

# WHAT'S GOING ON?

- **Summer Machane** applications are NOW OPEN for **Ari, Aleph, Aleph Chalutz, Bet Base, and Gimmel**. To apply please go to [bauk.org/camps](http://bauk.org/camps). For more information please email Rafi H at [camps@bauk.org](mailto:camps@bauk.org)

- **Student Bet Midrash** continues every **Thursday night at Kinloss!** Come along for a great opportunity to hear amazing speakers, have some great food and learn with friends or madrichim! Please feel free to email Eli at [chinuch@bauk.org](mailto:chinuch@bauk.org) for more details or if you have any questions

- **Israel Machane applications close this Monday 4th February.** There are limited places remaining so APPLY NOW at [www.bauk.org/israel](http://www.bauk.org/israel). For more information please contact Chana at [israel@bauk.org](mailto:israel@bauk.org).

- **Svivot** are continuing all over the country. To get involved (or to even start a sviva) please email Rafi C at [svivot@bauk.org](mailto:svivot@bauk.org)

- Hatzlacha to **Bushey** and **Cheadle** on their **Shabbatot Ha'Irgun** this week. Thank you for all the hard work put in by the Tzvatim!!

- **2019 marks the 80th birthday of BAUK!!** Keep an eye out for events in your local community!



- **SHEVET AVICHAH SHABBATON ON THE 22nd/23rd February!** To apply or for more information please go to [bauk.org/shevet-avichai](http://bauk.org/shevet-avichai) or contact Hannah at [mazkira@bauk.org](mailto:mazkira@bauk.org)

- **Mazel Tov to Darryl Bernstein** (Shevet HaGvura) and **Leah Fisher** (Shevet Lehava) on their recent wedding!

- **Mazel Tov to Josh Silverblatt** (Shevet HaGvura) on his forthcoming marriage to **Yael Blank!**

## FOOD FOR THOUGHT

1. Why is a court called "Elohim", a word that also means God? (See **Ibn Ezra and Ramban on 21:6**)

2. What does the term "If the sun shone upon him" in pasuk 22:2 refer to? (See **Rashi and Ramban**)

3. Why is the prohibition against a mixture of milk and meat placed at the end of the passage talking about the Chagim? (See **Rav Hirsch on 23:19**)

**SHABBAT SHALOM!!!**



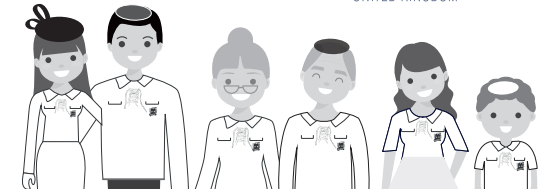
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דבר אל-בני ישראל, ואמרת אליהם,  
כי תבאו אל-הארץ, אשר אני נתן לכם  
ושבתה הארץ, שבת לה'

# SHABBAT LASHEM

THE VOICE OF BNEI AKIVA UK

PARASHAT MISHPATIM  
27TH SHEVAT 5779  
1ST & 2ND FEBRUARY 2019



Please continue to daven for the refuah and strength of Yeshaya Noson ben Shira Gittel



**LIVING 24/7**  
**DANIELLA WIEDER**  
SHEVET NE'EMAN

The Bnei Yisrael have made it. They have been freed from Egypt, crossed the Yam Suf and received the Torah. Their response? The famous "na'aseh v'nishma - we will do, and we will listen" (Shemot 24:7). There is a classic question from this: why didn't Bnei Yisrael answer the other way around, "nishma v'na'aseh - we will listen, and we will do"? Additionally, would it not have sufficed to reply: "we will do" or even "we will listen"? To answer these questions, we need to understand the meaning behind this response.

The Zohar writes that "we will do" refers to worthy actions, while "we will listen" refers to Torah study. This highlights two aspects of Torah study: *na'aseh* - learning in order to know what to do, and *nishma* - learning for the sake of learning itself. Had the Bnei Yisrael said "We will listen, and we will do", it would imply that they were only learning in order to perform the commandments and were not interested in the learning for its own sake.

If Bnei Yisrael had only said "na'aseh", it would have been clear that they intended to learn Torah for practical reasons. They added "nishma" to show they accepted Torah study as an end unto itself. We can't simply do the mitzvot on autopilot, without giving our actions any thought or meaning. But on the other hand, we also can't listen to the Torah without acting. We cannot do "na'aseh" or "nishma" without the other; we need both together!

