

SHABBAT SHALOM FROM CYBERSPACE**MISHPATIM/SHEKALIM****Haftarah: Melachim II 11:17 - 12:17****FEBRUARY 10, 2018 25 SHEBAT 5778****Rosh Hodesh Adar will be celebrated on Thursday & Friday, February 15 & 16.****DEDICATION: In Memory of Sally Azrak – Sarina bat Victoria 24 Shebat****Happy Birthday, Monique, Ellen and Isaac and Happy Anniversary Ellen and Isaac**

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EDITORS NOTES

Then Saturday night we began studying mishpatim. The Zohar opens this perasha with Rabbi Shimon saying "Now these are the ordinances which you shall set before them. He explains that these are the laws of reincarnation. The laws for the souls coming back to this world, according to the judgment they had received based on their prior life actions. We learn that when the Torah writes, If you buy a Hebrew servant, six years he will serve; and in the seventh he will go out free for nothing." We're told that this reveals some of the secrets of reincarnation. The soul returns to the world because of its sins, or because it didn't complete what it needed to do during this lifetime.

One has to wonder, why the subject of reincarnation and gilgul is brought up in Mishpatim, a portion discussing civil laws. Last week when we read the portion of Yitro might have been a better setting. After all, trying to understand the relationship between Moses and his father in law is difficult and becomes so much clearer when looking at who each was in a previous life. We can say the same for the portion of Beshalacha and back through to the beginning. So why now?

Some suggest that these civil and societal laws, much like the ethics espoused in Pirkei Avot are laws that man could and would develop on his own. Yet we see the opening line in Pirkei Avot tells us that Moses received the Torah on Sinai and gave to Yehoshua who gave to the elders and so on. This line is not the opening line of the entire oral law as one might expect. It is only brought later on in this book. Rashi commenting on the opening word in this

weeks portion explains the Vav in Ve'Eleh meaning "and" to connect these civil laws with the Ten Commandments and the laws of the Alter. Just as those were given at Sinai so were these. The Rabbis go out of their way to explain that these civil, societal and ethical laws are not made by man; rather they are made by G-d and overseen by G-d. In fact the Zohar tells us that hashgachah peratit – Divine Provenance governs and applies to all monetary laws.

And this helps us to understand why the Zohar discusses here, the laws of gilgul.

I heard a story recently brought in the name of Rav Chaim Vital of a wedding which took place in Sefat in the 16th century. A very wealthy man gave his son in law a dowry of 100,000 coins. The young couple moved to Egypt to begin their lives together and tragically within a year, the bride died.

The father-in-law goes down to Egypt and requests his hundred thousand gold coins back. The boy refuses saying that this was the dowry. The father in law then points out that according to the opinion of the French tosafists brought down by Rashba in Choshen Mishpat if the wife dies during the first year, the groom is required to return the dowry. They argued if that applies to them or if perhaps it only applies to Ashkenazim. Unable to agree they decide they will return to Sefat and put the case before Rabbi Isaac Luria and follow his order.

Rabeynu HaAri refused to judge the case according to monetary laws but he did tell the boy to give the money back to his father-in-law. He explained that he saw standing in front of him different souls, one of the father in law, one of the son in law and one of the daughter and how in a previous life they met on a boat and one loaned another 100,000 coins and the other could you find him to repay him and they died without one paying the other. To correct this all the souls involved returned and by giving the dowry back, the groom would allow all three souls to move forward.

A Dayan told us that he is often asked questions relating to monetary judgments. He finds that the person always asking is always asking in a way so

that the case should be decided for him. He stated that he wished people would know that correcting monetary disputes is a way of correcting the souls of the worlds and messing up monetary judgments causes a huge series of problems which may follow.

A few weeks ago we were asked why when the Children of Israel were leaving Egypt, did they borrow from their Egyptian neighbors. Weren't they in fact taking? One explanation is that they are borrowing from HaKadosh Baruch Hu. It is He who owns everything and whatever we have in our lifetimes we are merely borrowing. It's a huge message we must internalize. Anything we have can immediately be taken from our hands and given to another. Hashem gives each person what is meant for him

The same lesson can be learned from the daily Manna which fell. Those who took more and those who took less all ended up with what was meant to be received.

I heard that the Steipler, Rabbi Yaakov Kanievsky was asked for a blessing by a student to win at Din Torah – a court case involving a monetary issue. The Rav explained to the man that he should not be going to court with the intent to win. He should be going with the intent to learn the truth. One must remember that if the Bet Din says that it is not yours then that's what it is. And one must realize perhaps it never was yours or perhaps all this is simply fixing a wrong from a previous time.

