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Mishpatim (Exodus 21 - 24)

GOOD MORNING! A couple of weeks ago I discussed the concept of selfishness vs. altruism and the ongoing disagreement between myself and my son as to the inherent nature of man. Many readers wrote to me and weighed in as well.

This past Friday night, during Shabbat dinner, we had another spirited conversation at the table regarding the essence of selfishness and motivation. My son's fascinating, if errant, opinion is that selfishness is not a bad thing and altruism is not real. In his world view, all altruistic behavior is driven by the pleasure one receives from the act.

My definition of selfishness, you may recall, was doing something for yourself at the expense of others. Therefore, selfishness most assuredly has negative connotations. In addition, I believe real altruism exists and that the subsequent good feeling is merely a result of doing the right thing and not what drives it.

Just last week, I read an interesting news story about a twelve-year-old boy who was with his family at a drive thru of a fast food restaurant. Standing in front of them at the drive thru was a father with his young son – the father

was trying to buy a meal for his child. Sadly, he was refused service because he wasn't in a car and this was a "drive thru." Seeing the young child's disappointment this twelve-year-old boy gave his own meal to the younger child.

I do not believe that the boy's act was driven by the knowledge that he would feel good if he gave his meal to the other child. I think a wave of compassion came over him and he did it because he felt it was the right thing to do. The subsequent feeling of self-satisfaction from doing the right thing is an outcome of that action, not a cause of it.

Perhaps the best part is that until my son gets his own column I get to have the final word on the matter. Still, an element of our conversation showed me that I probably need to clarify what I previously wrote.

A very basic tenet of Judaism is that God created the world to bestow goodness to humanity. That is, everything in creation is to benefit mankind. The basis of understanding and experiencing this goodness is the pleasure it provides. In other words, mankind receives the benefit through experiencing pleasure. There are, of course, many types of pleasures: physical, emotional, spiritual, intellectual, etc.

The ultimate goodness and pleasure provided by the Almighty is that of having the ability to create a relationship with Him. This should not be too difficult to understand. Anyone who has experienced a true love relationship – whether from a parent, a spouse, or a child – will understand that it is the most meaningful and fulfilling part of life.

It goes without saying that not every possible pleasure provides true goodness and benefit to one's life. Meaning, a person cannot judge benefits by the amount of pleasure an experience provides. As we all know, there are many, many kinds of pleasures that are downright harmful to a person. The

only true guide for understanding what's ultimately good for us is by the "owner's manual" provided to us by the Almighty known as the Torah.

Of course the Torah contains many laws, but the main purpose of these laws is to give mankind the best possible life. Still, even in the Torah there are laws that apply to some and not to others. Obviously many laws apply to everyone; don't kill, don't steal, don't engage in idol worship. However, many laws are only binding to Jews.

Think of it this way: Just as elite athletes have accepted upon themselves a certain way of life – with strict regimens of exercise and eating to promote peak physical conditioning – in order to play professional sports, so too the Jewish people accepted the Torah and its inherent obligations because they desired the most intense type of relationship with the Almighty.

Even within Judaism there are different levels, and there are laws that apply to some and not to others. For example, there are many laws that only apply to the priestly caste because they have dedicated themselves to an even higher level of spirituality. There are also laws that only apply in the land of Israel and laws that are only applicable during the times of the Holy Temple (may it be speedily rebuilt!).

Anyone who has a child has had the experience of having to forbid them from doing something that they really, really wanted to do. We do this to protect them; after all we know what's best for them (usually) and our job is to prevent them from making mistakes that will cause them real harm – even if they don't see it that way.

In the same way, the Torah was given to us by the Almighty as a blueprint and guide map for the best sort of life. Yes, there are restrictions, but they are there for the same reason; to give us the most spectacular life – whether we see it at the time or not. One of the best examples of this is Sabbath observance, something that we have discussed in prior editions.

I am reminded of the following joke. Having grown up together, Rabbi Schapiro and Father O'Malley were lifelong friends and would meet regularly for lunch at a local park. During one such outing, Father O'Malley put down his ham and cheese sandwich and commented, "This sandwich is so good! Perhaps kosher dietary restrictions made sense in ancient times, but when are you going to join the modern age and eat delicious food like this?"

Without missing a beat Rabbi Schapiro replied, "At your wedding!" (I am also going to take this opportunity to point out that nowhere in the Torah do we find any law or custom encouraging life-long abstinence.)

Of course, this week's Torah reading has a relevant message to our discussion. This week's portion is called *Mishpatim* – "laws" and, as may be inferred, contains many, many laws including most of the laws relating to jurisprudence. It begins:

"And these are the laws that you shall set before them" (Exodus 21:1).

The great Biblical commentator known as Rashi writes that the Almighty told Moses, "Do not think that it is enough to teach all the laws to the Jewish people two or three times until they know them – rather you must teach them the reasons for them as well." Rashi continues, "This is why the Torah writes, '*That you shall set before them.*' It must be placed before them like a set table from which one is ready to eat."

It seems that the Almighty was concerned that Moses would feel like his primary job was to teach the Jewish people what they have to do and how to do it. He would therefore spend the vast majority of his time making sure he covered every detail of every law. But the Almighty didn't want that; God was conveying to Moses that it wasn't enough to know what to do, the people needed to understand the reasons behind those actions.

With this seemingly small detail, God was actually conveying a very deep message and one of the underlying tenets of both the Torah and Judaism.

What does it mean that Moses was to set these laws before the Jewish people like a “set table”?

There are two reason for eating: nutrition and pleasure. Food presentation speaks to the pleasure aspect of food, not the nutrition aspect. People pay higher prices to eat in a pleasurable environment with exquisite food presentation. Why? Because it adds significantly to the pleasure of eating. Thus, a “set table” refers to the pleasure aspect of eating.

When God told Moses that he must set the laws before the Jewish people like a “set table” this is referring to the pleasure aspect of the laws. The laws need to be presented in a way that the people will find them meaningful and therefore enjoy doing them. How is that accomplished? By explaining to them the reasons for laws. Of course, when something is both meaningful and enjoyable a person has a desire to do it. That is the underlying message of Judaism – following the Torah and its laws is really for our sake and ultimately provides us with the greatest pleasure.



TORAH PORTION OF THE WEEK

Mishpatim, Exodus 21:1 - 24:18

One of the most *mitzvah*-filled Torah portions, containing 23 positive commandments and 30 negative commandments. Included are laws regarding: the Hebrew manservant and maidservant, manslaughter, murder, injuring a parent, kidnapping, cursing a parent, personal injury, penalty for killing a slave, personal damages, injury to slaves, categories of damages and compensatory restitution, culpability for personal property damage,

seduction, occult practices, idolatry, and oppression of widows, children, and orphans.

The portion continues with the laws of: lending money, not cursing judges or leaders, tithes, first-born sons, justice, returning strayed animals, assisting the unloading of an animal fallen under its load, Sabbatical year, Shabbat, and the Three Festivals (Pesach, Shavuot, and Succot).

Mishpatim concludes with the promise from the Almighty to lead us into the land of Israel, safeguard our journey, ensure the demise of our enemies, and guarantee our safety in the land -- if we uphold the Torah and do the *mitzvot*. Moses makes preparations for himself and for the people and then ascends Mt. Sinai to receive the Ten Commandments.

“ Quote of the Week ”

There is a not-so-fine line between a very long sermon and a hostage situation.

Shabbat Shalom,

Rabbi Yitzchak Zweig