Rav Milston, Rosh Midrasha of Midreshet Harova, writes at length on this topic. He quotes Rav Hirsch who comments that by doing and enacting the words of God, we come to understand His will more completely, it is only through

doing these things that we can begin to understand them. Of course, we can't fully understand Hashem and His ways, but how can we expect to comprehend without immersing ourselves? Can we really appreciate the laws of the Chagim and Yom Kippur without doing the service in the Beit Hamikdash? Does a medical student know how to deal with illness if they have read every book but never treated a patient? Lawyers, teachers and psychologists, among others, are all expected to practice before receiving the full qualification. This is not only for the experience, but so that they can begin to acquire a practical understanding of their theoretical knowledge.

The Rambam raises a fundamental principle of Judaism in Hilchot Meila (8:8): "Each person should try to study the laws of the Torah, and endeavour to understand them in relation to their intellectual capabilities. Yet a law for which they find no reason or a motivating rationale, they should not regard it with contempt. Their thinking about it must not be like their thinking regarding secular matters." If we don't understand human formulae or theories, it is possible for them to be wrong. However, this is not so with the workings of Hashem. I remember very clearly how one of my Chumash teachers in primary school used to say, "If you don't understand something in the Torah, it's not that the Torah is wrong, but that it doesn't make sense to you." Many mitzvot are difficult to understand, but if we don't find the answers we are looking for, we must realise that it is due to our human limitations, and not to a lack of truth in the Torah.

I believe it is no coincidence that "na'aseh v'nishma" is written in Shemot 24:7. We need to be upholding the commitment made by our forefathers constantly; twenty-four hours a day, seven days a week. We must be living Judaism 24/7.

**DANIELLA WAS A MADRICHAN ON H-COURSE MACHANE 5779**

London	In: 16:31 Out: 17:41	Oxford	In: 16:35 Out: 17:45	Leeds	In: 16:29 Out: 17:39
Manchester	In: 16:33 Out: 17:43	Bristol	In: 16:42 Out: 17:51	Liverpool	In: 16:36 Out: 17:46
Cambridge	In: 16:29 Out: 17:39	Birmingham	In: 16:35 Out: 17:45	Jerusalem	In: 16:33 Out: 16:04

# MISHPATIM 5779: BEING A MENSCH



RAV AHARON HERSKOVITZ | RAV SHALIACH

This week's parasha is the first to present a large number of mitzvot, with its 53 mitzvot being more than in the entire Torah until this point. As part of the commands

in building a just society, we are commanded not to harm or denigrate the *ger* (stranger) (Shemot 22:20): "And you shall not wrong a *ger* and not oppress them, for you were *gerim* in the land of Egypt."

When discussing the second clause of this command "for you were *gerim* in the land of Egypt", certain commentators believe it to be a reason for the command. For example, Rashi writes 'If you were to wrong them, they too could say to you "You as well come from *gerim*", as we say, "Do not insult your friend with a blemish that you yourself have."

The Ramban, however, understands the reason being given not from empathetic concerns, but quite differently:

*And the correct thing in my eyes is that it says "Do not wrong a ger and do not oppress them and think that no one will save them from your hand, for you were gerim in the land of Egypt, and I saw the oppression with which the Egyptians oppressed you, and I took vengeance on them, for I see the tears of the downtrodden that have no comforter, and I provide them with strength, and I save all people from those more powerful than them. Additionally, do not torture the widow or orphan, for I shall hear their cry, for all these people cannot rely on themselves, and they rely on Me."*

The Ramban explains that current realities will not necessarily continue to exist. Even if there are certain gaps between people now regarding status, wealth,

and more, that does not mean that they will continue to exist. Just as Hashem in Egypt took what had been a situation that had prevailed for hundreds of years and flipped it on its head over a short period, so too He can do so again. For those who have no one else to rely on, not even upon themselves, can rely on Hashem.

Growing up in North America and coming of age in Israel, I was always told to "be a mensch." Though the word is literally translated as "person", "mensch" usually refers to a person who has integrity and honour.

A strong hallmark of a mensch is how they treat those who are "lower" than them on various status indicators. How does someone treat a fellow student who has some level of social difficulty and awkwardness? Do they laugh at them with friends, talking about them behind their backs, or do they act like a mensch, recognising their value as a person and trying to bring them into the circle?

