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## Weekly Parsha

# Mishpatim

RABBI BERNIE FOX

**“Do not curse judges. Do not curse a leader of your people.”**  
(Shemot 22:27)

On the simplest level, the above passage prohibits us from cursing judges. What is the reason for this

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## Weekly Parsha

# THE 2 COMMANDMENTS

### Absolute vs Relative Truths

RABBI MOSHE BEN-CHAIM

In this week's Torah reading of parshas Mishpatim, the following verse seizes our attention, Exod. 24:12: "And G-d said to Moses, 'ascend to Me to the mountain, and remain there, and I will give you the Tablets of Stone, and the Torah, and the Mitzvah that I wrote, that you may instruct them.'"

This verse recounts G-d's command to Moses just prior to His giving to Moses the Tablets. The Sages differ in their opinions of what is referred to by the two references of "Torah" and "Mitzvah". Saadia Gaon suggests they refer to the Written and Oral Laws respectively. Accordingly, Saadia Gaon is of the opinion that G-d is about to give Moses three

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(Mishpatim cont. from pg. 1)

## Weekly Parsha

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prohibition? A study of Maimonides' treatment of this mitzvah provides a simple, straightforward response. Maimonides discusses this prohibition in his codification of the laws governing the courts.[1] He does not explicitly state a reason for this restriction. However, his general treatment of the law indicates his position. In the prior chapter of his codification Maimonides states that we are obligated to respect judges and others appointed to positions of authority within the community.[2] He then outlines some of the specific behavior engendered by this obligation. Maimonides juxtaposes this discussion with the restriction against cursing a judge. It seems from Maimonides' presentation of these laws that he regards cursing a judge as an extreme form of disrespect. In other words, the restriction against cursing a judge is engendered by the obligation to respect judges. This is a reasonable position and the most obvious explanation of the restriction.

Sforno takes a completely different and quite novel approach to explaining the prohibition against cursing judges. He begins by asserting the commandment includes the special case in which the court has found against a litigant. The prohibition admonishes the disappointed litigant to not express anger through cursing the judge. Sforno continues and explains that it is natural for a person to believe in the justice of one's own cause. Therefore, the disappointed litigant may feel deeply wronged. The litigant will feel that the judges decided the case unfairly. They deserve to be cursed! These judges have miscarried justice! The Torah admonishes the irate litigant to exercise restraint. One must recognize the influence of one's own personal bias. True, in the litigant's view a miscarriage of justice has occurred. However, one must recognize that the court is in a position to be more objective concerning the validity of one's own claim.[3]

Sforno's interpretation of the passage requires careful consideration. Why does Sforno insist on focusing on a specific case – the disappointed litigant? We are obligated to respect judges. Of course, this duty applies even when we do not agree with the judges' conclusion!



It seems that according to Sforno, this commandment is not merely an admonishment against acting disrespectfully towards the court. This mitzvah should not be viewed as one of the many commandments regulating the conduct and authority of the courts. Instead, the mitzvah regulates our personal character – midot. It admonishes us against compromising our objectivity. We are not permitted to assume that we are completely objective about ourselves. We must recognize that the court's position is every bit as legitimate as our own. In abstract, it is easy to agree to this assertion. The challenge is to recognize this truth even at the moment of anger and frustration. Even at that moment, we must recognize our own personal bias and not overreact. In short, the

passage commands us to accept the validity of an objective analysis of our own position – even when the conclusions of this analysis differ sharply from our own.

**“Do not take a bribe. For the bribe blinds those with sight and perverts the words of the righteous.” (Shemot 23:8)**

The Torah prohibits the judge from accepting a gift from a litigant. Even the legitimate compensation received by the judge is influenced by this consideration. In general, both litigants must contribute

equally to the compensation.

Rashi explains that the Torah, through other commandments, prohibits the judge from favoring a litigant or perverting justice. This prohibition against accepting bribes is not a repetition of these injunctions. This commandment adds a new element to the laws governing jurisprudence. The judge may not even accept an unconditional payment from a litigant. In other words, consider a litigant offering to compensate a judge for his efforts. The litigant asks for no special treatment. He instructs the judge to decide the case fairly and without favoritism. The judge must not accept this payment.[4]

It is clear that the Torah assumes that, in this case, the impartiality of the judge has been

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impugned. He can no longer trust his own objectivity. He may unconsciously favor the litigant making the payment. Alternatively, he may feel a need to overcompensate for possible favoritism and unfairly favor the other litigant. It is not feasible for the judge to insulate himself from these motives.

