֵּף
בְּבָרָא עַל בּוֹרִיָּה וְיִחִי וְכָפָה
מַחֲזִיא לְחוּד בְּטִלְנָה יִתֵּן וְאָגֵר
אֶסְיָא יִשְׁלֵם: 20 וְאַרִי יִמְחִי גִבֹר
יִתְעַבְדָּה אוּ יִתְאֲמַתָּה בְּשׁוּלְטָן
וְיָמוּת תַּחַת יָדוֹ אֶתְדַנָּא יִתְדָן:
21 בְּרִם אִם יוֹמָא אוּ תַרְנִין יוֹמִין
יִתְקַים לֹא יִתְדָן אַרִי כִסְפָּה הוּא:

17 וּמִקְלָל אָבִיו וְאִמּוֹ מוֹת יוּמָת: ס

18 וְכִי־יִרְיֶבֶן אֲנָשִׁים וְהִכָּה־אִישׁ אֶת־רֵעֵהוּ בְּאֶבֶן אוּ
בְּאֶגְרָף וְלֹא יָמוּת וְנִפְל לְמִשְׁכָּב: 19 אִם־יָקוּם וְהִתְחַלֵּף
בַּחוּץ עַל־מִשְׁעָנָתוֹ וְנָקָה הַמִּכָּה רַק שְׁבִתּוֹ יִתֵּן וּרְפָא
יִרְפָּא: ס

שני 20 וְכִי־יִכָּה אִישׁ אֶת־עַבְדּוֹ אוּ אֶת־אִמָּתוֹ בַּשֶּׁבֶט
וְיָמָת תַּחַת יָדוֹ נָקָם יִנָּקֵם: 21 אֶךְ אִם־יּוֹם אוּ יוֹמִים
יַעֲמֹד לֹא יִקָּם כִּי כִסְפּוֹ הוּא: ס

— RASHI —

דְּמִי יָדוֹ וְרָגְלוֹ, שְׁנֵאמַר: "יָד תַּחַת יָד, רָגֶל תַּחַת רָגֶל"³¹.
וּרְפָא יִרְפָּא. בְּתַרְגוּמוֹ, יִשְׁלֵם שְׂכָר הָרוּפָא: 20 וְכִי־יִכָּה
אִישׁ אֶת־עַבְדּוֹ אוּ אֶת־אִמָּתוֹ. בְּעֶבֶד כְּנַעֲנִי הַכְּתוּב
מְדַבֵּר. אוּ אִינוּ אֵלָּא בְּעֶבְרִי? תַּלְמוּד לזוּמַר: "כִּי כִסְפּוֹ
הוּא"³², מִה־כִסְפּוֹ קִנּוּ לוֹ עוֹלָמִית, אֵף עֶבֶד הַקְּנִי לוֹ
עוֹלָמִית. וְהִירֵי הֵיךְ בְּכָלל "מִכָּה אִישׁ וְיָמָת"³³? אֵלָּא, בָּא
הַכְּתוּב וְהוֹצִיאָה מִן הַכָּלָל, לְהִיּוֹת גְּדוּן בְּדִין "יּוֹם אוּ
יּוֹמִים", שְׂאֵם לֹא מָת תַּחַת יָדוֹ וְשָׂהָה מַעַת לַעַת פְּטוּר:
בַּשֶּׁבֶט. כְּשִׁישׁ בּוֹ כְּדִי לְהַמִּית הַכְּתוּב מְדַבֵּר. אוּ אִינוּ
אֵלָּא אֶפְלוּ אִין בּוֹ כְּדִי לְהַמִּית? תַּלְמוּד לזוּמַר בִּישְׁרָאֵל:
"וְאִם בְּאֶבֶן יָד אֲשֶׁר־יָמוּת בָּהּ הַכּוֹהֵן"³⁴, וְהֵלֵא דְּבָרִים
קָל וְחִמּוּר: וּמִה־יִשְׁרָאֵל חִמּוּר אִין חֵיב עָלָיו אֵלָּא אִם
כֵּן הִכָּהוּ בְּדָבָר שִׁישׁ בּוֹ כְּדִי לְהַמִּית, וְעַל אֶבֶר שְׂהוּא
כְּדִי לְמוֹת בְּהִכָּאָה זֶה, עֶבֶד הַקֵּל — לֹא כִל־שֶׁכֶן: נָקָם
יִנָּקֵם. מִיִּתֵּת סִיף, וְכֵן הוּא אוֹמֵר: "חֲרַב נִקְמָת נָקָם"
בְּרִית"³⁵: 21 אֶךְ אִם־יּוֹם אוּ יוֹמִים יַעֲמֹד לֹא יִקָּם. אִם
עַל יוֹם אֶחָד הוּא פְּטוּר עַל יוֹמִים לֹא כִל־שֶׁכֶן? אֵלָּא,
יּוֹם שְׂהוּא כְּיוֹמִים, וְאִיזָּה? זֶה מַעַת לַעַת: לֹא יָקָם כִּי
כִסְפּוֹ הוּא. הָא אַחֵר שְׂהִכָּהוּ, אֶף־עַל־פִּי שְׂשָׂהָה מַעַת
לַעַת קָדָם שְׂמִית — חֵיב:

17 וּמִקְלָל אָבִיו וְאִמּוֹ. לְמָה נֶאֱמַר? לְפִי שְׂהוּא אוֹמֵר:
"אִישׁ אִישׁ אֲשֶׁר יִקְלָל אֶת־אָבִיו"²⁷, אִין לִי אֵלָּא אִישׁ
שֶׁקָּלָל אֶת אָבִיו. אֲשֶׁה שֶׁקָּלָלָה אֶת אָבִיהָ מִנּוּן? תַּלְמוּד
לזוּמַר: "וּמִקְלָל אָבִיו וְאִמּוֹ" — סֵתֵם, בֵּין אִישׁ וּבֵין
אֲשֶׁה. אִם כֵּן, לְמָה נֶאֱמַר: "אִישׁ אֲשֶׁר יִקְלָל"? לְהוֹצִיא
אֶת הַקְּטָן: מוֹת יוּמָת. בְּסִקְלָה. וְכִל־מְקוֹם שְׁנֵאמַר
"דְּמִי בּוֹ" — בְּסִקְלָה. וּבִנְיָן אֵב לְכָלֶם: "בְּאֶבֶן יִרְגְּמוּ
אֹתָם, דְּמִיָּהם בִּם"²⁸, וּבִמִּקְלָל אָבִיו וְאִמּוֹ נֶאֱמַר: "דְּמִי
בּוֹ"²⁹: 18 וְכִי־יִרְיֶבֶן אֲנָשִׁים. לְמָה נֶאֱמַר? לְפִי שְׁנֵאמַר:
"עֵין תַּחַת עֵין"³⁰, לֹא לְמַדְנֵה אֵלָּא דְּמִי אֲבָרִיו. אֶבֶל
שְׁבִת וּרְפוּי לֹא לְמַדְנֵה, לְכָף נֶאֱמָרָה פְּרָשָׁה זֶה: וְנִפְל
לְמִשְׁכָּב. בְּתַרְגוּמוֹ: "וְיִפְל לְבִטְלָן" — לְחִלִּי שְׁמִבְטָלוֹ
מִמְלָאכְתּוֹ: 19 עַל־מִשְׁעָנָתוֹ. עַל בְּרִיּוֹ וְכָחוֹ: וְנָקָה
הַמִּכָּה. וְכִי תַעֲלֶה עַל דַּעְתְּךָ שִׁיִּהְיֶה זֶה שְׂלֹא הִרְגָּה!
אֵלָּא לְמַדְרָךְ בָּאן, שְׁחוּבָשִׁים אוֹתוֹ עַד שְׁנִנְרָאָה אִם
יִתְרַפָּא זֶה. וְכֵן מִשְׁמַעוֹ: כְּשֶׁקָּם זֶה וְהוֹלֵךְ עַל מִשְׁעָנָתוֹ
— אִזּוֹ וְנָקָה הַמִּכָּה. אֶבֶל עַד שְׂלֹא יָקוּם זֶה — לֹא נָקָה
הַמִּכָּה: רַק שְׁבִתּוֹ. בְּטוּל מִלְּאכְתּוֹ מִחֲמַת הַחֲלִי — אִם
קֻטַּע יָדוֹ אוּ רָגְלוֹ, רוֹאִין בְּטוּל מִלְּאכְתּוֹ מִחֲמַת הַחֲלִי
בְּאֵלּוֹ הוּא שׁוֹמֵר קְשׁוּאִין, שְׁהִירֵי אֵף לְאַחֵר הַחֲלִי אִינוּ
רְאוּי לְמִלְּאכְתּוֹ יָד וְרָגֶל, וְהוּא כְּבָר נָתַן לוֹ מִחֲמַת נִזְקוֹ

27. ויקרא כ, ט. 28. שם כו. 29. שם, ט. 30. לחלן פסוק כד. 31. לחלן פסוק כד. 32. לחלן פסוק כא. 33. לעיל פסוק יב. 34. במדבר לה, יו. 35. ויקרא כ, כה.

— CHASIDIC INSIGHTS —

affect his actual fulfillment of the Torah and its commandments. Such a malady directly attacks the person's flow of spiritual vitality. There are also spiritual illnesses that are not "life-threatening"; they merely indicate that the "patient's" spiritual health is weak.⁵⁴ The rules pertaining to a "doctor" — anyone who is capable of lending a hand — are applicable in this case, as well. There are situations where it is merely per-

missible and praiseworthy to offer spiritual assistance to another. But when people are in danger, assistance is mandatory and not just praiseworthy. If someone's fulfillment of God's commandments is in question and we can help, we are absolutely obligated to offer our assistance, not allowing our personal aspirations for perfection to get in the way.⁵⁵

54. The numerical value of the Hebrew word for "patient" (חולה) is forty-nine. This indicates that the classic "patient" is one who has attained forty-nine of the fifty "gates of holiness," and is missing only the ultimate degree of perfection. Such a person is still a patient, for he, too, lacks some aspect of spirituality. 55. *Likutei Sichot*, vol. 2, pp. 529-530.

Honor to Parents, continued

17 “An adult **who curses his father or mother must be put to death** by strangulation, even if he curses them after their death. A person is liable to the death penalty for cursing his or her parent only if the parent is righteous.

Compensation for Injuries

18 “When two men are quarreling and one man strikes the other with a stone or with his fist and he does not die but becomes bedridden,

19 if he then gets up and walks about outside under his own power, the one **who struck him shall be acquitted**. In the meantime, however, you must arrest the assailant and wait to see if his victim recovers. **Still, he must pay for his loss of work and provide for his complete cure**. He must pay him for the time he was away from work as if he was working as a guard, and pay his medical bills.

The Non-Jewish Bondman

- ◆ *Second Reading* 20 “You are permitted to purchase certain non-Jews as bond-servants,⁴⁵ and the children of non-Jewish bondwomen in your possession also become your bondservants. **If a man strikes his non-Jewish bondman or bondwoman** in a place on the body susceptible to a lethal blow, and does so **with a rod** capable of inflicting a lethal blow, **and he** or she in fact **dies under his hand, he** or she **must be avenged** by putting the master to death by the sword.

21 Thus, the master incurs the death penalty for killing his non-Jewish bondman or bondwoman just as he would for killing anyone else.⁴⁶ The only difference is the method of execution. **However**, there is an exception: **if** the bondman or bondwoman **survives for at least one full day**—i.e., for twenty-four hours from the time the blow is delivered—before dying, **he shall not be avenged, since he is his master’s property**. If anyone else other than the master strikes the bondman or bondwoman, however, this leniency does not apply.

✧ CHASIDIC INSIGHTS ✧

19 **Provide for his complete cure**: According to the sages, it is from this verse that we know that God gave doctors permission to heal the sick and injured.⁴⁷ Without express permission from God, we might think: “God made him ill. What right have we to attempt to cure him?”⁴⁸

Since God has given doctors permission to heal us, we should seek their help when we are ill, and take care to follow all their instructions.⁴⁹ However, we must also remember that God only gave doctors permission to *heal*. When a doctor gives the patient a pessimistic prognosis, we should neither lose heart nor succumb to his negative attitude, for the doctor is neither empowered nor permitted to discourage us.⁵⁰

As we said, this verse implies that a doctor is *permitted* to practice, but the sages derived from another verse⁵¹ that there are situations where a doctor is *obligated* to practice. Just as we are obligated to return someone’s lost object, so are we obligated to “restore” his life to him, i.e., save his life whenever possible. This obligates a doctor to intervene in any life-threatening situation where he is capable of contributing to the patient’s recovery.⁵²

Just as there are bodily illnesses, there are also spiritual illnesses.⁵³ And just as bodily illnesses can affect a person in differing degrees of severity, so can spiritual illnesses. There are situations where the patient is in “mortal danger”—i.e., his apathy has begun to

45. Leviticus 25:44-46. 46. Above, v. 12. 47. *Berachot* 60a; *Bava Kama* 85a. 48. *Bava Kama*, loc. cit. 49. *Likutei Sichot*, vol. 36, p. 274. 50. *Tzemach Tzedek*, quoted in *Igrot Kodesh* (of the Rebbe) vol. 15, p. 187; *Likutei Sichot*, vol. 31, pp. 264-267. The Rebbe repeated this idea often, and it appears many times throughout his letters. 51. *Sanhedrin* 73a. 52. See Maimonides, *Commentary on the Mishnah*, *Nedarim* 4:4. 53. *Mishneh Torah*, *Dei’ot* 2:1.

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22 וארי ינצו גברין ומחון אתמא מעדיא ופקון ולדהא ולא יהא מותא אתגבאה יתגבי כמא די ישיי עלוהי בעלה דאתמא ויתן מן מימר דיניא: 23 ואם מותא יהא ותתן נפשא חלף נפשא: 24 עינא חלף עינא שנא חלף שנא דא חלף דא רגלא חלף רגלא: 25 כנאה חלף כנאה פדעא חלף פדעא משקופי חלף משקופי: 26 וארי ימחי גבר ית עינא דעבדה או ית עינא דאמתה ויחבלנה לבר חורין יפטרנה חלף עינה:

22 וכי ינצו אנשים ונגפו אשה הרח ויצאו ילדיה ולא יהיה אסון ענוש יענש באשר ישית עליו בעל האשה ונתן בפללים: 23 ואם אסון יהיה ונתתה נפש תחת נפש: 24 עין תחת עין שן תחת שן יד תחת יד רגל תחת רגל: 25 כנף תחת כנף פצע תחת פצע חבורה תחת חבורה: ס

26 וכי יכה איש את עין עבדו או את עין אמתו וישחתה לחפשי ישלחנו תחת עינו:

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בלעז⁴². הכל לפי מה שהוא, אם ישבו פחת דמים — נותן נזק, ואם נפל למשכב — נותן שבת ורפוי ובשת וצער. ומקרא זה יתר הוא, ובהחובל⁴³ דרשוהו רבותינו לחייב על הצער אפילו במקום נזק, שאף על פי שנותן לו דמי ידו, אין פוטרין אותו מן הצער לומר הואיל וקנה ידו יש עליו לחתכה בכל מה שירצה, אלא אומרים יש לו לחתכה בסם, שאינו מצטער כל כך, וזה חתכה בברזל וצער: חבורה. היא מכה שהדם נצרך בה ואינו יוצא, אלא שמאדים הכשר בנגדו. ולשון חבורה ט"א בלעז⁴⁴, כמו: "ונמר חבורתי"⁴⁵, ותרגמו: "משקופי" לשון חבטה, כטור"א בלעז⁴⁶. וכן "שדפות קדים"⁴⁷ — "שקיפן קדום" — חבוטות קרוח. וכן "על המשקוף"⁴⁸, על שם שהדלת נושק עליו: 26 את עין עבדו. כנעני. אבל עברי אינו יוצא בשן ועין, כמו שאמרנו אצל "לא תצא כצאת העבדים"⁴⁹: תחת עינו. וכן בעשרים וארבעה ראשי אברים: אצבעות הידים והרגלים, ושתי אונות, והחטם, וראש הגויה שהוא גיד האמה. ולמה נאמר שן ועין? שאם נאמר "עין" ולא נאמר "שן", הייתי אומר: מה עין שנברא עמו, אף כל שנברא עמו, והרי שן לא נברא עמו. ואם נאמר "שן" ולא נאמר "עין", הייתי אומר: אפילו שן תינזק שיש לה חליפין. לכה נאמר "עין":

22 וכי ינצו אנשים. זה עם זה, ונתכון להכות את חברו והכה את האשה: ונגפו. אין נגיפה אלא לשון דחיפה והכאה, כמו: "פן-תגף באבן רגלך"⁵⁰, "ובטרם יתנגפו רגליכם"⁵¹, "ולאבן נגף"⁵². ולא יהיה אסון באשה: ענוש יענש. לשלם דמי ולדות לבעל. שמין אותה כמה הייתה ראויה להמכר בשוק, להעלות בדמיה בשביל הריונה: ענוש יענש. יגבו ממון ממנו, כמו: "וענשו אתו מאה כסף"⁵³. באשר ישית עליו וגו'. כשיהבענו הבעל בבית דין להשית עליו עונש על כך: ונתן. המכה דמי ולדות: בפללים. על פי הדינים: 23 ואם אסון יהיה. באשה: ונתתה נפש תחת נפש. רבותינו חולקים בדבר, יש אומרים: נפש ממש, ויש אומרים: ממון אבל לא נפש ממש, שהמתכונן להרג את זה והרג את זה — פטור ממיתה ומשלם לזרשיו דמיו, כמו שהיה נמכר בשוק: 24 עין תחת עין. סמא עין חברו — נותן לו דמי עינו, כמה שפחתו דמיו למכר בשוק, וכן כלם. ולא נטילת אבר ממש, כמו שדרשו רבותינו בפרק החובל⁵⁴: 25 כנף תחת כנף. מכות אש. ועד עכשיו דבר בחבלה שיש בה פחת דמים, ועכשו בשאין בה פחת דמים אלא צער, כגון כנאה בשפוד על צפרניו, אומדים כמה אדם כיוצא בזה רוצה לטל להיות מצטער כך: פצע. היא מכה המוציאה דם, שפצע את בשרו, נברדור"א

36. תהלים צא, יב. 37. ירמיה יג, טז. 38. ישעיה ח, יד. 39. דברים כב, יט. 40. סנהדרין עט, א. 41. בבא קמא פד, א. 42. פציעה. 43. בבא קמא פה, ב. 44. קתם. 45. ירמיה יג, כג. 46. מכה. 47. בראשית מא, כג. 48. שמות יב, כג. 49. שמות כא, ז.

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and to use our eyes only for holy purposes, our eyes serve vicariously as God's "eyes."

This explains why someone who harms another person has to pay depreciation, pain, incapacitation, medical fees, and embarrassment—more than just

the objective damages he caused. We assume that the victim might have indeed sanctified the limb that was harmed and that the assailant therefore damaged not only the victim's limb, but, so to speak, God's limb as well.⁵⁶

56. Keter Shem Tov 119.

Compensation for Injuries, continued

22 “When men are fighting with each other and they accidentally collide with a pregnant woman, causing her to miscarry though not causing her a fatal injury, then the guilty party **must be fined when the woman’s husband sues him, and he shall pay at the court’s discretion.** The court determines how much this woman would have been sold for on the slave market when she was pregnant and how much she would be sold for now that she is not pregnant, and the guilty party must pay the difference to the woman’s husband.

23 **If, however, she suffers a fatal injury, you shall exact** the monetary compensation of **a life for a life.** The guilty party must pay the woman’s heirs the price she would have commanded on the slave market when alive. According to another opinion, the party guilty of manslaughter must be put to death.

24 Monetary compensation for **an eye must be made for the loss of an eye, of a tooth for a tooth, of a hand for a hand, and of a foot for a foot.** In all these cases, the assailant must pay the victim the difference between the price he would command on the slave market before and after incurring the injury.

25 Likewise, monetary compensation for the pain suffered for **a burn must be made for a burn, that for a bleeding wound for a wound, and that for a bloodless bruise for a bruise,** even though there may be no difference in the price the victim would command on the slave market before and after having incurred such injuries. This compensation is calculated by determining how much money a person of similar social stature would agree to accept in exchange for suffering these injuries.

The obligation to compensate the victim for his pain applies even if loss of a limb was incurred and the assailant must therefore pay for the victim’s depreciation; the assailant may not argue, ‘since I am, so to speak, paying for his limb, it is mine to do with as I please.’ In fact, the assailant must pay whichever of the five forms of compensation—depreciation, pain, incapacitation, medical fees, and embarrassment—are applicable.

The Non-Jewish Bondman, continued

26 “The law of release after six years, at the Jubilee year, or (for females) upon the onset of puberty, does not apply to non-Jewish bondservants. They serve for life or for the term for which they were bought, unless someone pays for their release or their master frees them. If, however, **a person strikes the eye of his non-Jewish bondman or the eye of his non-Jewish bondwoman and destroys it, he shall free him or her as compensation for his or her eye.** The same applies if the master strikes and destroys any of the bondservant’s fingers, toes, ears, nose, or (in the case of the bondman) his reproductive organ.

❧ CHASIDIC INSIGHTS ❧

24 **An eye...for an eye:** When we resolve to use a specific limb or faculty of our mind or body only for holy purposes, we “sanctify” that limb or faculty and make

it a vehicle for Divinity. For example, when we resolve not to look at things we are not supposed to look at

— ONKELOS —

27 ואם שָׁנָא דְעֵבְדָּהּ אוּ שְׁנָא דְאִמְתָּהּ יִפִּיל לְכַר חוֹרִין יִפְטָרָהּ חֶלֶף שְׁנָה: 28 וְאִרִי יִגַּח תוֹר יֵת גִּבְרָא אוּ יֵת אִתְתָּא וְיָמוּת אִתְרַגְמָא יִתְרַגְם תוֹרָא וְלֹא יִתְאַכִּיל יֵת בְּסֵרָה וְיִמְרָה דְתוֹרָא יִהְיָ זָכָה: 29 ואם תוֹר נִגַּח הוּא מֵאִתְמַלִּי וּמִדְקָדְמוּהִי וְאִתְסֵהֵד בְּמֵרָה וְלֹא נִטְרָה וְיִקְטֵל גִּבְר אוּ אִתְתָּא תוֹרָא יִתְרַגְם וְאִתְרָה יִתְקַטֵּל: 30 אִם מְמוֹן יִשׁוּן עֲלוּהִי וְיִתֵּן פְּרָקָן נִפְשָׁה בְּכָל־דִּי יִשׁוּן עֲלוּהִי: 31 אוּ לְכַר יִשְׂרָאֵל יִגַּח תוֹרָא אוּ לְבַת יִשְׂרָאֵל יִגַּח כְּדִינָא הֲדִין יִתְעַבֵּיד לָהּ: 32 אִם לְעֵבְרָא יִגַּח תוֹרָא אוּ לְאִמְתָּא בְּסָפָא תִּלְתִּין סָלְעִין יִתֵּן לְרַבּוּנָהּ וְתוֹרָא יִתְרַגְם:

27 ואם־שָׁנָא עֲבָדוּ או־שָׁנָא אִמְתּוֹ יִפֹּל לַחֲפָשִׁי יִשְׁלַחֲנוּ תַחַת שָׁנּוּ: פ

28 וְכִי־יִגַּח שׁוֹר אֶת־אִישׁ אוּ אֶת־אִשָּׁה וְמָת סָקוֹל יִסְקֹל הַשׁוֹר וְלֹא יֵאָכֵל אֶת־בִּשְׁרוֹ וּבַעַל הַשׁוֹר נָקִי: 29 ואם שׁוֹר נִגַּח הוּא מִתְמַל שְׁלִשִּׁם וְהוּעֵד בְּבַעְלֵיו וְלֹא יִשְׁמְרֵנוּ וְהִמִּית אִישׁ אוּ אִשָּׁה הַשׁוֹר יִסְקֹל וְגַם־בְּעַלְיוֹ יוּמָת: 30 אִם־כֹּפֶר יוֹשֵׁת עָלָיו וְנָתַן פְּדִין נִפְשׁוֹ בְּכָל אֲשֶׁר־יוֹשֵׁת עָלָיו: 31 או־בֶן יִגַּח או־בַת יִגַּח בַּמִּשְׁפָּט הַזֶּה יַעֲשֶׂה לוֹ: 32 אִם־עֶבֶד יִגַּח הַשׁוֹר אוּ אִמָּה בֶּסֶף | שְׁלִשִּׁם שְׁקָלִים יִתֵּן לְאֲדָרְיוֹ וְהַשׁוֹר יִסְקֹל: ס

— RASHI —

יומָת. בִּידֵי שְׁמִימִם. יָכוֹל בִּידֵי אָדָם? תִּלְמוּד לֹא־מֵרָא: "מֵוֹת־יוֹמָת הַמִּכָּה רִצָּח הוּא"⁵⁴ — עַל רִצְיָחָתוֹ אִתָּהּ הוֹרְגוֹ, וְאִי אִתָּהּ הוֹרְגוֹ עַל רִצְיָחָת שׁוֹרוֹ: 30 אִם־כֹּפֶר יוֹשֵׁת עָלָיו. "אִם" זֶה אֵינוֹ תָלוּי, וְהָרִי הוּא כְמוֹ: "אִם־כֶּסֶף תִּלְוָה"⁵⁵ — לְשׁוֹן "אֲשֶׁר". זֶה מִשְׁפָּטוֹ — שְׁיִשִּׁיתוּ עָלָיו בֵּית־דִּין כֹּפֶר: וְנָתַן פְּדִין נִפְשׁוֹ. דְּמִי נֶזֶק. דְּבָרֵי רַבִּי יִשְׁמַעֲלֵל. רַבִּי עֲקִיבָא אָמַר: דְּמִי מִזִּיק: 31 או־בֶן יִגַּח. בֶּן שֶׁהוּא קָטָן: או־בַת. שֶׁהִיא קְטָנָה. לְפִי שְׁנָאֵמַר: "וְהִמִּית אִישׁ אוּ אִשָּׁה"⁵⁶, יָכוֹל אֵינוֹ חֵיב אֶלָּא עַל הַגְדוּלָּה? תִּלְמוּד לֹא־מֵרָא: "או־בֶּן יִגַּח וְגו'" — לְחֵיב עַל הַקְטָנִים כְּגִדּוּלִים: 32 אִם־עֶבֶד...אוּ אִמָּה. כְּנַעֲנִיִּים: שְׁלִשִּׁם שְׁקָלִים יִתֵּן. גְּזֵרַת הַכְּתוּב הוּא, בֵּין שֶׁהוּא שׁוֹה אֶלָּף וְזוֹ בֵּין שֶׁאֵינוֹ שׁוֹה אֶלָּא דִּינָר. וְהַשְׁקָל מִשְׁקָלוֹ אַרְבָּעָה זָהָבִים, שֶׁהֵם חֲצִי אֹנְקִיא לְמִשְׁקָל הַיֶּשֶׁר שֶׁל קוֹלוֹנִי"א:

28 וְכִי יִגַּח שׁוֹר. אֶחָד שׁוֹר וְאֶחָד כֹּל־בְּהֵמָה וְחִיָּה וְעוֹף, אֶלָּא שְׁדָבָר הַכְּתוּב בְּדוּחַ: וְלֹא יֵאָכֵל אֶת־בִּשְׁרוֹ. מִמִּשְׁמַע שְׁנָאֵמַר: "סָקוֹל יִסְקֹל הַשׁוֹר" אֵינִי יוֹדֵעַ שֶׁהוּא נִבְלָה, וְנִבְלָה אֲסוּרָה בְּאִכְלָהּ? אֶלָּא, מֵה־תִּלְמוּד לֹא־מֵרָא: "וְלֹא יֵאָכֵל אֶת־בִּשְׁרוֹ" — שֶׁאִפְלוּ שִׁחְטוּ לְאַחַר שְׁנִגְמַר דִּינוֹ, אֲסוּר בְּאִכְלָהּ. בְּהִנָּא מְנִין? תִּלְמוּד לֹא־מֵרָא: "וּבַעַל הַשׁוֹר נָקִי" — כְּאֵדָם הָאֹמֵר לְחִבְרוֹ: יִצָּא פְלוֹנִי נָקִי מִנְכֶּסֶי, וְאֵין לוֹ בְּהֵם הַנָּאָה שֶׁל כָּלוּם. זֶהוּ מִדְּרָשׁוֹ.⁵⁰ וּפְשׁוּטוֹ כְּמִשְׁמַעוֹ: לְפִי שְׁנָאֵמַר בְּמוּעֵד: "וְגַם־בְּעַלְיוֹ יוּמָת"⁵¹, הֲצִרְף לֹא־מֵרָא בְּתָם: "וּבַעַל הַשׁוֹר נָקִי": 29 מִתְמַל שְׁלִשִּׁם. הָרִי שֶׁלֹּשׁ נְגִיחוֹת: וְהוּעֵד בְּבַעְלֵיו. לְשׁוֹן הַתִּרְאָה בְּעֵדִים, כְּמוֹ: "הָעֵד הָעֵד בְּנוֹ הָאִישׁ"⁵²: וְהִמִּית אִישׁ וְגו'. לְפִי שְׁנָאֵמַר: "כִּי־יִגַּח"⁵³, אֵין לִי אֶלָּא שְׁהִמִּיתוּ בְּנִגְיָחָה. הִמִּיתוּ בְּנִשְׁכָּה, דְּחִיפָה, רַבִּיצָה, וּבְעִיטָה — מְנִין? תִּלְמוּד לֹא־מֵרָא: "וְהִמִּית": וְגַם־בְּעַלְיוֹ

50. בבא קמא מא, א. 51. להלן פסוק כט. 52. בראשית מג, ג. 53. ע"פ לעיל פסוק כח. 54. במדבר לה, כא. 55. שמות כב, כד. 56. לעיל פסוק כט.