This is all the truer for how people treat others who would often be viewed as an "other": those who are not part of our religious or national group, but with whom we interact daily. Are we respectful and friendly, recognising the spark of Hashem in every person, or do we treat them as if our existence is more central and treasured?

This week's parasha, so focused on creating an ordered and just society, puts much emphasis on how society treats those who are less advantaged. Let us learn to "be a mensch" and work on how we treat them as well.

**TO ASK ANY QUESTIONS PLEASE FEEL FREE TO  
EMAIL RAV AHARON AT RAV@BAUK.ORG**

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# DVAR HALACHA - WEEKLY QUESTION WITH RAV AHARON



**Question:** Can a woman make kiddush for a man?

**Answer:** The Gemara in Berachot (20b), as well as Pesachim (110a), brings a statement in the name of Rav Ada bar Ahava: "Women

are obligated in kiddush of the day [i.e. Shabbat] from the Torah." Rava explains that despite the fact that kiddush is a מצות זמנית (a time-bound mitzvah), and women should be exempt from it, the Torah connects the positive and negative commandments of Shabbat - Zachor and Shamor - to teach us that all that are obligated in keeping the Shamor-related aspects (the negative commandments) are obligated to keep the Zachor-related ones as well, such as kiddush.

The Kol Bo writes that women can also fulfil men's obligation since they are obligated from the Torah like them. After recording this opinion in the Beit Yosef, the Shulchan Aruch also codifies it as normative halacha (OC 271:2): "Women are obligated in kiddush, even though it is a time-bound command, since "Zachor" and "Shamor" are connected, and these women, since they are included in the guarding, they are also included in the remembering, and they also fulfil men's obligation, since they are obligated from the Torah, as men are."

The Maharshal and Bach disagree with this psak on a fundamental level, suggesting that there should be no difference between the mitzvah of reading the megillah and making kiddush, and just as the psak by megillah is that a woman cannot fulfil a man's obligation (despite the fact that she is obligated), so too she cannot do so for kiddush. This position is based both on the assumption that women have a different obligation in reading the megillah, which is one of the opinions in Rishonim, and that this difference is relevant to kiddush as well.

The Shulchan Aruch HaRav (ibid. seif 6) accepts the Shulchan Aruch's psak fundamentally, but states that one should not teach the halacha this way on a l'chatchila level.

**Despite these dissenters, the Mishna Berurah (ibid. sk 4) records that the**

**majority of poskim agree with the Shulchan Aruch's psak, and therefore a woman could fulfil a man's obligation (he specifically mentions the Magen Avraham, Taz and Gra).**

The Mishna Berurah (quoting the Eliya Rabbah and Derech HaChaim) then adds that despite this basic halacha, on a l'chatchila level one should be stringent when making kiddush in front of those who are not members of the household, due to a concern of זילא מילתא, that it would not be proper. The source of this concept is also with regards to reading the megillah. The Mishna Berurah understands that the issue is with making kiddush in front of people who are not household members, while the Aruch HaShulchan (seif 5) writes that the question relates more to the number of people: that if there are many people, then it would not be proper. A discussion regarding a fuller understanding of this concept, and whether זילא מילתא could theoretically change given the changing role of women in society is an important one to have, but beyond the scope of the current article.

**Either way, when discussing a non-family group setting, it seems that poskim would l'chatchila say that a woman should not fulfil the obligation for men. Within a family setting, there does not appear to be a halachic problem, and there are a range of concerns to consider, such as the fact that the prevalent custom is for the husband to make kiddush. This would be something that I'd be happy to discuss with people on a case by case basis.**

**It is important to remember the basic halacha paskened here: that women's and men's obligation in kiddush are the same. I have more than once seen women wait for a male family member (or non-family member) to make kiddush for them: there is no need to do so, especially as doing so can both decrease a person's Oneg Shabbat (by waiting unnecessarily to eat) and increase a feeling of estrangement from actively fulfilling mitzvot.**

May Hashem grant that our tefillot be answered, and that we know how best to serve Him truthfully, together with fear and love: וזכנו לקבל שבתות מתוך רב שמחה, ומתוך עושר וכבוד ומתוך מיעוט עוונות, ותן בנו יצר טוב לעבדך באמת וביראה ובאהבה