Rav Elchanan Wasserman ztl explained that this lesson is not limited to judges. In everyday life we make judgments and must be aware of “bribes” which may influence us. One of the areas in which we are easily bribed is in our relationship with the Almighty. Rav Wasserman explained that the evidence of the Creator’s existence is not hidden. We live in a universe that contains many testimonies to the existence of an omnipotent designer. Why do so many reject this sublime evidence of the Creator?

Rav Wasserman responds that we are all bribed. The human is an instinctual creature. We resist restrictions. The acceptance of a Creator and a design implies that life has meaning and that humanity has a mission. We are not free to pursue instinctual pleasure without restraint. We must inquire into the meaning of creation and the mission of humanity.

These considerations bias our judgment and act as a bribe. Therefore, we cannot be influenced by the attitude of many intelligent individuals towards the evidence of a Creator. The negative reaction of many of these individuals can be understood as the expression of an innate prejudice.[5]

In many areas in life it is impossible to be completely objective. How do we ever know that our decisions are not the outcome of some innate bias? There is no absolute guarantee of objectivity. However, there is a means by which we can somewhat limit the influence of our prejudices. A prejudice is most harmful when it is not recognized. A prejudice of which we are unaware influences us without our knowledge. Once we identify our biases we can protect ourselves, to some extent, from their influence. In reviewing the decision process, we now know where to look for the effect of the prejudice and can hope to identify its influence.

**“And the appearance of the glory of Hashem was as a burning fire at the summit of the mountain to the eyes of Bnai Yisrael.”**  
(Shemot 24:17)

Most of the parasha is devoted to describing a number of the laws given at Sinai. The end of the parasha continues the discussion of the events of Revelation. The Torah explains that Mount Sinai was covered in a thick cloud. The influence of the Divine Presence was expressed through an intense flame at the summit of the mountain.

Rabbaynu Avraham ben HaRambam explains that this imagery can be understood in both a literal and figurative sense. From a literal perspective, these pesukim describe the visual impressions of the people. What is the figurative meaning?

Sinai was a revelation. The commandments of the Torah were revealed to humanity. There was a second aspect to Revelation. The Almighty, in some sense, revealed Himself to humankind. The figure in these passages tells us something of the nature of this second aspect of Revelation. We must carefully consider the image, in the Chumash, in order to understand this second aspect of Revelation.

The Almighty cannot be perceived by the material senses. Only through our spiritual soul can we approach an understanding of Hashem. This understanding is not easily attained. Our material nature prevents us from clearly comprehending Hashem’s exalted essence. As Hashem later explained to Moshe, no living creature can achieve absolute knowledge of Hashem. However, we can achieve some lower level of understanding. The degree to which we can attain this knowledge depends upon our own spiritual perfection. There is a direct relationship between the spiritual perfection of the individual and the ability to approach an understanding of the Almighty.

The image in the pesukim describes our material nature as a dense cloud that blocks our vision of the Creator. Contemplation of Hashem requires that we look through this cloud and gaze upon the intense flame in its midst.

A very bright light can damage the eyes. Consider a person looking directly at the sun. Such a person might damage his or her sight. Once such damage occurs the eyes may never again see properly. Instead, even the familiar will be distorted.

In a similar sense, there are dangers in considering the Almighty’s nature. The student who wishes to enter into this area must be carefully and fully prepared. Without this preparation, the student will fail to comprehend. Rather than finding truth, the unprepared student will become confused. Truth will be replaced by distortion and falsehood. The Talmud explains that even great scholars were harmed as a result of their consideration of this area.

Nonetheless, the sun can be observed. Careful preparation is needed. The observer will not be able to see the sun clearly and in detail. The light is too bright. Yet, some image is obtained by the observer. So too, with proper spiritual preparation the Almighty’s nature can be considered. Moshe was properly prepared. He was able to enter into the cloud and penetrate it. He gazed upon the flame. Even for Moshe the light was too bright for a perfect view. However, Moshe did achieve the highest level of understanding possible for a material being.[6] ■

[1] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Mishne Torah, Hilchot Sanhedrin 26:1.

[2] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Mishne Torah, Hilchot Sanhedrin 25.

[3] Rabbaynu Ovadia Sforno, Commentary on Sefer Shemot 22:27.

[4] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Shemot 23:8.

[5] Rav Elchanan Wasserman, Kobetz Ma’amarim, Essay on Conviction.

[6] Rabbaynu Avraham ben HaRambam, Commentary on Sefer Shemot 24.

entities: the Tablets of Stone, the Written Law, and the Oral Law.

