

PORTION	DATE	HEB DATE	TORAH	NEVIIM	KETUVIM
Mishpatim	22 Feb 2020	27 Shevat 5780	Exo. 21:1-24:18	2King 12:1-16	Matt. 17:22-27

This week's Torah portion Mishpatim contains civil laws how the Yisraelites to live in a course of their daily life. Today is also known as Shabbat Shekalim as we prepare the oncoming of Pesach, and an additional portion of Torah is being read, Shemot 30:11-16, before the beginning of new month Adar. It is publicly announced for the Yisraelites to remind them to bring a half-shekel to contribute for communal offering in preparation to purchase Nissan offerings.

It is written, "For every matter of transgression..." (Exo. 22:9). Spiritually, Hashem has entrusted each of us with the Divine soul. Thus, it is our responsibility to ensure that the soul remain protected and unsullied, that it returns to heaven better off than it was before the descent into the body. At times, however, we are unfaithful to the soul's Owner and abuse his charge. The causes for our delinquency are spelled out in this verse.

"For ox, for donkey, for sheep," These are the challenges that our animal soul poses to our Divine soul. As the ox charges directly to its path, a lack of affection or enthusiasm of a donkey, and the follower mentality of a sheep, all these conspire to confuse the Divine soul until we say, "This is it!"

The word "this" applies to something that really exists at all times and in all places, as such we can say "this." Everything else is "it." It is the third person, somebody or something that is not intrinsically here. Thus, the word "it" applies to everything that is not Hashem. When we begin to confuse "it" with "this," when we begin to ascribe intrinsic value and existence to anything other than Hashem, we have been dishonest with our soul and we need to rectify it.

We rectify it by paying "double" (v. 9), meaning harnessing the powers of the animal soul – the brute force of the ox, the donkey's ability to carry heavy loads for the long trek, the sheep's compliant nature – toward the service of the Creator.

The sages derive the law of "partial admission" from the phrase "this is it," which only can be translated as "only this," meaning the defendant only admits to "this" but not for others. For example, if Reuben claims that Simeon owes \$100, and Simeon says he owes Reuben \$50, then Simeon is required to swear in court that he does not owe the other \$50 to Reuben since it was stolen. The Torah requires that Simeon is to appear in court and swear that he is telling the truth. The reason that he has to swear is that since Simeon did not already voluntarily return or pay what he admits he owes, he has become slightly suspect.

When we have been neglecting in fulfilling our Divine mission, the prosecuting angel can claim that we are wholly at fault and that we deserve either to be punished or to be allowed to slide into further transgression, compounding our guilt. Thus, we admit to the accusation, but only partially. In self-defense, we first say that our indiscretions did not involve our entire being, since the deepest place in our hearts never rebelled against Hashem but only the outer manifestations of our consciousness turned from the path. Second, the Talmud¹ says that we were never entirely negligent since "even the most wicked of Yisrael are filled with commandments like a pomegranate is filled with seeds." Thus, we claim that we do not deserve full punishment; that we are willing to repent, but only for what we actually did.

¹ Eiruvim 19a

In order for the heavenly court to accept the counterclaim, the Torah requires us to take an oath. But in fact, we took this oath long ago. As the Divine soul is about to enter this world, Hashem administers an oath to every Divine soul to be righteous. That oath acts as a reservoir of spiritual strength the soul can draw upon in such situation of “partial guilt.”

Normally, Hashem provides our “good inclination” with just enough spiritual energy to enable us to resist “evil inclination.” The scales are evenly balanced, and we are therefore always *free* to choose between good and evil. Ideally, clear thinking would make us opt to choose good every time. But the evil inclination catches us when our guards are down and convinces us that no harm will come. When we succumb, we need extra strength to admit our guilt to get back on track and to prevent from sliding further. We are able to counter the accusations of the prosecuting angel by virtue of this oath. This extra power at our disposal enables us to confidently assure the heavenly court that we will repent of our wrongdoing and keep ourselves from backsliding.

If we misuse the extra power Hashem has given us, we could eventually incriminate ourselves even more seriously. Therefore, it is best to avoid “taking an oath” whenever possible, just as the Torah tells us to avoid taking an oath in actual civil cases because of the seriousness of invoking Hashem’s Name.

In civil cases, when the defendant states that he did not pay back the part of the claim he admits due to extenuating circumstances, he is exempt from taking the oath and is acquitted after he pays what he admits he owes.

Spiritually, we can make a similar claim of extenuating circumstances. Our spiritual “assets” are the time, talents, and other resources Hashem grants us to fulfill our Divine mission. The more we are consumed with our mission, the more we want to capitalize on these assets and use them to their fullest. If we succeed in doing so, we can claim that settling accounts with the prosecuting angel – taking detailed stock of our performance in order to know exactly how much repentance is required of us – would have been a waste of precious time that could have been used to progress in our Divine mission. The loss of opportunities and momentum could never have been fully recovered. True, the Torah prescribes certain times for stocktaking, such as before going to sleep at night, or during the month of Elul. But who has time for more than this if we are consummately busy fulfilling our Divine purpose?

If the heavenly court sees that we are living our lives accordingly, we are acquitted without have to “take the oath.” We are clearly in no danger of further backsliding and we will repair any damage due to our negligence.

We are often “partial admitters” in a more subtle sense, as well. Hashem “lends” us sustenance, talents, and capability. In certain aspects of our lives we admit that we need Hashem, that without Him we are lost. Nevertheless, for the most part we imagine that we are self-sufficient, that we have acquired all we possess on our own. Thus, after we discharge our basic religious duties and give Hashem we owe Him, we feel as though the rest of our time and other resources are now ours to use as we please.

Of course, the truth is just the opposite; we have acquired whatever we possess only by virtue of the gifts Hashem has given us. Therefore, we owe Hashem everything and there are no autonomous areas in our lives. However, taking an “oath” allows us to lay claim to partial ownership of our lives. The more we invoke the birth-oath to be righteous and draw upon our inner reservoir of Divine power and consciousness,

the more resources Hashem places at our disposal. Confident that we will use His bounty for the proper purposes, He willingly entrusts us with more.

Hashems, the greatest lender of all, lends each of us our soul and its accompanying powers, with which to fulfill the mission of bringing holiness to the world. Therefore, we can read as “When You lend money to My people.” (v. 25) Besides lending us our soul and its powers, we can “induce” Hashem to lend us addition “money” by lending to a fellow in need. Hashem rewards us for this good deed by providing us with additional resources to use in our Divine mission.

“You are not to be like one that lends on interest to him” (v. 25). We repay our loan to Hashem by living our lives in a way that gratifies Him and by eventually returning our soul to Him unmarred. But, being human, we are at times negligent in repaying Hashem’s loan. Nonetheless, here again, we can “induce” Him not to press us. When we overlook what others owe us, Hashem overlooks what we owe Him.

“Do not lay interest on him” (v. 25). There is a loophole to the law against taking interest, known as “the transaction permit”. Basically, the lender becomes a partner in the venture of the borrower and is thereby allowed to gain from the loan. Evidently, Hashem lends us sustenance and potential by means of this “transaction permit,” sine He recoups more than His original investment. Hashem benefits from our fulfillment of the Torah and its commandments, which we perform with the powers He lends us.