As I was going through these and many more stories and admonitions from Dayanim, I thought that perhaps this elucidates on why the first question we are asked after 120 years when we reach heaven is, "were you in honest in business"? Perhaps if we cant answer this question positively then there is no need for more questions. We are simply given a return ticket to fix what we must fix before we can move forward. Perhaps this is why the secret of gilgul and reincarnation is brought here in this week's portion rather than in any other.

Shabbat Shalom

David Bibi

PS ... One scary thought

The Shelah Hakadosh as I understand explains that a person can return three times in order to move up a level. If he fails then he returns but in the guise of an animal. The rabbis explain that the person who returns does not realize he is returning, does not

recall who he was and it is not necessary for him to know. But strangely enough, the person who returns in the guise of an animal, he tells us does in fact know who he was what he did and why he has returned. Unable to do much about the situation must in some way be extremely tortures.

So the return trip when one is rejected in Heaven might not be much fun !

Rabbi Shlomo Levinstein, Shlita, relates an incredible story that took place concerning Rabbi Meir Premishlaner, z'sl. The Chassidic Master once spent Shabbat at the home of one of his wealthy chassidim, who had apportioned an entire wing of his palatial home for the Rebbe. That Friday afternoon, after chatzot, midday, the chasid came to the Rebbe and asked, "Rebbe, is there anything I can do? Whatever the Rebbe asks, I will be happy to do."

The Rebbe replied, "I noticed that you have a number of horses and cows in your stable. Could you possibly give me a horse as a gift?"

"With the greatest pleasure," the Chasid responded.

"If so, I would like the black horse." the Rebbe stated.

"The Rebbe specifically wants that black one?" the Chasid asked.

"Yes. Is there a problem?" the Rebbe asked.

"Well, possibly. This horse works like ten horses. He is quick getting the job done and is waiting for more work. It is a great loss to give up that horse."

"I specifically want that horse," the Rebbe said. "If you have difficulty parting with that horse, fine, but I am not interested in any other horse."

"Rebbe, please," the Chasid pleaded. "Any other horse would be no problem. It is just that this horse is very special."

The Rebbe thought for a moment. "I am sure you have many promissory notes which attest to people owing you money. Can I have one of these documents?" the Rebbe asked.

"Surely, Rebbe, anything and I will be most honored to give the Rebbe a document."

The Chasid immediately called for a servant to bring the document box containing all of the debts. The Rebbe rummaged through the box and, after a moment, raised up a certain document and said, "I want this one!"

Once again, the wealthy Chasid asked, "The Rebbe specifically wants this one?"

"Yes. This is the one I want. Is there a problem?" the Rebbe asked.

"This is a lost document. The man who owed me the money passed away and his sons deny the loan and refuse to pay. The Rebbe would do well taking another document."

The Rebbe insisted on taking that document. He was not willing to exchange it for another one.

"Well, if this is what the Rebbe wants, it is his, and I am most happy to give this document to the Rebbe as a gift." the Chasid said.

"Are you giving it to me willingly, without any second thoughts?" the rebbe asked.

"Certainly. It belongs to the Rebbe."

"Rav Meir Premishlaner made a kinyan, actively acquiring the document into his possession and said to the Chasid, "Now the debt owed to you is instead owed to me. Correct?"

"Yes. The debt now is owed to the Rebbe. It is no longer mine."

"If so," said the Rebbe, "I write off the loan. The deceased no longer owes any money. The loan is absolved."

Five minutes went by, and the Chasid's stable hand came running in and said, "The black horse just died suddenly. One minute it was standing there. The next, it was dead!"

The Chasid realized that he had been punished by Heaven for refusing to give the horse to the Rebbe. He immediately turned to the holy sage and begged his forgiveness for his insolence.

The Rebbe calmed him down, "It had nothing to do with you. The man who owed you the money passed away before he could pay you back. In Heaven, however, one is not permitted to receive his reward in Olam Habba, World to Come, until his obligations in this world have been settled. Since he owed you money, it was decreed that he should return to this world reincarnated as a horse, where he would work for you, without reward, of course. Thus, he would pay back his loan.

"Your black horse worked so hard, because he was the gilgul, reincarnation, of the fellow who owed you money. He wanted to pay back the loan as quickly as possible. When I came to your house, I noticed how

hard the horse was working and took pity on him. This is why I wanted the horse. Had you given him to me right away, it would have been considered to be the absolution of the loan. You refused, so I was compelled to ask for that loan. Once I received it as a gift and wrote it off, the horse had fulfilled his function in this world and could now return to his eternal repose."