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a part of his nature.

Generally, an exhaustive process is required to rid the animal soul of this acquired nature. The person must struggle greatly with his failings until he overcomes his evil tendencies. He can only be sure that he has succeeded in doing this after he proves capable of withstanding the very same temptations in similar circumstances.

However, there is a more direct way of overcoming these problems: through a "change of ownership." If the person chooses to totally immerse himself in a "new world," in holy matters, his previous bad habits automatically fall to the wayside. By changing his entire self he truly becomes a "different person" and does not have to struggle through the arduous, step-by-step process of change.⁶⁰

60. Likutei Sichot, vol. 36, pp. 106-108.

27 Similarly, **if he knocks out the permanent tooth of his bondman or the permanent⁵⁷ tooth of his bondwoman, he shall free him or her as compensation for his or her tooth.** This law does not apply to child-bondservants' primary teeth.

The Goring Animal

28 **"If any animal—for example, an ox—gores a man or woman and the victim dies, the ox must be stoned and its meat may not be eaten**—even if it had been properly ritually slaughtered instead of stoned. And no other material benefit may be derived from it, either. **But the owner of the ox shall not be punished,** as long as it is only the first, second, or third time this ox had gored someone.

29 **However, if it was an ox that had gored on three previous occasions, and its owner had been warned** in court by those who had witnessed it gore that it had thus proven itself to be a malicious ox and that he must therefore guard it, **but he nonetheless did not guard it, and it then killed a man or a woman by goring or any other means, the ox shall be stoned. Its owner, too, will be put to death** by the heavenly court, but not by the earthly court.

30 Nonetheless, the earthly court does fine him. **When this atonement fine is imposed on him, he shall pay whatever sum is imposed on him** by the court **as ransom for his life.** According to one opinion, he must pay the victim's heirs the victim's value on the slave market; according to another opinion, he must pay them his *own* value on the slave market.

31 This law does not only apply to adult victims: **if the ox gores and kills a boy or a girl, the owner shall be dealt with according to the same law.**

32 **However, if the ox gores a bondman or a bondwoman, its owner shall pay a fixed fine of thirty silver shekels to his or her master**—this being the average worth of a bondservant⁵⁸—**but the ox shall still be stoned.**

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28-29, 35-36 **If an ox gores...if it was an ox that had gored on previous occasions:** Because it is not natural for an animal to willfully cause harm, its owner is not fully liable for the damage it causes. If, however, it has repeated its aggressive behavior three times, the owner must assume it to be harmful and he is from now on culpable for his animal's actions.

There are two ways in which such an animal can revert to its former, natural status. First, if it is presented with the same circumstances that prompted it formerly to attack and yet does not attack, it demonstrates that it has been cured of its wild tendencies. Second, when an animal is sold or gifted, its slate is wiped clean. It loses any previous status of presumed

aggression because the transfer of ownership changes its nature.⁵⁹

The "animal" within each of us is our materialistically-minded animal soul. This animal must be carefully guarded, for if left to its own devices it can cause great harm.

Although this aspect of our personality is drawn towards material pursuits, its nature is benign and not pernicious. It is unnatural for the animal soul to be drawn towards *forbidden* desires, so when this happens, it is considered an unforeseeable event. However, if a person repeatedly succumbs to specific forbidden temptations, he becomes the owner of an aggressive animal, for the improprieties have become

57. Rashi on v. 26, above. 58. *Sichot Kodesh* 5737, vol. 1, pp 495-496, 502-504. 59. *Mishneh Torah*, *Nizkei Mamon* 6:6, and 6:9; see *Bava Kama* 40b; *Me'iri* on *Bava Kama* 39b; *Likutei Sichot*, vol. 36, pp. 102-106.

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33 וארי יפתח גבר גוב או ארי יכרי גבר גוב ולא יכסנה ויפל תמן תורא או חמרא: 34 מרה דגבא ישלם כספא יתיב למרוהי ומיתא יהי דילה: 35 וארי יגוף תור דגבר ית תורא דחברה וימית ויזבגון ית תורא חיא ויפלגון ית כספה ואף ית דמי מיתא יפלגון: 36 או אתידע ארי תור נגח הוא מאתמלי ומדקדמוהי ולא נטרה מרה שלמא ישלם תורא חלה תורא ומיתא יהי דילה:

33 וכי־יפתח איש בור או כִּי־יכרה איש בור ולא יכסנו ונפל־שמה שור או חמור: 34 בעל הבור ישלם כסף ישיב לבעליו והמת יהיה־לו: 35 וכי־יגוף שור־איש את־שור רעהו ומת ומכרו את־השור החי וחצו את־כספו וגם את־המת יחצו: 36 או נודע כי שור נגח הוא מתמול שלשם ולא ישמרונו בעליו שלם ישלם שור תחת השור והמת יהיה־לו: 37

— RASHI —

שהזיקה המיתה. למדנו, שהתם משלם חצי נזק, שמן השוין אתה למד לשאינן שוין, כי דין התם לשלם חצי נזק, לא פחות ולא יותר. או יכול, אף בשאינן שוין בדמיהן, כשהן חיים אמר הכתוב יחצו את שניהם? אם אמרת כן, פעמים שמזיק משתכר הרבה, כשהנבלה שוה למכר לנכרים הרבה יותר מדמי שור המזיק, ואי אפשר שיאמר הכתוב שיהא המזיק נשכר. או פעמים שהנזק נוטל הרבה יותר מדמי נזק שלם, שחצי דמי שור המזיק שוין יותר מכל־דמי שור הנזק, ואם אמרת כן, הרי תם חמור ממועד. על כרחך לא דבר הכתוב אלא בשוין, ולמדך שהתם משלם חצי נזק, ומן השוין תלמד לשאינן שוין, שהמשלם חצי נזקו שמין לו את הנבלה, ומד־שפחתו דמיו בשביל המיתה נוטל חצי הפחת והולך. ולמה אמר הכתוב כלשון הזה, ולא אמר "ישלם חציו"? ללמד שאין התם משלם אלא מגופו, ואם נגח ומת — אין הנזק נוטל אלא הנבלה, ואם אינה מגעת לחצי נזקו — יפסיד. או שור שוה מנה שנגח שור שוה חמש מאות זוז, אינו נוטל אלא את השור, שלא נתחייב התם לחייב את בעליו לשלם מן העליה: 36 או נודע, או לא היה תם, אלא נודע כי שור נגח הוא היום ומתמול שלשום, הרי שלש נגידות: שלם ישלם שור. נזק שלם: והמת יהיה־לו. לנזק. ועליו ישלם המזיק, עד שישלם נזק כל־נזקו:

33 וכי־יפתח איש בור. שהיה מכסה וגלחה: או כי־יכרה. למה נאמר? אם על הפתיחה חייב על הכריה לא כל־שכן? אלא, להביא בורה אחר בורה, שהוא חייב: ולא יכסנו. הא אם כסהו פטור. ובחופר ברשות הרבים דבר הכתוב: שור או חמור. הוא הדין לכל־בהמה וחיה, שבכל־מקום שנאמר שור וחמור, אנו למדין אותו "שור שור" משבת, שנאמר: "למען ינוח שורך וחמורך"⁵⁷, מדה־להלן כל־בהמה וחיה כשור, שהרי נאמר במקום אחר: "וכל־בהמתך"⁵⁸, אף כאן כל־בהמה וחיה כשור. ולא נאמר שור וחמור, אלא "שור" ולא אדם, "חמור" ולא בלים: 34 בעל הבור. בעל התקלה, אף־על־פי שאין הבור שלו שעשאו ברשות הרבים, עשאו הכתוב בעליו להתחייב עליו בנזקיו: כסף ישיב לבעליו. "ישיב" לרבות שוה כסף, ואפלו סבין: והמת יהיה־לו. לנזק. שמין את הנבלה ונוטלה בדמים, ומשלם־לו המזיק עליה תשלומי נזקו: 35 וכי־יגוף. ידחה. בין בקרניו, בין בגופו, בין ברגליו, בין שנשכו בשניו, כלן בכלל נגיפה הם, שאין נגיפה אלא לשון מכה: שור־איש. שור של איש: ומכרו את־השור וגו'. בשוים הכתוב מדבר — שור שוה מאתים שהמית שור שוה מאתים, בין שהנבלה שוה הרבה בין שהיא שוה מעט, כשנוטל זה חצי החי וחצי המת וזה חצי החי וחצי המת, נמצא כל־אחד מפסיד חצי נזק

57. שמות כב, יב. 58. דברים ה, יג.

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it falls: Among the laws set forth in the Torah, the laws of damages are the most comprehensible. This part of the Torah seems to be based purely on human logic. However, God provides us with several reminders that Torah is the Divine will. This law is one such reminder: Logically, there would seem to be no reason to differentiate between the damages inflicted by the

same pit. Even so, the owner is only liable for certain damages and not for others.

This demonstrates that even the civil aspects of the Torah are not merely a logical system; they are God's will, which is by definition beyond our ability to comprehend completely.⁶⁶

66. Hitva'aduyot 5747, vol. 1, pp. 487-488.

The Pit

33 “If a person uncovers a pit that had been properly covered, **or digs** an already existing pit, deepening it, **and does not cover it**, and this pit is located in the public domain, **and an ox, or a donkey**, or any other animal **falls into it**,

34 the one responsible for the pit must make restitution. He is not liable, however, for damages suffered by people or utensils the animal may be carrying when it falls. The one responsible for the pit **shall restore the value** of the animal **to its owner**, deducting the value of the animal’s carcass, since **the carcass remains** the owner’s property.

The Goring Animal, continued

35 “If one man’s animal—for example, his ox—attacks his fellowman’s ox by goring, lunging, kicking, or biting it, and the attacking ox has not yet been proven to be malicious,⁶¹ **and** the attacked ox **dies**, then, if both oxen had the same value when they were both alive, the owners **shall sell the live ox and divide the proceeds, and they shall also divide** the value of **the carcass**. In this way, the owner of the attacking ox compensates the owner of the attacked ox for half his loss.⁶² If the oxen had different values when both were alive, the owner of the attacking ox still compensates the owner of the attacked ox for half his loss, but only up to the full value of the attacking ox.⁶³

36 However, if the ox was known to have gored on at least three **previous occasions** and had thus been proven to be malicious, **yet its owner did not guard it**, and it attacked someone else’s ox and killed it, **he must pay the full value of an ox in compensation for the ox**, i.e., he must compensate the owner of the attacked ox for the full value of his loss, taking into consideration that **the carcass remains** its owner’s **property**. The owner of the attacking ox pays the owner of the attacked ox the value the ox had when alive minus its value now as a carcass.

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33 If a person uncovers a pit, or digs a pit and does not cover it: There are two types of obstructions included in this category of damages: a pit that is at least ten handbreadths deep and a barrier or other hindrance at least ten handbreadths high.⁶⁴

Every person innately possesses both of these qualities: the ability to receive (a pit) and the ability to give (a protrusion). The depth or height of each is ten handbreadths. The influences that we absorb or impart permeate or express all ten faculties of the soul.

These qualities may be used to great benefit. Without proper supervision, however, they may become destructive. Good or bad, the choices we make are meaningful and all-pervading. If we choose to receive and transmit indiscriminately, we will become a danger to society. But if we choose to accept only positive influences and spread only positivity throughout our surroundings, we become a source of blessing.⁶⁵

34 He is not liable, however, for damages suffered by people or utensils the animal may be carrying when

⁶¹ By having attacked three times; see above, v. 29. ⁶² For example, if both oxen were worth \$200 when alive, and the carcass is worth \$50, the owner of the attacked ox has suffered a loss of \$150 and remains with \$50 of asset. By selling the \$200 live ox and the \$50 carcass and splitting the revenue, both parties are left with \$125, which, for the owner of the attacked ox, is equal to half his loss (\$75) plus the asset he remained with after the incident (\$50). ⁶³ For example, if the attacking ox is worth \$200 and the attacked ox was worth \$500 and its carcass is now worth \$50, the owner of the attacked ox has suffered a loss of \$450. Half the loss would be \$225. Still, the owner of the attacking ox is not liable to pay any more than \$200. ⁶⁴ *Mishneh Torah, Nizkei Mamon* 13:12, 13:15. ⁶⁵ *Hitva'aduyot* 5747, vol. 1, pp. 488-489.

— ONKELOS —

37 אָרִי יִגְנֹב תוֹר אוֹ אִמֹּר
וּבְסִנָּה אוֹ יִזְבְּנֶה חֲמִשָּׁה תוֹרִין
יִשְׁלֹם חֶלֶף תוֹרָא וְאַרְבַּע עֲנָא
חֶלֶף אִמֹּרָא: 22:1 אִם בְּמַחֲתָרָא
יִשְׁתַּכַּח גִּבָּא וְיִתְמַחֵי וַיְמוּת לִית
לֵה דָם: 2 אִם עֵינָא דְסִהְדִיא נִפְלַת
עֲלוּהִי דְמָא לֵה שְׁלָמָא יִשְׁלֹם אִם
לִית לֵה וְיִזְדָּבֵן בְּגִבְתָּהּ: 3 אִם
אִשְׁתַּכַּח תִּשְׁתַּכַּח בִּידֵה גִבְתָּא
מִתוֹר עַד חֲמֹר עַד אִמֹּר כֹּד אֲנֹן
חִיין עַל חַד תְּרִין יִשְׁלֹם: 4 אָרִי
יֻכִּיל גִּבְר חֲקֵל אוֹ כְּרִם וַיִּשְׁלַח יֵת
בְּעִירָה וַיִּיכֹל בְּחֶקֶל אַחֲרֹן שְׁפֹר
חֲקֵלָה וְשְׁפֹר כְּרָמָה יִשְׁלֹם:

37 כִּי יִגְנֹב אִישׁ שׁוֹר אוֹ-יִשָּׁה וּמִבְּחֹ אוֹ מִכָּרִי חֲמִשָּׁה
בָּקָר יִשְׁלֹם תַּחַת הַשּׁוֹר וְאַרְבַּע-צֹאן תַּחַת הַיִּשָּׁה:
22:1 אִם-בְּמַחֲתָרֶת יִמָּצֵא הַגִּנֵּב וְהָכָה וּמָת אִין לוֹ
דָּמִים: 2 אִם-זָרְחָה הַשֶּׁמֶשׁ עָלָיו דָּמִים לוֹ שְׁלֹם יִשְׁלֹם
אִם-אִין לוֹ וְנִמְכָּר בַּגִּנְבָּתוֹ: 3 אִם-הִמָּצֵא תִמָּצֵא
בְּיָדוֹ הַגִּנֵּבָה מִשּׁוֹר עַד-חֲמֹר עַד-יִשָּׁה חִיִּים שְׁנַיִם
יִשְׁלֹם: 8

◆ שְׁלִישִׁי 4 כִּי יִבְעֶר-אִישׁ שָׂדֶה אוֹ-כָרִם וַיִּשְׁלַח אֶת-בְּעִירָה
(אֶת-בְּעִירוֹ) וּבְעֶר בְּשָׂדֶה אַחֵר מִיֵּטֵב שָׂדֶהוּ וּמִיֵּטֵב כָּרְמוֹ
יִשְׁלֹם: 8

— RASHI —

מִמּוֹן שְׁגָב, וְאִינוּ חֵיב מִיתָה. וְאִינוּ קָלוּס שְׁתָּרָגִם: "אִם
עֵינָא דְסִהְדִיא נִפְלַת עֲלוּהִי", לֶקַח לוֹ שְׁטָה אַחֲרָה,
לֹאמַר שְׂאֵם מִצְאוּהוּ עֵדִים קִדְּם שְׂבָא בַעַל הַבַּיִת,
וְכִשְׂבָּא בַעַל הַבַּיִת נִגְדוּ הִתְרוּ בוֹ שְׁלֵא יִהְרָגוּ —
"דָּמִים לוֹ" — חֵיב עָלָיו אִם הִרְגוּ, שְׂמַאחֲרָ שִׁישׁ רוֹאִים
לוֹ, אִין הַגִּנֵּב הָיָה בָּא עַל עֶסְקִי נִפְשׁוֹת, וְלֹא יִהְרָג
אֶת בַּעַל הַמָּמוֹן: 3 אִם-הִמָּצֵא תִמָּצֵא בְּיָדוֹ. בְּרִשׁוֹתוֹ,
שְׁלֵא טַבַּח וְלֹא מִכָּר: מִשּׁוֹר עַד-חֲמֹר. כָּל-דָּבָר בְּכֻלָּל
תִּשְׁלֹמִי כְּפֹל, בֵּין שְׁיִשְׁבוּ רוּחַ חַיִּים בֵּין שְׂאִין בוֹ רוּחַ
חַיִּים, שְׁהִירֵי נֶאֱמַר בְּמִקְרָא אַחֵר: "עַל-שָׂה עַל-שְׁלָמָה
עַל-כָּל-אֲבֹדָה וְגו' יִשְׁלֹם שְׁנַיִם לְרֵעֵהוּ"⁵⁹: חַיִּים שְׁנַיִם
יִשְׁלֹם. וְלֹא יִשְׁלֹם לוֹ מִתִּים, אֲלֵא חַיִּים אוֹ דָּמֵי חַיִּים:
4 כִּי יִבְעֶר...אֶת-בְּעִירָה. וּבְעֶר. כָּלִם לְשׁוֹן בְּהֵמָה, כְּמוֹ:
"אֲנַחְנוּ וּבְעִירָנוּ"⁶⁰: כִּי יִבְעֶר. יוֹלִיף בְּהִמּוֹתָיו בְּשָׂדֶה
וְכָרִם שֶׁל חֲבֵרוֹ, וַיִּזְקֵק אוֹתוֹ בְּאַחַת מִשְׁתֵּי אֱלוֹ, אוֹ
בְּשִׁלּוֹחַ בְּעִירָה אוֹ בְּבַעֲרוֹ. וּפְרָשׁוֹ רַבּוּתִינוּ⁶¹: "וַיִּשְׁלַח"
— הוּא נִזְקֵי מִדְּרָךְ כֹּף רָגֵל. "וּבְעֶר" — הוּא נִזְקֵי הַשֵּׁן
הַאוֹכֵלֶת וּמִבְּעֶרֶת: בְּשָׂדֶה אַחֵר. בְּשָׂדֶה שֶׁל אִישׁ אַחֵר:
מִיֵּטֵב שָׂדֶהוּ...יִשְׁלֹם. שְׂמִין אֶת הַנֶּזֶק, וְאִם בָּא לְשִׁלֹם לוֹ
קֶרֶקַע דָּמֵי נֶזֶק, יִשְׁלֹם-לוֹ מִמִּיֵּטֵב שְׂדוּתָיו — אִם הָיָה
נֶזֶק סֵלַע, יִתֵּן-לוֹ שְׁוֵה סֵלַע מַעֲדִית שְׁיִשְׁ-לוֹ. לְמִדְּרָךְ
הַכְּתוּב, שֶׁהַנֶּזֶקִין שְׂמִין לָהֶם בְּעִדִּית:

37 חֲמִשָּׁה בָּקָר וְגו'. אִמֹּר רַבֵּן יוֹחָנָן בֶּן זַכָּאי: חֵס
הַמָּקוֹם עַל כְּבוֹדֵן שֶׁל בְּרִיּוֹת: שׁוֹר שְׁהוּלָף בְּרָגְלָיו, וְלֹא
נִתְבָּזָה בוֹ הַגִּנֵּב לְנִשְׂאוֹ עַל כְּתָפוֹ — מִשְׁלֹם חֲמִשָּׁה. שָׂה
שְׁנוּשָׂאוֹ עַל כְּתָפוֹ — מִשְׁלֹם אַרְבָּעָה, הוֹאִיל וְנִתְבָּזָה
בוֹ. אִמֹּר רַבִּי מֵאִיר: בָּא וְרָאָה כְּמוֹהָ גְדוּלָה כְּחוֹה שֶׁל
מִלָּאכָה: שׁוֹר שֶׁבְטָלוֹ מִמְּלָאכָתוֹ — חֲמִשָּׁה. שָׂה שְׁלֵא
בְטָלוֹ מִמְּלָאכָתוֹ — אַרְבָּעָה: תַּחַת הַשּׁוֹר...תַּחַת הַיִּשָּׁה.
שְׂנָאן הַכְּתוּב, לֹאמַר שְׂאִין מִדַּת תִּשְׁלֹמִי אַרְבָּעָה
וְחֲמִשָּׁה נִזְהָגָת אֲלֵא בְשׁוֹר וְשָׂה בְּלִבָּד: 1 אִם-בְּמַחֲתָרֶת.
כְּשֶׁהָיָה חֹתֵר אֶת הַבַּיִת: אִין לוֹ דָּמִים. אִין זוֹ רְצִיחָה,
הָרִי הוּא כְּמַת מַעֲקָרוֹ. כָּאֵן לְמִדְּרָךְ תוֹרָה, אִם בָּא
לְהִרְגָה הַשֶּׁכֶם לְהִרְגוֹ. וְזֶה לְהִרְגָה בָּא, שְׁהִירֵי יוֹדַע הוּא
שְׂאִין אָדָם מַעֲמִיד עֲצָמוֹ וְרוֹאָה שְׁנוּטָלִין מִמּוֹנוֹ בְּפָנָיו
וְשׁוֹתֵק, לְפִיכָף עַל מִנַּת כֶּן בָּא, שְׂאֵם יַעֲמֹד בַּעַל הַמָּמוֹן
כְּנִגְדּוֹ — יִהְרָגֵנוּ: 2 אִם-זָרְחָה הַשֶּׁמֶשׁ עָלָיו. אִין זֶה אֲלֵא
כְּמוֹ מִשְׁל — אִם בְּרוּר לָף הַדָּבָר שְׁיִשְׁ-לוֹ שְׁלֹם עִמּוֹ,
כְּשֶׁמֶשׁ הָיָה שְׁהוּא שְׁלֹם בַּעֲלוֹלָם, כֶּף פְּשׁוּט לָף שְׂאִינוּ
בָּא לְהִרְגָה אֲפֹלוּ יַעֲמֹד בַּעַל הַמָּמוֹן כְּנִגְדּוֹ, כְּגוֹן אֵב
הַחוּתֵר לְגִנֵּב מִמּוֹן הַבֵּן, בְּיָדוּעַ שְׂרַחְמֵי הָאֵב עַל הַבֵּן,
וְאִינוּ בָּא עַל עֶסְקִי נִפְשׁוֹת: דָּמִים לוֹ. כְּחִי הוּא חֲשׁוּב,
וְרְצִיחָה הִיא אִם יִהְרָגֵנוּ בַּעַל הַבַּיִת: שְׁלֹם יִשְׁלֹם. הַגִּנֵּב,

59. להלן פסוק ח. 60. במדבר כ, ד. 61. בבא קמא ב, ב.

— CHASIDIC INSIGHTS —

1 He takes the risk of mortal combat: Although the way of Torah is that of peace and harmony,⁷² there are

times, such as the case described in this verse, when the Torah advocates violence. One might imagine that

72. Proverbs 3:17.

Theft

37 **“If a man steals an ox or sheep and slaughters or sells it, and is then caught or admits his guilt, he shall repay five oxen in place of the ox and four sheep in place of the sheep.** Normally, a thief is required to pay back only double the value of what he stole;⁶⁷ this extra fine applies only to oxen and sheep. The basic fine charged to the thief is five times the value of the stolen animal, but this is reduced in the case of a sheep because the thief has to carry it on his back in order to steal it, and this causes him some embarrassment when his case is tried in court, and we must concern ourselves with human dignity even in the case of a thief. (Inasmuch as he only has to pay this extra fine when he slaughters or sells the sheep, it is only in such a case that the public focuses on the fact that he had to carry it on his back, and so only here is his punishment lessened on this account.) In contrast, the basic restitution given to the victim of the theft is *four* times the value of the stolen animal, but this is increased in the case of an ox because an ox is a working animal, and the damage to the victim is therefore greater. Even though an ox plows the field at most twice a year—and, if the thief sold or slaughtered the ox, this would indicate that it was not particularly suited to plowing—this inflated fine is still imposed, in order to emphasize the value of productive work.⁶⁸

22:1 **“If a thief is caught while breaking in, and he is struck by someone guarding the property that he is attempting to steal and the thief dies, there is no bloodguilt in his case.** For the thief knows full well that people will defend their property, so he takes the risk of mortal combat when he breaks in.

