

## Double Desire: Parshat Mishpatim

Based on a Naaleh.com shiur by Mrs. Shira Smiles

After the spiritual high of Hashem's revelation at Sinai, the Torah immediately follows with *Parshat Mishpatim* which discusses the material laws of property and damages. How can we reconcile this seeming disconnect?

*Halacha* states that damages that generally incur through some form of negligence must be compensated by repaying the value of the damages. However, when it comes to theft, the thief is required to pay double the damages. Why? Holiness is found within our souls but it is also found in everything around us and how we interact with it, notes the Tallelei Chaim. Honesty in business and the proper mindset with charity reveal the hidden sparks of holiness that already exists within the world, within the mundane dollars and cents. Who will live in Hashem's house, notes the Psalm chapter 15? He who deals honestly with his fellow, with a truthful heart, who respects others and fears God, doesn't charge interest or offer bribes. When one uses his material possessions honestly, one invests them with part of his own sanctity.

The *Torah* makes a distinction between a *ganov* (thief) and a *gazlan* (robber). A thief comes surreptitiously in the night while a robber steals openly. Rabbi Rivlin points out, quoting the Gemara, the robber is afraid of neither man nor God while the thief is more afraid of man while denying God's presence. For denigrating Hashem, he must pay an extra penalty. As the Kerem Tuvia notes, the armed robber is wicked, but doesn't cover it up. The thief on the other hand, pretends to be a *tzadik*. His hypocrisy is a form of *genayvat da'at*, "theft" of another's understanding and perception through deception. For this second theft, the thief pays the penalty in addition to the actual damages. The laws of damages are not just technicalities, but also a reflection of who we are.

There are seven levels of theft, but our sages note the most egregious is *genayvat da'at*, notes the Admor of Oshorov. This transgres-

sion includes, for example, allowing someone to believe we prepared so much on his behalf when we had actually prepared for another guest who hadn't yet arrived, or inviting someone for dinner when we already know he will be away that week. It makes others think we are "so nice" when in fact we are completely manipulative. This is deception of the highest order. It is egotistical to the point of denying that Hashem knows the truth.

Likewise, Rabbi Wolbe notes that the *luchot* were covered inside and out with pure gold. A *talmid chacham* who carries the Torah within himself can be likened to the Ark. He too must be the same pure person inside and out, publicly and privately. The details of the *mitzvot* are important, but that is not enough. Rav Dessler reminds us that we must focus on the purpose, on self improvement, and on performing the *mitzvot* with an enthusiasm that will help us grow spiritually. Rabbi Revivo explains, certainly someone who caused damage to another must rectify and repay that damage. But here we have the case of someone who caused damage not through negligence, but through an avarice that willingly deprived another of his possession. The Torah mandates that when one wishes to harm another, he is punished by suffering the fate he would inflict on his fellow. Here the thief must certainly repay the initial damage, but since he wanted to take that money or valuable item from another, he must suffer the loss he would have inflicted had he not been caught. That is why he must pay double the value of what he stole.

The *Torah* writes that if the animal was found in the thief's possession, the thief must "*chaim yeshalaim* – pay life." In simple, the thief must pay double if the animal is still alive. Rabbi Rivlin takes a more homiletic approach. He posits that the possessions of a *tzadik* are dear to him as they represent part of his life. As the Ohr Gedalyahu writes, if we are upright, our *kedushah* extends to our possessions. That's why Yaakov put himself in danger and

went back alone to retrieve some small jars, writes Halekach Vehalebuv. You are to love Hashem not just with meod, money or possessions, but with *meodecha*, that wealth which has become part of you.

Human beings are acquisitive by nature, reminds us Rabbi Zaichik. If someone has 100, he wants 200. The thief also wants double and acts upon that desire. Therefore, he must repay double. The Shaarei Derech quoting the Kli Yakar notes that the Hebrew letters that spell out the word for money *mamon*, are all spelled by doubling the letter of the sound. *Mem* = m+m followed by another *mem*, followed by the "O" sound written with a *vov* = v+v, and finished with a *nun* = n+n. The very letters of money attest to the desire for double. But this desire for more can and should be channeled toward positive acquisitions such as the desire for more *Torah* knowledge, *mitzvot*, or a closer relationship with one's Rebbe.