He Donated his Kidney to a Complete Stranger OU Staff – Via OU.Org

What does a 68-year-old Conservative Jewish man from Cranford, New Jersey have in common with a 42 year old Hasidic man originally from London? A kidney.

Earlier this year, Yosef Leib Bornstein, a Ger Hasid donated his kidney to Dave Salomon through the help of Renewal, a non-profit which facilitates altruistic kidney donations.

Jew in the City, whose mission is to break down stereotypes about religious Jews and offer a humorous, meaningful look into Orthodox Judaism, filmed this story in the recently released short film: A Match Made in Heaven. "We only see Hasidic Jews abusing people and being insular," explains Allison Josephs, Jew in the City's founder and director. "There are so many wonderful acts of kindness being done in the Hasidic world that no one ever hears about. We were excited to share just one of these stories."

Salomon's parents both died of kidney disease after years of being on dialysis. Salomon had resigned himself to a similar fate. With O blood type, Salomon is a Universal Donor, but can only accept donations from a donor with O blood. With such a narrow donor base, Salomon was pushed to the bottom of the recipient list. They publicized his story in their local Jewish newspaper in hopes of finding a donor to no avail. With his daughter soon to be married, Salomon and his family hoped he'd be able to attend her wedding but they didn't know how likely that would be.

For Bornstein, raised as a Hasidic Jew, the chance to give his kidney to someone in need was obvious. He was taught all his life, "If you've save someone's life, it's like you've saved the whole world." He didn't care who his kidney went to, just that it should help someone.

Neither Salomon nor Bornstein knew the other before the transplant took place. Not only was their emotional meeting captured in A Match Made in

Heaven, the two were reunited months later at Salomon's daughter's wedding. Both happy, both healthy and thriving.

But then the story took one more twist. To show her gratitude for her husband's life being saved, Salomon's wife, Gail, recently donated one of her kidneys too.

For more information on Renewal, visit www.renewal.org

For more information on Jew in the City, visit www.jewinthecity.com

A Quick Lesson From the Super Bowl Rabbi Jack Abramowitz

Perhaps you noticed the little problem at the start of Super Bowl LII: the NFL forgot to paint hashmarks over the logos.

Because the Super Bowl was in Minnesota, a crew had to remove the Vikings logos from the field and paint in those of the New England Patriots and the Philadelphia Eagles, plus two Super Bowl logos and the NFL shield. It was realized, a mere two hours before kickoff, that the crew had neglected to put hashmarks over the Super Bowl logos and the NFL shield. This necessitated another crew coming onto the field to finish the job.

For those who may be unaware, hashmarks are the two rows of lines near the middle of a football field that mark the one-yard increments between the five-yard lines. Football plays start with the ball on or between hashmarks. For example, if the ball is downed between a hash mark and the sideline, it is placed on that hashmark for the next play. In other words, hashmarks are a necessary component of professional football.

Logos, on the other hand, are nice to have but they're hardly indispensable for game play. The field crew, in their zeal to paint the logos, overlooked the far more important hashmarks. There's a lesson in here for us: don't overlook the necessities in favor of bells and whistles.

A quick story: I lived in a certain community where, on Rosh Hashana, many people would go say tashlich by a certain shul that had a large fountain. (Let us leave aside the question of how efficacious it is to recite tashlich by a fountain; this is what happened.) The shul had a sign posted, "Please don't throw bread in our fountain." I once observed a father telling his son to throw bread. "But the sign says not to," the son protested. Nevertheless, the father

insisted that his son was "supposed" to throw the bread, sign notwithstanding.

Throwing bread isn't a real thing. If you recite tashlich during the Ten Days of Repentance and it makes you happy to throw bread, go ahead. But if you recite tashlich on yom tov by a body of water that has fish, one should absolutely not throw bread because we're not allowed to feed wild animals, birds or fish on yom tov. The same is true about not clogging a shul's fountain, especially if they specifically ask you not to.

Moving from Rosh Hashana to Yom Kippur, let's address kapporos. Kapporos is a fairly recent custom, being measured in hundreds rather than thousands of years. And there's no compelling reason to use live chickens for the ritual. Tzar baalei chaim (not causing needless suffering to animals), however, is a serious transgression. Nevertheless, many people insist on using live chickens but they mistreat them through neglect, leaving them crated in the hot sun without water or allowing them to be mishandled by children. They overlook the larger responsibility in favor of an optional custom.