2 **If, however, metaphorically, the sun shone on him, i.e., it is clear that he is uncontentious and will not kill the one guarding the property if opposed, it is an act of murder to kill him.** Similarly, if there are witnesses present who warn the guard not to kill the thief, it is an act of murder to kill him, since the thief will not kill in the presence of witnesses. Nonetheless, the thief **must make full restitution** for what he steals. **If the thief is a man, and he does not have the means to make restitution, he must be sold as a bondman to make restitution for his theft.**⁶⁹

3 **If the stolen article is actually found in his possession, whether it be an ox, a donkey, or a sheep, and it is still alive—he did not slaughter or sell it—he shall repay two live animals, and not four or five (in the case of oxen and sheep), in contrast to the rule stated above⁷⁰ and in accordance with the rule stated below.⁷¹**

Compensation for Damages

- ◆ *Third Reading 4* **“If a man takes his animals into someone else’s field or vineyard, and he lets them trample or graze in this other person’s field or vineyard, then, he must pay for the damages. If he wishes to pay for the damages with land rather than money, he shall make restitution with the best of his field or the best of his vineyard.**

67. Below, 22:3, 8. 68. *Likutei Sichot*, vol. 16, pp. 258-265. 69. See above, 21:2. 70. 21:37. 71. v. 8.

ONKELOS

5 ארי יתפק נור וישבח בובין
ויתאכלון גדישין או קמתא או
חקלא שלמא ישלם דאדליק ית
דליקתא: 6 ארי יתן גבר לחברה
בסוף או מנין למטר ויתגנבון מבית
גברא אם ישתכח גנבא ישלם על
חד תרין:

5 כִּי־תֵצֵא אִישׁ וּמִצָּאָה קִצִּים וְנֶאֱכַל גְּדִישׁ אוֹ הַקֶּמֶה
אוֹ הַשָּׂדֶה שְׁלֹם יִשְׁלֹם הַמִּבְעֵר אֶת־הַבְּעֵרָה: 6
6 כִּי־יִתֵּן אִישׁ אֶל־רֵעֵהוּ בְּסוֹף אוֹ־כֶלִים לְשֹׂמֵר וְגֵנֵב
מִבֵּית הָאִישׁ אִם־יִמָּצֵא הַגֵּנֵב יִשְׁלֹם שְׁנַיִם:

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יִצָּאָה מַעֲצָמָה עַל יְדֵי קוֹצִים שְׂמִינָא, חַיֵּב לְשֹׁלֵם,
לְפִי שְׁלֹא שְׂמֵר אֶת גִּחְלָתוֹ שְׁלֹא תִצָּא וְתִזְק; 6 וְגֵנֵב
מִבֵּית הָאִישׁ. לְפִי דְבָרָיו: אִם יִמָּצֵא הַגֵּנֵב, יִשְׁלֹם הַגֵּנֵב
שְׁנַיִם לְבָעָלִים:

5 כִּי־תֵצֵא אִישׁ. אֶפְלוּ מַעֲצָמָה: וּמִצָּאָה קִצִּים. קִרְדוֹנָא
בְּלַעְזוֹ: 6 וְנֶאֱכַל גְּדִישׁ. שְׁלִיחָה בְּקוֹצִים עַד שֶׁהִגִּיעָה
לְגְדִישׁ אוֹ לְקֶמֶה הַמְּחַבֵּרֶת בְּקֶרֶקֶע: אוֹ הַשָּׂדֶה.
שְׁלִיחָה אֶת נִירוֹ, וְצָרִיף לְנִיר אוֹתָהּ פַּעַם שְׁנִיָּה: שְׁלֹם
יִשְׁלֹם הַמִּבְעֵר. אֶף־עַל־פִּי שֶׁהַדְּלִיק בְּתוֹךְ שְׁלוֹ וְהִיא

62. פְּרוֹת שֶׁל צִמַּח הַסְּרָדָא - קוּץ.

CHASIDIC INSIGHTS

80 *The borrower* (22:13). A borrower is liable even for occurrences beyond his control, e.g., the death of an animal he borrows.

There is an essential difference between the accountability of the first two types of consignees and that of the borrower. The duty of the first two types of consignee is to watch over the owner's object and return it to him intact. Their responsibility stems from their commitment to guard the object. (The extent to which they are required to watch it depends on whether or not they are paid). Hence, they are not responsible for occurrences beyond their control, since the quality of their care has no effect on whether such occurrences will happen or not.

In contrast, the intention of the borrower is not to guard the object but to use it. Because he has been given the right to use the object without paying for it, it is considered his to the extent that he is responsible for all eventualities.⁸⁰ (The exception to this is if it dies or breaks in the course of the work for which it was borrowed.)

81 *The hirer* (22:14). Of a hirer, the Torah says: "the loss is covered by its rental price." Which type of "loss" is covered by the rental price? According to the Talmudic sage Rabbi Yehudah, the hirer is compared to an unpaid consignee and is therefore exempt in the case

of theft. Rabbi Yehudah does not consider the hirer's access to the object as payment for watching the object, since he *pays* for that access; his responsibility to guard the object goes unpaid. According to Rabbi Yehudah's colleague, Rabbi Meir (whose view is accepted as law), the hirer is liable for theft but exempt from loss through uncontrollable occurrences. According to Rabbi Meir, the hirer is essentially a borrower: since the object is in his hands for his own benefit, he should be held responsible for all eventualities, just as is the borrower. However, because the hirer pays for use of the object, he is not culpable for cases of uncontrollable occurrences (but remains responsible for theft). The hirer can be seen as a hybrid of borrower and paid consignee: the *nature* of his accountability is like that of the borrower, while his actual responsibilities are identical to those of the paid consignee.⁸¹

Spiritually, we are all consignees. God has entrusted us with charges: our Divine soul, our fellow Jews, our fellow human beings, and the world at large. On our worst days we are borrowers. We use and enjoy the pleasures of our soul, our fellows, and our world without reciprocating. At times we do better: we are hirers. We recognize that true physical and spiritual pleasures can only be experienced when we give; we give in order to receive. Then there are days when

type of consignee	form of liability			
	negligence	theft	uncontrollable occurrences	damages in the course of work
unpaid consignee	✓			
paid consignee	✓	✓		
borrower	✓	✓	✓	
hirer (R. Yehudah)	✓			
hirer (R. Meir)	✓	✓		

80. See Kiddushin 47b. 81. *Likutei Sichot*, vol. 31, pp. 112-114.

5 “If a fire breaks out—even accidentally—and spreads through thorns, so that it consumes stacked or standing grain or a newly-plowed field, hardening it so the owner has to plow it again, the one who kindled the fire must make restitution. Even though he started the fire on his own property, he did not take sufficient measures to prevent it from spreading onto someone else’s property, and is therefore liable for damages.

The Unpaid Consignee

6 “If a man gives his fellowman money or objects for unpaid safekeeping, and the latter (the consignee) asserts that although he was not negligent in their care they were nonetheless stolen from his house, then, if the thief is found he must make double restitution to the consigner.

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violence must be avoided at all cost, that if God wants a person to live to a ripe old age, no midnight intruder will interfere with His plan. This verse tells us otherwise: we must take the life of one who threatens our own. The Torah demands that we employ natural measures to ensure our safety, that we create the means for the fulfillment of the verse: “Behold the Guardian of Israel neither sleeps nor slumbers.”⁷³ Such an attitude prevents bloodshed on both sides: knowing that his foe will respond strongly to provocation, the enemy will not attack in the first place.⁷⁴

5 If a fire breaks out and spreads: Even if someone lights a fire in his *own* domain and the fire somehow spreads to someone else’s property, the first individual is liable for the damage. In the Talmud, lighting a fire is compared to drawing the bow of an arrow: regardless of where the arrow lands, the perpetrator is liable for its damage.⁷⁵ In other words, the act of igniting a fire, like drawing a bow, “includes” in it any future consequence, since once the arrow is out of the archer’s hands it cannot be retrieved.⁷⁶

Generally, this logic holds true only in the human sphere. It can never be said of God that something is out of His hands; He can always reverse the fires and arrows that threaten to harm us. However, when God promises to do something good, that event *must* come to pass. A prophet’s prediction of good things must come true.⁷⁷ In this sense, God is similar to man: once the promise of goodness is “out of His hands” it cannot be rescinded.

Knowing that God’s promise for good “includes” the ultimate outcome gives us the inspiration to endure the darkness of these last days of exile. The future redemption, in its highest form, already exists; it is only concealed. When we recognize that the confusion and obstacles we encounter are mere illusions that obscure the truth, God will remove them, and we will be able to perceive the light of redemption.⁷⁸

If a fire breaks out and spreads through thorns, so that it consumes stacked or standing grain or a field: The evil inclination is proficient in his craft, at first enticing his victim to take small, innocuous steps, but ultimately luring him into the gravest of sins. Initially, he even allows his victim to continue serving God faithfully, if only without focus. Indeed, when the fire of lust breaks out, it appears harmless and unsuspecting, merely scorching the thorns. But all too soon it becomes tragically uncontrollable and consumes the entire stock.⁷⁹

6-14 The four consignees: In this section, the Torah describes four types of consignees:

✪ *The unpaid consignee (22:6-7).* An unpaid consignee is not held accountable for theft of the object entrusted to his care. He is, however, accountable for damage or theft caused by his negligence.

✪ *The paid consignee (22:9-12).* A paid consignee is held accountable for theft. However, he is not held responsible for occurrences beyond his control. For example, if an animal in his care dies or is carried off in a raid, he is not held responsible.

73. Psalms 121:4. 74. *Sichot Kodesh* 5734, vol. 1, pp. 146-147. 75. *Bava Kama* 22a. According to Reish Lakish, the Torah considers the fire to be the person’s property, and he is therefore liable for any damage it causes just as he is liable for the damage caused by his animal or pit. 76. *Nimukei Yosef ad loc.* Hence, lighting the Sabbath candles right before the onset of the Sabbath is not considered a desecration of the Sabbath even though the candle will remain lit throughout the Sabbath. This is because the Torah views the entire duration of the flame as being encapsulated in the moment of its ignition. Similarly, one who released an arrow and then died would certainly be liable for any damage caused by the arrow, even though he was not alive at the time of damage (*Nimukei Yosef, loc. cit.*). 77. *Mishneh Torah, Yesodei HaTorah* 10:4. However, a prophet of doom whose prophecy does not come to pass is not considered a false prophet, since the catastrophe he prophesied may have been averted through repentance (*ibid.*). 78. *Likutei Sichot*, vol. 1, pp. 125-127. 79. *Igrot Kodesh*, vol. 22, pp. 200-201.

— ONKELOS —

7 אם לא ישתכח גנבא ויתקרב
מרה דביתא לקדם דיניא אם
לא אושט ידה במא דמסר לה
חברה: 8 על כל-פתגם דחוב על
תור על חמר על אמר על כסו על
כל-אבידתא די ימר ארי הוא דין
לקדם דיניא ייעול דין תרוהון די
יחבון דיניא ישלם על חד תרין
לחברה:

7 אם-לא ימצא הגנב ונקרב בעלהבית אל-
האלהים אם-לא שלח ידו במלאכת רעהו: 8 על-
כל-דבר-פשע על-שור על-חמור על-שה על-שלמה
על-כל-אבדה אשר יאמר ביהוא זה עד האלהים
יבא דבר-שניהם אשר ירשיען אלהים ישלם שנים
לרעהו: 8

— RASHI —

באו עדים שהוא בידו. נאמר כאן "שליחות יד" ונאמר
למטה "שליחות יד" — "שבעת ה' תהיה בין שניהם
אם-לא שלח ידו", מה-להלן שבועה אף כאן שבועה:
אשר יאמר ביהוא זה. לפי פשוטו: אשר יאמר העד,
ביהוא זה שגשבעת עליו הרי הוא אצלך. עד הדין
יבא דבר שניהם, ויחקרו את העדות, ואם כשרים הם
וירשיעוהו לשומר זה — ישלם שנים. ואם ירשיעו את
העדים שנמצאו זוממין — ישלמו הם שנים לשומר.
ורבותינו זכרונם לברכה דרשו: "ביהוא זה" — ללמד
שאין מחיבין אותו שבועה, אלא אם כן הודה במקצת,
לומר: כך וכך אני חיב לך, והמותר גנב ממני.

7 אם לא ימצא הגנב. ובא השומר הזה שהוא בעל
הבית: ונקרב. אל הדין, לדון עם זה, ולשבע לו שלא
שלח ידו בשל: 8 על-כל-דבר-פשע. שימצא שקרן
בשבועתו, שיעידו עדים שהוא עצמו גנב, וירשיעוהו
אלהים על פי העדים: ישלם שנים לרעהו. למדך
הכתוב, שהטוען בפקדון לומר גנב הימנו, ונמצא
שהוא עצמו גנב, משלם תשלומי כפל. ואימתי? בזמן
שגשבע ואחר כך באו עדים. שכן דרשו רבותינו:
"ונקרב בעלהבית אל-האלהים" — קריכה זו שבועה
היא. אתה אומר לשבועה, או אינו אלא לדיון? שפיון
שבא לדיון וכפר לומר גנב, מיד יתחייב בכפל, אם

63. בבא קמא סג, ב. 64. לעיל פסוק ז. 65. להלן פסוק י. 66. בבא קמא קז, א.

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is not God. When we begin to confuse "it" with "this," when we begin to ascribe intrinsic existence and value to anything other than God, we have been dishonest with our soul. How can we rectify this error?

The party whom the judges find guilty shall make double restitution to his fellowman. Paying double means also harnessing the powers of the animal soul—the brute force of the ox, the donkey's ability to carry heavy loads for the long trek, the sheep's compliant nature—towards the service of the Creator.⁸⁶

This is it: The sages derive the law of "partial admission" from the phrase "this is it," which can be translated as "only this"—meaning that the defendant admits that he owes "only this" but not all that he is being sued for. If A claims that B owes him 100 dollars, and B says he owes only 50, B is required to swear in court that he does not owe the other 50. In the case described here, the consignee claims that a portion of the goods entrusted to him was stolen. The Torah then says that he must appear in court and swear that he is telling the truth. The reason he has to swear is that since he did not already voluntarily return or pay what he admits he owes, he has become slightly suspect.

Spiritually, there are a few ways in which we sometimes claim "partial admission." When we have been remiss in fulfilling our Divine mission, the prosecuting angel can claim that we are wholly at fault and that we deserve either to be punished or to be allowed to slide into further transgression, compounding our guilt.

We admit to the accusation, but only partially. In self-defense, we first say that our indiscretions did not involve our entire being. The deepest place in our hearts never rebelled against God; only the outer manifestations of our consciousness veered from the path. Secondly, we were never entirely remiss, since, as the Talmud attests, "even the most wicked of Israel are filled with commandments like a pomegranate [is filled with seeds]."⁸⁷ Therefore, we do not deserve full punishment; we are willing to repent, but only for what we actually did.

In order for the heavenly court to accept our counterclaim, the Torah requires us to take an oath. But in fact, we took this oath long ago, for God administers an oath to every Divine soul, as it is about to enter the body at birth, to be righteous. That oath acts as a

86. *Likutei Sichot*, vol. 1, pp. 155-158. 87. *Eiruvim* 19a.

7 But if the thief is not found, and the consigner accuses the consignee of stealing the goods himself, and the consignee admits that he took a portion of the goods but not all of them,⁸² then, **the owner of the house**—the consignee—**shall approach the judges** to swear that he did not lay a hand on his fellowman's property any more than he admits. By taking this oath, the consignee exempts himself from having to pay anything further to the consigner.

8 If the consigner afterwards brings witnesses who testify that the consignee has stolen more than he has admitted, then, **in every such case of possible dishonesty, whether it involves an ox, a donkey, a sheep, a garment, or anything allegedly lost or stolen, and witnesses testify, "This is it—the disputed goods are in the possession of the consignee," the claims of both parties—the witnesses (testifying on behalf of the consigner) and the consignee—shall come before the judges. The party whom the judges find guilty shall make double restitution to his fellowman:** If the judges accept the testimony of the witnesses, they pronounce the consignee a thief and he must pay double the value of the goods to the consigner. If the judges determine that the testimony of the witnesses is false, the witnesses must pay double the value of the goods to the consignee. The rule that the guilty party must make double restitution applies only when the consignee first swore that he did not steal the consigner's goods; if, however, the consigner first brings witnesses who testify that the consignee is a thief and the judges accept their testimony, the consignee does not need to swear and only has to pay the consigner the actual value of his goods.

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we make the leap and leave the world of hirer and borrower, the world of the self, and advance to the level of the paid consignee. It is no longer about us, about the pleasures we will enjoy as our reward; we are caretakers, not seeking to use God's gifts for our purposes but to assist Him in His purposes. Perhaps, as *paid* consignees, we are not beyond looking forward to the reward, but at least that is not our focus.

On our best days—and ultimately all our days will be such—we are *unpaid* consignees. We are oblivious to physical and spiritual rewards; we are the person who, in Maimonides' words,⁸³ "serves God out of love...not because of anything in the world...not to inherit the good, but rather one who does the truth because it is the truth..."⁸⁴

8 **In every case of dishonesty:** Spiritually, God has entrusted each of us with a charge: the Divine soul.⁸⁵ It is our responsibility to ensure that the soul remain protected and unsullied, that it return to heaven better off than it was before its descent into the body. At times, however, we are unfaithful to the soul's Owner and abuse His charge. The causes for our delinquency are spelled out in this verse:

Whether it involves an ox, a donkey, a sheep: these are the various challenges that our animal soul poses to our Divine soul. The self-centeredness of the goring ox that tramples upon everything in its path, the frigidity of the donkey, and the follower mentality of the sheep—all these conspire to confuse the Divine soul until it is convinced that—

"*This is it*": In an absolute sense, the demonstrative pronoun "this" can rightfully refer only to something that is exactly what it appears to be. However, everything other than God is *not* what it appears to be. Things appear to exist on their own, but really owe their existence to God. Since only God's reality is intrinsic, we can only rightly say, "this" of God—just as the Israelites did when, after walking through the sea, they said, "*This is my God!*"

On a more profound level, the word "this" really only applies to something that exists at all times and in all places, so whenever we want and wherever we are we can point to it and say "this." Again, only God satisfies this criterion. Everything else is an "it," the third person, somebody or something that is not intrinsically here. Thus, the word "it" applies to everything that

82. Rashi on v. 8, below. 83. *Mishneh Torah*, *Teshuvah* 10:2. 84. *Likutei Sichot*, vol. 31, pp. 115-118, based on *Shnei Luchot Habrit*, *Pesachim*, 155a (*Matzah Ashirah*). 85. See *Shabbat* 152b.

— ONKELOS —

9 אָרִי יִתֵּן גִּבֹּר לְחִבְרָה חֲמֹר אוֹשֹׁר אוֹשֶׁה וְכָל־
תּוֹר אוֹ אֹמֶר וְכָל־בְּעִירָא לְמִטְרָה
וַיְמִית אוֹ אֶתְבֵּר אוֹ אֶשְׁתְּבִי לִית
דְּחִי: 10 מוֹמְתָא דִּי תְהִי בִין
תְּרוּיָהוֹן אִם לֹא אוֹשִׁיט יָדָהּ בְּמָא
דְּמִטְרָה לֵה חִבְרָה וְיִקְבֵּל מִרָה
מִנָּה מוֹמְתָא וְלֹא יִשְׁלֵם: 11 וְאִם
אֶתְגָּבֵב יִתְגָּבֵב מִעַמָּה יִשְׁלֵם
לְמִרְוּהִי: 12 אִם אֶתְבֵּרָא יִתְבֵּר
יִתֵּי סִדְדִין דְּתִבִּיר לֹא יִשְׁלֵם:
13 וְאָרִי יִשְׁאֵל גִּבֹּר מִן חִבְרָה
וְיִתְבֵּר אוֹ יִמּוֹת מִרָה לִית עֲמָה
שְׁלָמָא יִשְׁלֵם:

9 כִּי־יִתֵּן אִישׁ אֶל־רֵעֵהוּ חֲמֹר אוֹשֹׁר אוֹשֶׁה וְכָל־
בְּהֵמָה לְשֹׁמֵר וּמִית אוֹנֶשֶׁבֶר אוֹנֶשֶׁבָה אֵין רֹאֶה:
10 שִׁבְעַת יְהוָה תִּהְיֶה בֵּין שְׁנֵיהֶם אִם־לֹא שָׁלַח יָדוֹ
בְּמִלְאֶכֶת רֵעֵהוּ וְלָקַח בְּעָלָיו וְלֹא יִשְׁלֵם: 11 וְאִם־גָּנֵב
יִגְנֹב מִעַמּוֹ יִשְׁלֵם לְבְעָלָיו: 12 אִם־טָרַף יִטָּרַף יִבְאֵהוּ עַד
הַטָּרְפָה לֹא יִשְׁלֵם: פ
13 וְכִי־יִשְׁאֵל אִישׁ מֵעַם רֵעֵהוּ וְנִשְׁבַּר אוֹמֶת בְּעָלָיו
אִין־עָמָו שָׁלֵם יִשְׁלֵם:

— RASHI —

וְלָקַח בְּעָלָיו. הַשְׁבוּעָה: וְלֹא יִשְׁלֵם. לוֹ הַשּׁוֹמֵר כְּלוּם:
12 אִם־טָרַף יִטָּרַף. עַל יְדֵי חִיָּה רֵעֵהוּ: יִבְאֵהוּ עַד. יְבִיא
עֲדִים שְׁנֵיטְרָפָה בְּאֵנֶס וּפְטוֹר: הַטָּרְפָה לֹא יִשְׁלֵם. אִינוֹ
אוֹמֶר "טָרְפָה לֹא יִשְׁלֵם", אֶלָּא "הַטָּרְפָה" — יֵשׁ טָרְפָה
שֶׁהוּא מִשְׁלֵם וְיֵשׁ טָרְפָה שֶׁאִינוֹ מִשְׁלֵם: טָרַפְתָּ חֲתוּל
וְשׁוּעַל וְנִמְיָה — מִשְׁלֵם. טָרַפְתָּ זֶבֶב אָרִי וְדָב וְנֶחֱשׁ
— אִינוֹ מִשְׁלֵם. וּמִי לְחֻשָּׁף לְדוֹן כִּן? שֶׁהָרִי כְּתִיב: "וּמִית
אוֹנֶשֶׁבֶר אוֹנֶשֶׁבָה" — מִה־מִּיתָה שֶׁאֵין יָכוֹל לְהַצִּיל,
אֶף שֶׁבֶר וְשִׁבְיָה שֶׁאֵין יָכוֹל לְהַצִּיל: 13 וְכִי יִשְׁאֵל. בָּא
לְלַמֶּדֶךָ עַל הַשּׁוֹאֵל שֶׁחֵיב בְּאֵנֶסִין: בְּעָלָיו אִין־עָמָו. אִם
בְּעָלָיו שֶׁל שׁוֹר אִינוֹ עִם הַשּׁוֹאֵל בְּמִלְאֶכְתּוֹ:

9 כִּי־יִתֵּן אִישׁ אֶל־רֵעֵהוּ חֲמֹר אוֹשֹׁר. פְּרָשָׁה רִאשׁוֹנָה
נֶאֱמָרָה בְּשׁוֹמֵר חֲנָם, לְפִיכָךְ פֻּטַר בּוֹ אֶת הַגָּנֵב, כְּמוֹ
שֶׁכְּתוּב: "וְגָנֵב מִבֵּית הָאִישׁ...אִם־לֹא יִמְצָא הַגָּנֵב
וְנִקְרַב בְּעַל־הַבַּיִת" ⁶⁷ לְשִׁבּוּעָה, לְמַדָּת שְׁפוֹטֵר עֲצָמוֹ
בְּשִׁבּוּעָה זוֹ. וּפְרָשָׁה זוֹ אֲמוּרָה בְּשׁוֹמֵר שֶׁכָּר לְפִיכָךְ
אִינוֹ פֻּטוֹר אִם גָּנֵב, כְּמוֹ שֶׁכְּתוּב: "וְאִם־גָּנֵב יִגְנֹב
מִעַמּוֹ יִשְׁלֵם" ⁶⁸. אֲבָל עַל הָאֵנֶס, כְּמוֹ: מִת מִעַצְמוֹ, אוֹ
נִשְׁבַּר, אוֹ נִשְׁבָּה בְּחֻזָּקָה עַל יְדֵי לִסְטִים, וְאֵין רוֹאֶה
שֶׁיַּעֲדִיד בְּדָבָר: 10 שִׁבְעַת ה' תִּהְיֶה. יִשְׁבַּע שָׁכֵן הוּא
כְּדִבְרֵיו, וְהוּא לֹא שָׁלַח בָּהּ יָד לְהַשְׁתַּמֵּשׁ בָּהּ לְעַצְמוֹ.
שֶׁאִם שָׁלַח בָּהּ יָד וְאֶחָר כָּךְ נֶאֱנָסָה — חֵיב בְּאֵנֶסִים:

67. לעיל פסוקים רז. 68. להלן פסוק יא. 69. לעיל פסוק ט.

— CHASIDIC INSIGHTS —

the prosecuting angel—taking detailed stock of our performance in order to know exactly how much repentance is required of us—would have been a waste of precious time that could have better been used to progress in our Divine mission. The loss of opportunities and momentum could never have been fully recovered. True, the Torah prescribes certain times for stocktaking, such as before going to sleep at night, or during the month of Elul. But who has time for more than this if we are consummately busy fulfilling our Divine purpose?⁹⁰

If this, indeed, is our claim, and the heavenly court sees that we are living our lives accordingly, we are acquitted without having to "take the oath." We are clearly in no danger of further backsliding and we will repair any damage due to our negligence.⁹¹

We are often "partial admitters" in a more subtle sense, as well. God "lends" us sustenance, talents,

and capability. In certain aspects of our lives we admit that we need God, that without Him we are lost. Nevertheless, for the most part we imagine that we are self-sufficient, that we have acquired all we possess on our own. Thus, after we discharge our basic religious duties and give God what we owe Him, we feel as though the rest of our time and other resources are now ours to use as we please.

Of course, the truth is just the opposite; we have acquired whatever we possess only by virtue of the gifts God has given us. Therefore, we owe God everything and there are no autonomous areas in our lives.

