

Parshat Mishpatim: Chassidic Sparks 2-Spiritual Garments

Based on a Naaleh.com shiur by Rabbi Hershel Reichman

Parshat Mishpatim tells the laws of the *eved ivri*, the Jewish bondsmen who served for six years and was released in the seventh year. If he chose to stay in servitude, he would go free in *yovel*, the jubilee year. According to the teachings of *kabbalah*, this is symbolic of the human being and his sojourn in this world. The *eved ivri* is a prisoner of his own evil choices, just as people become prisoners of their wicked deeds. The six year bondage is an atonement and a way of repaying the money the person stole. Just as the *eved ivri*

goes free in the seventh year, Hashem gives us the ability to break free of our evil choices by repenting and transforming ourselves.

The Shem Mishmuel explains that although a person may be trapped in the six dimensional prison of this world, his inner seventh point remains intrinsically free. This is a message of hope. A Jew can never say that he is completely spiritually trapped. His inner holy seventh point can release him.

Many times people find themselves in a downward spiritual spiral and they don't care to access that inner point. They're happy with their lifestyle and they don't want to change. Nevertheless, Hashem retains his connection to every Jew. Like the heavenly arousal in the 50th year that restores fields that were sold to their original owners, there will be moment when Hashem himself will free the person from spiritual bondage and bring him back to his source.

In The Merit of Righteous Women – Devora #12

Based on a Naaleh.com shiur by Rebbetzin Tziporah Heller

Devora was a prophetess, the wife of Lapidot. Lapidot was another name for Devora's husband Barak. Barak, was an *am ha'aretz*, a person whose self-definition was intimately tied to everything earthly. In order to ascend in *avodat Hashem* a person needs *Torah*. Therefore, Devora made wicks for the *Beit Hamikdash* and sent Barak to bring them there. There, in the rarefied spiritual aura of the *mikdash*, his spirituality grew. Devora chose to build rather than destroy and in this way she effected change in a profound way.

The law states that only a person who is qualified to serve as a witness can be a judge, and a woman is not a qualified witness. How can we understand Devora's position as judge? In a classical halachic court a woman's testimony generally isn't accepted, except in describing certain things. There are various reasons why. It isn't because of a lack of trust. According to the *gemara*, in some ways women are more perceptive than men. Women have *binah yeteirah*, empathetic understanding. The function of a *halachic* court is to ferret out the facts of a case and then to apply the Torah's ruling. For that you

need emotional detachment, which isn't conducive to building people or raising a family. Therefore, a woman generally wouldn't be a *dayan*. But a *shofet* and a *dayan* aren't exactly the same thing. Judging involves abstract thinking. Arbitration, however, involves more listening and understanding both sides and then forming a bridge to create peace. For that you need empathy and practicality, traits that women generally possess.

A *shofet* was a spiritual leader. He was someone people followed because of his credibility, leadership capacity, and charisma. The classical male qualities, having aggressive energy and a sense of community, rather than seeing people as individuals, lend themselves to leadership. But the generation of Devora needed a woman leader. They were so broken and confused by the events of their time that they needed someone who could look into their hearts and uplift them. In that sense she was like a rebbe more than a judge.

The Torah forbids a woman to wear a man's dress and this includes the prohibition to bear arms. The Igrot Moshe rules that if a woman is

in danger she may carry a weapon. This is different than a woman joining or leading an army. The latter is a role while the former is a response to a situation. The essence of a woman is to build and nurture. Truth and respect come where things are harmonious and in their place. A woman at war is expressing the polar opposite. Still Devora agreed to go with Barak to battle, not as a leader, but to accompany him. Barak was unwilling to go without her. He understood with great depth that victory is not contingent on anything magical, but on merit.

Hashem made Sisera and his troops panic. Although they outnumbered the Jews, the entire encampment fell and Barak led his men to a miraculous victory. Sisera got down from his chariot and escaped on foot to the tent of Yael, the wife of Chever Hakeni. All Yael desired was to save the Jewish people. But she surely knew she was putting herself in danger by inviting Sisera in.

She acted with simplicity. This was not about herself, but about what was right and proper.



Tosefet Shabbat

Based on a Naaleh.com shiur by Rabbi Shimon Isaacson

The Gemara in Yoma teaches that *tosefet Yom Hakippurim* (adding to Yom Kippur) is Torah mandated as it says, “*V'einesm es nafshoseichem b'tisha b'erev.*” The question arises, does this apply to *Shabbat* and *Yom tov*. The view of the Ohr Zeruah is that *tosefet Shabbat* is *d'oraysa*. This is based on a Gemara in *Shabbat* that says that Rav would make *Kiddush* during the time of *tosefet Shabbat*. *Kiddush* is *d'oraysa* and so if Rav performed the *mitzvah* during *tosefet Shabbat* it seems that *tosefet Shabbat* is *d'oraysa*. The Mordechai disagrees and suggests that maybe you can fulfill a *mitzvah d'oraysa* during a time that is *d'rabbanan*.

