



כִּי־יִתֵּן אִישׁ אֶל־רֵעֵהוּ כֶּסֶף אוֹ־כֶּלִים לְשֹׁמֵר וְגָנַב מִבֵּית הָאִישׁ אִם־יִמָּצָא הַגָּנֵב יִשְׁלַם שְׁנַיִם:

MEKOR

SHEMOS 22:6

When a person gives money or vessels to another for safekeeping, and they are stolen from that other party's house: if caught, the thief shall pay double.

MEANING

RAMBAN, SEFORNO

This *pasuk* is speaking about a *shomer chinam*, who is exempt from paying if the object he was guarding is stolen. The nature of this *shomer* needn't be mentioned in the *pasuk* because when nothing is specified, this is the standard kind of *shomer*. Alternatively, the *pasuk* does indeed allude to the custodian's identity as a *shomer chinam* by singling out items like money and vessels which one does not ordinarily need to pay someone to watch (as opposed to animals etc.).

MESSAGE

BASED ON A TEACHING FROM RAV MOSHE OF KOBRIN ZY" A

כי־יתן איש: Hashem, who is called מלחמה איש, gives אֶל־רֵעֵהוּ – the Jewish nation, **כֶּסֶף**: desires and passions (“אִוִּכְלִים”); **לְשֹׁמֵר**: to watch and guard so that they may be used for His service. **וְגָנַב מִבֵּית הָאִישׁ**: Immediately following birth, the *yetzer hara* seizes these desires and capacities and takes control of them, stealing them from “*beis Hashem*”, the house of G-d's service. **אִם־יִמָּצָא הַגָּנֵב**: when we catch up with the *yetzer hara* and begin to triumph in our spiritual battles, **יִשְׁלַם שְׁנַיִם**: we are able to utilize these passions and elevate them, ending up with a double portion of energy that we are able to channel toward *avodas Hashem*.

THE GRAND SYNTHESIS

From the very first verse, all of the *parshios* we have read thus far may be seen as a long process culminating in *Matan Torah*. The unimaginable fire of *parshas Yisro*, a tremendous gush of love and yearning toward Hashem, finds expression throughout the *parsha* from the very beginning to the very end. The *parsha* opens with Yisro, a professional idol-worshiper, abandoning the impurity of his old ways to jump to the greatest levels of holiness in joining the Jewish nation. It closes with the commandment for a ramp to be built for the Mizbeiach instead of stairs. Stairs are for walking slowly and deliberately, while a ramp is for running. With *Matan Torah* as its central feature, during which the souls of the Jewish nation literally jumped out of their bodies upon hearing the declaration of “אנכי ה'”, the spirit of last week's *parsha* was one of transcendence – casting away the physical to reach for the spiritual realms beyond, running up the ramp of *avodas Hashem*, and leaping into flight.

Suddenly, with no warning, we move into *parshas Mishpatim*. Here, we read about civil disputes, fraud, damages, goring, and thievery; Laws dealing with the base and mundane nature of our humanity, and guidelines relating to the most impure desires and lowliest activities of our corporeal condition. What happened? How is it that the Torah moves so swiftly from the great lights of *Matan Torah* into the nitty-gritty laws which treat the most mundane of situations? Shouldn't there be some sort of buffer, something to ease us in, to bring us down from our spiritual high?

Perhaps we may suggest an answer which touches the very essence of our holy Torah and what it means to be a Jew: This ability to instantly shift from the most transcendent spiritual heights

to the mundanity of our physical reality perfectly encapsulates the Torah's way of life. All of Judaism is an exercise in being able to maintain, at all times, a synthesis of Yisro and Mishpatim, of what the tzaddikm refer to as “**רְצוּא** – Running” and “**שׁוּב** - Returning”. While Hashem desires that we get in touch with our נשמות and strive to reveal our true inner essence through תפלה, התבודדות, פרישות, and yearning to escape the physical bonds that hold us back, He also desires that we fully engage with the perception of a physical reality with which we are endowed – seeking not to negate, but rather to **elevate** the intensely human component of our existence in this world. In so swiftly transitioning from the great spiritual energy of *parshas Yisro* to the mundane topics of *parshas Mishpatim*, the Torah is teaching us that living life as a Jew means to strive for this synthesis of body and soul, to be able to possess an unbearable passion for the divine and yet channel that passion toward expression in the mundane realities of the human experience; relationships, responsibilities, the heartbeat of daily life - sanctifying the “Mishpatim” of our lives; our eating, our sleeping, our business dealings, our family time, our relaxation...by maintaining a deep connection with the “Yisro” of Hashem's underlying will.