Purim time, it's fun to brag and klop during the reading of the megillah but it's an obligation to hear every word. If you drown out the names of the ten sons of Haman (or anything else), you are letting the game supersede the actual mitzvah.

There are innumerable such examples we could give where our excitement to do something conflicts with our real obligation. If we come home after dark on Friday night, we may want to light Shabbos candles but at that point doing so would be a violation of Shabbos. If it's pouring rain on Succos, one is not only exempt from eating in the succah, he's actually not supposed to do so. (The Talmud Yerushalmi calls one who does so a "simpleton.") The list goes on and on.

It's good to be excited by our mitzvos and minhagim but we have to keep the big picture in mind. We cannot allow ourselves to get so invested in painting logos that we overlook our hashmarks.

Summary of the Parasha Nathan Dweck

The 7th aliyah of this week's parasha is particularly interesting. Last week's parasha discussed the events leading up to Matan Torah. The Torah says that Benei Israel prepared for receiving the Torah for 3 days but it does not tell us what they did. In the 7th aliyah of this week's parasha, in the beginning of the 24th perek, Rashi explains that the parasha here is

going back to discuss the events of those 3 days. During this time, the parasha tells us, Moshe built a mizbeyach and 12 monuments and Benei Israel brought korbanot. Moshe also wrote down "kol divrey Hashem". Rashi explains that Moshe wrote down the events from Bereshit until Matan Torah as well as the mitzvot Benei Israel received in Marra. Moshe goes on to read to Benei Israel the "Sefer ha'berit" (which Rashi explains is referring to this sefer that Moshe wrote down). Benei Israel respond by saying naaseh ve'nishma (this is in addition to the more well known naaseh ve'nishma that Benei Israel said 2 days earlier when asked if they would like to receive the Torah). The next day, the 6th of Sivan, Moshe went up to Har Sinai and Benei Israel heard the 10 commandments.

*Note, Ramban learns the timing of these events differently than Rashi.

Mishpatim - Civil Laws

- 1- Laws regarding a Hebrew slave
- 2- Laws of damages (if one kills or damages another person or his animal).
- 3- Laws regarding the 4 types of shomrim. Witchcraft, Bestiality, offending the convert, orphan, or widow. Charging Interest
- 4- Laws of pidyon, nevelah and terefah, gossip, returning lost items
- 5- Laws of perverting judgment, oppressing the ger, shemita, Shabbat and Holidays
- 6- Hashem promises Moshe the Jews will be led into Israel and will conquer the land
- 7- The events of the 4th, 5th, and 7th of Sivan at Har Sinai. Moshe builds a mizbeyach, writes sefer haberit and goes up for 40 days.

FROM THE RABBIS OF THE JERSEY SHORE

“And Moshe alone shall approach Hashem, but they (the Elders) shall not approach an the people shall not go up.” (Shemot 24:2)

When Moshe was told to ascend Mount Sinai, Hashem also instructed Aharon, Nadab, Abihu, and the Elders of the nation to follow Moshe up the mountain (24:1). The Torah describes that as they were about to approach the top where Hashem would speak “face to face” to them (see Bemidbar 12:8), Hashem commanded them not to go any further because only Moshe was permitted to ascend to the summit.

Rabbi Moshe Kormornick quotes the Midrash Gadol that explains that the Elders were confused at having been asked to ascend the mountain only to be told not to continue on their way. For what reason did they not merit to accompany Moshe the entire way? Hashem clarified matters by telling them that this was measure for measure to their actions in Egypt. When Moshe and Aharon were commanded

to order Pharaoh to release the Jewish People, the Elders were also told to accompany them to the king's palace. However, as they got closer to the palace, fear gripped them and slowly, they dropped out of the entourage, until only Aharon and Moshe were left to face Pharaoh.

Hashem therefore responded to the Elders that if only they would have had the courage to face Pharaoh, a king who only rules over a single land, then they would have merited facing the King of Kings who rules over the entire world. Therefore, they didn't merit to follow Moshe all the way up the mountain.

Now the Midrash asks, what about Aharon? He should have been permitted to follow Moshe to the top? The Midrash explains that Aharon was in fact permitted to join Moshe, but because he did not want the Elders to feel bad that they were left behind, he didn't go, even though it meant forgoing the greatest prophecy anyone was able to have.