However, taking an "oath" allows us to lay claim to partial ownership of our lives. The more we invoke the birth-oath to be righteous and draw upon our inner reservoir of Divine power and consciousness, the more resources God places at our disposal. Confident that we will use His bounty for the proper purposes, He willingly entrusts us with more.⁹²

90. See below, on 23:26. 91. *Likutei Sichot*, vol. 16, pp. 269-274; *Sichot Kodesh* 5716, pp. 83-84. 92. *Likutei Sichot*, vol. 1, pp. 41-43.

The Paid Consignee

9 “If a man gives his fellowman a donkey, an ox, a sheep, or any other animal for paid safekeeping, and it dies naturally, or is fatally maimed by a wild beast, or carried off by robbers, and there are no eyewitnesses,

10 then an oath to God shall take place between the two of them: the consignee shall swear **that he did not lay a hand on his fellowman’s property** to use it. For if he used it, he is no longer considered a ‘paid consignee’ but a ‘hirer’ and as such is responsible in these cases.⁸⁸ But if he swears that he did not use it, **the owner shall accept the oath, and the consignee need not pay the consigner anything.**

11 If, however, it was in fact stolen from him, he shall make restitution to its owner. Unlike the unpaid consignee, the paid consignee is responsible for theft.

12 If in fact it was killed by a wild beast, and this was witnessed, then the consignee need not swear to that effect; he shall produce witnesses, and then he need not make restitution for the mauled animal. But in any case, the consignee is exempt from responsibility only when the consigner’s animal was attacked by an animal he could not contend with, such as a wolf, a bear, or a snake. But if it was attacked by an animal he could have deflected, such as a cat, a fox, or a marten, he is held responsible.

The Borrower and the Hirer

13 “If a man borrows something from his fellowman and it breaks or dies, and its owner was not also employed by the borrower to work with him, the borrower must make restitution. Unlike the paid consignee, the borrower is responsible for accidental loss.

— CHASIDIC INSIGHTS —

reservoir of spiritual strength the soul can draw upon precisely in such situations of “partial guilt.”⁸⁹

Normally, God provides our “good inclination” with just enough spiritual energy to enable us to resist the machinations of our “evil inclination.” The scales are equally balanced, and we are therefore always free to choose between good and evil. Ideally, clear thinking would make us opt to choose good every time. But the evil inclination is cunning and sometimes catches us with our defenses down, convincing us that no harm will be done if we are a little lax. When we succumb, we need extra strength to admit our guilt, get back on track, and keep from sliding further. We are able to counter the accusations of the prosecuting angel by virtue of this oath; this extra power at our disposal enables us to confidently assure the heavenly court that we will repent of our wrongdoing and keep ourselves from backsliding.

But this is a serious commitment, and if we misuse the extra powers God has given us, we could eventually

incriminate ourselves even more seriously. Therefore, it is best to avoid “taking the oath” whenever possible, just as the Torah enjoins us to avoid taking oaths in actual civil cases because of the seriousness of invoking God’s Name.

In civil cases, when the defendant states that he did not pay back the part of the claim he admits due to extenuating circumstances, he is exempt from taking the oath and is acquitted after he pays what he admits he owes. For example, he can claim that he could not liquidate his assets to pay his debt since the market was such that he would have suffered a loss on these assets.

Spiritually, we can make a similar claim of extenuating circumstances. Our spiritual “assets” are the time, talents, and other resources God grants us to fulfill our Divine mission. The more we are consumed with our mission, the more we want to capitalize on these assets and use them to their fullest. If we indeed succeed in doing so, we can claim that settling accounts with

88. As is stated below, v. 13. 89. In Hebrew, the word for “oath” (שבוע) is similar to the word for “satisfy” or “fill” (שובע).

— ONKELOS —

14 אם מרה עמה לא ישלם
אם אגירא הוא עאל באגרה:
15 וארי ישדל גבר בתולתא די
לא מארסא וישבוב עמה קימא
יקימנה לה לאנתו: 16 אם מצבא
לא יצבי אבוהא למתנה לה
בספא יתקל במוהרי בתולתא:
17 חרשא לא תחי: 18 כל-
דישבוב עם בעירא אתקטלא
יתקטיל: 19 דדבח לטעות
עממא יתקטיל אלהין לשמא די
בלחודיה: 20 וגירא לא תונן
ולא תעיקון לה ארי דירין תויתון
בארעא דמצרים: 21 כל-ארמלא
ויתם לא תענון:

14 אם-בעליו עמו לא ישלם אם-שכיר הוא בא
בשכרו: ם

15 וכי-יפתה איש בתולה אשר לא-ארשה ושכב
עמה מזה ימהרנה לו לאשה: 16 אם-מאן ימאן אביה
לתתה לו בסף ישקל במזהר הבתולת: ם

17 מכשפה לא תחיה: 18 כל-שכב עם-בהמה מות
יומת: ם

19 זבח לאלהים יחרם בלתי ליהוה לבדו: 20 וגר לא-
תונה ולא תלחצנו בייגרים הייתם בארץ מצרים:
21 כל-אלמנה ויתום לא תענון:

— RASHI —

ו"לרגלים" — צריך לפרש לאיזה. ואם אינו מפרש,
כל-מלכים במשמע, וכן "לאלהים" — כל-אלהים,
במשמע אפלו קדש. אבל כשהיא נקודה פתח, כמו:
"למלך" "למדבר" "לעיר", נודע באיזה מלך מדבר,
וכן "לעיר", נודע באיזה עיר — מדבר. וכן "לאלהים"
— לאותם שהזהרתם עליהם במקום אחר. כיוצא בו:
"איך-במך באלהים", לפי שלא פרש, הצרך לנקד
פתח: יחרם. יומת. ולמה נאמר "יחרם"? והלא כבר
נאמר בו מיתה במקום אחר: "והוצאת את-האיש
ההוא או את-האשה ההיא וגו'?" אלא, לפי שלא
פרש על איזו עבודה חייב מיתה, שלא תאמר כל-
עבודות במיתה, בא ופרש לך כאן: "זבח לאלהים"
— לומר לך, מה-זביחה עבודה הנעשית בפנים
לשמים, אף אני מרבה המקטיר והמנסה, שהן עבודות
בפנים, וחייבים עליהם לכל-עבודה וזה, בין שדרכה
לעבודה בכף בין שאין דרכה לעבודה בכף. אבל שאר
עבודות, כגון: המקבד, והמרבץ, והמגפף, והמנשק —
אינו במיתה אלא באזהרה: 20 וגר לא-תונה. אונאת
דברים, קונטרליי"ר בלעז⁷⁵, כמו: "והאכלתי את-מוניך
את-בשרם"⁷⁶, ולא תלחצנו. בגזלת ממון: בייגרים
הייתם. אם הוניתו, אף הוא יכול להונותך ולומר לך:
אף אתה מגרים באת, מום שבה אל תאמר לחברך.
כל-לשון "גר" — אדם שלא נולד באותה מדינה, אלא
בא ממדינה אחרת לגור שם: 21 כל-אלמנה ויתום לא
תענון. הוא הדין לכל-אדם, אלא שדבר הכתוב בזה,
לפי שהם תשושי כח ודבר מצוי לענוותם:

14 אם-בעליו עמו. בין שהוא באותה מלאכה בין
שהוא במלאכה אחרת. היה עמו בשעת שאלה, אינו
צריך להיות עמו בשעת שבירה ומיתה: אם-שכיר
הוא. אם השור אינו שואל אלא שכור — "בא בשכרו"
ליד השוכר הנה ולא בשאלה. ואין כל-הנאה שלו,
שהרי על ידי שכרו נשתמש, ואין לו משפט שואל
להתחייב באגסין. ולא פרש מהדינו, אם כשומר חנם
או כשומר שכר. לפיכך נחלקו בו חכמי ישראל: שוכר
כיצד משלם? רבי מאיר אומר: כשומר חנם. רבי יוחנן
אומר: כשומר שכר: 15 וכי-יפתה. מדבר על לבה
עד ששומעת לו. וכן תרגומו: "וארי-ישדל" — שדול
בלשון ארמי, כפתוי בלשון עברי: מזה ימהרנה. יפסק
לה מזה כמשפט איש לאשתו, שכותב לה כתובה
וישאנה: 16 במזהר הבתולת. שהוא קצוב חמשים כסף
אצל התופס את הבתולה ושוכב עמה באגס, שנאמר:
"ונתן האיש השכב עמה לאבי הנערה חמשים כסף"⁷⁷:
17 מכשפה לא תחיה. אלא תומת בבית-דין. ואחד
זכרים ואחד נקבות, אלא שדבר הכתוב בהנה,
שהנשים מצויות מכשפות: 18 כל-שכב עם-בהמה מות
יומת. בסקילה. רובע בנרבעת, שכתוב בהן: "דמיהם
בם"⁷⁸: 19 לאלהים. לעבודה וזה. אלו היה נקוד
"לאלהים", היה צריך לפרש ולכתב "אחרים", עכשו
שאמר "לאלהים", אין צריך לפרש "אחרים", שכל-
למדי ובי"ת וזה"א המשמשות בראש התבה, אם נקוד
בחסוף⁷⁹, כגון: "למלך" "למדבר" "לעיר", צריך לפרש
לאיזה מלך, לאיזה מדבר, לאיזה עיר. וכן "למלכים"

70. דברים כב, כט. 71. ויקרא כ, טז. 72. בשבא. 73. תהלים פז, ח. 74. דברים יז, ח. 75. לקנטר. 76. ישעיה מט, כו.

14 **If, however, its owner was employed by the borrower to work with him, the borrower need not make restitution.** In fact, the owner need not be employed in the same kind of work that the borrowed object or animal was borrowed for, and he need not have been employed at the moment the accident occurred. As long as the owner was in the borrower's employ when he borrowed the object from him, the borrower is not responsible for accidental loss.

"If, in contrast, **the article was hired, it has come** into the hirer's service **in exchange for its rental price**, and he is therefore not a borrower, and is not held responsible for accidental loss as the borrower is. However, there are two opinions regarding what the hirer *is* responsible for: according to one opinion, he is responsible only for negligence, as is the unpaid consignee; according to another opinion, he is responsible also for theft, as is the paid consignee.

The Seducer

15 **"If a man seduces a virgin who is not betrothed and engages in carnal relations with her, he shall marry her with a marriage contract.**

16 **If her father utterly refuses to give her to him in marriage, he shall weigh out money according to the customary monetary settlement of virgins, i.e., fifty shekels.**⁹³

Sorcery

17 **"You shall not allow a sorcerer or sorceress to live.** He or she must be tried by the court and executed.

Bestiality

18 **"Whoever engages in carnal relations with an animal must be tried by the court and put to death** by stoning.

Idolatry

19 **"Whoever sacrifices, offers incense, pours a libation, or prostrates himself⁹⁴ to idols shall be tried by the court and put to death** by stoning. Such forms of service are permitted **only to God alone**. Serving an idol in other ways, such as sweeping the floor in front of it, kissing it, etc., is punishable by death only if this is the way that particular idol is normally worshipped; otherwise, performing such acts is a non-capital offense and is punishable only by lashes.

Exploitation

20 **"You shall not taunt a foreigner who has converted to Judaism nor oppress him** by robbing him of money, **for you yourselves were foreigners in the land of Egypt**, so he can easily taunt you back. Although it is forbidden to rob anyone, it is especially sinful to rob a convert.

21 **You shall not cause pain to anyone, but particularly not to any person with limited means to defend themselves against you, such as a widow or orphan.**

⁹³. Deuteronomy 22:29. ⁹⁴. Rashi on Deuteronomy 12:30.

— ONKELOS —

22 אם עננה תענה אתו כי אם צעק יצעק אלי שמע
אשמע צעקתו: 23 וחרה אפי וחרגתי אתכם בחרב
והיו נשיכם אלמנות ובניכם יתמים: פ
24 אם כסף תלוה את עמי את העני עמך לא תהיה
לו בנשה לא תשימון עליו נשך: 25 אם חבל תחבל
שלמת רגל ער בא השמש תשיבנו לו:

— RASHI —

מנהג בוין בהלואה, שהוא עמי: את העני עמך. הוי
מסתכל בעצמו כאלו אתה העני: לא תהיה לו בנשה.
לא תבצענו בחוקה, אם אתה יודע שאין לו. אל תהי
דומה עליו כאלו הלוי, אלא כאלו לא הלוי, ו
כלומר, לא תכלימהו: נשך. רבית, שהוא בנשיכת נחש,
שנושך חבורה קטנה ברגלו ואינו מרגיש, ופתאום
הוא מכבץ ונופח עד קדקדו. כך רבית, אינו מרגיש
ואינו נכר, עד שהרבית עולה ומחסרו ממון הרבה:
25 אם חבל תחבל. כל לשון חבל אינו משכון
בשעת הלואה, אלא שממשכנין את הלואה בשמגיע
הזמן ואינו פורע. "חבל תחבל" — כפל לך בחבלה עד
כמה פעמים, אמר הקדוש ברוך הוא: כמה אתה חייב
לי? והרי נפשו עולה אצלי בלֹא־אִמְשׁ ואִמְשׁ, ונותנת
דין וחשבון ומתחייבת לפני, ואני מחזירה לך, אף אתה
— טל והשב, טל והשב: ער בא השמש תשיבנו לו.
כל־היום תשיבנו לו עד בא השמש, וכבוא השמש
— תחזור ותשלנו עד שיבא בקר של מחר. ובכסות יום
הכתוב מדבר, שאין צריך לה בליה:

22 אם־ענה תענה אתו. הרי זה מקרא קצר. גום ולא
פרש ענשו, כמו: "לכן בל־הרג קין" — גום ולא פרש
ענשו. אף כאן: "אם־ענה תענה אתו" — לשון גום,
כלומר: סופך לטל את שלך. למה? "כי אם־צעק יצעק
אלי וגו'": 23 והיו נשיכם אלמנות. ממשמע שנאמר:
"וחרגתי אתכם", איני יודע שנשיכם אלמנות ובניכם
יתומים? אלא הרי זו קללה אחרת, שיהיו הנשים
צרות כאלמנות חיות, שלא יהיו עדים למיתת
בעליהן, ותהינה אסורות להנשא. והבנים יהיו יתומים,
שלא ינחום בית דין לירד לנכסי אביהם, לפי שאין
יודעים אם מתו אם נשבו: 24 אם־כסף תלוה את־עמי.
רבי ישמעאל אומר: כל־"אם" ו"אם" שבתורה רשות,
חוץ משלשה. וזה אחד מהן: את־עמי. עמי וגוי — עמי
קודם. עני ועשיר — עני קודם. ענייך ועניי עירך
— ענייך קודמין. עניי עירך ועניי עיר אחרת — עניי
עירך קודמין. וזה משמעו: אם־כסף תלוה, את־עמי
תלוהו ולא לגוי. ולא יאונה מעמי את־העני, ולא יאונה עני
לאותו שעמך. דבר אחר: "את־העני" — שלא תנהג בו

77. בראשית ד, טו.

— CHASIDIC INSIGHTS —

to the world.⁹⁸ We may thus read this verse as applying to God Himself, as follows:

When You lend money to My people: Besides lending us our soul and its powers, we can "induce" God to lend us additional "money" by lending to a fellow in need. God rewards us for this good deed by providing us with additional resources to use in our Divine mission.

You shall not act towards him like a creditor: We repay our loan to God by living our lives in a way that gratifies Him and by eventually returning our soul to Him unmarred. But, being human, we are at times negligent in repaying God's loan. Nonetheless, here again, we can "induce" Him not to press us. When we overlook what others owe us, God overlooks what we owe Him.⁹⁹

Nor may You charge him interest: There is a loophole to

the law against taking interest, known as "the transaction permit" (*heter iska*). Basically, the lender becomes a partner in the venture of the borrower and is thereby allowed to gain from the loan. Evidently, God lends us sustenance and potential by means of this "transaction permit," since He recoups more than His original investment. God benefits from our fulfillment of the Torah and its commandments, which we perform with the powers He lends us.¹⁰⁰

25 If you take your fellowman's garment as a pledge:

It is a commandment to lend money even if the borrower owns possessions that he can theoretically sell. The Torah does not allow us to argue, "Why should I lend him money? Let him sell his possessions." The commandment to lend money, unlike the commandment to give charity, is intended to benefit not only the poor but also the rich.

[continues...]

98. *HaYom Yom*, 18 Nisan. 99. *Igrot Kodesh*, vol. 8, p. 30. 100. *Sichot Kodesh* 5713, p. 191.

22 If you do cause them pain, you will certainly be held accountable! **For if a widow or orphan will urgently cry out to Me, I will certainly heed their cry and punish you measure for measure:**⁹⁵

23 I will display indignation and kill you by the sword, and there will be no witnesses to your death, **so that your wives will** have to remain **widows**, unable to remarry, **and your children** will remain destitute **orphans**, since they will be unable to inherit your wealth.

24 “When a fellow Jew asks you for a loan and you are able to lend to him, you must do so. Therefore, **when you lend money**, if you have to choose between lending to a Jew or to a non-Jew, you should lend first to your fellow Jew, for he is a member of **My chosen people**. Furthermore, if you have to choose between lending to a rich man or a poor man, you should lend first **to the poor man**; if you have to choose between a poor relative and another poor person, you should lend first to your poor relative; if you have to choose between lending to a local poor man or a distant poor man, you should lend first to the poor man **in your locality**. In any case, if the borrower cannot pay you back at the appointed time, **you shall not act towards him like a creditor**, demanding payment, but rather act towards him as if he does not owe you money. Treat him respectfully, for he is still one of My people; put yourself in his place. Furthermore, **you may not charge him interest**.

25 If, when he does not pay at the appointed time, **you repeatedly take your fellowman’s day-garment as a pledge, you shall return it to him** every morning until sunset,

❧ CHASIDIC INSIGHTS ❧

24 When you lend: The sages have repeatedly pointed out the immense reward for providing a loan to a fellow in need. Rabbi Shneur Zalman of Liadi said that when we give an interest-free loan to a fellow Jew wholeheartedly and without ulterior motives, or when we lovingly do a favor to a fellow Jew, fulfilling the Torah’s command to “love your fellow as yourself,” the gates of the heavenly chambers open before us.⁹⁶

As he was growing up, Rabbi Menachem Mendel of Lubavitch had many questions, which he would pose to his grandfather, Rabbi Shneur Zalman of Liadi. Even after the latter passed away and Rabbi Menachem Mendel himself became the Rebbe, he continued to receive guidance from his grandfather in the form of weekly mystical visions. One particular week, Rabbi Shneur Zalman did not appear to him. The questions accumulated and Rabbi Menachem Mendel was distraught.

One morning, as Rabbi Menachem Mendel was on his way to the synagogue for the morning prayers, he was approached by a simple and honest Jew named Reb Mordechai Elya, who asked him for a loan. Rabbi Menachem Mendel promised to provide the money as soon as he finished the morning prayers, and continued on to the synagogue. Once there, he realized he had erred in not providing the loan im-

mediately. He turned around, went home, took with him a small sum of money, and went to the market in search of Reb Mordechai Elya. The market was filled with villagers, their wagons and wares, but the great Rebbe persisted in his search until he found Reb Mordechai Elya and handed him the money. He then returned to the synagogue. As he donned his prayer shawl, he was greeted by the radiant face of his grandfather hovering before him.

On another occasion, Rabbi Menachem Mendel noticed something extraordinary about his chasid, Reb Yisroel, a storekeeper in Polotzk. “What have you been up to?” he asked. Reb Yisroel explained, “The last time I was here, you said that our forefather Abraham, because of his abundant acts of kindness, had taken over the job of God’s attribute of supernal kindness. I was so taken with these words that, although I am in no need of money, I went to my fellow shopkeeper, Nachman, and took out a loan. I wanted to grant him the privilege of doing an act of kindness. Now, all the shopkeepers are taking out loans from each other.” The Rebbe later told his son that he saw a pillar of light of God’s attribute of supernal kindness upon the face of the shopkeeper from Polotzk.⁹⁷

The greatest lender of all is God Himself: He lends each of us our soul and its accompanying powers, with which to fulfill the mission of bringing holiness

95. *Likutei Sichot*, vol. 6, p. 137, note 38, quoting Chizkuni. 96. *Igrot Kodesh*, vol. 24, p. 74. 97. *Igrot Kodesh*, vol. 7, p. 165.

ONKELOS 26 ארי היא כסותה בלחודה היא תותבה למשכה במא ישבוב ויהי ארי יקבל קדמי ואקביל קבילתה ארי חננא אגנא: 27 דינא לא תקיל ורפא בעמך לא תלט: 28 בפורך ודמך לא תאחר בוברא דברך תפרש קדמי: 29 פן תעבד לתורך לענך שבעא יומין יהי עם אמה ביומא תמינא תפרשנה קדמי: 30 ואנשין קדישין תהון קדמי ובשר תליש מן חיוא חיוא לא תיכלון לכלבא תרמון יתה:

26 כי הוא כסותה {כסותו} לבדיה הוא שמלתו לערו במה ישבב והיה כייצעק אלי ושמעתי כייחנן אני: 27 רביעי 27 אלהים לא תקלל ונשיא בעמך לא תאר: 28 מלאאתך ודמך לא תאחר בכור בניה תתן לי: 29 כן תעשה לשורך לצאנך שבעת ימים יהיה עם-אמו ביום השמיני תתנו-לי: 30 ואנשי-קדש תהיון לי ובשר בשדה טרפה לא תאכלו לכלב תשלכון אתו: 28

RASHI

משמיני ולהלן, אף שמיני האמור כאן — להכשיר משמיני ולהלן. וכן משמעו: וביום השמיני אתה רשאי לתנו-לי: 30 ואנשי-קדש תהיון לי. אם אתם קדושים ופרושים משקוצי נבלות וטרפות — הרי אתם שלי, ואם לאו — אינכם שלי. ובשר בשדה טרפה. אף בבית כן, אלא שדבר הכתוב בהנה, מקום שדרך בהמות לטרוף. וכן "כי בשדה מצאה"⁸¹. וכן "אשר לא יהיה טהור מקרה-לילה"⁸² — הוא הדין למקרה יום, אלא שדבר הכתוב בהנה. ואונקלוס תרגם: "ובשר דתליש מן חיוא חיוא" — בשר שנתלש על ידי טרפת ואב או ארי, מן חיה כשרה או מבהמה כשרה, בחייה: לכלב תשלכון אתו. אף הגוי ככלב. או אינו אלא כלב כמשמעו. תלמוד לומר בנבילה: "או מכר לנכרי"⁸³, קל וחומר לטריפה שמתרת בכל-הנאות. אם כן, מה-תלמוד לומר "לכלב"? ללמדך שהכלב נכבד ממנו. ולמדך הכתוב שאין הקדוש ברוך-הוא מקפח שכר כל-בריה, שנאמר: "ולכל בני ישראל לא יחורץ-כלב לשונו"⁸⁴. אמר הקדוש ברוך-הוא: תנו לו שכרו:

26 כי הוא כסותה. זו טלית: שמלתו. זה חלוק: במה ישבב. לרבות את המצע: 27 אלהים לא תקלל. הרי זו אזהרה לברכת השם, ואזהרה לקללת דין: 28 מלאאתך. חובה המוטלת עליך, בשתתמלא תבואתך להתבשל. והם בכורים: ודמך. התרומה. ואיני יודע מהו לשון "דמע": לא תאחר. לא תשנה סדר הפרשתו, לאחר את המקדש ולהקדים את המאחר — שלא יקדים תרומה לבכורים, ומעשר לתרומה: בכור בניה תתן לי. לפדותו בחמש סלעים מן הכהן. והלא כבר צוה עליו במקום אחר:⁸⁵ "אֵלָּא, כְּדִי לְסַמֵּךְ לוֹ: "כֵּן-תַעֲשֶׂה לְשֹׁרְךָ" — מה-בכור אדם לאחר שלשים יום פודהו, שנאמר: "ופדיו מבוך-חדש תפדה"⁸⁶, אף בכור בהמה דקה מטפל בו שלשים יום, ואחר כך נותנו לכהן: 29 שבעת ימים יהיה עם-אמו. זו אזהרה לכהן, שאם בא למהר את קרבנו, לא ימהר קדם שמנה, לפי שהוא מחסר זמן: ביום השמיני תתנו-לי. יכול, יהא חובה לבו ביום? נאמר כאן "שמיני" ונאמר להלן: "ומיום השמיני והלאה ירצה"⁸⁷. מה-שמיני האמור להלן — להכשיר

78. במדבר יח, טו. 79. במדבר יח, טו. 80. ויקרא כב, כז. 81. דברים כב, כז. 82. דברים כג, יא. 83. דברים יד, כא. 84. שמות יא, ז.

CHASIDIC INSIGHTS

"in the field" allude to the law that any meat that is deemed to have left its proper place (its "home," and is instead "in the field") may not be eaten. This includes the limb of an animal fetus that was extended out of the womb before its mother was slaughtered, as well as flesh from a sacrifice that was taken outside of the boundaries within which the Torah requires it to be eaten.¹¹¹

Allegorically, this law refers to exile. In exile, we are like fish out of water—we are "in the field," outside

our proper home. This "field" is dangerous, fraught with threatening "beasts"—the many spiritual pitfalls that can ensnare us if we are not properly cautious.

Moreover, the very fact that we are in exile, away from God's loving embrace, renders us "torn by the beasts of the field." No matter how great our spiritual attainments may be during exile, we can never be truly whole, vital, or free until after the messianic redemption.¹¹²

111. Makot 18a; Chulin 68b. 112. Likutei Sichot, vol. 32, pp. 42-43.

26 **for this alone is his outer cloak, or the inner garment for his skin.** If you take his couch as a pledge, you must also return it to him every morning, for if you do not, **with what shall he lie down** to rest during the day? If you do not return these items, then **when he cries out to Me, I will listen, for I am compassionate.**

Respect for Authority

- ◆ *Fourth Reading* 27 **"You shall not curse God or a judge, nor may you curse a leader of your people, i.e., the king or anyone else with executive authority granted him either by the Torah or the ruling government."¹⁰¹**

Donations Due to the Tribe of Levi

28 "I will later command you to give the priests and Levites certain specific portions of your agricultural produce. Do not give these dues out of order; for example, **you shall not delay your tax of newly-ripened first fruits (*bikurim*)¹⁰² by giving the priests their portion of your oil, wine, and grain (*terumah*)¹⁰³ first, nor shall you delay your *terumah* by giving the Levites your tithes (*ma'aser*)¹⁰⁴ first.** As I have told you,¹⁰⁵ **you shall present to Me the firstborn of your sons** and redeem them by giving five shekels to a priest. Just as your firstborn sons are to be redeemed only after they are 30 days old,¹⁰⁶

29 **you shall do likewise with your ox and your flocks:** give your firstborn oxen to the priest only after they are 50 days old¹⁰⁷ and your firstborn sheep and goats only after they are 30 days old. If you are a priest and you take a firstborn animal from a lay Israelite *before* the specified time, and you wish to offer it as a sacrifice, **it shall remain with its mother for seven days, and only on the eighth day or later you shall give it to Me.**

Forbidden Meat

30 **"You shall be holy people unto Me: you shall therefore not eat flesh torn off living animals by beasts in the field or anywhere else. Similarly, you shall not eat the flesh of animals that were not ritually slaughtered, nor of animals that were fatally wounded, even if they were ritually slaughtered before they actually died.** If you do not refrain from eating the meat of such animals, I will not consider you holy unto Me. Although you may derive any other benefit you wish from such meat,¹⁰⁸ **you shall preferably cast it to the dogs,** because they obeyed My command not to whet their tongues against you when you left Egypt,¹⁰⁹ and this will be their reward.

