



# KMS Family Parsha

## LEARN ABOUT THE PARSHA WITH THE KMS YOUTH DEPARTMENT

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משפטים - Mishpatim  
2.13.21

### PARSHA QUESTIONS

ANSWERS ARE ON THE BACK

- 1) What do Chazal learn from the words "אשר תשים לפניהם" (21:1)?
- 2) If an עבד עברי wants to stay after his 6 year term can he do so? (21:6)
- 3) If an ox gored a person to death, what was the penalty for the owner? What if the owner had been warned that the ox had gored in the past and the owner had let the ox loose? (21:28-29,36)
- 4) If a man stole an ox or a sheep and killed it or sold it what penalty does he have to pay (21:37)? What if he was caught with the stolen animal still alive (22:3)?
- 5) Why is lending money at interest called "נִשְׁךְ" biting (22:4)?
- 6) What do we learn from the words "23:2" "אחרי רבים להטות"?
- 7) What is the meaning of (23:7) "מִדְּבַר־שֶׁקֶר תִּרְחֹק"?
- 8) What was written in the Sefer Habrit which Moshe wrote prior to the giving of the Torah (24:4)?
- 9) What do Chazal learn from the words (24:12) "לחת האבן" "לחת התורה והמצוה"?
- 10) Why do we read from 3 Sifrei Torah's this week?

### WHAT WOULD YOU DO?

Discussion starter for your Shabbat table..

**If you accidentally broke something that belonged to someone else?**

### DID YOU KNOW?

#### תדיר ושאינו תדיר תדיר קודם

The Talmud (Zevachim 89a) teaches that when you have two mitzvot to do preference is given to the more common mitzvah. This is derived from the pesukim that imply that on the holidays the kohanim should first offer the daily sacrifices and only then offer the day's special karbonot. So, for example, men put on their Tallit before their Tefillin because Tallit is worn 7 days a week (even on Shabbat) whereas Tefillin are only worn 6 days a week. Or this Shabbat, when we read from 3 different Sifrei Torah, we 1st read the weekly parsha, 2nd Rosh Chodesh, and 3rd Parshat Shekalim.

An exception to this principle is when you have 2 mitzvot, one of which is a Mitzvah Overet, a mitzvah whose time is about to expire. In such a case we perform that mitzvah 1st, even if it is less common.

The Magen Avraham (684:2) discusses whether something more frequent not only precedes something less frequent, but whether it replaces that other thing. He quotes Tosafos in Sukkah 54b that seems to imply that when a mitzvah is more frequent, it can replace another mitzvah in a situation where only one mitzvah can be performed. However, the Magen Avraham seems to conclude that a more frequent mitzvah would not take precedence if that would replace another mitzvah, and that there would have to be other considerations taken into account in order to determine which mitzvah would outweigh the other. One such consideration could be this: if one of the mitzvos would accomplish Pirsumei Nisa (publicizing a miracle). The Gemara in Shabbos 23b says that a mitzvah that accomplishes Pirsumei Nisa takes precedence over other mitzvos, even if that would eliminate the other mitzvah. It is for this reason that if one only has one candle and he can use it for either Shabbos or Chanukah, he must light it for Chanukah – not for Shabbos.

BOY, THIS PARSHA IS FULL OF SOME JUICY SITUATIONS

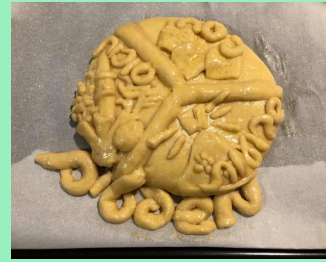


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# PARSHA ANSWERS

- 1) Rashi 21:1 - Moshe is told to explain the reasons for the mitzvot like a table set and ready for the meal.
- 2) Yes. He then has his ear pierced by the front door and remains an Eved until the next Yovel.
- 3) In the first case, the ox is killed and the owner is not liable. In the second case, the ox is killed and the owner is put to death.
- 4) He would have to pay with 5 oxen for the ox and 4 sheep for the sheep. If the animal was still alive he would pay back 2 animals.
- 5) Rashi 22:24 - Like a snake bite which you do not feel right away until it swells and travels up the body, so too interest starts small but grows into a big problem.
- 6) Chullin 11a - This is the source for following the majority in psak. If more than half the Beit Din rules one way that is the Halacha. The exception is Capital Punishment when we only convict with a majority of 2.
- 7) The Torah is telling us to stay FAR AWAY from falsehood and lies.
- 8) Rashi 24:4 - The Torah, starting from Breishit until Matan Torah, and the mitzvot given at Mara.
- 9) Rashi 24:12 - Within the 10 Commandments are all 613 mitzvot.
- 10) The 1st Torah is Parshat Mishpatim, the 2nd is Rosh Chodesh, and the 3rd is Parshat Shekalim.