From this Midrash we can see the greatness of our Torah leaders. Certainly no one could match Aharon's self-sacrifice, whom the Mishnah testifies was someone who truly loved peace and pursued it. Nevertheless, even today it is well-known that our Torah leaders sacrifice their own learning in order to speak with people, give blessings, and even pose for pictures. How much time is spent answering basic questions when instead they could be locked in a room delving into the deepest depths of the hardest Gemara? Following the example set by Aharon, it is the self-sacrifice that makes our Torah scholars into Torah leaders. Rabbi Reuven Semah

“You shall not accept a bribe.” (Shemot 23:8)

The Torah commands that a judge may not accept a bribe, because it will cloud his judgment and make it impossible for him to judge the case impartially. This applies not only to monetary bribes, but also to any other gifts or favors that might be offered to him. The Gemara (Ketubot) tells of a few different incidents where a small favor was done for a Rabbi by someone who was scheduled to appear before him in court, and the Rabbi subsequently invalidated himself from judging the case. In one of the cases, the person simply removed a feather that had fallen on the Rabbi, and even still, the Rabbi felt that he could no longer judge the case fairly! It seems strange that such a small favor could prevent the Rabbis of the Gemara from being objective in a court case. If someone would, for example, hold the door open for us, would we then be totally incapable of ruling against that person?

However, it is actually exactly the opposite of what it seems. The Rabbis of the Gemara had such an intense feeling of hakarat hatob, gratitude, for anyone who did them even the slightest favor, that

they could no longer see that person in a bad light under any circumstances. We, on the other hand, tend to overlook or quickly forget the small, and sometimes even the big, things that people do for us. We live in an age of entitlement, where the prevailing attitude is that "it's coming to me." We see here that this is not the correct way of thinking. We need to recognize and appreciate everything that is done for us, whether by our parents, our spouses, our family members and friends, or even just a stranger who holds the door open for us. By acquiring this trait of hakarat hatob, we will raise the level of peace and comradery, and our lives will be filled with happiness and love towards one another. Rabbi Shmuel Choueka

RABBI ELI MANSOUR **Finding Peace in the Courtroom**

The Torah in Parashat Mishpatim presents a wide array of civil laws, covering subjects such as theft, damages, loans, and the like. The Parasha begins with the words, "Ve'eleh Ha'mishpatim" – "And these are the laws" – and the commentators note the significance of the letter "Ve" – "and" – at the beginning of this phrase. This word appears to connect our Parasha with the final section of the last Parasha, Parashat Yitro, which discusses various laws concerning the altar. Apparently, some connection exists between the altar, upon which sacrifices are offered, and the civil laws in Parashat Mishpatim. Hazal inferred a Halachic requirement from this connection, namely, that the Sanhedrin – the highest Jewish court – should be stationed near the altar, on the Temple Mount. Our civil laws, as opposed to those of American society, for example, are not separate from religion, but to the contrary, are an integral part of religion. This concept is expressed by having the highest legal body of the nation convene in the area of holiest site, the Bet Ha'mikdash.

Rav Tzvi Pesach Frank (Israel, 1873-1960) noted an additional connection between the altar and the Torah's civil laws, explaining that both serve to bring peace. When a person commits a sin, this creates a strain on his relationship with G-d. The altar provides a means of atonement, thereby repairing this strained relationship between the sinner and the Almighty. Similarly, the system of civil laws enables people to repair their strained relationships with each other by peacefully resolving their conflicts. When a Bet Din issues a ruling in accordance with the eternal laws of the Torah, the parties know that they have received a Torah answer to their problem, and they can live in peace.

It must be emphasized, however, that this works only if the two parties are seeking peace. Sometimes a party takes the other to court purely for revenge, and not in the interest of restoring peaceful relations. And there are also occasions when after the Bet Din issues its ruling, the losing party is bitter and resentful. We must heed the Mishna's famous exhortation in Abot, "The word stands on three things – judgment, truth and peace." The Mishna lists "peace" last because the other two – judgment and truth – must be done for the sake of peace. Judgment – the court system – is important, but only insofar as it leads us to the goal of peace among people. The Jewish courts are a vital part of our quest for peace, but they can serve this purpose only if we are genuinely interested in peace and having our conflicts resolved.

And since peace is our ultimate goal, we must always consider the possibility of compromise. Too often, cases linger and are drawn out due to the parties' refusal to compromise, or to recognize that persisting is not in their best interest. Many times it is far better to settle or to just let go than to resort to legal battles. Tradition teaches that "Mahaloket Ahat Doha Me'a Parnasot" – "One fight can stop one hundred sources of livelihood." This means that if G-d has assigned one hundred pipelines from the heavens through which to bring a person material blessing, a single unresolved conflict can block them all. Proof can be drawn from the fact that when Beneh Yisrael worshipped the golden calf, the manna still fell from the heavens, but when Korah led a revolt against Moshe, the manna stopped. Fighting disrupts the channels of material blessing, and makes it very difficult for a person to earn a proper living. And thus peace is always the best policy. We are always better off compromising for the sake of maintaining peaceful relations.