CHASIDIC INSIGHTS

At times, we may be reluctant to lend money to someone who is not poor. If so, we should consider the possibility that in a previous lifetime, the present roles may have been reversed: we may have been the beneficiary of a loan or some other kind deed from the

person presently requesting a loan from us; this is our opportunity to repay his good deed.¹¹⁰

30 **You shall not eat flesh torn by beasts in the field:** The sages state that the seemingly extraneous words

101. *Mishneh Torah, Sanhedrin* 26:1. 102. Numbers 18:13. 103. Numbers 18:12. 104. Numbers 18:21. 105. Above, 13:13. 106. Numbers 18:16. 107. *Bechorot* 4:1. 108. Deuteronomy 14:21. 109. Above, 11:7. 110. *Sichot Kodesh* 5713, p. 191.

— ONKELOS —

23:1 לא תקבל שמע שקר לא תשוי ידך עם חבא למהוי לה סהיד שקר: 2 לא תהי בטר סגיאי לאבאשא ולא תתמנע מלאלפא מזה דבעינך על דינא בטר סגיאי אשלים דינא: 3 ועל מספינא לא תרחם בדינא: 4 ארי תערע תורא דסנאך או חמרה דטעי אתבא תתיבנה לה:

23:1 לא תשא שמע שוא אל־תשׁת ידך עם־רשע להיִת עד חֶמֶס: 2 לא־תהיֶה אַחֲר־רבים לרעת ולֹא תעֲנֶה עֲל־רֹב לנֹשֵׁת אַחֲרֵי רבים להִטֹּת: 3 וְדָל לֹא תִהְדָּר בְּרִיבוֹ: 4 כִּי תִפְגַּע שׁוֹר אִיבֶךָ אוֹ חֲמֹר תַּעֲהֶה הַשֵּׁב תִּשְׁיבֵנו לוֹ: 5

— RASHI —

רבים שאמה נוטה אחריהם, ואימתי? בזמן שהן שנים המכריעין במחיצין יותר מן המזכין. וממשמע שגאמר: "לא־תהיֶה אַחֲר־רבים לרעת" שומע אני: אבל הנה עמהם לטובה. מכאן אמרו: דיני נפשות מטין על־פי אחד לזכות, ועל פי שנים לחובה. ואונקלוס תרגם: "לא תתמנע מלאלפא מזה דבעינך על דינא", ולשון העברי לפי התרגום כך הוא נדרש: "לא־תענה על־רוב לנֹשֵׁת" — אם ישאלוך דבר למשפט, לא תענה לנֹשֵׁת לצד אחד ולסלק עצמך מן הריב. אלא הוי דן אותו לאמתו. ואני אומר לישובו על אפניו בפשוטו, וכך פתרונו: "לא־תהיֶה אַחֲר־רבים לרעת" — אם ראית רשעים מטין משפט, לא תאמר: הואיל ורבים הם, הנני נוטה אחריהם. "ולֹא־תענה על־רוב לנֹשֵׁת וגו'" ואם ישאלך הנדון על אותו המשפט, אל תענונו על הריב דבר הנוטה אחרי אותו רבים, להטות את המשפט מאמתו, אלא אמר את המשפט באשר הוא, וקולר יהא תלוי בצנאר הרבים: 3 לא תהדר. לא תחלוק לו כבוד לזכותו בדין ולומר: דל הוא, אוקנו ואכבדנו:

1 לא תשא שמע שוא. בתרגומו: "לא תקבל שמע דשקר", אזהרה למקבל לשון הרע, ולדין שלא ישמע דברי בעל־דין עד שיבוא בעל־דין חברו: אל־תשׁת ידך עם־רשע. הטוען את חברו תביעת שקר, שהבטיחוהו להיות לו עד חֶמֶס: 2 לא־תהיֶה אַחֲר־רבים לרעת. יש במקרא זה מדרשי חכמי ישראל, אבל אין לשון המקרא מישב בהן על אפניו. מכאן דרשו: שאין מטין לחובה בהכרעת דין אחד. וסוף המקרא דרשו: "אחרי רבים להטות" — שאם יש שנים מחיצין יותר על המזכין, הטה הדין על פיהם לחובה. ובדיני נפשות הכתוב מדבר. ואמצע המקרא דרשו: "ולֹא־תענה על־רוב" — על רב, שאין חולקין על מפלא שבבית־דין, לפיכך מתחילין בדיני נפשות מן הצד — לקטנים שבהן שאלין תחלה שיאמרו את דעתם. ולפי דברי רבותינו, כך פתרון המקרא: "לא־תהיֶה אַחֲר־רבים לרעת" — לחיוב מיתה בשביל דין אחד, שירבו מחיצין על המזכין. "ולֹא־תענה על־רוב, לנֹשֵׁת" מדבריו. ולפי שהוא חסר יו"ד, דרשו בו כן. "אחרי רבים להטות", ויש

85. סנהדרין ב, א. 86. סנהדרין לו, א.

— CHASIDIC INSIGHTS —

precedes polarity, implying a peace imposed upon the two parties. In contrast, *Aleichem shalom* connotes a peace that emerges from the differences.

This dynamic is demonstrated in the law of majority rule. There are three ways of conceptualizing what happens when the opinion of the majority overrides that of the minority:

- although the minority opinion has legal significance, we nevertheless rule according to the majority since they outweigh the minority;
- the minority opinion is nullified by the majority and is ignored;
- the minority unites with the majority, and it is as if the minority also ruled as the majority.

Inasmuch as the court must speak as one voice, we

conceive of majority rule in the third way. Practically, however, there are two ways the minority can unite with the majority:

- the minority remains unconvinced, but nonetheless defers to the opinion of the majority, knowing that this is what the Torah requires;
- the minority, seeing that they are the minority and being aware that the majority's opinion will become Torah law, reconsiders and delves into the matter until they become convinced of the majority opinion.

The second scenario is the ideal. The Torah's endorsement of the majority opinion induces the minority to join the majority. This is a true expression of peace,¹¹⁵ where dissimilar factions with diverse perspectives reach a unanimous decision.¹¹⁶

115. See on 19:1, above. 116. *Likutei Sichot*, vol. 25, pp. 165-166, vol. 21, p. 112; Rabbi Yosef Rozen of Rogachov, *Kelalei HaTorah VeHaMitzvot*, s.v. *Rov uMiyut*.

Truth in Justice

23:1 **“You shall not accept a false report** from someone wishing to slander someone else. If you are a judge, you should not listen to one party’s arguments until the other party is also present. **You shall not join forces with a wicked person**—i.e., someone planning to make a false claim against someone else—by even promising **to be a corrupt witness** on his behalf.¹¹³

2 If you are involved in any dispute, and you see that most people are mistaken about the truth, **you shall not follow the majority to do evil**, and, **in response to** the defendant’s question regarding your stance **in this case, you may not stray** from the truth and **follow the** incorrect **majority view**, thereby **perverting** justice. Rather, you shall state the truth as you see it and not be afraid if your opinion does not accord with that of the majority; let them bear the responsibility for their views. Do not even try to avoid conflict by declining to voice your opinion.

“Also, in capital cases tried in a court: **you shall not follow a simple majority**—in which there is only one more judge in favor of conviction than there are judges in favor of acquittal—**to do evil**, i.e., to convict the defendant. However, you may follow such a majority to do *good*, i.e., to acquit the defendant. If, however, there are *two* more judges in favor of conviction than there are in favor of acquittal, **you shall follow** such a **majority** and convict the defendant. Furthermore, if you are a lesser judge, **you shall not speak against** the opinion of **the chief judge**, **inclining** against his opinion. Therefore, the lesser judges must voice their opinions before the chief judge voices his.

3 **“You shall not show deference to a poor man in his lawsuit** in order to give him the respect he usually does not get. Rather, you must judge the case according to the truth.

Behavior toward Enemies

4 **“If you come across your enemy’s ox or donkey going astray, you shall return it to him, repeatedly if necessary.**

CHASIDIC INSIGHTS

1 **You shall not accept a false report. You shall not join forces with a wicked person to be a corrupt witness:** The Ba’al Shem Tov connected the two halves of this verse as follows:

Every soul is granted its particular, individual strength as it is dispatched to this world. Of course, we all have our shortcomings, too, but our particular, individual strength—the arena in which we truly shine—normally compensates for them.

However, if two witnesses testify that we have betrayed our mission, this unique asset is taken away from us. Therefore, the Torah warns us: “Do not listen to slander. If you do, your incrimination of your fellow will join forces with that of your evil inclina-

tion, and you will thus rob your fellow of his special Divine strength.”¹¹⁴

2 **You shall follow a majority:** Peace, or unanimity, implies the existence of initially conflicting opinions that are subsequently reconciled. This idea is expressed in the traditional Jewish greeting, “*Shalom aleichem* (peace unto you).” Even though the word *aleichem* (“unto you”) is in the plural, we use this same expression even when greeting an individual. For when two people meet there is polarity, the possibility of conflict, since every person thinks and feels differently. In this context, *Shalom aleichem* means “let peace infuse our plurality.”

The traditional response, “*Aleichem shalom*,” goes one step further: In the expression *Shalom aleichem*, peace

113. The prohibition against actually bearing false witness is given above, in 20:13. 114. *Sefer HaSichot* 5701, p. 65.

— ONKELOS —

5 אָרִי תַחֲוִי חֲמורָא דְסַנְאָף רַבִּיעַ תַּחֲוִי טוֹעֵנָה וְתַתְּמִנֵּעַ מִלְּמַשְׁבַּק לֹא מִשְׁבַּק תִּשְׁבַּק מִה דְּבִלְבָּף עֲלוּהִי וְתַפְרַק עֲמָהּ: 6 לֹא תִצְלִי דִין מִסְפִּינָף בְּדִינָה: 7 מִפְּתִגְמָא זָבָאִי מִן דִּינָא לֹא תִקְטֹל אָרִי לֹא אֲזִכִּי חִיבָא: 8 וְשׁוֹחֲדָא לֹא תִקְבֹּל אָרִי שׁוֹחֲדָא מְעוֹר עֵינֵי חֲבִימִין וּמִקְלָקֵל פִּתְגָמִין תִּרְצִינָּה: 9 וּלְגִינְרָא לֹא תַעֲיָקוֹן וְאַתָּן יִדְעָתוֹן יִתְנַפְּשָׁא דְגִינְרָא אָרִי דִּירִין הֲוִיתוֹן בְּאַרְעָא דְּמִצְרַיִם:

5 כִּי־תִרְאֶה חֲמֹר שֶׁנֶּאֱדָר רַבִּין תַּחַת מִשְׁאוֹ וְחִדְלָתָּ מֵעֹז לֹא עֹז תַּעֲזֹב עִמּוֹ: 6 חֲמִישִׁי

◆ חֲמִישִׁי 6 לֹא תִטָּה מִשְׁפֶּט אֲבִינֶךָ בְּרִיבּוֹ: 7 מִדְּבַר־שֶׁקֶר תִּרְחַק וְנָקִי וְצַדִּיק אֶל־תִּהְיֶה בִּי לֹא־אֲצַדִּיק רָשָׁע: 8 וְשׁוֹחֲד לֹא תִקַּח בִּי הַשְׁחָד יַעֲזֹר פְּקָחִים וְיִסְלַף דְּבָרֵי צַדִּיקִים: 9 וְגַר לֹא תִלְחֹץ וְאַתָּם יִדְעָתֶם אֶת־נַפְשׁ הַגֵּר כִּי־גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם:

— RASHI —

נִצְטַדֵּק בְּבֵית־דִּין, מְכַל־מְקוֹם נָקִי הוּא מִדִּין מִיתָה, שְׁהָרִי יֵשׁ לָךְ לְזַכּוֹתוֹ. וּמִנֵּין לִיּוֹצֵא מִבֵּית דִּין זָבָאִי, וְאָמַר אַחֵד: יֵשׁ לִי לְלַמֵּד עֲלֵי חוֹבָה, שְׁאִין מִחוּזִירִין אוֹתוֹ לְבֵית־דִּין? תִּלְמוּד לֹמַר: "וְצַדִּיק אֶל־תִּהְיֶה", וְזֶה צַדִּיק הוּא שֶׁנִּצְטַדֵּק בְּבֵית־דִּין: **כִּי לֹא־אֲצַדִּיק רָשָׁע.** אֵין עֲלֶיךָ לְהַזְכִּיר, כִּי אֵין לֹא אֲצַדִּיקָנּוּ בְּדִינִי, אִם יֵצֵא מִיָּדְךָ זָבָאִי — יֵשׁ לִי שְׁלֹחִים הִרְבָּה לְהַמִּיתוֹ בְּמִיתָה שֶׁנִּתְחַיֵּב בָּהּ: 8 **וְשׁוֹחֲד לֹא תִקַּח.** אֲפֹלוֹ לְשֹׁפֵט אָמַת, וְכֹל־שֶׁכֶן כְּדִי לְהַטּוֹת אֶת הַדִּין, שְׁהָרִי כְּדִי לְהַטּוֹת אֶת הַדִּין נֶאֱמַר כָּכָה: "לֹא תִטָּה מִשְׁפֶּט"⁹². **וְיַעֲזֹר פְּקָחִים.** אֲפֹלוֹ חֶכֶם בְּתוֹרָה וְנוֹטֵל שׁוֹחֲד — סוֹף שֶׁתִּשְׁטַרֵּף דַּעְתּוֹ עֲלָיו, וְיִשְׁתַּכַּח תִּלְמוּדוֹ, וְיִכְבֶּה מְאוֹר עֵינָיו: **וְיִסְלַף.** כִּתְּרוֹמוֹ: "וּמִקְלָקֵל": **דְּבָרֵי צַדִּיקִים.** דְּבָרִים הַמְצַדִּיקִים, מִשְׁפָּטֵי אָמַת. וְכֵן תִּרְגוּמוֹ: "פִּתְגָמִין תִּרְצִינָּה" — יִשְׂרָאֵל: 9 **וְגַר לֹא תִלְחֹץ.** בְּהִרְבָּה מְקוֹמוֹת הַזִּהְרָה תוֹרָה עַל הַגֵּר, מִפְּנֵי שֶׁסּוּרוֹ רָע: **אֶת־נַפְשׁ הַגֵּר.** כְּמָה קֶשֶׁה לּוֹ כְּשֶׁלּוֹחֲצִים אוֹתוֹ:

5 כִּי־תִרְאֶה חֲמֹר שֶׁנֶּאֱדָר וְגו'. הָרִי "כִּי" מִשְׁמַשׁ בְּלִשׁוֹן "דִּלְמָא", שֶׁהוּא מֵאֲרַבַּע לְשׁוֹנוֹת שֶׁל שְׁמוֹשֵׁי "כִּי". וְכֵה פִתְרוֹנוֹ: שְׁמָא תִרְאֶה חֲמֹר רֹבֵץ תַּחַת מִשְׁאוֹ: **וְחִדְלָתָּ מֵעֹז לֹא.** בְּתַמִּיּה: **עֹז תַּעֲזֹב עִמּוֹ.** עֲזִיבָה זֶה לְשׁוֹן עֲזָרָה, וְכֵן "עֲצוֹר וְעֻזֹּב"⁸⁷, וְכֵן "וַיַּעֲזֹבוּ יְרוּשָׁלַיִם עַד הַחֹמָה"⁸⁸ — מִלְּאוּהִי עֶפֶר, לְעֹזֵר וּלְסִיעַ אֶת חֹק הַחֹמָה. בִּיּוֹצֵא בּוֹ: "כִּי תֹאמַר בְּלִבְכֶּךָ רַבִּים הַגּוֹיִם הָאֵלֶּה מִמֶּנִּי וְגו'"⁸⁹ — שְׁמָא תֹאמַר כֵּן, בְּתַמִּיּה — "לֹא תִירָא מֵהֶם"⁹⁰. וּמִדְּרָשׁוֹ, כִּי דָרְשׁוּ רַבּוֹתֵינוּ⁹¹: "כִּי־תִרְאֶה...וְחִדְלָתָּ" — פְּעָמִים שְׁאֵתָה חֵדֵל וּפְעָמִים שְׁאֵתָה עֲזֹר, הֵא כִי־צַדִּיק זָקֵן וְאֵינוֹ לִפִּי כְבוֹדוֹ — וְחִדְלָתָּ. אוֹ בְּהִמַּת גּוֹי וּמִשְׁאוֹ שֶׁל יִשְׂרָאֵל — וְחִדְלָתָּ: **עֹז תַּעֲזֹב עִמּוֹ.** לְפָרֵק הַמִּשְׁאֵל "מִלְּמַשְׁקֵל לֹא" — מִלְּטֹל מִשְׁאוֹי מִמֶּנּוּ: 6 **אֲבִינֶךָ.** לְשׁוֹן אוֹכָה, שֶׁהוּא מִדְּלִדֵּל וְתֹאב לְכֹל־טוֹבָה: 7 **וְנָקִי וְצַדִּיק אֶל־תִּהְיֶה.** מִנֵּין לִיּוֹצֵא מִבֵּית־דִּין חִיב, וְאָמַר אַחֵד: יֵשׁ לִי לְלַמֵּד עֲלֵי זָכוֹת, שֶׁמִּחוּזִירִין אוֹתוֹ? תִּלְמוּד לֹמַר: "וְנָקִי אֶל־תִּהְיֶה", וְאֶפֶס־עַל־פִּי שְׁאֵינוֹ צַדִּיק שֶׁלֹּא

87. דברים לב, לו. 88. נחמיה ג, ח. 89. דברים ז, יז. 90. שם יח. 91. מכילתא פרק כ.

— CHASIDIC INSIGHTS —

This is not the way of the Torah.

Rather you must help him: You must strengthen the body both physically and spiritually, and ensure that it, too, participates in Divine service.

The body considers the Torah and its commandments to be a burden. Despite the fact that they are clearly *its load*, i.e., intended for the body's own spiritual and physical benefit, it nevertheless rebels. Since, for most of us, the body's voice is louder than the soul's, we tend to view the Torah as an oppressive burden. All this means, however, is that we have not yet integrated the Torah into our lives. When we realize that the Torah and its commandments are truly the very source of life itself, we can be successful and comfortable with our task.¹²³

The Ba'al Shem Tov was not the first to teach that the Torah stresses the importance of taking care of one's health.¹²⁴ However, people had gradually come to believe that bodily health is a worthy pursuit only as long as we never misuse the body's urges for sinful purposes. If we sin, people felt, it is proper to "break" the body's power over us by subjecting it to voluntary suffering, as a form of penance. The Ba'al Shem Tov's innovation was that even if the body has sinned, both body and soul are better off if they are utilized in spiritual harmony for holy purposes, rather than being paired against one another. By using the body for holy purposes, it becomes possible to break its influence over us just as effectively as by subjecting it to suffering—if not more so.¹²⁵

123. *Hitva'aduyot* 5710, pp. 111-112. 124. See *Mishneh Torah*, *Dei'ot* 4:1. 125. *Likutei Sichot*, vol. 2, pp. 530-532.

5 **“When you see the donkey** belonging to a fellow Jew¹¹⁷ whom **you hate**, and this donkey is **crouching under its load**, you must disregard your hatred and help the person unload his donkey. (This is not a case of minimizing an animal’s pain,¹¹⁸ for carrying too heavy a load does not cause the donkey excessive pain; he will simply crouch and try to relieve himself of the load.) You are permitted not to help the person if doing so is beneath your dignity or you are not strong enough—for example, if you are an elder. In all other cases, however, **would you refrain from helping it** just because you are sometimes allowed not to?! **Rather, you must help the person** you hate unload his donkey.¹¹⁹

Truth in Justice, continued

- ◆ *Fifth Reading* 6 **“You shall not pervert justice for your destitute countryman in his lawsuit.**

7 **You shall distance yourself from any falsehood. You shall not execute a possibly innocent person:** If, in a capital case, someone was convicted in court and then a witness to his innocence appears, you must retry him. On the other hand, you shall not execute an **acquitted person:** if he was acquitted in court and then a witness to his guilt appears, you must *not* retry him. Do not be zealous for justice in such a case, **for I will not exonerate the wicked.** If he is indeed guilty, I have many ways to make sure he gets the punishment he deserves.

8 **You shall not accept a bribe**, even from the party who is in the right, **for bribery blinds the clear-sighted and distorts** the way he applies the Torah’s **words of righteousness.** Someone who accepts bribery will eventually become confused, forget all the Torah he has learned, and lose his eyesight.

Exploitation, continued

9 **“You shall not oppress a foreigner** who has converted to Judaism; **you know the feelings of a foreigner, for you yourselves were foreigners in the land of Egypt.** Although I have already said this,¹²⁰ I repeat it for emphasis. You must be very careful not to oppress converts, because they may be prone to abandon Judaism if they are mistreated.

סג CHASIDIC INSIGHTS סג

5 **When you see the donkey of someone you hate crouching under its load, would you refrain from helping it?! Rather, you must help the person:** The Ba’al Shem Tov interpreted this verse allegorically as follows:¹²¹

When you see: When you closely examine and observe—

The donkey: i.e., your material body,¹²² you will see that it is—

Someone you hate: i.e., your enemy. You will also see that it is—

Crouching under its load: i.e., shifting uncomfortably and complaining beneath the burden of the Torah and the commandments that God has placed upon it.

Would you refrain from helping it?! Do you think that you should refrain from helping your body acclimate itself to its task? Do you intend to break its opposition by weakening it through fasts and punishments? No!

117. See v. 12, below. 118. See Leviticus 19:18. 119. *Likutei Sichot*, vol. 21, pp. 125-130. 120. Above, 22:20. 121. *HaYom Yom*, 28 Shevat. 122. The word for “donkey” (חמור) is related to the word for “matter” (חומר).

— ONKELOS —

10 וְשֵׁשׁ שָׁנִים תִּזְרַע אֶת־אֶרְצְךָ וְאַסַּפְתָּ אֶת־תְּבוּאָתָהּ:
11 וְהִשְׁבִּיעַתָּ תִּשְׁמֹטְמָנָה וְנִטְשֶׁתָּהּ וְאָכְלוּ אֲבִינִי עִמָּךְ
וְיִתְּרָם תֹּאכַל חֵית הַשָּׂדֶה בֶּן־תַּעֲשֶׂה לְכַרְמְךָ לְזִיתְךָ:
12 שֵׁשֶׁת יָמִים תַּעֲשֶׂה מַעֲשֶׂיךָ וּבַיּוֹם הַשְּׁבִיעִי תִּשְׁבֹּת
לְמַעַן יָנוּחַ שׁוֹרְךָ וַחֲמֹרְךָ וַיִּנְפֹּשׁ בֶּן־אִמְתְּךָ וְהַגֵּר:
13 וּבְכָל אֲשֶׁר־אָמַרְתִּי אֲלֵיכֶם תִּשְׁמְרוּ וְשֵׁם אֱלֹהִים
אַחֲרֵים לֹא תִזְכִּירוּ לֹא יִשְׁמַע עַל־פִּיד:

— RASHI —

תִּזְרַע לֹא נִיחַ, לְהַתִּיר שִׁיחַא תוֹלֵשׁ וְאוֹכֵל עֲשָׂבִים מִן
הַקֶּרֶקַע. אוֹ אִינוּ אֶלָּא יַחֲבֹשְׁנוּ בְּתוֹךְ הַבַּיִת? אָמַרְתָּ: אֵין
זֶה נִיחַ אֶלָּא צַעַר: בֶּן־אִמְתְּךָ. בְּעֶבֶד עֶרֶל הַכְּתוּב מִדְּבַר:
וְהַגֵּר. גֵּר תוֹשֵׁב: 13 וּבְכָל אֲשֶׁר־אָמַרְתִּי אֲלֵיכֶם תִּשְׁמְרוּ.
לַעֲשׂוֹת כָּל־מִצְוֹת עֲשֶׂה בְּאוֹרְהָ, שְׁכַל־"שְׁמִירָה"
שְׁבִתוֹרָה אֲזַהֲרָה הִיא בְּמָקוֹם לֹא: לֹא תִזְכְּרוּ. שְׁלֹא
יֵאמַר לוֹ: שְׁמֹר לִי בְּצַד עֲבוּדָה וְרָה פְּלוּגִיתָ אוֹ, תַּעֲמֹד
עִמִּי בַּיּוֹם עֲבוּדָה וְרָה פְּלוּגִיתָ! דְּבַר אַחֵר: "וּבְכָל אֲשֶׁר־
אָמַרְתִּי אֲלֵיכֶם תִּשְׁמְרוּ, וְשֵׁם אֱלֹהִים אַחֲרֵים לֹא תִזְכִּירוּ"
— לְלַמֶּדְךָ, שֶׁשְׁקוּלָה עֲבוּדָה וְרָה כְּנֶגֶד כָּל־הַמִּצְוֹת בְּלֹא
וְהַנִּזְהָר בָּהּ בְּשׁוֹמֵר אֶת בְּלֹא: לֹא יִשְׁמַע. מִן הַגּוֹי: עַל
פִּיד. שְׁלֹא תַעֲשֶׂה שְׁתַּפּוֹת עִם גּוֹי, וְיִשְׁבַּע לָךְ בְּעֲבוּדָה
וְרָה שְׁלֹא, נִמְצְאָתָ שְׁאֵתָה גֹרֵם שִׁזְזָר עַל יָדְךָ:

10 וְאַסַּפְתָּ אֶת תְּבוּאָתָהּ. לְשׁוֹן הַכְּנָסָה לְבֵית, כְּמוֹ:
"וְאַסַּפְתּוּ אֶל־תוֹךְ בֵּיתְךָ"⁹³: 11 תִּשְׁמֹטְמָנָה. מַעֲבוּדָה:
וְנִטְשֶׁתָּהּ. מֵאֲכִילָה. אַחֵר זְמַן הַבְּעוֹר. דְּבַר אַחֵר:
"תִּשְׁמֹטְמָנָה" — מַעֲבוּדָה גְּמוּרָה, כְּגוֹן: חֲרִישָׁה וּזְרִיעָה.
"וְנִטְשֶׁתָּהּ" — מְלֻבֵּל וּמִלְקֶשֶׁק: וְיִתְּרָם תֹּאכַל חֵית
הַשָּׂדֶה. לְהַקִּישׁ מֵאֲכִיל אֲבִיוֹן לְמֵאֲכִיל חֵיהּ — מִדֶּה־חֵיהּ
אֲכָלָת בְּלֹא מַעֲשֶׂר, אֵף אֲבִיוֹנִים אוֹכְלִים בְּלֹא מַעֲשֶׂר.
מִכָּאֵן אָמַרְנוּ: אֵין מַעֲשֶׂר בְּשִׁבְעִית: בֶּן־תַּעֲשֶׂה לְכַרְמְךָ.
וְתַחֲלַת הַמִּקְרָא מִדְּבַר בְּשִׁדָּה הִלְכָן, כְּמוֹ שְׁאֵמֹר
לְמַעַלָּה הִימְנוּ: "תִּזְרַע אֶת־אֶרְצְךָ"⁹⁴: 12 וּבַיּוֹם הַשְּׁבִיעִי
תִּשְׁבֹּת. אֵף בְּשָׁנָה הַשְּׁבִיעִית לֹא תַעֲקֹר שְׂבֹת בְּרֹאשִׁית
מִמִּקְוָמָה, שְׁלֹא תֵאמַר: הוּאִיל וְכָל־הַשָּׁנָה קְרוּיָה שְׂבֹת,
לֹא תִנְהַג בָּהּ שְׂבֹת בְּרֹאשִׁית: לְמַעַן יָנוּחַ שׁוֹרְךָ וַחֲמֹרְךָ.