# ELISHEVA'S PARSHA CHALLAH



**THIS WEEK'S PARSHA IS WHEN THE JEWISH PEOPLE START TO REALLY LEARN ABOUT THE MITZVOT THAT THEY ARE ABOUT TO TAKE ON, INCLUDING, AMONGST MANY OTHERS, THE SHALOSH REGALIM (PESACH, SHAVUOT AND SUKKOT). I CHOSE TO REPRESENT THOSE IN MY CHALLAH BECAUSE THEY ARE ALL MY FAVORITE TIMES OF THE YEAR. I MADE IT CIRCULAR TO REPRESENT THE YEARLY CYCLE AND IN EACH SEGMENT IS A DIFFERENT HOLIDAY. NOT ONLY ARE THEY EACH UNIQUE AND SYMBOLIC; THEY ARE WONDERFUL TIMES FOR FAMILIES TO BE TOGETHER, FOR CONNECTING WITH HASHEM IN WHICHEVER WAY IS MEANINGFUL TO US, AND LET'S BE HONEST, FOR EATING WELL 🥞.**

## DVAR TORAH

The Dangers of Groupthink - Rabbi Dr. Mordechai Schiffman

Pearl Harbor, the Bay of Pigs Invasion, the Vietnam War, the Watergate Scandal, NASA's Challenger and Columbia shuttle disasters, and the invasion of Iraq in 2003. Psychologists have linked all of these tragic events to the concept of groupthink. As Dr. Irving Janis originally described in 1972 in his pioneering book, Victims of Groupthink, groupthink occurs when likeminded people gather to make a decision, and due to social conformity, they all gravitate towards the same conclusion, without fully analyzing all sides of the issue.

There are a number of factors that make groupthink more likely, including high group cohesiveness, high stress situations, a closed leadership style by the leader of the group (i.e., a style by which the leader states his or her decision first, and suppresses dissenting views).

In a fascinating paper entitled "Groupthink and the Sanhedrin: An Analysis of the Ancient Court of Israel Through the Lens of Modern Social Psychology," Rabbi Dr. Eliezer Schnall and Dr. Michael Greenberg argue through various examples from the Talmud that the laws regulating the Sanhedrin serve to counteract groupthink. The Sanhedrin tended to be a group of like-minded individuals who were in charge of making very important decisions in high stress situations, many of which had life or death consequences. Without proper checks in place, they were in danger of groupthink.

The plethora of Talmudic proofs that they cite to bolster their argument find their conceptual roots within Parshat Mishpatim. In a sharp formulation, the verse states "You should not follow a multitude to do evil" (Exodus 23:2). While some understand this as a general exhortation to everyone not to associate with groups of people who are not behaving appropriately (Rabbeinu Bechaye), most commentators argue that the verse is speaking directly to judges (see, e.g., Rashi).

Despite the fact that all the other judges may decide that someone is either guilty or innocent, if one judge is convinced based on his own well-thought-out process that the others are incorrect, he is obligated to state his dissenting opinion. Even though there may be great group and social pressure to suppress his opinion and let the decision be unanimous, he must state his argument.

The verse concludes "and do not respond to a disagreement by yielding to the majority to prefer [the law]," which also lends itself to a number of possible interpretations by the commentators but seems to reiterate the importance of not perverting justice just to conform to the majority (see HaEmek Davar). Rashi, quoting the Sages, points out that the word riv (disagreement), which should be spelled Reish-Yud-Vet, is spelled in the verse without the middle Yud (just Reish-Vet). This allows for a non-literal reading of the word as Rav, meaning teacher. According to this interpretation, the message is that one should not disagree with one's teacher when deciding a legal ruling. Yet, because following this idea would suppress a judge's honest opinion, the rule in the Sanhedrin is that the less experienced judges must give their opinions first, before listening to their teachers or the experts' decisions. This open leadership style is essential for avoiding groupthink.