



Sites & Sources

A series linking aspects of the weekly readings with the Land and State of Israel, by Simon Goulden, United Synagogue Agency for Jewish Education

Red Sea

This week our Sidra makes reference to the Red Sea and, although we know that the correct translation of *Yam Suf* is Reed Sea, this gives us an opportunity to look at the tiny stretch of Red Sea coast line which is Israeli territory.

From the Jordanian border to the Egyptian border is a distance of just about ten kilometres (six miles) and yet in this tiny area - roughly the equivalent of Hyde Park Corner to Golders Green Station - Israel has managed to pack its major international tourist resort, a thriving port opening a window to the East and numerous scuba diving, swimming and underwater viewing locations.

During the War of Independence, few people ever imagined that this section of Red Sea

coast would be uninhabited, but an intrepid group of soldiers drove the hundreds of kilometres south from the rest of settled Israel, only to find the site completely devoid of population. They planted the Israeli flag, claimed it for the newly founded State and so it has remained, with the settlement actually being founded only in 1951.

The Six Day war brought the whole of Sinai under Israeli rule, but the peace treaty between Israel and Egypt returned it, leaving Israel, once again, in possession of this sliver of shoreline.

Whether vacationing in the winter sunshine, scuba diving amongst the wonderful coral reefs or visiting the duty free shopping centres, we can delight in the fourth 'sea' of Israel - the Red Sea.

THE BIBLE SAID IT FIRST

By Rabbi Ephraim Mirvis

Whitewash

Used literally, "whitewash" means a solution of quicklime or whiting for brushing over walls, ceilings etc to give a clean appearance. Figuratively, it describes the means employed to conceal faults (Concise Oxford Dictionary).

The first to use the term in this sense was the prophet Ezekiel. In describing the actions of false prophets who mislead the people, he declares: Her prophets whitewash these deeds for them by false

visions and lying divinations. They say: This is what the L-rd G-d says - when the L-rd has not spoken (Ezekiel 22:28). The false prophets defend their actions by covering up what has really happened and falsely asserting that they were doing the will of G-d.

Metzudat David explains that the false prophets here explain away their sinful deeds through rewriting history, similar to the whitewashing of a dirty wall. Yet, the real truth can never be hidden from Hashem.



משפטים
Mishpatim

Volume 15 No. 18

דף השבוע
DAF HASHAVUA

Sponsored by the
Yoni Jesner Memorial Fund

Yoni, tragically killed in the September Tel Aviv suicide bombing, celebrated his Barmitzvah seven years ago on this Parsha. Sorely missed and fondly remembered.

SIDRA LITE

An array of civil ordinances are given, which relate to:

- Laws of Hebrew bondsmen and maid-servants
- The difference between murder and manslaughter
- Damages and compensation for personal injuries
- Responsibilities of animal owners
- Hazards in the public domain
- Permission to kill in self-defence
- Responsibilities of guards
- The prohibition of interest
- Return of lost property
- The outlawing of bribery and corruption

Judaism in Practice

Yahrzeits During Adar in Leap Years

By Rabbi Daniel Roselaar, Belmont Synagogue

The occurrence of a Hebrew leap year and the incidence of a repeated month of Adar raise a pertinent question regarding the observance of a yahrzeit.

If the death occurred during a leap year, then the yahrzeit should be observed in whichever Adar the death took place (and during a regular year should be observed during the single month of Adar). But what if the death happened in Adar of a regular non-leap year?

The Shulchan Aruch rules that in such a case the yahrzeit should be observed during the second Adar. The Rema dissents and writes that the correct practice is to observe the yahrzeit in Adar I. There is a halachic principle of '*ein ma'avirin al hamitzvot*' - not missing the opportunity to fulfil a mitzvah. The yahrzeit should be observed at the first possible opportunity i.e.

in Adar I. This ruling is endorsed by subsequent authorities including the Aruch Hashulchan.

Other authorities, including the Kitzur Shulchan Aruch and Mishnah Berurah, follow the opinion of the Vilna Gaon that in fact both months of Adar are the 'genuine' Adar (i.e. Adar I and Adar II are not two different months but one repeated month). With the exception of Purim and its associated halachot - because of the principle of juxtaposition - any customs that are observed in the month of Adar must be observed in both Adars during a leap year, and consequently, Adar yahrzeits must be kept twice (though in concession to the Rema's view the mourner takes precedence to lead the service and receives an aliyah only during the first Adar).