Unlike Saadia Gaon, Sforno states that at this moment in history, G-d is giving but one thing: the Tablets of Stone. The word "Torah" refers to that inscribed "portion (commands) of thought", while "Mitzvah" refers to the "portion (commands) of action". The Ten Commandments may be divided into laws governing thought, and governing action. Sforno suggests this is the meaning behind G-d's distinction of "Torah" and "Mitzvah."

However, Ibn Ezra poses the most difficult explanation. As Sforno states, Ibn Ezra too suggests this verse teaches there was but one thing given to Moses at this point in time, i.e., the Tablets of Stone. But Ibn Ezra states that "Torah" refers to the first and fifth of the Ten Commandments, while "Mitzvah" refers to the remaining eight - an odd division. Ramban's quote of this Ibn Ezra is slightly altered: he replaces the fifth with the second command. I would like to explain Ibn Ezra, but using Ramban's quote. This means that Ibn Ezra says "Torah" refers to the commands of knowing G-d's existence (Command I) and the prohibition against idolatry (Command II). "Mitzvah" refers to the last eight of the Ten Commands.

The question is this: Why when instructing Moses to ascend to receive the Ten Commandments, doesn't G-d simply say, "...ascend to Me and I will give you the Tablets of Stone"? Instead, G-d says, "...and I will give you the Tablets of Stone, and the Torah, and the Mitzvah". If in this verse, the words "Torah" and "Mitzvah" refer to commands inscribed in the already mentioned Tablets, then the words "Torah" and "Mitzvah" are somewhat redundant. What is G-d teaching Moses when He says come to Me to receive not just Tablets, but the Torah and Mitzvah that is written upon them? Moses knows that G-d is not giving him blank tablets. So what is Moses to learn from G-d's words, "...and I will give you the Tablets of Stone, and the Torah, and the Mitzvah that I wrote...?"

We can say quite certainly that G-d is teaching Moses that He is not simply giving him laws, but these laws belong to distinct categories, i.e., "Torah" refers to knowledge of G-d's existence and the prohibition of idolatry, while "Mitzvah" refers to the other laws. But

why must G-d – at this moment – categorize these laws for Moses? We must also explain why G-d says to Moses that he must ascend, and also "remain" on the mountain. What relevance has this with Moses' acceptance of the Ten Commandments? What of the final statement, "instructing them" in these laws? Why must this be included in this verse? (We have a tradition that all elements in a given Torah verse must have a relationship.)

Talmud Moade Katan 9b records two students of Rabbi Shimone bar Yochai who correctly arrived at the Torah's teaching that one must 'weigh' the commands, and select the greater command for himself, allowing others to perform lesser commands. The Torah's commands do in fact have a hierarchy of importance. The Talmud concludes that Torah study outweighs all other commands. Regarding the Ten Commandments recorded in Exodus, Ibn Ezra cites Saadia Gaon, stating that the Ten Commandments are in two sets: the first five address laws between man and G-d, and the second set address laws between men. In both sets, from beginning to end, the commands successively decrease in importance. By definition, this places the conviction of G-d's existence (Command I) and the prohibition against idolatry (Command II) as the most important laws, as they are the first two. Saadia Gaon also states that these Ten Commandments are the head categories for the remaining 603 commands. This places even more importance on the first two of the Ten Commandments.

Maimonides wrote regarding the first two commands, that a prophet has no advantage over others, as their truths are arrived at by reason, which is equally available to all: (For brevity, you may skip to the bold text and then continue after the end quotes.)

The Guide for the Perplexed, Book III, Chapter XXXIII:

*"It is clear to me that what Moses experienced at the revelation on Mount Sinai was different from that which was experienced by all the other Israelites, for Moses alone was addressed by God, and for this reason the second person singular is used in the Ten Commandments; Moses then went down to the foot of the mount and told his fellow-men what he had heard. Compare, "I stood between the Lord and you at that time to tell you the word of the Lord" (Deut. v. 5). Again,*

