

ISSUE #118

כ"ז שבט תשפ"ו  
14/2/26



## A VORT FROM THE ROSH YESHIVA מורינו הרה"ג ר' אברהם גורביץ שליט"א

### פרשת משפטים

וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר תִּשִּׂים לִפְנֵיהֶם. (שמות כא, א)

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

This week's *Sidrah* discusses Hashem's command to Moshe to teach Klal Yisroel civil law. Moshe was taught the ordinances concerning various damages and how to administer justice in monetary disputes. The opening phrase begins with "וְאֵלֶּה - **And** these..." which indicates a connection between this chapter and the previous one, describing the giving of the Torah. Rashi, citing the Midrash, explains that this *possuk* teaches us that just as the earlier *parshah* was taught at Sinai, so too was this *parshah* given at Sinai.

R' Leib *zatzal* observes from this Chazal, that the first lesson Hashem conveyed to Moshe for teaching to Klal Yisroel following the Aseres HaDibros, consisted of the laws contained in our *parshah*. This raises the question: Why were these laws chosen to be taught first? Are these common laws that the entire Klal Yisroel need to learn, or should these *halachos* have only been taught to the *dayanim*?

A similar question can be raised regarding the initial lessons of Pirkei Avos. The tractate begins by outlining the chain of Torah transmission from Moshe to the Anshei Kneses HaGedolah. Immediately following this, the Mishnah (1:1) presents its first teachings: הוּוּ מְתוּנִים בְּדִין, וְהִעֲמִידוּ תַלְמִידִים הַרְבֵּה, וְעָשׂוּ סִיג לַתּוֹרָה. *Be patient in judgement, develop many students, and make a fence around the Torah.* Here, we can ask: At first glance, being patient in judgment and instituting safeguards for the Torah seem to be lessons relevant only for the judges and spiritual leaders. Additionally, the teaching about developing many students appears applicable only to those teachers who can influence others. Are these opening lessons suitable for everyone to learn?

R' Leib derives that if Pirkei Avos introduces these teachings at the beginning, it implies that they apply to everyone and at all times. Similarly, if the laws of money matters were chosen to be taught to the entire Klal Yisroel at this early stage, it indicates that these *halachos* are relevant to every member of the nation.

He first explains the Mishnah in Pirkei Avos. The laws of judgment are not only relevant for those serving as judges in court; they apply to each of us. Individuals are constantly evaluating the right path to take in life, whether in spiritual or financial matters, or even in issues of life and death (for example, embarrassing someone is comparable to committing murder). Moreover, we don't just judge ourselves; we also judge others, and we are instructed to judge them favourably. Therefore, the Mishnah teaches us to be deliberate and cautious before making any decisions.

Additionally, establishing boundaries to protect the Torah is not only the responsibility of those who institute Jewish laws; it applies to everyone. Each individual must recognise the potential pitfalls they may encounter and adhere to appropriate guidelines to avoid stumbling. Finally, the lesson about developing students is highly relevant to all. Human nature is such that we are influenced by those

around us and by society at large. Thus, even unknowingly, a person impacts others and carries the responsibility to ensure that their behaviour inspires others to act worthily and not otherwise.

Returning to our *parshah*, these matters may initially seem distant from our lives. However, upon closer reflection, we can see their relevance. Even though we don't own servants, dig pits, or steal, we must acknowledge that there are various types of damages that we might unintentionally be involved in. Hashem holds us accountable for even minor damages we cause, so we must conduct ourselves with the utmost awareness. In society, we interact with others – whether they are family, friends, or neighbours – and it's easy to inadvertently harm or act wrongly towards them. Therefore, the Torah begins with financial laws, emphasising how pertinent these laws are to all of us.

We find many instances where our Gedolim were diligent to avoid wrongdoing to anyone, even in the smallest matters. One story that illustrates this concept involves the Alter of Slabodka. Once, he noticed a *bachur* picking up a scrap of paper from the floor, concerned it might be *sheimos*. When the boy realised it was just a piece from a newspaper, he dropped it back on the floor. The Alter called him over and reprimanded him for being a *mazik* in a public domain, essentially “digging a pit” that others might stumble over. The boy was shocked and questioned what major offence he had committed. The Saba explained, “Digging a pit isn't only about creating a hazard that might cause physical harm. Even exposing others to discomfort is akin to making a pit in a public place. By returning that scrap of paper to the floor, you are causing the next person to waste their time and effort picking it up, which is a form of damage to others!” (Even though the boy had not originally placed that paper there, he would now be responsible for the consequences of his action, similar to the *halachah* concerning damages, as discussed in *Bava Kama* 30b.)

The Gemara (*Bava Kama* 30a) teaches: אָמַר רַב יְהוּדָה הָאֵי מָאן דְּבַעֵי לְמַהוּי חֲסִידָא לְקַיָּים מִלֵּי דְנַזְיָקִין, *R' Yehudah said: One who wishes to be a chassid, should be scrupulous in matters of damages.* R' Leib explains that in these dealings, there is always room for improvement. Even if a person does not commit an explicit wrongdoing, they may still inadvertently cause harm to another individual. Therefore, there is always an opportunity for piety by being more thoughtful and ensuring that one does not negatively impact others in any way.

We learn from our *parshah* how essential the laws of interpersonal relationships are. Hashem's choice to teach Moshe about civil laws and judgments first, although these matters might not seem relevant to everyone, highlights this lesson. Each person must constantly evaluate their actions to ensure they are not causing any damage to others, be it physical, emotional, or otherwise.

This Devar Torah is adapted from ספר מאורי שערים and is presented by the Gateshead Yeshiva Alumni Association. To receive by email, please register your interest by sending an email to [parshasheet@gyalumni.org](mailto:parshasheet@gyalumni.org).