

## **And these are the ordinances that you shall place before them. (21:1)**

*Parashas Mishpatim* is replete with laws concerning interpersonal, social interactions – some positive (how we should act); others negative (how we should not act and the repercussions for acting inappropriately). On the surface, nothing about these *mitzvos*/laws appears to make them endemic solely to the Jewish people. Any decent, humane society would be expected to maintain such laws. What makes them “Jewish”? *Horav Moshe Eisemann, Shlita*, cites the *Malbim* (commentary to *Devarim* 6:20), who alludes to this question. He posits that this question lies at the root of the *ben chacham*'s, wise son's, question in the *Haggadah*.

*Rav Eisemann* explains: “The *ben chacham* would like to know about all the various types of *mitzvos*. He focuses on three categories: *eidos*, testimonial *mitzvos*; *chukim*, *mitzvos* whose rationale and purpose is beyond our realm of understanding; and *mishpatim*, *mitzvos* which the intellect accepts and demands.”

He supplements his question concerning *mishpatim*, wondering how living a just life (adhering to these common-sensical *mitzvos*) renders one holy. *Mitzvos*, by their very nature, sanctify a person, elevating him to a higher spiritual plane. Thus, the Divine nature of the *mishpatim* mandates a different function. A civil code is just that. It does not alter a person's destiny. It is present to keep the peace and make sure that people get along, live in harmony and not encroach upon their fellow. As *Rav Eisemann* explains *mishpatim* afford us the ability to infuse *kedushah* into our mundane lives. In order to achieve the Jewish ideal of *mamleches kohanim v'goi kadosh*, a kingdom of priests and a holy nation, we must observe *mishpatim*. They are no different than the laws concerning *korbanos*, *Shabbos*, or *chametz*.

It is critical that we view the ethical and societal (civil) *mitzvos* in the context of the entire Torah, as an integral part of the corpus of the 613 *mitzvos*. This perspective will change our approach to interpersonal relationships. Civil law is black and white with a little gray mixed in. Torah law is Hashem's law, leaving no room for color variations. *Halachah* is the final arbiter. We have, however, flex room with regard to *lifnim meshuras hadin*, going beyond the actual law to reach out to people even if *halachah* does not demand it. This is where *kedushah* is evident.

We have no greater source of merit than showing sensitivity to our fellow man or woman. The first marriage of *Horav Shmuel Salanter, zl*, *Rav* of Yerushalayim, did not last long. It ended in divorce. This was at a time in which *Rav Shmuel* had become a rising star and future leader of the Yerushalayim rabbinate. He was pummeled with *shidduchim*, matrimonial matches, from all over. He refused to respond to any of the proposals. Why? “Until my ex-wife finds her match, I refuse to entertain the thought of marriage,” he said. Furthermore, she remarried and, after a number of years, her husband passed away and she moved back to Yerushalayim. *Rav Shmuel* dispatched his son to welcome her back. He went as far as to provide his ex-wife with a monthly stipend. Such

behavior is not – and never will be – found in civil-law.

The reader might counter that this behavior is not exclusively associated with a *gadol*, Torah giant. The following story suggests otherwise. It is what is to be expected of any individual who is sanctified by the *mitzvos* he observes. Ten students of *Yeshivah Darchei Chaim*, Ofakim, visited the *Kosel* to petition Hashem for their continued success in moving up the next rung in the *yeshivah* – from *mechinah* to *bais medrash*. As they walked, they noticed a woman who was weeping bitterly. One of the *bachurim* went over to the woman and asked if he could help her. She replied that, two hours earlier, she had been in the Geulah neighborhood. When she arrived at the *Kosel*, she discovered that her wallet containing a large sum of money, her passport and credit cards was nowhere to be found. She was overwhelmed with anxiety over such a loss. The *bachur* told her to cease her crying. He brought her a bottle of cold water and said, “We are a group of ten *bachurim*. We are going to return to Geulah to search for your wallet.”

These ten young men, who had just arrived at the *Kosel* from Ofakim (not a short trip) made an about-face and took the bus to Geulah. The woman described identifying signs of the wallet and the young men left. They walked up and down the street, visiting one store after another. They were about to give up when they found the wallet in the last store they visited. They took the wallet and quickly returned to the *Kosel*. The woman was waiting in the designated place. When she saw them returning, she became cautiously excited until she saw her wallet. She could not stop thanking the *bachurim*. She wished them the best and blessed them to grow in their learning.

Let us step back a moment and analyze what transpired. Ten *yeshivah* students make a trip which takes considerable time. They had one purpose: to *daven* at the *Kosel* for continued *hatzlachah*, success, in their Torah study. They finally arrive at the *Kosel*, quite possibly exhausted and hungry. They want to *daven* and return to *yeshivah*. Instead, Hashem “provides” them with an opportunity to perform an act of *chesed*. They succeed in saving the day for a woman, and they think nothing of it. Why? This is what members of the *am kadosh*, holy nation, do. Our *mitzvos* sanctify us when we carry out our actions in the context of a *mitzvah*. While it is true that other nice boys might have done the “boy scout” thing and help this woman in need, these *bachurim* did so because it is Hashem's command.