*"Moses spake, and God answered him with a loud voice" (Exod. xix. 19). In the Mechilta our Sages say distinctly that he brought to them every word as he had heard it. Furthermore, the words, "In order that the people hear when I speak with thee" (Exod. xix. 9), show that God spoke to Moses, and the people only heard the mighty sound, not distinct words. It is to the perception of this mighty sound that Scripture refers in the passage, "When ye hear the sound" (Deut. v. 20); again it is stated, "You heard a sound of words" (ibid. iv. 12), and it is not said, "You heard words"; and even where the hearing of the words is mentioned, only the perception of the sound is meant. It was only Moses that heard the words, and he reported them to the people. This is apparent from Scripture, and from the utterances of our Sages in general. There is, however, an opinion of our Sages frequently expressed in the Midrashim, and found also in the Talmud, to this effect: The Israelites heard the first and the second commandments from God, i.e., they learnt the truth of the principles contained in these two commandments in the same manner as Moses, and not through Moses. For these two principles, the existence of God and His Unity, can be arrived at by means of reasoning, and whatever can be established by proof is known by the prophet in the same way as by any other person; he has no advantage in this respect. These two principles were not known through prophecy alone. Comp., "Thou hast been shown to know that," etc. (Deut. iv. 34). But the rest of the commandments are of an ethical and authoritative character, and do not contain [truths] perceived by the intellect. Notwithstanding all that has been said by our Sages on this subject, we infer from Scripture as well as from the words of our Sages, that the Israelites heard on that occasion a certain sound which Moses understood to proclaim the first two commandments, and through Moses all other Israelites learnt them when he in intelligible sounds repeated them to the people. Our Sages mention this view, and support it by the verse, "God hath spoken once; twice have I heard this" (Ps. Ixii.11). They state distinctly, in the beginning of Midrash Hazita, that the Israelites did not hear any other command directly from God; compare, "A loud voice, and it was not heard again" (Deut. v. 19). It was after this first sound was heard that the people were seized with the fear and terror described in Scripture, and that they said, "Behold the Lord our God has shown us, etc.,*

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and now why shall we die, etc. "Come thou near," etc. Then Moses, the most distinguished of all mankind, came the second time, received successively the other commandments, and came down to the foot of the mountain to proclaim them to the people, whilst the mighty phenomena continued; they saw the fire, they heard the sounds, which were those of thunder and lightning during a storm, and the loud sound of the shofar: and all that is said of the many sounds heard at that time, e.g., in the verse, "and all the people perceived the sounds, "etc., refers to the sound of the shofar; thunder; and similar sounds. But the voice of the Lord, that is, the voice created for that purpose, which was understood to include the diverse commandments, was only heard once, as is declared in the Law, and has been clearly stated by our Sages in the places, which I have indicated to you. When the people heard this voice their soul left them; and in this voice they perceived the first two commandments. It must, however, be noticed that the people did not understand the voice in the same degree as Moses did. I will point out to you this important fact, and show you that it was a matter of tradition with the nation, and well known by our Sages. For, as a rule, Onkelos renders the word "va-yedabber" by "u-mallel" ("and God spoke"): this is also the case with this word in the beginning of the twentieth chapter of Exodus, but the words *ve-al yedabber immanu elohim*, "let not God speak to us" (Exod. xx.19), addressed by the people to Moses, is rendered "*vela yitmallel immanu min kodam adonai*" ("Let not be spoken to us by the Lord"). Onkelos makes thus the same distinction, which we made. You know that according to the Talmud Onkelos received all these excellent interpretations directly from R. Eliezer and R. Joshua, the wisest men in Israel. Note it, and remember it, for it is impossible for any person to expound the revelation on Mount Sinai more fully than our Sages have done, since it is one of the secrets of the Law. It is very difficult to have a true conception of the events, for there has never been before, nor will there ever be again, anything like it. Note it."

### The Significance of the Two Commands

With this information, we now understand that the first two commands have an elevated status in contrast to the remaining eight. What

is their significance? Again, Maimonides states, "For these two principles, the existence of God and His Unity, can be arrived at by means of reasoning, and whatever can be established by proof is known by the prophet in the same way as by any other person; he has no advantage in this respect. These two principles were not known through prophecy alone. Compare, "Thou hast been shown to know that," etc. (Deut. iv. 34). But the rest of the commandments are of an ethical and authoritative character, and do not contain [truths] perceived by the intellect."

On the two Tablets of Stone, the Ten Commandments, G-d teaches Moses an important lesson; there are two branches of knowledge: 1) intellectual truths, arrived at by reason, and 2) ethical and authoritative laws. According to Ibn Ezra, G-d teaches Moses this idea by saying "I will give you Tables of Stones, and the Torah and the Mitzvah..." G-d desires to make this clear to Moses. There are two branches of knowledge, intellectual truths, and ethical and authoritative laws. But the first category is deemed more important, as we stated. What is its importance?