92. לעיל פסוק ו. 93. דברים כב, ב. 94. פסוק י.

Idolatry, continued

"You shall not mention the names of others' gods; for example, you must not say to someone, 'wait for me next to this or that idol' or 'on the holiday of this or that idol.' Nor shall your mouth cause the names of others' gods to be heard from an idolater: do not engage an idolater in business, for then he will be apt to swear in his idol's name. Serving idols is tantamount to transgressing every command in the Torah and refraining from serving them is tantamount to observing every command in the Torah.

A CLOSER LOOK

[13] To make all 'active' commandments prohibitions as well: This point is significant because it allows active commandments to override prohibitions.¹³⁵ For example, the Torah both forbids us to wear garments made out of a mixture of wool and linen and, at the same time, commands the High Priest to wear such a garment. Once the active commandment to wear the garment also becomes

a prohibition (not to *not* wear it), this specific prohibition can override the prohibition against wearing such garments in general.¹³⁶

Nonetheless, this does not mean that a person who neglects to perform an active commandment becomes liable for punishment with lashes, as in the case of someone who transgresses a prohibition.¹³⁷

The Sabbatical Year

10 “For six years you may sow your land and gather in its crops,

11 **but during the seventh year you must leave your field untended** by not working it **and withdraw from it** by not taking care of it. Furthermore, as soon as a particular type of produce has been eaten up by undomesticated animals in the field, you must remove whatever of that type of produce you have stored away for your own animals and place it in the field so it becomes available for all animals equally.¹²⁶ In the Sabbatical year, all of you, even **the needy among your people, may eat** its produce the same way that **the beasts of the field eat whatever is left**—without obligation to give a tithe (*ma’aser*)¹²⁷ to the Levites. **You shall do the same with your vineyard and your olive grove.**

12 Even though the whole year is a ‘Sabbatical year’¹²⁸ and is a reminder that I created the world,¹²⁹ you must still observe the weekly Sabbath, for the Sabbatical year involves resting only from agricultural work, and its effect is therefore only felt during working hours, and only by farmers, gardeners, and the like.¹³⁰ **Six days you may do your work, but on the seventh day you shall cease, so that your ox and your donkey may rest** by grazing unfettered in the field. Do not cage them in, for this is painful to them and it is forbidden to cause animals unnecessary pain. In addition, two types of people whose legal status is between that of non-Jews and Jews must rest on the Sabbath: **your non-Jewish, uncircumcised bondwoman’s son and the resident alien.** (Normally, all your non-Jewish bondmen must be circumcised.¹³¹ However, if you buy an adult non-Jewish bondman, and he hesitates to undergo circumcision, you may wait up to a year for him to consent. If, after this time, he still refuses, you must sell him back to the non-Jew.¹³² During this interim period, he is not yet termed ‘your bondman,’ but only ‘your bondwoman’s son,’ whether or not he is actually the son of your bondwoman.) However, these two types of people are only required to rest enough to **be refreshed** on the Sabbath: according to one opinion, uncircumcised non-Jewish bondmen must observe all the prohibitions against work on the Sabbath that a full Jew must observe on a festival, while resident aliens¹³³ must observe only those prohibitions that a full Jew must observe on the intermediate days of festivals. According to another opinion, it is exactly the opposite: resident aliens must observe all the prohibitions against work that a full Jew must observe on a festival, and uncircumcised non-Jewish bondmen must observe only those prohibitions that a full Jew must observe on the intermediate days of festivals.¹³⁴

Active Commandments and Prohibitions

13 “**You shall be vigilant in everything I have instructed you.** I say this in order to make all ‘active’ commandments into prohibitions as well: when I tell you to do something, I am at the same time telling you *not to refrain* from doing it or doing it otherwise.

126. Leviticus 25:7. 127. Numbers 18:21. 128. Leviticus 25:2. 129. Above, 20:11. 130. *Likutei Sichot*, vol. 12, p. 112. 131. Above, 12:44. 132. *Mishneh Torah*, *Milah* 1:6. 133. Above, 12:45. 134. *Mechilta*, *Mishpatim* 20. 135. *Yevamot* 3b. 136. Chizkuni. 137. Rashi on Deuteronomy 13:1..

ONKELOS
 14 תלת זמנין תחגון קדמי
 בשתא: 15 ית חגא דפטרין
 תטר שבטא יומין תיכול פטירא
 כמא די פקידתך לזמן ירחא
 דאביבא ארי בה נפקתא ממזרים
 ולא יתחזון קדמי ריקנין: 16 וחגא
 דחגא בבורי עובדיך די תזרע
 בחקלא וחגא דכנשא במפקא
 דשתא במכנשך ית עובדיך מן
 חקלא: 17 תלת זמנין בשתא
 יתחזון כל דבורך קדם רבון עלמא
 יי: 18 לא תבוס על חמיע דם
 פסחי ולא יביתון בר מן מדבחה
 תרבי נכסת חגא עד צפרא:

14 שְׁלֹשׁ רִגְלִים תִּחַג לִי בַשָּׁנָה: 15 אֶת־חַג הַמִּצּוֹת
 תִּשְׁמַר שְׁבַע־יָמִים תֹּאכַל מִצּוֹת פֶּאֶשֶׁר צִוִּיתְךָ
 לְמוֹעֵד חֹדֶשׁ הָאָבִיב כִּי־בֹ יֵצֵאת מִמִּצְרַיִם וְלֹא־יֵרָאוּ
 פָּנֶי רִיקָם: 16 וְחַג הַקִּצִּיר בְּבוֹרֵי מַעֲשֵׂיךָ אֲשֶׁר תִּזְרַע
 בַּשָּׂדֶה וְחַג הָאָסֶף בִּיצֵאת הַשָּׂנָה בְּאֶסְפְּךָ אֶת־מַעֲשֵׂיךָ
 מִן־הַשָּׂדֶה: 17 שְׁלֹשׁ פְּעָמִים בַּשָּׁנָה יֵרָאֶה כָּל־זְכוּרְךָ
 אֶל־פְּנֵי הָאֵדָן | יְהוָה: 18 לֹא־תִזְבַּח עַל־חֲמִין דָּם־זִבְחִי
 וְלֹא־יָלִין חֶלֶב־חַי עַד־בֹּקֶר:

RASHI

מפני הגשמים: 17 **שלוש פעמים וגו'.** לפי שהענין מדבר
 בשביעית, הוצרך לומר שלא יסתרו רגלים ממקומן:
כל־זכוּרְךָ. הזכרים שבך: 18 **לא־תזבּח על־חמין וגו'.**
 לא תשחט את הפסח ביד בניסן, עד שתבער החמין:
ולא־ילין חלב־חַי וגו'. חוץ למזבח: **עד־בֹקֶר.** יכול אף
 על המערכה יפסל בלינה? תלמוד לומר: "על מזבֶּחךָ
 על־המזבֶּח כל־הֶלֶלֶה"?: **ולא־יָלִין.** אין לינה אלא
 בעמוד השחר, שנאמר: "עד־בֹקֶר." אבל כל־הֶלֶלֶה
 יכול להעלותו מן הרצפה למזבח:

14 **רגלים.** פעמים, וכן "כי הכיתני זה שלש רגלים"⁹⁵:
 15 **חֹדֶשׁ הָאָבִיב.** שהתבואה מתמלאת בו באביב.
 "אביב" לשון אב — בכור וראשון לבשל פרות: **ולא־**
יֵרָאוּ פָנֶי רִיקָם. כשתבאו לראות פני ברגלים, הביאו לי
 עולות: 16 **וְחַג הַקִּצִּיר.** הוא חג שבועות: **בְּבוֹרֵי מַעֲשֵׂיךָ.**
 שהוא זמן הבאת בכורים, ששתי הלחם הבאין בעצרת
 היו מתירין החדש למנחות, ולהביא בכורים למקדש,
 שנאמר: "וביום הבכורים וגו'": **וְחַג הָאָסֶף.** הוא חג
 הסכות: **בְּאֶסְפְּךָ אֶת־מַעֲשֵׂיךָ.** שכל ימות החמה התבואה
 מתבקשת בשדות, ובחג אוספים אותה אל הבית,

95. במדבר כב, כח. 96. במדבר כח, כו.

CHASIDIC INSIGHTS

God wishes to stress the greatness of the Jewish people. The Torah therefore focuses on the matzos. The Jews had no choice but to bake matzah since they left Egypt in such haste that there wasn't enough time for their dough to rise. Every mention of matzos, therefore, highlights the strong faith of the Jewish people at that time and their unconditional willingness to follow God wherever He directed them.

The Jews, on the other hand, relate to the holiday as an opportunity to praise God and thank Him. Their name for the holiday is Passover (*Pesach*), a constant reminder of God's great miracles, in particular when He skipped over (*pasach*) the Jewish houses and brought His plagues only upon the Egyptians.¹⁴⁴

16 The Festival of the Ingathering: As mentioned,¹⁴⁵ the agricultural motif of the festivals is reflected allegorically in the life of the soul. The theme of Sukot is "ingathering" — taking diverse and separated entities and uniting them. As individuals, no matter how different we may be from one another, when we sit in

the same *sukah*,¹⁴⁶ we fulfill this commandment equally and together. Similarly, the commandment of holding the four plants¹⁴⁷ on this holiday signifies the unity between the different types of people these plants represent.

Our goal is to implement this unity, and ensure that all of God's "produce" — every one of His children — are included; for only when His children are together in unity is the Father happy.¹⁴⁸

Furthermore, during the preceding High Holy Days, we typically make many resolutions. Everyone is involved in prayer and repentance and resolves to turn over a new leaf and begin anew. On Sukot, the seeds of all these resolutions that we "sowed" must be "gathered in." All of the different feelings and emotions — the majesty of Rosh Hashanah, the awe of Yom Kippur, etc. — must be drawn together and implemented in a practical way. Since on Sukot the inner feelings of the soul become revealed and attain their true fulfillment, Sukot is the most joyful of the holidays.¹⁴⁹

144. *Kedushat Levi*, Bo; *Sichot Kodesh* 5737, vol. 1, p. 629; *Sichot Kodesh* 5741, vol. 4, pp. 236-237. 145. Above, on v. 14. 146. Leviticus 23:43-44. 147. Ibid. 23:40. 148. *Sefer HaMa'amarim Melukat*, vol. 1, pp. 441, 444-446. 149. *Sefer HaMa'amarim* 5747, pp. 162-163.

The Sabbatical Year, continued

14 “Just as the Sabbatical year does not render the weekly Sabbath superfluous, neither does it nullify the festivals, even though they are associated with the agricultural cycle and you will not be working the earth in the Sabbatical year.¹³⁸ Thus, even during the Sabbatical year, **you shall celebrate a pilgrim festival for Me three times a year** by congregating in Jerusalem, offering specified sacrifices, observing specified rites, and partially refraining from work:

15 **You shall observe** Passover, **the Festival of Matzos**. **For seven days you shall eat matzos as I have commanded you, at the appointed time in Nisan, the month of the beginning of the grain-ripening, for in that season you left Egypt.** When you congregate at the Temple for the pilgrim festivals, **you shall not appear before Me empty-handed.** You must bring an animal and sacrifice it as an ascent-offering.

16 You shall also observe Shavuot, **the Festival of the Harvest**, by offering two loaves of wheat bread.¹³⁹ This is **the first produce of your labors that you sow in the field** that may be offered in the Temple. Only from this point on may you use the new crop for grain-offerings and bring your first-fruit offerings. You shall also observe Sukot, **the Festival of the Ingathering** of your produce **at the end of the year, when you gather in your produce from the field**, where it has been drying all summer, to the barns, to protect it from the coming rains.

17 **Three times a year all your menfolk shall appear before Me, God, the Master of the World—even during the Sabbatical year.**

18 **You shall not sacrifice My** Passover **blood-sacrifice in the presence of leavened bread**, i.e., before you have removed all the leavened bread from your possession. **The fat portions of My festival offering** that must be burned on the altar must at least have begun to be burned during the night following the day the sacrifice was offered. These portions **may not be left off the altar overnight until morning**, for if they are, they invalidate the entire sacrifice.

CHASIDIC INSIGHTS

14 **A pilgrim festival:** The pilgrim festivals mark the three significant milestones in the agricultural cycle: *Pesach* occurs when the produce begins to ripen, *Shavuot* when the wheat is harvested, and *Sukkot* at the end of the season, when all of the produce is gathered in from the fields.¹⁴⁰

Allegorically, the Jewish people are God's “produce.”¹⁴¹ Just as one sows grain in the hope of reaping a much greater return, God “plants” souls in the physical world in order for them to accomplish much more than they can in their native spiritual abode.

When we plant a seed,¹⁴² it does not begin to grow immediately. Growth can begin only once the outer, pro-

TECTIVE coating of the seed rots. Once the original seed *per se* no longer exists, the new growth is not restricted by the limitations of the original form of the seed.

The same is true of human growth: ego is its greatest hindrance. Only when we overcome and negate the ego can the soul reach its full potential.¹⁴³

15 **The Festival of Matzos:** In the Torah, this festival is usually referred to as “the Festival of Matzos.” In common usage, however, we almost always call it “Passover.” According to the Chasidic sage Rabbi Levi Yitzchak of Berditchev, the two names reflect two differing perspectives on the holiday.

138. Rashi on v. 17, below. 139. Leviticus 23:17. 140. See *Rabbeinu Bachaye*, Exodus 13:4. 141. See Jeremiah 2:3; Hosea 2:25. 142. See above, on 20:21-22. 143. *Likutei Sichot*, vol. 36, pp. 82-85. See also, in greater depth, *Sefer HaMa'amarim Melukat*, vol. 5, pp. 169-176.

ONKELOS

19 ריש בבורי ארעך תיתי לבית
מקדשא דין אלהך לא תכלון
בשר בחלב: 20 הא אגא שלח
מלאכא קדמך למשרך בארעה
ולאעלותך לאתרא די אתקניתי:
21 אסתמר מן קדמוהי וקבל
למימרה לא חסרב לקבלה ארי
לא ישבק לחוביכון ארי בשמי
מימרה: 22 ארי אם קבלא תקביל
למימרה ותעביד בלידי אמליל
ואסני ית סנאך ואעיק לדמעיקין
לך: 23 ארי יהך מלאכי קדמך
ועילנך לאמוראי וחתאי ופרזאי
וכנענאי חזאי ויבוסאי ואשיצנון:

19 ראשית בבורי אדמתך תביא בית יהוה אלהיך
לא תבשל גדי בחלב אמו: פ

שישי 20 הנה אנכי שלח מלאך לפניך לשמרך בדרך
ולהביאך אל המקום אשר הכנתי: 21 השמר מפני
ושמע בקלו אל תמר בו כי לא ישא לפשעכם כי שמי
בקרב: 22 כי אם שמוע תשמע בקלו ועשית כל אשר
אדבר ואיבתי את אנכי וצרתי את צרריך: 23 כי
ילך מלאכי לפניך והביאך אל האמרי והחתי והפרזי
והכנעני החתי והיבوسی והכחדתי:

RASHI

שעתידין לחטא, ושכינה אומרת להם: "כי לא אעלה
בקרבך"¹⁰²: אשר הכנתי. אשר ומנתי לתת לכם. והו
פשוטו. ומדרשו¹⁰³: "אל המקום אשר הכנתי" — כבר
מקומי נכר כנגדו. וזה אחד מן המקראות שאומרים,
שבית המקדש של מעלה מכון כנגד בית המקדש של
מטה: 21 אל תמר בו. לשון המראה, כמו: "אשר-מרה
את-פיו"¹⁰⁴: כי לא ישא לפשעכם. אינו מלמד בך,
שהוא מן הכת שאין חוטאין. ועוד, שהוא שליח, ואינו
עושה אלא שליחותו: כי שמי בקרב. מחבר לראש
המקרא: השמר מפניו, כי שמי משתף בו. ורבותינו
אמרו¹⁰⁵: זה מטטרון, ששמו בשם רבו — "מטטרון"
בגמטריא "שדי": 22 וצרתי. בטר גומז: "ואעיק":

19 ראשית בבורי אדמתך. אף השביעית חייבת
בבכורים, לך נאמר אף כאן: "בבורי אדמתך". ביצד?
אדם נכנס לתוך שדהו וראה תאנה שבכרה — בורך
עליה גמי לסימן, ומקדישה. ואין בכורים אלא משבעת
המינין האמורין במקרא: "ארץ חטה ושערה וגו"⁹⁸:
לא תבשל גדי. אף עגל וכבש בכלל גדי, שאין גדי
אלא לשון ולד רך, ממה שאתה מוצא בכמה מקומות
בתורה שכתוב "גדי" והצרך לפרש אחריו "עזים",
כגון: "אנכי אשלח גדי-עזים"⁹⁹, "את-גדי העזים"¹⁰⁰,
"שני גדיי עזים"¹⁰¹. ללמדך, שכל מקום שנאמר "גדי"
סתם, אף עגל וכבש במשמע, ובשלשה מקומות נכתב
בתורה, אחד לאסור אכילה, ואחד לאסור הנאה, ואחד
לאסור בשול: 20 הנה אנכי שלח מלאך. כאן נתבשרו

97. ויקרא ו, ב. 98. דברים ח, ח. 99. בראשית לח, יז. 100. שם, כ. 101. בראשית כז, ט. 102. שמות לג, ג. 103. תנחומא משפטים סימן יח.
104. יהושע א, יח. 105. סנהדרין לח, ב.

CHASIDIC INSIGHTS

19 You shall not eat a young animal cooked in its mother's milk: The mixture of milk and meat is the only substance that the Torah forbids to be cooked. But the Torah not only forbids eating meat cooked in milk; it also forbids cooking the mixture in the first place—since this may lead to eating it—and deriving any oth-

er benefit (besides eating) from the cooked mixture.

This demonstrates how extremely the Torah forbids cruelty towards animals. The precautions the Torah takes to prevent causing pain to an animal teach us how much care we must take to ensure that no pain is caused to a fellow human being.¹⁵⁸

A CLOSER LOOK

[23] The Amorites, the Hittites...: Only six of the seven nations are mentioned here. In this passage, God is informing the people that they would eventually sin and thus forfeit the privilege of being led by God's presence directly, having to be led instead

by an emissary. Nonetheless, God assures them that this emissary will succeed in driving out the resident nations of Canaan. Since the Girgashites fled on their own,¹⁵⁹ there is therefore no need to mention them in this context.¹⁶⁰

158. *Likutei Sichot*, vol. 6, p. 151. 159. Rashi on 33:2. 160. *Likutei Sichot*, vol. 21, p. 226, note 24.

19 “Even though you must rest from working the earth during the Sabbatical year, **you shall still bring the first-ripened fruits** and produce **of your land to the House of God, your God**, as you do every year. This obligation applies only to the seven types of produce by which the Land of Israel is distinguished: wheat, barley, grapes, figs, pomegranates, olives, and dates.¹⁵⁰

Mixing Milk and Meat

“**You shall not eat**¹⁵¹ **a young animal** of the goats, sheep, or cows that has been **cooked in either its mother’s milk** or in the milk of any other any animal you are permitted to eat. This is an act of cruelty, and it is forbidden to be cruel.”¹⁵²

The Conquest of the Land of Israel

- ◆ *Sixth Reading* 20 “You are presently free from sin and therefore My presence can abide with you and accompany you wherever you go. If, in the future, however, you will sin, My presence will not be able to dwell with you openly. When that happens, **I am going to send the angel Metatron**¹⁵³ **before you to protect you on the way, and to bring you to the Land of Israel, the place that I have designated**¹⁵⁴ for you to occupy and settle in order to fulfill your mission of raising the world’s Divine consciousness, **and, in particular, to the special, central place that I have long ago prepared** for revealing Myself—by situating the site of the heavenly Temple directly above the site where you will build the earthly Temple.¹⁵⁵ This means that the Land of Israel in general and the future site of the Temple in particular are the locales most receptive to the spiritual consciousness of the higher worlds.

21 Even though I will send you this angel because your spiritual level will have fallen, you should still **be watchful in his presence—heed his voice and do not rebel against him, for he will not overlook your iniquity**. He, being an angel, does not understand disobedience to My will, and even if he were able to understand, he is not authorized to pardon you, so he will punish you.¹⁵⁶ Regardless of this, however, you should heed his voice **since My Name is with him**; whatever he does, he does in My Name. This is indicated by the fact that the numerical value of his name (מטטרון, 314) is the same as that of My Name *Shakai* (שכאי).

22 **For if you will diligently obey him and thus do all that I say, I will be an enemy to your enemies and persecute your persecutors.**

23 **For My angel will go before you and bring you to the land of the Amorites, the Hittites, the Perizites, the Canaanites, the Hivites and the Jebusites, and I will annihilate them.** The Girgashites, in contrast, will flee of their own accord,¹⁵⁷ so I will not have to annihilate them.

150. As seen in Deuteronomy 8:8. 151. *Likutei Sichot*, vol. 6, p. 148. 152. Above, v. 12. *Likutei Sichot*, vol. 6, p. 150. See also 34:26, below, and Deuteronomy 14:21, where it is further forbidden to cook a mixture of milk and meat or derive benefit from such a mixture. 153. It is customary not to pronounce names of angels that are not also used as names for people. Therefore, when reading this name aloud, it is customary to abbreviate it, saying “Metat.” 154. *Likutei Sichot*, vol. 21, p. 135. 155. See Genesis 28:17; Above, 15:17. *Likutei Sichot*, vol. 21, pp. 133-136. 156. *Maskil LeDavid*. 157. Rashi on 33:2, below.

— ONKELOS —

24 לא תסגוד לטעותהוּן וְלֹא תִפְלַחֲנוּן וְלֹא תַעֲבִיד כְּעֹבְדֵי־הוּן אֲרִי פִגְרָא תִפְגְּרִינוּן וְתִבְרָא תִתְבַּר קִמְתַּהוּן: 25 וְתִפְלַחֲנוּן קִדְם יִי אֱלֹהֵינוּ וְיִבְרַךְ יִי מִיִּכְלָךְ וְיִת מִשְׁתִּיבִי וְאֶעֱדִי מִרְעִין בִּישִׁין מִבִּינִי: 26 לֹא תִהִי מִתְכַּלֵּא וְעִקְרָא בְּאֶרֶץ יִי מִנֵּן יוֹמִיךְ אֲשֵׁלִים: 27 יִת אִימָתִי אֲשֵׁלִי קִדְמָךְ וְאֲשַׁגֵּשׁ יִת כָּל־עֲמָא דִּי אֲתָ אֲתִי לֹאֲנָא קִרְב דְּהוּן וְאִמְסֵר יִת כָּל־בְּעָלִי דְּבִכְךָ קִדְמָךְ מִחוּרִי קִדְלִי: 28 וְאֲשֵׁלִי יִת עֲרֵיתָא קִדְמָךְ וְתִתְרַךְ יִת חֲוָאִי יִת בְּנִעְנָאִי וְיִת חֲוָאִי מִן קִדְמָךְ:

24 לֹא־תִשְׁתַּחֲוֶה לֵאלֹהֵיהֶם וְלֹא תַעֲבִידם וְלֹא תַעֲשֶׂה כְּמַעֲשֵׂיהֶם כִּי הָרַס תְּהָרִסם וְשִׁפֵּר תִּשְׁפֹּר מִצְבֹּתֵיהֶם: 25 וְעַבְדֵּתֶם אֶת יְהוָה אֱלֹהֵיכֶם וּבִרְךְ אֶת־לַחְמְךָ וְאֶת־מִימֶיךָ וְהִסְרֵתִי מִחֲלָה מִקִּרְבְּךָ: 26 שְׂבִיעִי 26 לֹא תִהְיֶה מִשְׁכָּלָה וְעִקְרָה בְּאֶרֶץ אֶת־מִסְפָּר יְמֶיךָ אֲמַלֵּא: 27 אֶת־אִימָתִי אֲשַׁלַּח לְפָנֶיךָ וְהִמַּתִּי אֶת־כָּל־הָעָם אֲשֶׁר תִּבָּא בָהֶם וְנָתַתִּי אֶת־כָּל־אֲבִיךָ אֶלֶיךָ עֶרְף: 28 וְשִׁלַּחְתִּי אֶת־הַצֹּרֶעָה לְפָנֶיךָ וְגִרְשָׁה אֶת־הַחוּי אֶת־הַכְּנַעֲנִי וְאֶת־הַחֲתִי מִלְּפָנֶיךָ:

— RASHI —

נקודה מלאפ"ם¹⁰⁶. אלא "והמתתי", כגון: "והמתה את־העם הזה"¹⁰⁷, והת"ו מדגשת לפי שתבא במקום שתי תויון — האחת נִשְׁרֶשֶׁת, לפי שאין מיתה בלא תי"ו. והאחרת משמשת, כמו "אמרתי" "חטאתי" "עשיתי". וכן "ונתתני", הת"ו מדגשת, שהיא באה במקום שתיים, לפי שהיה צריך שלש תויון — שתיים ליסוד, כמו: "ביום תת ה'"¹⁰⁸, "מתת אלהים היא"¹⁰⁹. והשלישית לשמוש: ערף. שנינוסו מלפניך, ויהפכו לך ערפם: 28 הצרעה. מן שרץ העוף. והיתה מכה אותם בעיניהם, ומטילה בהם ארס, והם מתים. והצרעה לא עברה את הירדן. והחתי והכנעני, הם ארץ סיחון ועוג, לפיכך מכל־שבע אמות לא מנה כאן אלא אלו. וחזי, אף־על־פי שהוא מעבר הירדן והלאה, שנו רבותינו במסכת סוטה¹¹⁰: על שפת הירדן עמדה, וזרקה בהם מרה:

24 הָרַס תְּהָרִסם. לֹאֲתָם אֱלֹהֹת: מִצְבֹּתֵיהֶם. אֲבָנִים שֶׁהֵם מַצִּיבִין לְהִשְׁתַּחֲוֹת לָהֶם: 26 לֹא תִהְיֶה מִשְׁכָּלָה. אִם תַּעֲשֶׂה רְצוֹנִי: מִשְׁכָּלָה. מִפֶּלֶת נְפִלִים, או קוֹבֶרֶת אֶת בְּנֵיהֶם, קְרוּיָה "מִשְׁכָּלָה": 27 וְהִמַּתִּי. כְּמוֹ: "וְהִמַּמְתִּי". וְתִרְגְּמוּ: "וְאֲשַׁגֵּשׁ". וְכֵן כָּל־תִּבְּה שְׁפֹעֵל שֶׁלָּה בְּכַפֵּל אוֹת אַחֲרֹנָה, כְּשֶׁתִּהְיֶה לְדַבֵּר בְּלִשׁוֹן "פַּעֲלָתִי", יֵשׁ מְקוֹמוֹת שְׁנוּטִל אוֹת הַכְּפֹלָה וּמִדְּגִישׁ אֶת הָאוֹת וְנוֹקְדוּ בְּמִלֵּאפּוֹם¹¹⁰, כְּגוֹן: "וְהִמַּתִּי" — מְגֻזֶּרֶת: "וְהֵמָּם גָּלְגַּל עֲגָלָתוֹ"¹⁰⁷. "וְסִבּוֹתֵי"¹⁰⁸ — מְגֻזֶּרֶת: "וְסִבֵּב בֵּית־אֵל"¹⁰⁹. "דִּלּוֹתֵי"¹¹⁰ — מְגֻזֶּרֶת: "דָּלְלוּ וְחִרְבוּ"¹¹¹. "עַל־כַּפִּים חֲקִיתִךָ"¹¹² — מְגֻזֶּרֶת: "חֲקִיקִי־לֵב"¹¹³. "אֶת־מִי רְצוֹתִי"¹¹⁴ — מְגֻזֶּרֶת: "רִצֵּץ עֹב דְּלִים"¹¹⁵. וְהִמַּתְרָגֵם "וְהִמַּתִּי" — "וְאֶקְטֵל", טוּעָה הוּא, שְׁאֵלּוּ מְגֻזֶּרֶת מִיָּתֶה הִיָּה, אֵין ה"א שֶׁלָּה בִּפְתִּיחַ, וְלֹא מ"ם שֶׁלָּה מִדְּגֶשֶׁת, וְלֹא

106. חולם. 107. ישעיה כח, כח. 108. קהלת ב, כ. 109. שמואל א ז, טו. 110. תהלים קמב, ז. 111. ישעיה יט, ו. 112. ישעיה מט, טו. 113. שופטים ה, טו. 114. שמואל א ג, יב. 115. איוב כ, יט. 116. חולם. 117. במדבר יד, טו. 118. יחזקאל יב, יב. 119. קהלת ג, יג. 120. לו, א.