A desire for having more materially is a jaded aspect of the enthusiasm and excitement of our youth. If we are to grow in *Torah* knowledge, we must retain some of that childish enthusiasm and make sure our children retain it as well, writes Rabbi Frand. One must never consider himself already a *chacham*, wise, but always a *talmid chacham*, still a student of wisdom. It is for this *naar*, this childlike quality that Chana prayed for in the son that would become the great Prophet Shmuel, adds Rabbi Zaichik. And it is this spirit that Moshe sought in the leader that would replace him, adds Rabbi Chaim Shmuelevitz.

If we find that we have a failing that is keeping us from a proper relationship with Hashem notes the Knesset Yechezkel, we should resolve to "pay double", to work doubly hard on that characteristic, to study twice as much if we are slack in our learning, and so with every *mitzvah*.



## Ribbis Part II

Based on a Naaleh.com shiur by Dayan Shlomo Cohen

One must do a *heter iska* at the time a loan is given. If it wasn't done, it can still be arranged later. It can be done through a *kinyan* that the borrower is giving the lender a part of his merchandise in return for half the loan which is an investment. From now on, the borrower will give the lender 20% return. From the 6th month period till the end of the year he can take double so that he gets back the full percent he wanted. Or one can make a contract that includes both parties' signatures. However a verbal *heter iska* won't work anymore.

Just as a bank can do a general *heter iska*, individuals can do the same. If Shimon wants to get a loan from the bank but the bank doesn't want to give it to him, he might ask Reuven to do it on his name. Between Reuven and the bank there's a *heter iska*, but

Reuven and Shimon must make a separate *heter iska* which can be done verbally. If a large percentage of shares in a bank or investment company are owned by Jews there must be a *heter iska*. In the US where most people are not Jewish, you don't have to assume there is a problem. However if it is known for certain that the bank or company is Jewish owned, the problem of interest should be addressed. In Israel where the majority of people are Jews, one must be especially careful.

In a case where a Jew takes a loan from a non-Jewish bank but needs a guarantor for the loan, he might find a Jewish friend who would agree to be one. If the guarantor ends up paying the debt plus interest, he will want his friend to pay him back. Here there is no problem of *ribbis* as *halacha* accepts that when

you're a guarantor you're not actually lending the borrower money and he can be repaid in full. In a case where the non-Jewish bank could go straight to the guarantor there would be a problem of interest and a *heter iska* would be needed between the borrower and the guarantor. When a borrower takes a loan from a Jew with interest, the guarantor for the loan must have a *heter iska* in case he must repay the loan.

A thief may pay back interest. Shimon left \$100,000 in a bank in Israel and gave his friend Reuven power of attorney. Reuven drew out the money and used it without permission. Years went by until he admitted to Shimon that he had taken the money and he now wanted to pay him back. He can do so along with the interest the money would have earned.

## The Turning Point in Egypt Part IV

Based on a Naaleh.com shiur by Rebbetzin Leah Kohn

The plague of locusts was a revelation. There was a sense of understanding and differentiation between the reality as it looks on a superficial level and the reality as it looks on a deeper level. Yet there was free choice how one could have viewed it. The Jewish people saw Hashem while Pharaoh became more arrogant and stubborn. The Egyptians told Pharaoh, "*Haterem yadata ki avda Mitzrayim*. Do you not yet know that Egypt is lost." They too recognized that Hashem had bestowed knowledge here. But Pharaoh was not affected. The greatest of miracles can affect people in different ways. There's a choice how to interpret what one sees. Some people

will change their life, others will get inspired momentarily and then forget about it, and still others will put a lot of effort into explaining that it was not a miracle. Instead of drawing closer to Hashem, Pharaoh chose to become more haughty.

Chazal say that the plagues that came upon the people was a destruction for the Egyptians and a healing process for the Jews. The Jews were a ready vessel for spirituality and recognized the miracles while the Egyptians not only pushed it away but were decimated by it. We can compare this to fire. Heat can burn one and soften another. It can affect in a

positive way and destroy in another way. It all depends on what we are. That is why it says in Parshat V'aeira, "*Vayomer Elokim ani Hashem*." *Elokim* and *Hashem* signify two opposite states. Chazal say it was *Elokim* –judgement for Egypt and *Hashem* –mercy for *Bnei Yisrael*. *David Hamelech* said in *Tehilim*, "*Lolam Hashem devarecha nitzav bashamayim*." Your words Hashem are forever standing in heaven. At every moment we can see that it is the word of Hashem that give the world existence.