The answer is that acknowledgement of "truths" forms the core of mankind's Earthly objective. The most important of commands, (derived from Saadi Gaaon's explanation of their order) are those demanding our recognition of what is absolute and real, they are: Command I: Knowing G-d Exists, and Command II: Denying Idolatry. These are examples of "absolute truths". Unlike ethical laws, which govern man's societal relations, "absolute truths" are not of a subjective nature, in the respect that they are to serve societal needs. Of course even G-d's ethics and authoritative laws reflect His infinite wisdom. But the very nature of a "truth" is that which is not relative to man's existence. Ethical and authoritative laws - by definition - are not absolute, i.e., without mankind, they have no reality. However, the idea that G-d is the Creator, and that He is One, and that there are no other gods, are "absolute truths". They are not relative.

The reality of absolute truths means, by definition, that they embody ideas, "which cannot be otherwise". In contrast, laws of society are truths, but only once societies exist.

There is another subtle point here: not only did G-d make Moses aware of these ideas' significance but He did so 'before' He gave the Tablets. I believe this was done, as there is a priority of importance G-d wished to convey through this act: man must order his studies. Moses had to be taught that learning has an "order". G-d first taught Moses the concept of "absolute truths" before giving him the body of knowledge contained in the Tablets. In other words, G-d was indicating that essential to one's studies, is to study what is primary first. G-d tells Moses that He is giving him "Torah" and "Mitzvah", as one is more primary to successful study.

Why is knowledge of G-d essential to all other knowledge? The answer is that all knowledge, if it does not eventuate in an appreciation for the Source of this knowledge, is academic. Scientists may ponder the greatest formulations and laws of the universe. However, if they do not recognize the Creator, their years of study fail to have a drop of meaning. In their minds, they marvel at the cosmos, but to them these billions of galaxies are not the work of a Designer. What they have is mere aesthetic appreciation, but no concept of G-d. Their lives were a waste.

If we appreciate the design of a tree, but fail to realize G-d, the Designer of that tree, then we have no real knowledge of the tree. We fail to arrive at the underlying truth of the existence of this tree, and its purpose: to feed man, that man may sustain his body, so he may be free to use his mind and discover G-d's wisdom in all of creation. This is where all knowledge must find its end, if we are to acquire true knowledge. Knowledge of G-d must exist, if we are to have any knowledge. It is primary. This is the lesson.

### Fundamentals: Available to All

G-d wished to teach Moses and ultimately all mankind, that knowledge is not only the priority in life, but within knowledge itself, there are concepts, which are most primary. This must be realized. Without knowledge and conviction of the Creator, to the exclusion of any other imagined god, all of man's knowledge, and his life, is a complete waste. If man does not recognize G-d, his sole purpose in his existence, he has failed to realize his objective as a human being.

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These two first commands are so crucial, that they are not limited to a prophet, but each member of mankind has the ability to know them. This is Maimonides' point.

Our objective is to arrive at a realization of, and a conviction in, what is "real". This is the function of the intellect, and why Moses had no advantage over others regarding this knowledge, qualitatively. Of course Moses excelled light years beyond all mankind. But Maimonides teaches that the apprehension of G-d, i.e., His exclusive role as Creator; and the denial of any other force or god, are two absolute truths that all members of mankind equally possess the ability to attain.

There are two, essential ideas here: 1) these first two (of the Ten) Commandments are equally attainable by all men, as they are not dependent on an authority's demand, but on reason alone, and 2) precisely why they are equally attainable – is that they are self evident, "absolute truths". Knowledge has as its primary focus those ideas that are "absolute truths". Knowing what is real and true is man's objective as a creature designed with an intellect. To function in the most profoundly happy state, man must be involved in this pursuit of knowing what is true. Only in this pursuit will man find true happiness. Only when man is using his intelligence and reason, is his entire being absorbed in a completely satisfying area of endless inquiry. Only in G-d's wisdom can man never reach the "end", and continue to be excited at new findings.

#### **A Relationship with G-d**

Additionally, man's relationship with his Creator plays a role in his studies. G-d said, "ascend to Me to the mountain, and remain there". In other words, man must approach G-d, "ascend to Me", and he must tarry his stay, "remain there". For Moses to receive the Tablets of Stone, he must approach G-d, and he must be of a nature, that he wishes to remain with G-d, to remain in his studies, with little interest in other matters. We all have the ability to derive tremendous enjoyment from Torah study, but this cannot come overnight. We must initially endure a bit of frustration, i.e., studying the language, memorizing new words, and training our minds. But then we suddenly see a new idea, a new insight presents itself, and we start reaping the rewards. Any student of Talmud or Torah will

confirm this. G-d told Moses to remain there, and this truly is the means to optimally enjoy our lives. Minimizing our work, maximizing our studies as Ethics teaches, is the correct path, and the only method for becoming proficient in the science of Torah. When one immerses his self completely in any area, he will succeed. This is the one area each of us has no option to delay immersion. It is an obligation, and it is the source of true happiness. All else is futile.