— CHASIDIC INSIGHTS —

aspects of our Divine calling that we find appealing—and soon, less and less becomes appealing.

The antidote to all this is, as the verse continues, "I will fill the number of your days." We should recall that our days on earth are numbered; we have been given a specific amount of time and specific talents and opportunities with which to fulfill our purpose in life. If we use these gifts for purposes other than fulfilling our unique mission—even good purposes—we thereby betray our Divine charge. When, because of this realization, we are driven to fulfill our purpose on earth, we become so involved in spreading light that we have no time to pause and wonder where we stand on the ladder of spiritual attainments. We become oblivious to our own spiritual status. And then,

God indeed "fills the number of our days"—He takes those days in which we did not fulfill our purpose and makes them pure and complete.

The self-orientation that leads to spiritual stillbirth is alluded to in the word for "your land," which can be read, "your desire."¹⁶⁷ In this context, the verse reads, "There will be no miscarriage or barrenness caused by focusing on your own will if you contemplate the number of your days and allow Me to fill them."

The Talmud¹⁶⁸ tells the story of the great Rabbi Yochanan Ben Zakai, who in his final moments cried and said, "I do not know which way they will take me." He was worried that he might not be deserving of Heaven. Throughout his life, he did not allow himself the luxury of assessing his accomplishments, for he focused his every moment on the

167. The word for "land" (ארץ) is related to the word for "will" (רצון). 168. Berachot 28b.

24 You shall not prostrate yourselves to their gods nor serve them, nor shall you follow their practices; rather, you must shatter their idols and demolish the pillars they have set up to worship as idols.¹⁶¹

25 Rather, you shall serve Me, God, your God, and in reward for not serving idols, I will bless your bread and your water, and I will also remove illness from your midst.

- ◆ *Seventh Reading* **26** “In reward for doing all that I say,¹⁶² I will not only drive out the inhabitants of the Land of Israel, allowing you to settle it; in addition, I will grant it a unique quality: **no woman in your land will miscarry**, or outlive her children, **or be barren**. Outside the land, these blessings will accrue only to the individual who fulfills My will, not to the whole populace. Similarly, if you fulfill My will anywhere in the world, **I will grant you the full count of your days**; you will not die prematurely.¹⁶³

27 I will send forth a dread of Me before you, and I will throw confusion among all the people into whose midst you are coming, and I will make all your enemies flee from you.

28 I will send hornets ahead of you that will wound the enemy’s eyes and inject deadly poison into them. These hornets inhabit the east bank of the Jordan river and will not cross it westward, so **they will** only be able to **drive out before you the Hivites**, who live close to the west bank of the river, by miraculously firing their poison at them, and **the Canaanites and the Hittites**, who live on the east bank of the river.

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25 You shall serve God, your God: Surely God does not need or benefit from our service the way an earthly master needs the service of his servants.

Rather, God is telling us here to spiritually refine ourselves until the Name *Havayah*, which signifies God as He transcends the limitations of nature, takes the place of the Name *Elokim*, which signifies God as He is manifest in the laws of nature. In other words: until the supernatural becomes natural for us, our second nature. We natural view and interpret everything in the context of God’s reality and His all-encompassing providence.¹⁶⁴

I will remove illness from your midst: At Marah, God promised the Jews, “I will bring none of the sicknesses that I brought on Egypt upon you,”¹⁶⁵ meaning that no one would get sick in the first place. Why, then, does He promise them here that He will heal them whenever they do get sick?

These two verses refer to two types of sickness: those that appear to be natural and those that are so unnatural that they are obviously acts of God. Regarding unnatural sicknesses, where His involvement is evident, God says, “I will bring none of these upon you.” Regarding natural sicknesses, which we expect to occur

when we do not take care of ourselves as well as we should, God says, “I will remove these from you.”

There are also two types of spiritual sicknesses: Succumbing to a lust for something the Torah prohibits affects the soul adversely, hampering its ability to function in full spiritual health. This is a “natural” result of wrongdoing, which we more or less expect to ensue from forbidden indulgence. But repeatedly overindulging lusts for things the Torah permits also impairs the healthy functioning of the soul. This is an “unnatural” effect, which we do not necessarily expect, since, after all, these indulgences are permitted.

Nonetheless, if we are sufficiently dedicated and devoted to God, He will cure us of the ill effects of both types of temporary lapses.¹⁶⁶

26 No woman in your land will miscarry or be barren: The spiritual parallel of miscarriage and infertility is when the Divine consciousness of our mind does not affect our heart, when it either fails to give birth to love and awe or these are only very short-lived. This stillbirth of emotions is caused by approaching our Divine mission with selfish motives. First we focus on our satisfaction in knowing that *we* are serving God. This leads to selectivity: we begin to focus only on the

161. *Likutei Sichot*, vol. 9, p. 95, note 9. 162. Above, v. 22. 163. *Likutei Sichot*, vol. 31, pp. 128-130. 164. *Torah Or* 78d-79a. 165. Above, 15:26. 166. *Or HaTorah, Shemot*, p. 1218.

ONKELOS

29 לא אתריכנון מן קדמך בשתא
 קדא דלמא תהא ארעא צדיא
 ותסגי עלך חיות ברא: 30 זעיר
 זעיר אתריכנון מן קדמך עד די
 תסגי ותחסינ ית ארעא: 31 ואשוי
 ית תחומך מימא דסוף ועד ימא
 דפלשתאי וממדברא עד פרת
 ארי אמסר בידיכון ית יתבי ארעא
 ותתריכנון מן קדמך: 32 לא תגזר
 להון ולטענהון קנס: 33 לא
 יתבון בארעך דלמא יחבון יתך
 קדמי ארי תפלח ית טענהון ארי
 יהון לך לתקלא: 24:1 ולמשה
 אמר סק לקדם יי את ואהרן נדב
 ואביהוא ושבעין מסבי ישראל
 ותסגדין מרחיק: 2 ויתקרב משה
 בלחודיה לקדם יי ואנן לא
 יתקרבון ועמא לא יסקון עמו:

29 לא אנרשנו מפניך בשנה אחת פנתהיה הארץ
 שממה ורבה עליך חית השדה: 30 מעט מעט אנרשנו
 מפניך עד אשר תפירה ונחלת את הארץ: 31 ושת
 את גבולך מים סוף ועד ים פלשתים וממדבר עד
 הנהר כי | אתן בידכם את ישבי הארץ וגרשתמו
 מפניך: 32 לא תכרת להם ולאליהם ברית:
 33 לא ישובו בארצך פניחמיו אתה לי כי תעבד
 את אליהם כיהיה לך למוקש: פ
 24:1 ואל משה אמר עלה אליהוה אתה ואהרן נדב
 ואביהוא ושבעים מזקני ישראל והשתחויתם מרחק:
 2 ונגש משה לבדו אליהוה והם לא יגשו והעם לא
 יעלו עמו:

RASHI

בכמה מקומות, וזהו לשון "אי" שהוא אחד מארבע
 לשונות שה"כ"י משמש. וגם מצינו בהרבה מקומות
 "אם" משמש בלשון "אשר", כמו: "ואם תקריב מנחת
 בכורים"¹²², שהיא חובה: 1 ואל משה אמר. פרשה זו
 נאמרה קדם עשרת הדברות, וכך בסיון נאמרה לו
 "עלה": 2 ונגש משה לבדו. אל הערפל:

29 שממה. ריקנית מבני אדם, לפי שאתם מעט, ואין
 בכם כדי למלאות אותה: ורבה עליך. ותרבה עליך:
 30 עד אשר תפירה. תרבה, לשון "פרי", כמו: "פרו
 ורבו"¹²¹: 31 ושת. לשון השתה, והתי"ו מדגשת מפני
 שבאה תחת שתים, שאין "שיתה" בלא תי"ו, והאחת
 לשמוש: עדי הנהר. פרת: וגרשתמו. ותגרשם: 33 כי
 תעבד וגו'. הרי אלו "כי" משמשין במקום "אשר", וכן

121. בראשית א, כב. 122. ויקרא ב, יד.

INNER DIMENSIONS

[1] **Go up to God:** The Name of God used in this ascent is the Name *Havayah*, whereas in Moses' previous ascent,¹⁷⁷ before the Torah was given, the Name *Elokim* was used. This is because until the Torah was given, the "highest" any creature could ascend in the spiritual realms was to the world of *Beriah*. Although *Beriah* is a sublime, spiritual realm, it is still characterized by self-awareness, in contrast to the highest world, *Atzilut*, which is characterized by total absorption in Divine consciousness and the attendant loss of self-awareness. Inasmuch as

relative to each other, *Atzilut* and the lower worlds (*Beriah*, *Yetzirah*, and *Asiyah*) are distinguished by the dominance of Divine consciousness and self-awareness respectively, *Atzilut* is rooted in the Name *Havayah*, God's "proper name" and the three lower worlds are rooted in the Name *Elokim*, which signifies the contraction of God's presence and its investiture in nature. Once the Torah was given, it became possible to ascend to the consciousness of *Atzilut*.¹⁷⁸

169. Above, 3:8. 170. *Hitva'aduyot* 5745, vol. 2, pp. 1258-1259, 1267-1269. 171. See on 19:6, above. 172. Above, 20:18. 173. *Likutei Sichot*, vol. 16, pp. 271-273. 174. *Hitva'aduyot* 5743, vol. 2, pp. 938-939. 175. Compare above, on 7:28. 176. *Sefer HaMa'amarim* 5745, p. 133; *Sefer HaMa'amarim* 5746, pp. 59-60. *Igrot Kodesh*, vol. 11, p. 82, 116. 177. 19:3, above. 178. *Sefer HaMa'amarim* 5635, vol. 1, pp. 70 ff; *Or HaTorah*, *Yitro*, pp. 796 ff.

29 I will not drive out the inhabitants of the Land of Israel **in a single year, lest the land become desolate and the wild animals outnumber you**, for at this point, there are not enough of you to populate the whole land.

30 Rather, little by little will I drive them out before you, until you increase and are able to occupy the whole land.

31 Even though I postponed My original promise to Abraham of the territories of the Amonites, Moabites, and Edomites,¹⁶⁹ I am now reinstating this promise. Thus, when you enter the land, **I will set your borders from the Sea of Reeds to the Philistine [i.e., Mediterranean] Sea, and from the desert to the Euphrates River,**¹⁷⁰ **for I will deliver the inhabitants of the land into your hands, and you will drive them out from before you.**

32 You shall not make a covenant with them nor with their gods.

33 They shall not dwell in your land lest they cause you to sin against Me, for you might serve their gods, and that would prove to be a snare to you."

The Giving of the Torah, continued

24:1 Having now finished its account of the rational, contractual side of the relationship between God and the people forged at the Giving of the Torah, the Torah now backtracks to fill in the details of the narrative pertinent to the essential, covenantal side of this relationship.¹⁷¹ On the 4th of Sivan, God **had said to Moses, "On the 6th of Sivan, when I will give the Torah, go partway up Mount Sinai to God—you and Aaron, Nadav, and Avihu, and seventy of the elders of Israel—and prostrate yourselves from afar.**

2 After this, Moses alone shall then draw near to God by entering the cloud surrounding the top of the mountain.¹⁷² **The others may not draw near, nor may the people go up to the top of the mountain with him."**

CHASIDIC INSIGHTS

*service of God. The pondering of his inner self he left for his final moments on his deathbed.*¹⁷³

29 I will not drive them out in a single year, lest the land become desolate and the wild animals outnumber you: The Canaanite nations posed a great danger to the Israelites; so great, in fact, that the Jews were commanded not to allow even one of them to remain alive. Yet God prolonged their survival at least for the amount of time it would take until the Jews could properly settle the land. Although God could have provided protection against the wild animals through miraculous means, he chose to allow these nations to live. For as long as a human being serves any purpose to society at all, slight though it may be, his survival is ensured despite all of the strong arguments that can be brought against him. It was only when they were no longer productive in any way that God took into account the dangers that they posed and allowed the Jews to be victorious against them.¹⁷⁴

30 Little by little will I drive them out before you: This "strategy" is a lesson for us in our spiritual battles, as well. In our fight to banish our spiritual enemies from within, patience is indeed the greatest virtue. Trying to tackle all our obstacles at once will almost certainly end in failure; the methodical and gradual line of attack has much greater hope for success. We must begin with the easier steps, banishing first the most obvious forms of evil, and only then moving on to more subtle struggles.

Similarly, we should first attempt to avoid whatever is bad before striving for perfection in doing all that is good.¹⁷⁵ First, we must subdue our animal soul; only after this should we begin boosting our Godly soul to the spiritual pinnacles it aspires to. Such is the method of attack in all battles of the spirit: through advancing little by little, we can indeed "conquer the land."¹⁷⁶

— ONKELOS —

3 וַיֵּבֶא מֹשֶׁה וַיִּסְפֹּר לָעָם אֶת כָּל־דְּבָרֵי יְהוָה וְאֵת כָּל־הַמִּשְׁפָּטִים וַיַּעַן כָּל־הָעָם קוֹל אֶחָד וַיֹּאמְרוּ כָּל־הַדְּבָרִים אֲשֶׁר־דִּבֶּר יְהוָה נַעֲשֶׂה: 4 וַיִּכְתֹּב מֹשֶׁה אֶת כָּל־דְּבָרֵי יְהוָה וַיִּשְׁכֶּם בִּבְקָר וַיִּבֶן מִזְבֵּחַ תַּחַת הָהָר וּשְׁתֵּי עֲשָׂרָה מִצְבֵּה לְשֹׁנִים עֵשֶׂר שִׁבְטֵי יִשְׂרָאֵל: 5 וַיִּשְׁלַח אֶת־נְעָרֵי בְנֵי יִשְׂרָאֵל וַיַּעֲלוּ עֹלֹת וַיִּזְבְּחוּ זִבְחִים שְׁלָמִים לַיהוָה פָּרִים: 6 וַיִּקַּח מֹשֶׁה חֲצֵי הַדָּם וַיִּשֶׂם בְּאַגָּנֹת וַחֲצֵי הַדָּם זָרַק עַל־הַמִּזְבֵּחַ:

3 וַיֵּבֶא מֹשֶׁה וַיִּסְפֹּר לָעָם אֶת כָּל־דְּבָרֵי יְהוָה וְאֵת כָּל־הַמִּשְׁפָּטִים וַיַּעַן כָּל־הָעָם קוֹל אֶחָד וַיֹּאמְרוּ כָּל־הַדְּבָרִים אֲשֶׁר־דִּבֶּר יְהוָה נַעֲשֶׂה: 4 וַיִּכְתֹּב מֹשֶׁה אֶת כָּל־דְּבָרֵי יְהוָה וַיִּשְׁכֶּם בִּבְקָר וַיִּבֶן מִזְבֵּחַ תַּחַת הָהָר וּשְׁתֵּי עֲשָׂרָה מִצְבֵּה לְשֹׁנִים עֵשֶׂר שִׁבְטֵי יִשְׂרָאֵל: 5 וַיִּשְׁלַח אֶת־נְעָרֵי בְנֵי יִשְׂרָאֵל וַיַּעֲלוּ עֹלֹת וַיִּזְבְּחוּ זִבְחִים שְׁלָמִים לַיהוָה פָּרִים: 6 וַיִּקַּח מֹשֶׁה חֲצֵי הַדָּם וַיִּשֶׂם בְּאַגָּנֹת וַחֲצֵי הַדָּם זָרַק עַל־הַמִּזְבֵּחַ:

— RASHI —

מֹשֶׁה חֲצֵי הַדָּם. מי חֶלְקוֹ? מִלֵּאָה בָּא וְחֶלְקוֹ: בְּאַגָּנוֹת. שְׁתֵּי אַגָּנוֹת — אֶחָד לְחֲצֵי דָם עוֹלָה, וְאֶחָד לְחֲצֵי דָם שְׁלָמִים, לְהוֹזִיט אוֹתָם עַל הָעֵם. וּמִכָּאן לְמִדּוֹ רַבּוּתֵינוּ¹²³ שֶׁנִּכְנָסוּ אֲבוֹתֵינוּ לְבְרִית בְּמִילָה, וּטְבִילָה, וְהוֹזִיט דָּמִים, שֶׁאֵין הוֹזִיט בְּלֹא טְבִילָה:

3 וַיֵּבֶא מֹשֶׁה וַיִּסְפֹּר לָעָם. בּוֹ בִּיּוֹם: אֵת כָּל־דְּבָרֵי ה'. מִצְוֹת פְּרִישָׁה וְהִגָּבְלָה: וְאֵת כָּל־הַמִּשְׁפָּטִים. שְׁבַע מִצְוֹת שֶׁנֶּצְטוּ בְּנֵי נֹחַ, וְשִׁבְתָּ, וְכַבּוּד אֲבִי וְאִם, וּפְרָה אֲדָמָה, וְדִינִין שֶׁנִּתְּנוּ לָהֶם בְּמֶרְחֵם: 4 וַיִּכְתֹּב מֹשֶׁה. מִ"בְּרָאשִׁית" וְעַד מִתֵּן תּוֹרָה, וְכָתַב מִצְוֹת שֶׁנֶּצְטוּ בְּמֶרְחֵם: וַיִּשְׁכֶּם בִּבְקָר. בְּחֶמֶשׁ בְּסִיּוֹן: 5 אֶת־נְעָרֵי. הַבְּכוֹרוֹת: 6 וַיִּקַּח

123. כריתות ט, א.

each type of sacrifice on the people; this would be equivalent to passing between the two types of blood. In order to emphasize the covenantal significance of this sprinkling, God sent an angel to divide the two types of blood in half.¹⁹⁰ Moses then **took half the blood and put it into two large bowls**, one containing half the blood of the ascent-offerings and one containing half the blood of the peace-offerings. **The other half of the blood he threw against the altar** directly from the basins in which the firstborn collected it when they slaughtered the animals.¹⁹¹ Completing the sacrificial rites with the blood in the basins officially made the other blood (that remained in the two large bowls) into ascent-offering blood and peace-offering blood, as well.

— CHASIDIC INSIGHTS —

4 **And built an Altar:** On all the preceding days, Moses ascended Mt. Sinai to confer with God. On this day, the final day before the giving of the Torah,¹⁹² he instead built an Altar and conducted sacrificial offerings.

He was told to do this because the final preparation for the Giving of the Torah had to be something that expressed the purpose of giving the Torah, which is to infuse the physical realm with transcendent holiness. The sacrificial ritual demonstrates this aim most vis-

ibly, since when fire descends from heaven and consumes the offering, it is clear that the physical object is being transformed into spirituality, and even the stones of the altar have become the instruments of a spiritual process.

This is also why Moses did not ascend the mountain on this day: the purpose of giving the Torah is to draw Divine consciousness down to earth, not to leave the earth and ascend into abstract realms of communion with God, essential though this might be as a prior stage in the preparation process.¹⁹³

190. See *Likutei Sichot*, vol. 21, p. 141, and note 18 there; *Sichot Kodesh* 5734, vol. 1, pp. 384-385. 191. *Likutei Sichot*, vol. 36, pp. 117-119. 192. *Mechilta; Shabbat* 88a. 193. *Likutei Sichot*, vol. 28, pp. 20-21.

3 The first stage in establishing the covenantal relationship was that the people commit themselves to perform God's commandments. Thus, on that same day, the 4th of Sivan, **Moses came and told the people all of God's words** regarding fencing off the mountain and married couples keeping separate,¹⁷⁹ **and** he reviewed **all the laws** God had given the people so far: the seven basic commandments given to all humanity¹⁸⁰ and the commandments He gave them at Marah.¹⁸¹ **The entire people responded with one voice and said, "All the words that God has spoken we will do."** They thus committed themselves to perform all of God's commandments.¹⁸²

4 The second stage in establishing the covenant was that the people commit themselves to study the Torah. Therefore, **Moses then wrote down all the words of God** on a scroll: he wrote down the text of the Torah from the story of Creation up to and including the events of the previous day¹⁸³ as formal Torah-passages, and he wrote down the sections containing the commandments God gave at Marah as expositions of the content of these commandments.¹⁸⁴ Thus, by accepting the covenant as embodied in this scroll, the people would be committing themselves both to studying the Torah (as exemplified by the formal Torah-passages in it) and to fulfilling the commandments (as exemplified by the parts of it that were just expositions of the legal material that had not yet been formally given in their final form).¹⁸⁵ Now, the usual way a covenant is made is by cutting an animal in half and having the two parties to the covenant pass between the two halves. This procedure signifies that both parties are part of one, inseparable whole.¹⁸⁶ Here, this procedure was simulated by a sacrificial rite, as will be presently seen. **In the morning** of the following day, the 5th of Sivan, **Moses rose early and built an altar at the foot of the mountain, and twelve monuments for the twelve tribes of Israel.**

5 He had the people ritually immerse themselves¹⁸⁷ in preparation for being sprinkled with sacrificial blood. **He then dispatched the firstborn young men of the Israelites and they offered up ascent-offerings, and sacrificed bulls as peace-offerings to God** on this altar. An "ascent-offering" is one in which all the meat is burned (and thus *ascends* to heaven) on the altar.¹⁸⁸ A "peace-offering" is one in which part of the meat is burned on the altar, part is given to the owners to eat, and part is given to the priests (here: the firstborn) to eat. (It thus unites God, the priests, and the laymen in one rite and thereby promotes "peace" between all three.)¹⁸⁹ Since the meat of the ascent-offerings all ascended to heaven, they represented God; since the meat of the peace-offerings was partially eaten, they represented the people. As the firstborn slaughtered the animals, they collected the animals' blood in basins.

6 In order to express the fact that this covenant bound God and the people as two halves of a whole, God planned to have Moses sprinkle half of the blood of

179. Above, 19:12, 15. 180. Genesis 9:3-7. 181. Above, 15:25. 182. *Likutei Sichot*, vol. 21, pp. 142-143. 183. I.e., from Genesis 1:1 to Exodus 18:12 (with the exception of Genesis 32:33, 36:31-43, Exodus 16:33-36) plus Exodus 19:1-16 (*Likutei Sichot*, vol. 21, p. 141, note 22; vol. 12, p. 25, note 29). 184. *Likutei Sichot*, vol. 21, p. 142. 185. *Likutei Sichot*, vol. 21, pp. 142-143. 186. See Genesis 15:7-21. 187. Rashi on v. 6. 188. Genesis 8:20. 189. Leviticus 3:1-17, 7:28-36.

— ONKELOS —

7 וְנָסִיב סִפְרָא דְקִמָּא וְקָרָא
קֹדֶם עָמָא וְאָמְרוּ כָל־דִּי מְלִיל יִי
נַעֲבִיד וְנִקְבִּיל: 8 וְנָסִיב מִשָּׁה יִת
דְּמָא וְזָרַק עַל מִדְּבָחָא לְכַפָּרָא
עַל עָמָא וְאָמַר הָא דְמָא דְקִמָּא
דִּי גִזַּר יִי עֲמֻכּוֹן עַל כָּל־פְּתֻגְמֵי
הָאֱלִי: 9 וְסָלִיק מִשָּׁה וְאֶהְרֹן נָדַב
וְאִבְיָהוּא וְשִׁבְעִין מִשְׁבֵּי יִשְׂרָאֵל:

7 וַיִּקַּח סֵפֶר הַבְּרִית וַיִּקְרָא בְּאָזְנֵי הָעָם וַיֹּאמְרוּ כָל
בְּאֶשְׁרֵי־דָבָר יְהוָה נַעֲשֶׂה וְנִשְׁמָע: 8 וַיִּקַּח מִשָּׁה אֶת־הַדָּם
וַיִּזְרֹק עַל־הָעָם וַיֹּאמֶר הִנֵּה דַם־הַבְּרִית אֲשֶׁר כָּרַת יְהוָה
עִמָּכֶם עַל כָּל־הַדְּבָרִים הָאֵלֶּה: 9 וַיַּעַל מֹשֶׁה וְאַהֲרֹן נָדַב
וְאִבְיָהוּא וְשִׁבְעִים מִזִּקְנֵי יִשְׂרָאֵל:

— RASHI —

7 סֵפֶר הַבְּרִית. מִ"בְּרִאשִׁית" וְעַד מֵתֵן תּוֹרָה, וּמִצֻּוֹת
שֶׁנֶּצְטָווּ בְּמִדְּבָר: 8 וַיִּזְרֹק. עֲנִין הַזֶּה. וְתִרְגּוּמוֹ: "וְזָרַק"

— CHASIDIC INSIGHTS —

7 We will learn: These words read literally, "and we will listen," and imply the endeavor to comprehend that which "we will do." The sages²⁰⁴ highlight the virtue of preceding comprehension with faithful acceptance, submission, and loyalty. This was the prerequisite for the giving of the Torah and remains the prerequisite for every aspect of Torah observance and study.

