

Parshas Mishpotim is a very interesting parsha. Its location in the Torah is perplexing. Parshas Yisro describes ma'amad Har Sinai in great detail. However, at the end of Mishpotim there is a shorter description of ma'amad Har Sinai. In the middle, we have a list of mishpotim.

There are various opinions in midrashim and rishonim regarding when Yisro came to Klal Yisroel – before or after Matan Torah? Those who advocate Yisro coming after ma'amad Har Sinai point to the fact that Moshe is judging people and issuing psakim of the Torah – seemingly after they were given at Har Sinai.

But the Ramban says Yisro came to Klal Yisroel before Matan Torah, and the psakim that Moshe is issuing are from the 'chok u'mishpot' that Klal Yisroel received at Moroh before coming to Har Sinai. There were four things Klal Yisroel had to accept before receiving the Torah at Har Sinai. It was a form of preparation. Chukim – like poroh adumoh. Kibbud Av v'Em. Shabbos. Dinim.

Before Klal Yisroel accepted the Torah, they had to accept a number of things. One is that there will be halachos in the Torah that you won't understand – not even Shlomo Hamelech, but you will have to accept anyway.

The midrash discusses the contradiction that Avrohom Ovinu confronted at the end of the Akeidoh, when the maloch told him not to touch Yitzchok. Earlier, Hashem had told Avrohom: You will have a son who will carry on your legacy. Then Hashem said to sacrifice this son. And now Hashem says not to touch him? What is going on?

The famous question on this midrash is: why did Avrohom wait until the maloch told him to spare Yitzchok to ask about the contradiction? There was already a contradiction the moment he was told to sacrifice Yitzchok! Rav Chaim explained that one of the 13 middos that we use to interpret the Torah is: עד שיבוא שני כתובים המכחישים זה את זה, הכתוב השלישי יכריע ביניהם. We learn from this middoh that the very existence of a contradiction is not a license to pose questions and expect resolutions. It is our human limitation in understanding and we need to accept the apparent contradiction. But once there is a third posuk that indicates there is a resolution we can understand, then we can address the contradiction and try to solve it with other pesukim.

The Yalkut at the beginning of Sefer Iyov tells us that Iyov was on an unbelievable level. Had he not failed his test, we would be adding his name among the Ovos in the first brocho of Shmoneh Esrei! But since he failed his test, we do not include his name. What was the test that he failed? Iyov was a tzaddik, and from his perspective, he deeply believed Hashem should run the world in a way that reflects human understanding of justice and righteousness. But the world isn't being run that way, and Iyov couldn't accept it. Hashem's response to Iyov was to show him hundreds of examples in the universe that defy human explanation. He must accept that Hashem's wisdom is beyond human comprehension and cannot be questioned.

This necessity to accept the limits of our human understanding in the face of Hashem's infinite wisdom is a fundamental aspect of kabbolas haTorah. Certainly, there is a great mitzvoh to break your head and try to understand as much as you possibly can! But in the end, it is Hashem's wisdom, and we can hope to understand only a fraction of it. This is why Klal Yisroel were give Poroh Adumoh before Matan Torah.

Shabbos had to be before Matan Torah, because they were given mon soon after kriyas Yam Suf. The mon fell every day besides Shabbos,

and Klal Yisroel had to be taught not to go out and gather it on Shabbos. Shabbos is the backbone of our emunoh because we testify that Hashem created the universe out of nothing in six days, and on the seventh He ceased to create. We have to give this testimony once a week to show how important this belief is. It is the fourth of the Aseres Hadibros. One who publicly violates Shabbos is treated as a non-Jew because his chillul Shabbos is a direct contradiction to this fundamental belief which supports all of Yiddishkeit.

Kibbud Av v'Em is also fundamental to the Torah. It is also included in Aseres Hadibros, and surprisingly, it is the last dibroh in the section of Bein Odom l'Mokom. A person has to understand that each human being comes from a collaboration of three partners: Human parents gave us our physical body, and Hashem provided us with our neshomo. If I don't give adequate honor and reverence to my parents for giving me life, I won't be able to adequately appreciate Hashem for giving me a neshomo.

Then we have dinim. Why are dinim so special? There are countless mitzvos in the Torah, spanning a large variety of topics. But before we receive all those mitzvos, we need to know that our interpersonal relationships have to be managed by the Torah – down to the smallest detail. The Torah must always be consulted to give us guidelines for every kind of minor financial interaction. Borrowing, lending, guardianship, etc. Moshe Rabbeinu was spending day and night teaching Klal Yisroel how every aspect of bein odom le'chaveiro has to be conducted according to Torah principles.