The Rambam when he notes the law of *tosefet Yom Hakippurim* limits it to *inui* and not to *issur melacha* as the verse says, “*Veinism es nafshoseichem b'tisha b'erev.*” The law that takes affect on the 9th day at evening is *inui*. Therefore according to his view the extension to *Shabbat* and *Yom Tov* wouldn't apply. How then can we understand the Gemara that Rav made *Kiddush* early. The Rambam in *hilchos Kiddush* suggests that maybe Jewish law doesn't require it to be night to make *Kiddush*. You can make *Kiddush* once the aura of *Shabbat* sets in after *plag Mincha*. The Rosh seems to indicate this by quoting the verse, “*Zachor et yom haShabbat,*” It doesn't say *b'yom haShabbat* further implying that *Kiddush* need not be said on *Shabbat* proper.

We generally assume not like the Rambam and follow the *din* of *tosefet Shabbat*. What is its nature and how does it work? The Gemara says that a father can give over his daughter in marriage even on *Shabbat* and *Yom Tov*. Tosfot asks, how can this be? It says clearly in Gemara, “*V'samachta b'chagea v'lo bishtecha*—One may not get married on *Yom Tov* because, “*Ein mearbin simcha b'simcha.*” One should not intermingle two *simchot* together. Tosfot gives two explanations. The Gemara isn't referring to *Yom Tov* itself but to *tosefet Yom tov* which has a *din d'oraysa* of *Yom Tov* as regards to the prohibition of work but not to getting married. Tosfot gives a

second answer that the Gemara refers only to the *chuppah* but not to the *seudat nissuin* (festive meal) which would've made it an elaborate *simcha*. The first explanation of Tosfot tells us something fundamental. *Tosefet Yom Tov* has no *kedushas hayom*, its just *issur melacha*. The second explanation says even getting married could potentially flout the prohibition of *V'smachta*. We have the ability to endow that slice of weekday time with the full status of *Yom Tov*.

The Rema asks, if a women forgot to do a *hefsek tahara* on Friday and she remembers after she accepted *Shabbat*, although it's before *shekia*. Can she still do it? If one assumes that *tosefet Shabbat* is just *issur melacha*, it's still Friday and she can do it. But if we assume it transforms the day, she can't. So ideally she should do it before accepting *Shabbat*, but *b'dieved* if she forgot, she can still complete it.

The Gemara says that on *Shemini Atzeret* one should eat in the *sukkah* without a *bracha*. If one accepts *Shemini Atzeret* early, astronomically it's still *Hoshana Rabbah*. Is one required to make a *leshev b'sukkah*? The Maharshal says one should avoid accepting *Yom Tov* early as it's only *Yom Tov* regarding *issur melacha* and technically one would be required to say the blessing. But the Taz disagrees and says *tosefet Yom Tov* is a *din d'oraysa*. If you accept *Yom Tov* early the obligations of *Sukkot* are past. You've transformed the day in every sense with no need for *leshev b'Sukkah*.

Generally we are careful not to accept *Shavuot* early because there is the question of *temimot*. We want to make sure the counting is complete so that a full 49 days have passed. The Korbon Nesanel however maintains that you can make *Shavuot* early as it is still considered *erev Yom Tov* and only *Yom Tov l'issur melacha*. But the Taz disagrees. He maintains that you need *temimot* and once you accept *Yom Tov* you transform day to night which truncates the last day.

If someone forgot to count *sefirah* on Thursday night and remembers Friday after he accepted *Shabbat* while it was still astronomical day, is he allowed to count now without a *bracha* in order to salvage counting with a *bracha* the subsequent nights? If we assume *kabalat Shabbat* transforms the day as the Taz holds, it's too late to count *sefirah*. But according to the Maharshal who holds it's only an *issur melacha*, one could. There's a disagreement between Tosfot and the Bahag. Tosfot says the idea of *temimit* is that every day has to be complete. We try to count early so the entire day is captured. By the same token if one missed a day one can still count at night with a *bracha* because *temimit* is a unit of a day not the whole series of 49 days. Tosfot says each day is a separate *mitzvah* so if for example, you missed *mitzvah* 24 you can pick up *mitzvah* 25. But the Bahag says if you miss a night and a day you can no longer count with a *bracha*. The classic understanding is that the entire *mitzvah* is one long *mitzvah*. So if you missed a piece of the *mitzvah* you can no longer fulfill the *mitzvah*. Most Rishonim hold with Tosfot. Therefore regarding the question above, where there's a *sefek sefeikot* (two doubtful questions), the person could continue counting,

The Gemara in *Shabbat* brings the verse, “*Ichluhu hayom,*” *Hayom* is mentioned three times from which the sages learn that one must eat three meals on *Shabbat*. Can you have the Friday night meal during *Tosefet Shabbat*? The Taz brings the view of *Sefer Chassidim* that on the night of *Shabbat* some of the meal must be at night. He disagrees and maintains that *tosefet Shabbat* is a *din d'oraysa*. Therefore when you're *mekabel Shabbat* early you can convert *erev Shabbat* to *Shabbat* and you can eat the *seudah* then. But the Maharshal disagrees and says *tosefet Shabbat* is only as regards *issur melacha* and the verse mandates the meal to be on *Shabbat* proper. The Mishna Berura rules that at least a part of the meal should be on *Shabbat* to reflect the view of the Maharshal.