Thus, integrity is intrinsic to Judaism. In other fields of wisdom, theory can be detached from practice. (For example, it is told that when Aristotle was once caught in an immoral act, he excused himself by saying: "Right now, I'm not Aristotle!"²⁰⁵ Similarly, there are doctors who forbid and condemn bad health habits they themselves indulge in.) Not so in Judaism: implementation is an integral ingredient of and even prerequisite to wisdom. Nowadays just as when the Torah was first given, only through supra-rational submission to the Torah's teachings can we access our supra-rational connection with God.

Yet the Jew's commitment did not stop there. They vowed not only to "do" but to "listen," to strive to comprehend as well. If our connection does not involve our mind or heart we have made it an experience of the soul alone. If, however, we are able to perceive what we believe²⁰⁶ and love what we accept; to recognize the ceaseless dependence of all creation on its Creator, to discern and cherish His providence, and to treasure the significance and purpose of His directions—our commitment will have embraced our entire psyche, from our most sublime contemplations to our most passionate attractions.

Still, first and foremost, the underlying premise is that the path of Judaism must be paved with submission and loyalty. This, however, which poses an enigma: If the Jewish people witnessed firsthand the many miracles God performed for them, beheld His unveiled

presence, and were inspired to exuberantly burst into song at the Sea of Reeds, how can we say that they put loyalty before comprehension in declaring, "we will do and we will hear"? Clearly, they comprehended God's existence and providence very well.

The answer is that the Torah's vision of selfless loyalty doesn't imply naiveté or suggest simplicity. The Torah urges us to perceive, understand, appreciate, and adore God's will, and then still fulfill it out of selfless loyalty. The ultimate devotee is one who has already seen and understood, been excited and inspired, but whose commitment to God is not qualified by these experiences and still serves Him with utterly selfless devotion.

So, although their comprehension preceded their declaration of loyalty, they sincerely proclaimed, "we will do and we will hear," expressing their unconditional acceptance of the Torah, irrespective of their comprehension and motivation. This profound conviction has no roots in reason, for reason will never require it nor agree to it. Rather, it expresses the intrinsic connection of the soul with God.²⁰⁷

8 Moses took the blood: In fact, sprinkling the blood on the people achieved a fuller union between the two parties to the covenant than having them both pass between halves of an animal would have. After passing through two halves of an animal, these two halves remain halves; but when the blood was sprinkled on the people, both types of blood mingled and became one entity.

This fact expresses the superiority of this covenant over and beyond the Covenant between the Parts that God made with Abraham. Before the giving of the Torah, the most a created being could do was become God's "chariot," a vehicle for Him to reveal Himself and promulgate Divine consciousness throughout

204. *Shabbat* 88a; commentaries *ad loc.* 205. *Sichot Kodesh* 5731, vol. 1, p. 344; see *Me'irat Einaim, Vayishlach* (ed. Erlanger, 77a). 206. See on 14:31, above. 207. *Likutei Sichot*, vol. 23, p. 92 ff; *Sichot Kodesh* 5739, vol. 3, pp. 295-297; *Igrot Kodesh*, vol. 7, p. 28; *Hitva'aduyot* 5748, vol. 3 pp. 234-235; *Sichot Kodesh* 5741, vol. 4, pp. 31-32.

7 Moses then **took** the scroll he wrote the previous day, and which now became known as **the Book of the Covenant**, and **read it aloud to the people**. He read the scroll as he had written it: first the history of the world from Creation until the events of the previous day, which he had written as formal Torah-passages, and then the laws that God had already given, which he had written as simple expositions of the content of these laws. The section exemplifying Torah-study thus preceded the section exemplifying upholding God's commandments. Nonetheless, after Moses finished, the people **responded**, "**We will do and we will learn everything that God has spoken.**" By saying "we will do" before "we will learn" they not only committed themselves to studying the Torah in addition to performing God's commandments; at the same time, they gave precedence to upholding the commandments over studying the Torah, implying that they were prepared to fulfill God's will unconditionally—even before they knew what it is.¹⁹⁴ When the Ministering Angels heard this, they descended from heaven and placed two ethereal crowns, woven out of the splendor of God's presence,¹⁹⁵ on the head of each Jew: one for saying "we will do" and one for saying "we will learn."¹⁹⁶

8 The people having thus bound themselves to God, Moses could complete the rite that sealed the covenant. **Moses took the blood** that he had put in the two large bowls, **and sprinkled it on the people**, thus effectively having them pass between the two types of blood. (According to another opinion, Moses sprinkled the blood from these two bowls on the altar, to atone for the people. Accordingly, rather than "passing between" ascent-offering blood and peace-offering blood, the people "passed between" blood that was thrown on the altar as part of the sacrificial rite [i.e., for God], and blood that was thrown on the altar to effect atonement [i.e., for the people].)¹⁹⁷ Moses then **said**, "**This is the blood of the covenant that God has made with you regarding all these words.**" Thus, all three requirements necessary in establishing the covenantal relationship were satisfied: circumcision (since all the males had been circumcised in Egypt¹⁹⁸), unconditional acceptance of God's will, and the covenantal procedure of passing between halves (effected by sprinkling half the blood and the immersion that preceded it).¹⁹⁹ God and the people were now bound by a covenant to the greatest extent possible before the actual Giving of the Torah. This covenant included the descendants of the people who stood at Mount Sinai, as well.²⁰⁰ This set the stage for the change in reality that would occur the next day, when God would give the Torah formally.²⁰¹

9 On the following day, the 6th of Sivan, whichever women still needed to ritually immerse themselves did so.²⁰² **Moses went partway up the mountain, as did Aaron, Nadav, and Avihu, and seventy of Israel's elders**, to prostrate themselves from afar, as God had told them to.²⁰³

194. *Likutei Sichot*, vol. 21, p. 143, note 29. 195. Rashi on *Shabbat* 88a, s.v. *Sheni Ketarim*. 196. *Shabbat* 88a; Rashi on 33:4, below. 197. *Likutei Sichot*, vol. 36, p. 121. 198. Above, 12:3. 199. Rashi on v. 6, above. 200. Deuteronomy 5:3. 201. *Likutei Sichot*, vol. 21, p. 145. 202. See above, 19:11; Rashi on 19:15. 203. Above, v. 1.

— ONKELOS —

10 וַיִּרְאוּ יֵת יְקָר אֱלֹהָא דִּישְׂרָאֵל
וּתְחֻת פּוֹרְסֵי יְקָרָה כְּעוֹבֵד אֲבָן
טָבָא וּבְמַחְזֵי שְׁמִיָּא לְבָרִירוֹ:
11 וּלְרַבְרְבֵי בְנֵי יִשְׂרָאֵל לֹא הָיָה
נִזְקָא וְחֻזּוֹ יֵת יְקָרָא דִּי וְהָיָה חֶדֶן
בְּקַרְבְּנֵיהוֹן דִּאֲתַקְבְּלוּ בְרַעְוָא
כְּאֵלּוּ אֲכָלִין וְשִׁתּוֹן: 12 וְאָמַר יֵת
לְמִשְׁה סָק לְקַדְמֵי לְטוֹרָא וְהָיָה תַּמָּן
וְאִתָּן לָהּ יֵת לִיחֵי אֲבָנָא וְאִזְרִיתָא
וּתְפִקִּידָתָא דִּי כְּתִבִּית לְאַלּוּפֵיהוֹן:
13 וְקָם מִשְׁה וַיהוֹשֻׁעַ מְשׁוּמְשָׁנָה
וּסְלִיק מִשְׁה לְטוֹרָא דְאִתְגַּלִּי
עֲלוּהִי יְקָרָא דִּי: 14 וּלְסָבִיא
אָמַר אִזְרִיכוּ לָנָא הֵבָא עַד דִּי
נָתַב לְיִתְבָּחֵן וְהָא אֲהָרֹן וְחֹזֵר
עִמָּכֹן מֵאֵן דִּאִית לָהּ דִּינָא יִתְקַרֵּב
לְקַדְמֵיהוֹן:

10 וַיִּרְאוּ אֶת אֱלֹהֵי יִשְׂרָאֵל וְתַחַת רַגְלָיו בְּמַעֲשֵׂה
לְבָנֵת הַסְּפִיר וּבְעֵצִים הַשָּׁמַיִם לְטָהָר: 11 וְאֶל־אֲצִילֵי
בְנֵי יִשְׂרָאֵל לֹא שָׁלַח יְדוֹ וַיַּחֲזוּ אֶת־הָאֱלֹהִים וַיֹּאכְלוּ
וַיִּשְׁתּוּ: 12

12 וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה עֲלֵה אֵלַי הִהְרָה וְהִי־הָשֵׁם
וְאֶתְנֶנָּה לָּךְ אֶת־לַחַת הָאֵבֶן וְהַתּוֹרָה וְהַמִּצְוָה אֲשֶׁר
כָּתַבְתִּי לְהוֹרָתָם: 13 וַיָּקָם מֹשֶׁה וַיהוֹשֻׁעַ מִשְׁרָתוֹ וַיַּעַל
מֹשֶׁה אֶל־הָר הָאֱלֹהִים: 14 וְאֶל־הַזִּקְנִים אָמַר שְׁבוּ־לָנוּ
בְּזֶה עַד אֲשֶׁר־נָשׁוּב אֵלֵיכֶם וְהִנֵּה אֶהְרֵן וְחֹזֵר עִמָּכֶם
מִי־בַעַל דְּבָרִים יִגֹּשׁ אֱלֹהִים:

— RASHI —

תורה: עֲלֵה אֵלַי הִהְרָה וְהִי־הָשֵׁם. אֲרַבְעִים יוֹם: אֶת־
לַחַת הָאֵבֶן וְהַתּוֹרָה וְהַמִּצְוָה אֲשֶׁר כָּתַבְתִּי לְהוֹרָתָם.
כֹּל־שֵׁשׁ מֵאוֹת וּשְׁלֹשׁ עֶשְׂרֵה מִצְוֹת בְּכֹלל עֶשְׂרֵת
הַדְּבָרוֹת הֵן. וַיָּרְבּוּ סַעֲדֵיהּ פֶּרֶשׁ בְּאַוְהָרוֹת שִׁיסָד, לְכָל־
דְּבוּר וְדְבוּר מִצְוֹת הַתְּלִיּוֹת בּוֹ: 13 וַיָּקָם מֹשֶׁה וַיהוֹשֻׁעַ
מִשְׁרָתוֹ. לֹא יָדַעְתִּי מַה־טִּיבוֹ שֶׁל יְהוֹשֻׁעַ כָּאֵן? וְאָמַר
אֲנִי, שֶׁהִיָּה הַתְּלִמִּיד מִלֵּוֹה לָרֵב עַד מְקוֹם הַגְּבֻלָּת תַּחֲוֹמֵי
הָהָר, שְׁאִינוֹ רָשָׁא לִילָף מִשָּׁם וְהָלָא, וּמִשָּׁם — וַיַּעַל
מֹשֶׁה לְבָדוֹ אֶל הָר הָאֱלֹהִים, וַיהוֹשֻׁעַ נָטָה שֵׁם אֶהְלוֹ
וְנִתְעַכֵּב שָׁם כֹּל־אַרְבָּעִים יוֹם, שֶׁכֵּן מִצִּינוֹ בְּשִׁירֵד מֹשֶׁה:
"וַיִּשְׁמַע יְהוֹשֻׁעַ אֶת־קוֹל הָעָם בְּרַעְוָה"¹²⁹, לְמַדְנֵו שֶׁלֹּא
הָיָה יְהוֹשֻׁעַ עִמָּהֶם: 14 וְאֶל־הַזִּקְנִים אָמַר. בְּצִאתוֹ מִן
הַמִּחָנֶּה: שְׁבוּ־לָנוּ בְּזֶה. וְהִתְעַכְּבוּ כָאֵן עִם שְׂאֵר הָעָם
בְּמִחָנֶּה, לְהִיּוֹת נְכוּנִים לְשִׁפּוֹט לְכָל־אִישׁ רִיבוֹ: חֹזֵר. בְּנֵה
שֶׁל מְרִים הָיָה, וְאֲבִיו כָּלֵב בֶּן יִפְנֶה, שֶׁנֶּאֱמַר: "וַיִּקְחֵלוּ
כָלֵב אֶת־אֶפְרָת, וְתַלְדָּ לֹא אֶת־חֹזֵר"¹³⁰. אֶפְרָת — זֶה מְרִים,
כִּדְאִיתָא בְּסוּטָה¹³¹: מִי־בַעַל דְּבָרִים. מִי שֵׁשׁ לֹא דִין:

10 וַיִּרְאוּ אֶת אֱלֹהֵי יִשְׂרָאֵל. נִסְתַּכְלוּ וְהִצִּיצוּ וְנִתְחַיְּבוּ
מִיתָה, אֲלֹא שְׁלֹא רָצָה הַקָּדוֹשׁ בְּרוּךְ־הוּא לְעַרְבֵב
שְׂמִיחַת הַתּוֹרָה, וְהַמִּתִּין לְנָדָב וְאֶבִיהוּא עַד יוֹם חֲנֻכַּת
הַמִּשְׁכָּן. וְלִזְקֻנִים עַד "וַיְהִי הָעָם כְּמִתְאַנְנִים וְגו'" וְתַבְעֵר־
בָּם אֵשׁ ד' וְתֹאכֵל בְּקִצָּה הַמִּחָנֶּה¹²⁴ — בְּקִצְיָנִים
שֶׁבְּמִחָנֶּה: בְּמַעֲשֵׂה לְבָנֵת הַסְּפִיר. הִיא הָיְתָה לְפָנָיו בְּשַׁעַת
הַשְּׁעִבּוּד, לְזִכֵּר צִרְתָּן שֶׁל יִשְׂרָאֵל, שֶׁהָיוּ מְשַׁעֲבָדִים
בְּמַעֲשֵׂה לְבָנִים: וּבְעֵצִים הַשָּׁמַיִם לְטָהָר. מִשְׁנִגְאָלוֹ,
הָיָה אֹר וְחִדּוּה לְפָנָיו: וּבְעֵצִים. כְּתַרְגוּמוֹ, לְשׁוֹן מְרָאָה:
לְטָהָר. לְשׁוֹן בְּרוּר וְצָלוֹל: 11 וְאֶל־אֲצִילֵי. הֵם נָדָב
וְאֶבִיהוּא וְהַזִּקְנִים: לֹא שָׁלַח יְדוֹ. מְכַלֵּל שֶׁהָיוּ רְאוּיִים
לְהִשְׁתַּלַּח בְּהֵם יְדֹ וַיַּחֲזוּ אֶת־הָאֱלֹהִים. הָיוּ מִסְתַּכְלִין בּוֹ
כָּלֵב גַּם — מִתּוֹךְ אֲכִילָה וְשִׁתָּה. כִּף מְדַרְשׁ תַּנְחוּמָא¹²⁵.
וְאוֹנִקְלוֹס לֹא תִרְגֵּם כֵּן. "אֲצִילִי" — לְשׁוֹן גְּדוּלִים, כְּמוֹ:
"וּמִאֲצִילִיָּה קְרָאֲתִיד"¹²⁶, "וַיֹּאצֵּל מִן־הָרוּחַ"¹²⁷, "שֵׁשׁ
אֲמוֹת אֲצִילָה"¹²⁸: 12 וַיֹּאמֶר ה' אֶל־מֹשֶׁה. לְאַחַר מִתֵּן

124. במדבר יא, א. 125. בהעלותך סימן טו. 126. ישעיה מא, ט.

127. במדבר יא, כה. 128. יחזקאל מא, ח. 129. שמות לב, יז. 130. דברי הימים א ב, יט. 131. יא, ב.

— CHASIDIC INSIGHTS —

effected through blood: this unity with God became
"part of our blood," the essential, defining element of
Jewish identity.²¹⁸

10-11 They had a vision of the God of Israel. Beneath
His feet.... God did not raise His hand against the
nobles of the Israelites...they gazed upon the Di-
vine: Literally, these last words read: "they gazed
upon Elokim."

Allegorically, this means that God did not let them
behold "His hand," i.e., His Divine power in full re-
velation; He only allowed them to see His power as re-
vealed in creation via the contracting process of the
Name *Elokim*. Thus, instead of His "hand," they only
saw what happens "beneath His feet," so to speak.

Moses, in contrast, experienced the Name *Havayah* at
the Giving of the Torah, as is written:²¹⁹ "Moses alone
shall then draw near to God."²²⁰

218. *Likutei Sichot*, vol. 36, pp. 121-122. 219. Above, v. 2. 220. *Torah Or* 78a.

10 But after Moses entered the cloud surrounding the top of the mountain, Nadav, Avihu, and the elders attempted to follow him with their sight—which they did not have permission to do—and **they thus had a vision of the God of Israel.** They saw, figuratively, that **beneath God’s feet there was the likeness of a brick of sapphire,** which had been in front of Him during the people’s slavery as brick makers, signifying His awareness of their suffering, while around Him was **an appearance like the clearness of the cloudless heavens,** for when the people were redeemed from slavery God rejoiced.

11 Yet God **did not raise His hand against the nobles of the Israelites** to punish them, even though they were liable to the death penalty because **they gazed upon the Divine** vision selfishly, as if they were doing so while **they ate and drank.** God did not put them to death immediately because He did not want to upset the joyous mood surrounding the Giving of the Torah. Instead, He waited until they committed another sin—in the case of Nadav and Avihu, over nine months later,²⁰⁸ and in the case of the elders, over a year later²⁰⁹—and punished them for both sins at the same time.

The First Forty Days

12 Following the Giving of the Torah, on the 7th of Sivan,²¹⁰ **God said to Moses, “Come up to Me, on the mountain, and remain there** for forty days and nights. **I will give you the tablets of stone,** on which are engraved the Ten Commandments, which allude to **the entire Torah and all its commandments,**²¹¹ **which I have written down** for the people’s **instruction.”** These tablets were known as “the Tablets of the Testimony”²¹² and “the Tablets of the Covenant,”²¹³ for they served as testimony of the covenant that had now been made between God and the people.²¹⁴

13 **Moses then arose, with Joshua, his attendant. Moses ascended the Mountain of God.** Joshua accompanied Moses as far as he was permitted, i.e., up to the fence surrounding the mountain.²¹⁵ He pitched his tent there and stayed there for the entire forty days, awaiting Moses’ return.

14 Before he left the camp, Moses **said to the elders, “We will return on the fortieth day from now, before noon.**²¹⁶ Until then, **wait for us here,** with the rest of the people, and settle any disputes they might have, **until we return to you. Aaron and his nephew Hur—Caleb and Miriam’s son**²¹⁷—**are here with you; whoever has a lawsuit should approach** you, and if you cannot decide, they should approach **them.”**

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the world. The patriarchs indeed achieved this sublime height of spirituality. But even though a chariot is entirely at the disposal of its rider, it still remains a separate entity from him.

Once the Torah was given, however, it became possible to unite with God completely, becoming virtually part of Him. This was alluded to by the fact that the covenant preceding the Giving of the Torah was

208. See Leviticus 10:1-2. 209. See Numbers 11:1; Rashi on Numbers 11:16. 210. Rashi on 32:1. 211. Above, 20:1. 212. Below, 25:16, 21, 31:18, 32:15, etc. 213. Below, 34:28; Deuteronomy 9:9, 11, 15. 214. *Likutei Sichot*, vol. 26, pp. 155-156. 215. Above, 19:12, 15. 216. Rashi on 32:1. 217. Above, 17:10.

— ONKELOS —

15 וסליק משה לטורא וקרא
ענגא ית טורא: 16 ושרא יקרא
דיי על טורא דסיני וקפדי ענגא
שתא יומין וקרא למשה ביומא
שביעאה מגו ענגא: 17 וחיוו יקרא
דיי בחיוו אשתא אכלא בריש
טורא לעיני בני ישראל: 18 ועאל
משה בגו ענגא וסליק לטורא
והוה משה בטורא ארבעין יומין
וארבעין לילון:

◆ מפטיר 15 ויעל משה אל-ההר ויבססו הענן את-ההר:
16 וישכן בבור-יהוה על-הר סיני ויבססו הענן ישיבת
ימים ויקרא אל-משה ביום השביעי מתוך הענן:
17 ומראה בבור יהוה כאש אכלת בראש ההר לעיני
בני ישראל: 18 ויבא משה בתוך הענן ויעל אל-ההר
ויהי משה בחר ארבעים יום וארבעים לילה:

ק"ח פסוקים. עויא"ל סימן. חננ"י סימן.

— RASHI —

עשרת הדברות, והם היו בתחלת ארבעים יום שעלה
משה לקבל לוחות. ולמדך, שכל-הנבנס למחנה
שכינה, טעון פרישה ששה ימים: 18 בתוך הענן. ענן
זה כמין עשן הוא, ועשה לו הקדוש ברוך-הוא למשה
שביל בתוכו:

חסלת פרשת משפטים

16 ויבססו הענן. רבותינו חולקים¹³² בדבר, יש מהם
אומרים: אלו ששה ימים שמראש חדש עד עצרת,
יום מתן תורה: ויבססו הענן. להר: ויקרא אל-משה
ביום השביעי. לומר עשרת הדברות. ומשה וכל-בני
ישראל עומדים, אלא שחלק הכתוב בבור למשה. ויש
אומרים: "ויבססו הענן" — למשה, ששת ימים לאחר

132. יומא ד א-ב.

— CHASIDIC INSIGHTS —

sanctify them and purify them, and make them, too,
into God's home. We must not suffice in descending
into the aspects of reality that remind us of the animal
or vegetable kingdom (in that they evince some life);
even aspects of reality that seem devoid of Divine life
must be taught to know God.

Nonetheless, "God made a path for Moses in this
cloud so his face and clothing would not become
soiled by passing through it." There is indeed danger
of being soiled by contending with the gross material-
ism of reality. But so long as we remain true to the Mo-
ses within us and the Moses of our generation, God
will protect us and enable us to emerge unscathed
from the encounter. For in fact, material reality has
no independent existence; its true Divinity is just con-

cealed from us in order to allow us free choice. Once
we choose to focus on God's purpose in creating the
material world, the façade falls away and we segue
into the next *parashah*, in which all reality becomes
a sanctuary, a holy place wherein God says²³¹ "I will
dwell in their midst."²³²

**Moses was on the mountain for forty days and forty
nights:** In the spiritual realm to which Moses ascend-
ed while he was on the mountain, time is compressed
such that a day there is equal to a year in our world. In
essence, then, Moses was with God for the equivalent
of forty *years*. According to the sages, forty years is the
time it takes for a student to fully absorb his master's
teachings.²³³ This, then, is why Moses had to remain
on the mountain for forty days.²³⁴

231. Below, 25:8. 232. *Likutei Sichot*, vol. 16, pp. 282-283. 233. *Avodah Zarah* 5b. 234. *Or HaTorah, Devarim*, p. 18.

- ◆ **Maftir 15** Moses ascended partway up the mountain, and the cloud covered the mountain.

16 The glory of God rested on Mount Sinai, which the cloud covered for six days, and on the seventh day He called to Moses from the midst of the cloud. These were the first seven days of the forty-day period of Moses' stay on the mountain.

17 In the eyes of the Israelites, the appearance of the glory of God during these forty days was like a consuming fire on the mountaintop. This fire, consuming the rocks and dirt on the mountain, produced a cloud of smoke in addition to the regular cloud of water vapor that already covered the mountain.

18 Since smoke clouds are sooty, God made a path for Moses in this cloud so his face and clothing would not become soiled by passing through it.²²¹ **Moses entered the smoke cloud** through this path **and ascended** to the top of **the mountain**. **Moses was on the mountain for forty days and forty nights**. As mentioned above,²²² during these 40 days, God taught Moses the general outline of all the Torah's commandments and the details of the laws found at the end of *parashat Yitro*²²³ and the beginning of *parashat Mishpatim*,²²⁴ enabling him to miraculously absorb all this in this short period of time.²²⁵ God also inscribed the Ten Commandments on two stone tablets for Moses to bring to the people upon his descent from the mountain.²²⁶ During the 40 days, God sustained Moses miraculously;²²⁷ he neither ate nor drank physical food or drink.²²⁸

The *Haftarah* for *parashat Mishpatim* may be found on p. 317.

The *Haftarah* for the Twenty-ninth of the Month may be found on p. 333.

The *Maftir* and *Haftarah* for *Rosh Chodesh* may be found on p. 336.

The *Maftir* and *Haftarah* for *Shabbat Shekalim* may be found on p. 343.



CHASIDIC INSIGHTS

17 The glory of God was like a consuming fire at the mountaintop: At the Giving of the Torah, "the whole of Mount Sinai was in smoke because God had descended upon it in fire."²²⁹ During the forty days, however, the mountain was only covered with a much calmer *cloud* of smoke.

Smoke is the product of matter disintegrating through fire: the coarser the material, the thicker the smoke produced. Before the Giving of the Torah, the world was still spiritually "coarse," so when God revealed Himself, the world's coarse resistance to His "fire" produced overflowing smoke. After the Giving of the Torah, however, the fire at the mountaintop was fac-

ing a finer and less resistant world, producing a finer form of "smoke"—a cloud.²³⁰

18 Moses entered the cloud: In order to receive the Torah from God, Moses had to traverse the cloud of smoke, which was produced by the action of the Divine fire on the dirt and rocks atop the mountain. Inasmuch as the purpose of the Torah is to refine and elevate the world—even its lowest elements, such as inanimate dirt and rocks—Moses had to enter the cloud produced by the effect of Divinity on inanimate matter.

The lesson for us here is that we must be willing to enter even the lowest aspects of reality in order to

221. *Likutei Sichot*, vol. 16, pp. 275-278. 222. 21:1. 223. Above, 20:19-23. 224. Above, 21:1-23:33. 225. Rashi on 31:18, below; *Likutei Sichot*, vol. 17, p. 276, note 6, vol. 26, p. 154, note 9. 226. Above, v. 12. 227. *Likutei Sichot*, vol. 36, pp. 172-179. 228. Deuteronomy 9:9. 229. Above, 19:18. 230. *Likutei Sichot*, vol. 16, pp. 280-281.