The Torah's system of "Mishpatim," like the Mizbe'ah (altar), can bring peace, but only if we allow it to, realizing that peace must always be the ultimate goal.

VICTOR BIBI **SOD HAPARASHA**

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Rabbi Wein **NOT ME**

The current dispute between Poland and Israel, really between Poland and the Jewish people, highlights one of the great weaknesses of the human character. Even after committing and participating in the worst

of atrocities against innocent fellow human beings, the perpetrators rarely have the courage and moral fortitude to acknowledge their actions and attempt to atone for their guilt.

The past century is replete with examples of this all too often human weakness. In World War I the Turks were responsible for the deaths of over one million Armenian citizens of the Ottoman Empire. To this very day Turkey insists that it is not somehow guilty of that genocide. It denies every accusation no matter how well proven and obvious the matter is. The world has accommodated Turkey on this matter for over a century.

Hitler, in justifying his planned genocide of the Jewish people, used Turkey as the prime example that there would really be no consequences brought to bear against Germany for destroying the Jews of Europe. It is ironic that of all of the perpetrators of ethnic genocide in the past century, only Germany has made any attempt to accept responsibility for its actions and policies and to make whatever restitution it can to the victims of its cruelty.

There is no question that many Poles, Lithuanians, Latvians, Estonians, Ukrainians, Croatians and the French, all participated in the destruction of European Jewry in World War II. But all of these countries piously put all of the blame on Germany and said "not me" when it came to admitting the guilt of many of its citizens in that terrible crime against the Jewish people and humanity.

The historians and sociologists amongst us have advanced many theories as to why there was such widespread cooperation in these countries in the elimination of the Jewish population that had lived there, and in many cases for centuries before. The association between Jews and communism is the theory that is most often advanced. Like many theories there is a kernel of truth in this idea but basically it is a flawed theory.

The overwhelming majority of Jews in those countries did not identify or support communism, though it must be said that they preferred Russian domination over German extermination. Others claim that since quite a number of Jews have appealed to the Polish courts to have their properties that were confiscated from them during the war returned to their families, this has spawned great resentment amongst the Poles.

Still others maintain that the fact that many Israelis of Polish descent have applied to become citizens of Poland and obtain Polish passports, which would give them access to all the countries of the European

Union, Polish officials objected to this allegedly misuse of Polish descent.

All of these arguments are completely spurious. Anti-Semitism has long been a Polish disease and pogroms against Jews existed in Poland before World War II, during World War II and tragically even after World War II ended. Almost all of the countries of Eastern Europe have yet to face up to their guilt and to take steps, both educationally and socially, to try to cure themselves of this malady.

The late Prime Minister of Israel, Yitzchak Shamir, once said that anti-Semitism in Eastern Europe is placed into the population with their mother's milk. This seems to be true since, to a great extent, all of those countries have small, aging and apolitical Jewish communities. Thus the traditional complaints of anti-Semitism that Jews are too wealthy, too powerful, too influential in the affairs of their country certainly apply no longer.

But that doesn't seem to make any difference. It is a strange thing that there are communities who love Israel but hate Jews and there are communities that love Jews but hate Israel. These are only aberrations caused by a latent anti-Semitism. The rise of extreme right wing nationalist political parties in Europe and especially in Eastern Europe brings with it xenophobia and violent discrimination against minorities who live in those countries.

Since the main problem in Europe now concerns the integration of millions of Moslems into European society, these parties, though still espousing anti-Semitism, have bigger fish to fry currently. But make no mistake, Jews are on their radar screen as well and 75 years after the Holocaust the Jewish horizon, especially in Eastern Europe and throughout the rest of Europe as well, is rather bleak. Only time will tell as to what the future will bring

Rabbi Sir Jonathan Sacks The Power of Empathy

William Ury, founder of the Harvard Program of Negotiation, tells a marvellous story in one of his books.[1] A young American, living in Japan to study aikido, was sitting one afternoon in a train in the suburbs of Tokyo. The carriage was half empty. There were some mothers with children, and elderly people going shopping.