#### **The Availability of Knowledge**

Are absolute truths, by their very definition, observable by man's mind? What prevents a true idea from being unavailable to man's mind? I do not know a reason why it could not be so. But the very fact that absolute truths, these precious and enjoyable ideas, are things we can perceive indicates that G-d desires it to be this way. G-d desires that the knowledge He embedded in this universe is available for man's perception. It is G-d's will that His knowledge fill the entire universe, so wherever man turns, he cannot escape the reflection of G-d's wisdom.

These absolute truths predate Torah. Meaning, they were attainable by an Abraham. With his mind alone, Abraham extricated himself from the fallacy of idolatry, and recognized the absolute truth that a Creator exists, He is one, and there are no other causes for the universe. From Adam through Moses, no member of mankind was left without the tools required to ponder and be convinced of these ideas, and countless others. Absolute truths, then, is the category of knowledge that seamlessly weaves together man's entire history. Man was never withheld from acquiring knowledge of these absolute truths. Although man distorted his life quite well with his man-gods, and deities, but as Abraham proved, man has a divine gift that enables his successful mission as a seeker of truth. Man possesses intelligence, and the sharper his mind becomes, the more curtains of fallacy he may shred, exposing greater truths.

Man is to be confronted by G-d's wisdom at every turn, throughout his entire life. We recite "last in action first in deed", regarding the Sabbath. It was last in creation, but primary in G-d's plan for mankind. The Sabbath is a day bereft of physical labor, dedicated to pondering ideas. ■

*"...these first two of the Ten Commandments are equally attainable by all men, as they are not dependent on an authority's demand."*



# MISHPATIM

RABBI ISRAEL CHAIT

*Written by student*

This Parsha contains many laws with respect to inter-personal relationships. We would like to analyze one of these laws, which can help us understand the Torah's perspective of a man's relationship with his fellow man.

The Torah states in Exodus Chapter 23 Verse 5, "If you see the donkey of him that hates you lying under its burden, and you shall forbear to help him, you shall surely help him." The language of the verse is difficult, "ve, Chadalta

me, azov", "you will cease from helping him". Onkelos explains, the verse should be understood literally. Leave what is in your heart and help him. Onkelos' interpretation affords us a penetrating insight of the Torah's perspective of human relations. The Torah demands that one reject his emotional response. When one sees the donkey of his enemy overburdened, his initial response is to refrain from helping his enemy. However, the Torah instructs us to the contrary. Leave what is in your heart; do

not allow your emotions to dictate your actions. Act in accordance with justice and help your fellow man. The Torah is not telling one to deny his emotions. One must recognize his emotions and overcome them. To simply deny and obliterate one's emotional reaction is not the Torah's response. We must recognize and be cognizant of our emotions but realize that it stems from the lower part of human behavior. Accordingly, one must modify his ethical behavior and respond in conformance with the principles of justice.

The greatest danger facing an individual in his struggle for ethical perfection is the external influences exerted by the outside world. The gentile response would be to deny one's emotions. Such denials pose dangerous pitfalls. These denials become construed as virtuous because you are denying an evil emotion, which seems morally repugnant. However, this denial is causing the individual great personal harm. The person by denying any evil proclivities that he may possess is ultimately capable of perpetuating the greatest atrocities. This denial facilitates the performance of terrible cruelty as merely an expression of his G-d like qualities. The crusades perpetrated unspeakable human suffering in the glory of ostensibly virtuous missions, in the name of G-d. The part of man, which is inherently evil and unjust, stems from the corrupt and instinctual component of human nature.

When Jacob wrestled the angel the Torah tells us that he faced a powerful opponent. The struggle lasted late into the night. Chazal inform us that the angel appeared b, demus talmid chacham, the image of a scholar. The evil inclination poses the gravest dangers when disguising itself in the form of the religious emotion. Man must possess great intellectual fortitude and conviction to do battle with such a cunning opponent. Our father Jacob possessed such inner strength.