The posuk in Parshas Vayikroh says: 'ונפש כי תחטא ומעלה מעל בה' וכיחש בעמיתו. The Tosefta asks, if we are talking about someone who steals money from his friend by denying a debt and making a false oath, why is the posuk saying he is 'מעלה מעל בה'? It should read, מעלה מעל בחבירו. The Tosefta answers that a person who steals from another person is also committing a crime against Hashem. All aspects of bein odom le'chaveiro rest upon our relationship with Hashem and following the rules Hashem laid down for all interpersonal relationships.

Right at the beginning of Parshas Mishpotim, we are given numerous rules of how to conduct business. There is a strange mentality we find among frum Jews today. Cholorv Yisroel and all kinds of chumros in kashrus are universally accepted, but Hashem doesn't seem to exist when it comes to business. But the Torah says when you are dishonest in business against the halacha, you are breaking down your relationship with Hashem as well.

We begin the parsha with the halacha of a Jewish slave. This is very strange – why begin with slavery? The answer is found at the end of these halachos – when he voluntarily elects to remain with his master until Yovel, his master must bring him to the door post and pierce his ear. Why? Rashi explains that his ear is pierced because this ear wasn't listening carefully enough when it heard on Har Sinai that we are slaves of Hashem alone and not slaves to any human being.

When you look at the process of yetzias Mitzrayim, we see that Moshe comes to Pharaoh and tries all along to negotiate to allow Klal Yisroel to leave for just three days to worship Hashem on Har Sinai. This is very difficult, because we know Hashem doesn't need Pharaoh's permission to do anything. He is not in any position to negotiate anything – let alone a limited release of three days. Hashem has no intention of bringing them back to Egypt ever! So what is the charade all about? Why is he deceiving Pharaoh? Hashem is emes.

The answer is found in one of the exchanges in Parshas Bo. Pharaoh asks Moshe, what will Klal Yisroel be taking with them to worship Hashem? Moshe answers: ואנחנו לא נדע מה נעבוד את ה' עד באנו שמה – we need to take everything with us, because we won't know in advance what Hashem will demand of us. He may demand everything we have, and we have to be prepared to give Him everything. So Moshe wasn't lying – we are leaving slavery in Egypt, but it is only temporary – only for those three days of traveling to Har Sinai. After those three days, we will be standing at Har Sinai and we will accept slavery again – but this time to Hashem.

And the person who heard this 3,500 years later and accepts upon himself slavery to a human master until yovel, has to have his ear pierced, since he didn't adequately hear the message that he is only a slave to Hashem.

Hashem demands the entire human being – nothing is left out of this avdus.

The Ra'avad wrote the sefer Baalei Hanefesh on the halachos of Taharas Hamishpocho. He asks in the hakdomo why there are mitzvos ma'asiyos in the Torah about the clothes we wear, the food we eat, etc. There are two reasons, which have a common theme. Every aspect of a human being's life has to be subservient to and be conducted according to Hashem's will. Every article of clothing I buy has to undergo thorough halachic scrutiny – it is shatnez? Does it have four corners requiring tzitzis? There are all sorts of questions that have to be answered in every part of life. Even taking a haircut

has rules and restrictions. Because I have a master and I don't have an independent existence. It is actually forbidden to sell yourself as a slave. There is an interesting halacha about contracts. Tosfos says you cannot obligate yourself to someone else for longer than three years. If I feel permanently obligated to someone, it undermines our feeling of subjugation to Hashem.

We are Hashem's slaves and we make this statement every day. The gemara says the way to be mekabel ol malchus shomayim is through tefillin and mezuzoh. Rabbeinu Yonah explains that tefillin shel yad is to subjugate your body to Hashem, tefillin shel rosh is to subjugate your mind to Hashem, and mezuzoh is to subjugate your property and wealth to Hashem. Everything belongs to Him.

Once we establish that we are Hashem's slaves, we read about murder. Why is it so immoral? Because you failed to recognize the tzelem Elokim in this individual – you think your life is more valuable than his. There is a halacha which says you have to allow yourself to be killed rather than kill someone else. You cannot measure the value of anyone's life because all of us have the same tzelem Elokim.

There is a punishment of golus for killing someone by accident. Why is he to blame for an accident? Because there is some sloppiness involved. You allowed yourself to be careless because, again, you didn't appreciate the value of another tzelem Elokim.

Later we will talk about Na'aseh V'nishma.