Then at one of the stations, the doors opened, and a man staggered into the carriage, shouting, drunk, dirty, and aggressive. He started cursing the people, and lunged at a woman holding a baby. The blow hit her and sent her into the lap of an elderly couple.

They jumped up and ran to the other end of the carriage. This angered the drunk, who went after them, grabbing a metal pole and trying to wrench it out of its socket. It was a dangerous situation, and the young student readied himself for a fight. Before he could do so, however, a small, elderly man in his seventies, dressed in a kimono, shouted "Hey" to the drunk in a friendly manner. "Come here and talk to me." The drunk came over, as if in a trance. "Why should I talk to you?" he said. "What have you been drinking?" asked the old man. "Sake," he said, "and it's none of your business!"

"Oh that's wonderful," said the old man. "You see, I love sake too. Every night, me and my wife (she's 76, you know), we warm up a little bottle of sake and take it out into the garden and we sit on an old wooden bench. We watch the sun go down, and we look to see how our persimmon tree is doing. My great-grandfather planted that tree ..."

As he continued talking, gradually the drunk's face began to soften and his fists slowly unclenched. "Yes," he said, "I love persimmons too." "And I'm sure," said the old man, smiling, "you have a wonderful wife."

"No," replied the drunk. "My wife died." Gently, he began to sob. "I don't got no wife. I don't got no home. I don't got no job. I'm so ashamed of myself." Tears rolled down his cheeks.

As the train arrived at the student's stop and he was leaving the train, he heard the old man sighing sympathetically, "My, my. This is a difficult predicament indeed. Sit down here and tell me about it." In the last glimpse he saw of them, the drunk was sitting with his head in the old man's lap. The man was softly stroking his hair.

What he had sought to achieve by muscle, the old man had achieved with kind words.

A story like this illustrates the power of empathy, of seeing the world through someone else's eyes, entering into their feelings, and of acting in such a way as to let them know that they are understood, that they are heard, that they matter.[2]

If there is one command above all others that speaks of the power and significance of empathy it is the line in this week's parsha: "You shall not oppress a stranger, for you know the heart of a stranger: You were strangers in the land of Egypt" (Ex. 23:9).

Why this command? The need for empathy surely extends way beyond strangers. It applies to marriage partners, parents and children, neighbours, colleagues at work and so on. Empathy is essential to human interaction generally. Why then invoke it specifically about strangers?

The answer is that "empathy is strongest in groups where people identify with each other: family, friends, clubs, gangs, religions or races." [3] The corollary to this is that the stronger the bond within the group, the

sharper the suspicion and fear of those outside the group. It is easy to "love your neighbour as yourself." It is very hard indeed to love, or even feel empathy for, a stranger. As primatologist Frans de Waal puts it: We've evolved to hate our enemies, to ignore people we barely know, and to distrust anybody who doesn't look like us. Even if we are largely cooperative within our communities, we become almost a different animal in our treatment of strangers.[4]

Fear of the one-not-like-us is capable of disabling the empathy response. That is why this specific command is so life-changing. Not only does it tell us to empathise with the stranger because you know what it feels like to be in his or her place. It even hints that this was part of the purpose of the Israelites' exile in Egypt in the first place. It is as if God had said, your sufferings have taught you something of immense importance. You have been oppressed; therefore come to the rescue of the oppressed, whoever they are. You have suffered; therefore you shall become the people who are there to offer help when others are suffering.

And so it has proved to be. There were Jews helping Gandhi in his struggle for Indian independence; Martin Luther King in his efforts for civil rights for African Americans; Nelson Mandela in his campaign to end apartheid in South Africa. An Israeli medical team is usually one of the first to arrive whenever and wherever there is a natural disaster today. The religious response to suffering is to use it to enter into the mindset of others who suffer. That is why I found so often that it was the Holocaust survivors in our community who identified most strongly with the victims of ethnic war in Bosnia, Rwanda, Kosovo and Darfur.

I have argued, in *Not in God's Name*, that empathy is structured into the way the Torah tells certain stories – about Hagar and Ishmael when they are sent away into the desert, about Esau when he enters his father's presence to receive his blessing only to find that Jacob has taken it, and about Leah's feelings when she realises that Jacob loves Rachel more. These stories force us into recognising the humanity of the other, the seemingly unloved, unchosen, rejected.