The Torah is teaching us, by utilizing this halacha as an illustration, that the greatest danger is denying one's emotions. On the contrary, leave behind your emotions and act with righteousness based upon the ideals of justice. When a person is involved in the painstaking task of doing teshuva he must maintain intellectual integrity in encountering his emotions. The greatest deterrent in doing teshuva is when a person fails to recognize the sin because he denies his emotions. The Torah

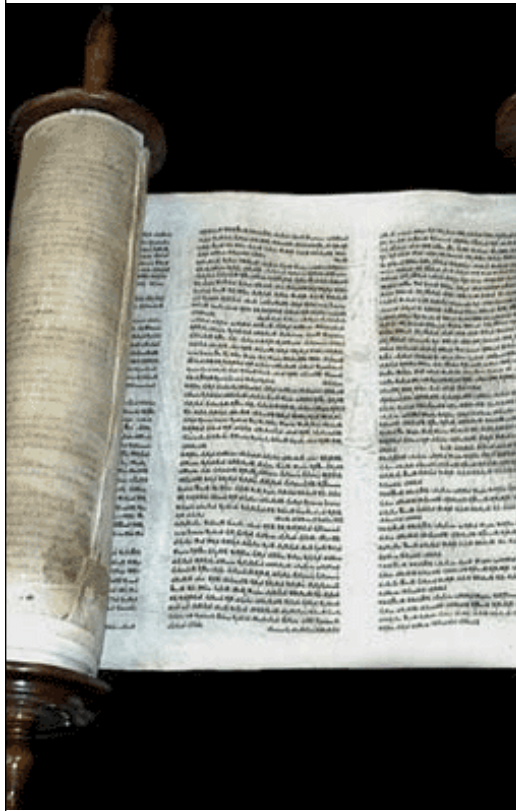
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is not simply concerned with the mundane task of helping the individual get back on the road. The Torah is teaching us the essential elements of ethical perfection. One must recognize the influences of his emotions and the powerful exertion it asserts on his conduct. However, the Torah is teaching us that he must leave these emotions behind and act with justice in the face of such overwhelming emotions. A person can feel very comfortable in denying the wicked part of his personality. However, such a denial causes the person irreparable harm. He will profess himself to be virtuous and thus incapable of perceiving any of his foibles. The Nazi's professed themselves as very respectable cultured people, well educated and patrons of the arts. They were incapable of appreciating the depth of their corruption.

The system of halacha is a beautiful G-d given system, which helps man achieve moral perfection. If a person finds it difficult to perform a Mitzvah it is indicative of a flaw in his personality. The halachic system is a barometer whereby a difficulty in compliance, is a symptom of a weakness in the individual's personality. When a person encounters a difficulty in doing a Mitzvah or following a halacha, it reflects an underlying problem in his human psyche. A person must do teshuva which requires intensive introspection, and if successful can ameliorate the human condition.

Hillel, one of our greatest scholars, stated that the precept of loving your friend as yourself is a qualitatively important Torah concept. Hillel was not merely espousing the human emotion of fraternity. Every individual shares the very powerful emotion that he considers himself to be special. He thereby identifies with people who share common likes and dislikes. His closest clique of friends consists of individuals who share the same emotional attitudes. He thereby imagines that his friends are special and often views his friends as an extension of himself. Hillel was teaching us to guard against such false notions. The standard that a person utilizes when evaluating other people based upon his own emotions is superficial. One's sole criteria for evaluating another person should simply be the person's observance of the Mitzvahs. If an individual observes the Torah, then you have an obligation to love him, irrespective of your own personal feelings. Psychologically you may dislike him and share nothing in common with him, however halachically you must love



him. One must elevate his self to live life based upon a higher sense of reality. One must view his fellow man based upon the ultimate reality, not predicated upon his personal and petty likes and dislikes.

A person's sense of pride emanates from the opinion one has of his self. The self is that part of the human psyche, which has likes and dislikes and its essence is molded by said likes and dislikes. Thus people who have similar values he likes because such persons partake of his reality. King Solomon, in Ecclesiastics Chapter 9 Verse 6, states with respect to previous generations that perished: "their love, their hate, their jealousy have already expired..." A person's selfish view of reality is temporal. Halacha demands that a person should function on a higher cognitive level. An individual must be aware that his true essence is a metaphysical essence based upon a system of objective reality. One cannot act upon a system of personal likes and dislikes, whereby his views the self as a personal, psychological essence. The Torah is a system of metaphysical reality. If a person observes the precepts of the Torah, you have an obligation to love him despite one's personal sentiments. If a person's best friend violates the Torah and is defined halachically as wicked, then you have an

obligation to hate him. It is not a personal hatred but a hatred, which demands that one despise falsehood.