HASHEM DESIRES THAT WE SERVE HIM WITH OUR HUMANITY; ELEVATING, NOT NEGATING THE MUNDANE REALITIES OF THE HUMAN CONDITION.

The Gemara in *Bava Metzia* 32a discusses two mitzvos - פְּרִיקָה (found in *Mishpatim*) and טְעִינָה:

פְּרִיקָה Mitzvah to lighten a heavy burden from a donkey.	טְעִינָה Mitzvah to help reload packages that fall off a donkey.
כִּי תִרְאֶה חֲמוֹר שֶׁנֶּאֱפָר רֶבֶץ תַּחַת מְטָאוֹ וְחָדַלְתָּ מֵעֲזוֹב לוֹ עֲזוֹב תִּעְזֹב עִמּוֹ:	לֹא תִרְאֶה אֶת חֲמוֹר אַחִיךָ אוֹ שׂוֹרוֹ נִפְלִים בְּדַרְךָ וְהִתְעַלְמַתְּ מֵהֶם הֵקֵם תִּקִּים עִמּוֹ:
<div style="background-color: #4B0082; color: white; padding: 2px 5px;">שמות כג:ה</div>	<div style="background-color: #4B0082; color: white; padding: 2px 5px;">דברים כז:ד</div>

The *Beis Yaakov* of Izhbitz *zy"א* explains that, beyond the surface, these two mitzvos have immensely deep messages:

Part I Negative underpinnings that the respective mitzvos address - two dangerous thoughts, *chas v'shalom*:

Hashem is overbearing and won't tolerate mistakes	Hashem has abandoned the world
Person feels weighed down ; his relationship with Hashem is an overbearing reward/punishment association; Harshness. Leads to: Rebellion, or paralysis for fear of making mistakes.	Person feels worthless and empty , Hashem isn't paying attention to him, and everything is meaningless; Coldness. Leads to: Chaos, or depression/feelings of irrelevance.

Rav Zakutinsky notes that these ideas have their roots in two of our enemies' philosophies and aims:

Amalek's philosophy:	Mitzrayim's philosophy:
Hashem not only exists, but He is burdensome, meticulous, and expects too much of us. [Like a parent who infringes on every area of a child's life]	Hashem either doesn't exist or isn't particularly special, and doesn't care for or influence this world. [Like parents with no rules, open house, no care or concern]

Part II Relationship between *Yisro* & *Mishpatim*, and the **antidotes** to the negative underpinnings and thoughts:

Parshas Mishpatim	Parshas Yisro
Practical law ; describes people making mistakes , and having business disputes ...while <i>simultaneously</i> giving us the confidence to navigate conflicts when they arise. Hashem is present in our lives, but we don't feel that He's overbearing. (Different than the overwhelming Presence at Har Sinai); Living a "normal" life and dealing with typical human issues.	Revelation on Har Sinai; swallowed by Hashem's powerful embrace , <i>yichudim</i> , Oneness with Hashem, in awe of Hashem's limitless power and miraculous wonders, etc. At Har Sinai, the ideas of business and tort law were entirely distant from our minds, because we were singularly focused on our relationship with Hashem and our Divine encounter.
<i>Penimiyus</i> : Encourage the person who feels overburdened that, yes, all actions are accounted for, but it's ok to make mistakes ; Hashem is patient and doesn't demand perfection.	<i>Penimiyus</i> : Encourage the person who feels irrelevant that 'Hashem exists , He loves you , He cares deeply about you , He cherishes your mitzvos and takes great pride in your life.'



- Ideal approach to **parenting**: Achieving a **balance** of being **present**, **without being overbearing**.
- Ideal mentality of an **eved Hashem**: On the one hand, **knowing my actions have significance** while **having an eagerness to embrace the responsibilities of being chosen**, and, on the other hand, **not being overwhelmed** by that fact and aspiration.

וְאֵלֶּה הַמִּשְׁפָּטִים - Rashi says the *vav hachibur* **connects** *Yisro* and *Mishpatim*, e.g., fuses these two types of relationships.