Indeed, it may be that this is why the Torah tells us these stories in the first place. The Torah is essentially a book of law. Why then contain narrative at all? Because law without empathy equals justice without compassion. Rashi tells us that "Originally God planned to create the world through the attribute of justice but saw that it could not survive on that basis alone. Therefore He prefaced it with the attribute of compassion, joined with that of justice." [5] That is how God acts and how He wants us to act. Narrative is the most powerful way in which we enter

imaginatively into the inner world of other people. Empathy is not a lightweight, touchy-feely, add-on extra to the moral life. It is an essential element in conflict resolution. People who have suffered pain often respond by inflicting pain on others. The result is violence, sometimes emotional, sometimes physical, at times directed against individuals, at others, against whole groups. The only genuine, non-violent alternative is to enter into the pain of the other in such a way as to ensure that the other knows that he, she or they have been understood, their humanity recognised and their dignity affirmed. Not everyone can do what the elderly Japanese man did, and certainly not everyone should try disarming a potentially dangerous individual that way. But active empathy is life-changing, not only for you but for the people with whom you interact. Instead of responding with anger to someone else's anger, try to understand where the anger might be coming from. In general, if you seek to change anyone's behaviour, you have to enter into their mindset, see the world through their eyes and try to feel what they are feeling, and then say the word or do the deed that speaks to their emotions, not yours. It's not easy. Very few people do this. Those who do, change the world.

Shabbat Shalom,

[1] Adapted from William Ury, *The Power of a Positive No*, Hodder Mobius, 2007, 77-80.

[2] Two good recent books on the subject are Roman Krznaric, *Empathy*, Rider Books, 2015, and Peter Bazalgette, *The Empathy Instinct*, John Murray, 2017. See also Simon Baron-Cohen's fascinating book, *The Essential Difference*, London, Penguin, 2004, on why women tend to be better at this than men.

[3] Bazalgette, 7.

[4] Frans de Waal, 'The Evolution of Empathy,' in Keltner, Marsh and Smith (eds), *The Compassionate Instinct: the Science of Human Goodness*, New York, Norton, 2010, 23.

[5] Rashi to Gen. 1:1.

AS HEARD FROM RABBI AVIGDOR MILLER Z'TL "And these are the Judgments" (21:1)

In the Perasha of Yitro, the subject of Shoftim (Judges) is discussed (18:17-26). In the Perasha of Mishpatim the same subject is explained in detail. In between these two portions is the episode of The Ten Commandments.

The Midrash comments on this. "Why are the Ten Commandments preceded by the subject of Shoftim and are followed by the subject of Mishpatim?" The Ten Commandments are compared to a matron (an noblewoman) that walks in the street and her servants that guard her go before her and also after her." The matron is compared to the Ten Commandments, and the servants that

protect the Ten Commandments are the judgments and the laws of the Torah.

This means that the noble general ideals of the Ten Commandments require the knowledge and practice of all the details and subdivisions of the Commandments, to protect and maintain these ten great principles. It is not sufficient to speak of exalted principles, but we need also to study all their details and their subdivisions and to practice them.

To quote from the Mesillat Yesharim: "Even though these fundamental principles are fixed in the mind of every decent person, yet if he fails to study them he will be unable to recognize their actual details in practice, and will overlook them and not even notice them."

Therefore the Mitzvot and the laws of the Torah and the judgments and the statutes are the bodyguards and protectors of the Ten Commandments. To be a truly idealistic Jew requires the constant study of the Mishpatim, for only thereby is it possible to uphold in actual practice the great general principles of the Ten Commandments.

And yet, even though the Ten Ideals must be surrounded on all sides by Mishpatim, yet the Mishpatim themselves are also ideals for us to study and to learn from them. "When you purchase an Eved Ivri", the first of the Mishpatim here, is a subject for scholarly study of numerous technicalities. Yet it contains a lesson of the greatest magnitude, the deliverance from the bondage of Egypt.

Why is the bonded servant called Ivri? This is a term used solely by gentiles, but the Torah calls us only by the honored name of "Yisrael". But here the Hebrew that is sold for temporary servitude is used as a symbol of our nation when they were enslaved in Egypt. When the time for freedom arrives, the Ivri, as the gentiles called us, must go free. And his master must bestow gifts upon him so that just as our forefathers did not go out of Egypt empty handed so also does the Hebrew servant not go out empty handed.

This great lesson comes to teach that our nation did not lose by their bondage, but they went out with great wealth. Which wealth? Not only that they survived, while Egypt was destroyed. But that now they gained the wealth of the Torah and the Covenant of Hashem which was their reward for their bondage. Thus the Mishpatim are great lessons in themselves, in addition to being the guards that preserve the fundamental principles.
A Bar Mitzvah speech written by Rabbi Miller ZT'l