These observations Hillel emphasized are basic to Judaism. A person's inter-personal relationships must be based upon metaphysical reality. If a person cannot be affable to a fellow man, it is symptomatic of a deficiency in his relationship to G-d. It reflects that the person cannot live his life in accordance with metaphysical reality. This idea is expressed in the prohibitions of revenge and of bearing a grudge. It is forbidden for a person not to lend his neighbor an object because his neighbor acted in a similar fashion. It is likewise forbidden to lend you neighbor an object and state: "I am lending you this object despite the fact that you refused me." Halacha demands that a person live a harmonious existence based upon metaphysical reality. Society cannot live harmoniously if people conduct themselves based upon a psychological reality. True kindness can only be achieved if one is capable of purging his subjective sense of reality, which is based upon identification emanating from his own psychological make up. The sole basis for an individual's conduct with his fellow man should be a metaphysical reality whereby identification stems from ones Torah observance and a sharing of common intellectual convictions. Identification is such a powerful emotion that if one's criteria is a psychological reality, then invariable disharmony will ensue.

"Talmidei chachamim marbim shalom baolam"; "Scholars increase harmony in the world" because they function on the level of a metaphysical reality. Thus, one's personal sentiments are irrelevant and insignificant.

A person that rejects the authenticity of the Torah or the oral tradition, one is obliged to hate him. This hatred is not a personal hatred but is based upon ones love of truth and his disdain for evil. However, that person's children who are ignorant and are not educated in the principles of the Torah are considered pure and akin to those raised ignorantly. One must treat these people with kindness and vigorously attempt to teach them the true ideas. They are not culpable because of their upbringing and must be treated under the principles of loving your neighbor like yourself. The greatest kindness one can manifest to such individuals would be to teach them the true ideas of the Torah. ■



REB YIRMIAHU HALEVI

# Hiddur Mitzva



In Talmud Baba Kamma 9a, Rashi and Tosfos argue as to what constitutes "beautification of a mitzvah", or "hiddur mitzvah". According to Rashi, hiddur mitzvah is expressed by spending up to a third more on the mitzvah's cost. For example, if an esrog costs \$30, one fulfills hiddur mitzvah by paying a third more, \$40. Spending that additional \$10 is a hiddur. Thus, Rashi holds that beautification of mitzvah refers to the degree of "dedication to, and relationship with mitzvah", that beautifies it. It is the "personal act" which qualifies as hiddur mitzvah.

In contrast, according to Tosfos, the obligation does not operate in the sphere of human expression, but rather, in the sphere of the "object of mitzvah". Beautification of mitzvah therefore refers to buying a more beautiful esrog, in this case.

In defending his position, Tosfos adds (Tal. Kesuvos 50) that a person is not obligated to spend more than a fifth of his wealth on the mitzvah, lest he become impoverished and need to bother people for charity. It is implied that this injunction is independent of the extent of a person's wealth. This seems to be incongruent with Rashi in his understanding of hiddur mitzvah. The Gemara suggests a source for the injunction of a fifth with the following verse: "And all that You give me, I will certainly give a tenth to You". (Gen. 28:17) This declaration punctuates a narrative which describes the awe which is evident in Jacob upon his waking from the dream of the ladder. Jacob stated, "*How awesome is this place! This is none other than God's house and*

*this is the gate to heaven.*"

The details of the dream and the description of the ascension of God's angels, leave no doubt that this must have been a powerful, religious experience. And yet, this is precisely the moment that Jacob uses to delineate the extent (up to 1/5) of his financial obligation in mitzvah. Jacob may have been moved from this experience to promise everything, to give boundlessly, but nonetheless...he tempered this with his intelligence.

While extending oneself financially for the performance of mitzvah, "abandoning" oneself to religious emotion even in dedication to mitzvah is dangerous, and contaminates mitzvah.

Maimonides is unusually voluble in his description of this injunction in the very last halacha of Archin:

*"Never must a person sanctify and destroy all his possessions. And one who does, violates his intelligence. And this is not piety, but rather, stupidity...for he destroys all his wealth and must rely on others [for charity]. And one must not pity such a person. And this and similar cases the Rabbis termed a "pious fool", in the category of one without a world. Rather, all who scatter money on mitzvahs must not spend more than a fifth."*

A person should understand that there is a proper psychological zone for the performance of mitzvah, and it lies somewhere between enthusiasm and zealotry. ■



*Today's Kabbala:  
Jewish nonsense*

**Is it a violation of having only One God, if we assume powers to exist in physical objects to protect us, or change our fate? What if we feel Rabbis have powers to make us fertile, provide a shidduch, or promise our financial success?**

**This week, a young man was offered a "bracha" from a mystical Rabbi, whose family has a history of "successful" blessings. He declined saying, "This Rabbi doesn't know me, so he cannot advise me intelligently, and prophecy has ceased, so he cannot help me." **A wise response.****