1 FEBRUARY 2003
29 SHEVAT 5763
SHABBAT MEVARCHIM
Hertz p 306 - Soncino p 471
Shabbat ends in London
at 5.39 pm

United Synagogue Daf Hashavua. Produced by the Rabbinical Council of the United Synagogue. Editor: Rabbi Ephraim Mirvis
Editorial Board: Rabbi Yisroel Fine Rabbi Philip Ginsbury Mr Simon Goulden Rabbi Dr Michael Harris
Rabbi Emanuel Levy Rebbetzin Sarah Robinson Rabbi Rabbi Meir Salasnik Dr Julian Shindler
Editor email: editordaf@brijnet.org Address: Finchley Synagogue, Kinloss Gardens, London N3 3DU
Available also via email. US website www.unitedsynagogue.org.uk ©2002 United Synagogue Publications Ltd

TO SPONSOR DAF HASHAVUA PLEASE CONTACT

ANTHONY CUMMINGS ON 020 8343 6233, E-MAIL Anthony.Cummings@unitedsynagogue.org.uk

SIDRA INSIGHTS

By Rabbi Yossi Ives, Cardiff United Synagogue

‘Payback Scheme’

– an ancient ‘new’ approach to crime prevention



A famous aphorism: ‘if all else fails, follow the instructions’. Increasingly you will hear, ‘if all else fails, consult the Bible’.

In many respects traditional approaches – having lay scientifically ‘discredited’ for decades – are now being embraced.

This is the case with a ‘new’ law-enforcement method called "payback scheme". Young offenders are brought before their victims and are asked to make recompense to them.

For example, a young man who broke into a construction worker’s car was made to help his victim with a home extension he was building. PC Fell, of the Bristol Youth Offending Team explains, "Our aim is to make offenders payback their victims." This strategy not only provides a method for compensating the wronged party, it also helps to reduce crime.

Astonishingly, this solution was stated in the Torah more than three thousand years ago. This week’s Sidra (Shmot 21:2) opens with the laws of someone who steals or causes another damage but cannot afford to pay compensation. "Should you acquire a Hebrew servant, (up to) six years he shall serve."

Rashi, based on the Mechilta, explains: "This refers to someone who is ‘sold’ by the Beth Din for stealing, as the verse states (Shmot 22:2), "if he (the thief) has no money (to repay) he is to be sold (as a servant) for his theft". A thief is ordered to become a servant of the one from whom he stole, until the debt is paid off.

In the science of crime prevention there are basically two approaches. **Situational crime prevention** views crime as opportunistic and rationally motivated. Thus, the way to combat it is by making it harder for the potential criminal to succeed, on the one hand, and on the other by disincentives such as harsh penalties. **Social crime prevention** believes that crime is structural, due to poverty, illiteracy and disadvantage. Accordingly, the way to reduce crime is by promoting education, equality and good parenting.

While, undoubtedly, there is merit in both viewpoints, the Torah provides an even more fundamental analysis of crime: a culture of irresponsibility and disregard for others. The answer to spiralling levels of crime is to restore a sense of personal responsibility and accountability, what may be termed **moral crime prevention**.

Making a felon or a criminal repay his or her damage is the first step towards enforcing and reinforcing responsibility. It sends a clear message that actions must be accounted for, that actions have consequences and we will be expected to ‘payback’.

The Chafetz Chaim explains that selling the thief into servitude is not meant as a punishment but as a way of reforming his character. Rabbi M. Rosen (quoted in Meorah shel Torah) explains that the purpose of being sold was to introduce the offender to a productive lifestyle, the lack of which caused the offence. Cutting edge research on crime prevention has now come to the same conclusion.

THE ETHICAL JEW

Written by the Jewish Association for Business Ethics

DIRECTORS’ LIABILITIES FOR CORPORATE DEBT

The issues

What are the responsibilities of a Chief Executive Officer (CEO) who is the majority shareholder of a company, if that company is no longer trading solvently and where goods have been purchased on credit from suppliers and payment for them has been fixed for a certain date.

The supplier, realising that he is unable to count on getting his money back from the company, wants to know if he can claim the money from the CEO personally.

According to Jewish law what are the obligations upon the CEO?

The Jewish Perspective

The Chief Executive Officer is obliged to pay the company's debts from the company's funds, to the extent that its cash flow makes this possible. If there is no way that the company can repay the money, the supplier may collect from property that is owned by it.

However, under Jewish law, the CEO is not obliged to pay the debt from his own personal funds.

For JABE seminars and an A-Z of ethical issues, please go to JABE’s excellent website – www.jabe.org

••Riddle of the Week •••••

LAST WEEK’S QUESTION: set by Rabbi Ephraim Mirvis. In today’s Haftarah, we find the unique appearance of a final letter in the middle of a word. Can you find it? (To save you time, it is towards the end of the Haftarah). Can you work out or find a reason for this?

ANSWER: Isaiah 9:6. There is a final mem in the first word. There is no conclusive explanation for this mystery. Some derive lessons from it, e.g. the final mem signals the eventual end to the reign of Hezekiah (Ibn Ezra), while others suggest that ours is a distorted text, which should read לם רבה, which means, "for what purpose has the government increased"? (Mosad Harav Kook Edition)

THIS WEEK’S QUESTION: set by Daniel Tunkel of Hendon. What is the connection (literally and figuratively) between Lot’s wife, Eliezer, Joseph and Moses?

Would you like to pose a riddle? Please send it to the Editor