



והגישו אֶדְנָיו אֶל הָאֱלֹהִים
והגישו אֶל הַדֹּלֶת אוֹ אֶל
הַמְּזוּזָה וַיִּרְצַע אֶדְנָיו אֶת אָזְנוֹ
בַּמַּרְצֵעַ וַעֲבָדוּ לְעַלְמָם. שְׁמוֹת
כֹּהֵן:
*his master shall take him
before God (or the
court). He shall be
brought to the door or
the doorpost, and his
master shall pierce his
ear with an awl; and he
shall then remain his
slave for life. (Exod. 21:6)*

What would be the significance of piercing the ear of the Hebrew slave? In antiquity, piercing was a form of branding. Some scholars point out that in the Code of Hammurabi, if a slave rebels against his master, and is convicted, he is punished by cutting off his ear (Rule #282). In our case here, the slave commits himself to his master, effectively revoking the amnesty that is his right on the seventh year of the sabbatical cycle. He doesn't reject his master; he rejects his freedom. In the Code of Hammurabi, he is punished for his rebellion. In the Covenant Code (Mishpatim) he is punished for his rejection of freedom. The talmud, sensing the moral dilemma of causing the slave bodily harm, added several conditions making it more difficult for him to be pierced. For example, he would have to be healthy, married, have children, and there would have to be a reciprocal bond of love or trust between him and his master. If those conditions were met and properly adjudicated in a proper court, then, and only then, would his ear be pierced. They also saw the piercing as a symbolic act. In the

<p>רַבֵּן יוֹחָנָן בֶּן זַכַּי הָיָה דוֹרֵשׁ אֶת הַמִּקְרָא הַזֶּה כְּמִין חוֹמֶר מִה נִשְׁתַּנָּה אָזְן מִכָּל אֲבָרִים שֶׁבְּגוּף? אָמַר הַקָּדוֹשׁ בְּרוּךְ הוּא אָזְן שֶׁשָּׁמְעָה קוֹלִי עַל הַר סִינַי בְּשַׁעַת שְׁאֲמַרְתִּי כִּי לִי כִּנֵּי יִשְׂרָאֵל עֲבָדִים וְלֹא עֲבָדִים לְעַבְדִּים וְהִלֵּךְ זֶה וַיִּקְנֶה אָדוֹן לְעַצְמוֹ וַיִּרְצַע. קִידוּשִׁין כ"ב ב</p>	<p>Rabban Yohanan ben Zakkai would expound on this verse as a decorative garland <i>ie.allegorically:</i> Why is the ear different from all the other limbs in the body? <i>ie. what entitles it to be pierced?</i> The Holy One, Blessed be He, said: This ear heard My voice on Mount Sinai (Leviticus 25:55) when I said: "For to Me the children of Israel are slaves." <i>that is to say they should not be slaves to slaves.</i> And yet this man went and acquired a master for himself. Kiddushin 22b:4 Therefore, let this ear be pierced.</p>
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talmudic passage cited above, Rabban Yohanan ben Zakkai removes the piercing from the cultural context of ancient law and places it squarely in the theological context of Sinai. The pierced ear becomes a symbol of rejection, a symbol that the instrument that received God's voice at Sinai (ie. the ear) was flawed. Unlike circumcision, a body-marking covenantal symbol, the piercing of the ear is a body-marking an *anti*-covenantal symbol. A symbol of rejection. The illustration above, from the London born, Jerusalem based artist, Ruth Schreiber, imagines the piercing instrument as a kind of modern pin as opposed to an awl, an instrument used in piercing leather. The unease that we have in seeing such an image conveys the unease that we have in relating to this law.

A Word about Witches. מְכַשֶּׁפָּה לֹא תִחִיָּה (ש"מ' כב:יז) - *A sorceress you are not to let live. (Exod. 22:17)* There are a number of odd things about this commandment. While most translators render the word מְכַשֶּׁפָּה as a female, there are plenty of sources, ancient and modern, that apply this term to both genders. Both the ancient Greek and Latin translations render it as *sorcerers*, and the ancient Aramaic translations avoid assigning a gender altogether. There is a tannaic tradition that states:
Our Rabbis taught, mekhashefa refers to both men and women (Sanhedrin 67a). But then it asks the obvious question: **אם כן מה - If that is the case, why does the Torah say here (Exod. 22:17) mekhashefa (using the feminine form of the noun)?** And their answer: **מִכְנֵי נָשִׁים - because most women are knowledgeable about spells.** That is a fascinating answer rooted in a male view of the world which had many presumptions about women and often regarded women with suspicion, including that they were

<p>אָמַר רַבִּי יוֹחָנָן: לְמַה נִּקְרָא שְׁמוֹ "מְכַשֶּׁפָּה"? שְׁמוֹ חַיִּישׁוֹן בְּמַלְיָא שֶׁל מַעְלָה</p>	<p>Rabbi Yohanan asked: Why are they called keshafim? Because they deny (kh. sh.) the heavenly court (ph).</p>
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well versed in magic. Rabbi Yohanan explains the root כ.ש.פ. - is an acronym for denial of the heavenly court (above). It's a very clever pun. But it avoids the question: why does the law specifically target women? Let's look at the rest of the verse: **לֹא תִחִיָּה - you are not to let live.** Does that mean that you are to put witches to death? Indeed, many people thought that way. The Salem prosecutors often quoted the King James Version of this verse: **Thou shalt not suffer a witch to live.** But we can offer a very compelling alternative reading. First of all, if witches were supposed to be executed, the text would have used the unequivocal formulation for the death penalty found at the beginning of the parasha: **מוֹת יוֹמָת - (the offending individual) shall surely be put to death.** That phrase, **מוֹת יוֹמָת**, is used in four

extreme cases there: the *murderer* (21:12), the *parent-assaulter* (21:15), the *abductor-human-trafficker* (21:16), and the *parent-cursurer* (21:17). Those four laws come in quick succession. But take a close look at the context of the law against the *mechashafa-sorceress*. The two verses before it (22:15-16) deal with sex with an un-betrothed virgin. The verse after it (21:18) deals with sex with an animal for which the penalty is in fact, **מוֹת יוֹמָת - death** (because it is also an extreme case. No need to elaborate).



Conjecture: The law against witches is a euphemistic prohibition against...*sexual relations with witches*. **מִכַּשְׁפָּה לֹא תִחַיֶּה** could be understood to mean that (in the heterosexual world of the Bible) men were prohibited from having sexual relations with witches. This makes sense for two reasons: **1.** In at least three other biblical instances **ה.י.ה.** - normally translated as *life*, there are hints of sexuality: Sarah - Gen. 18:10 **וַיֹּאמֶר שׁוּב אִשׁוּב אֵלֶיךָ כֵּעֵת חַיִּיתָ וְהָיָה בְּךָ בֵן** **וַיֹּאמֶר שׁוּב אִשׁוּב אֵלֶיךָ כֵּעֵת חַיִּיתָ וְהָיָה בְּךָ בֵן** - *(the messenger) said I will return, yes return to you "at the time of life-bestowing" and Sarah will have a son.* Read that passage carefully and there are plenty of suggestions relating to Sarah's and Abraham's sexuality, or lack thereof. The

similar phrase occurs in 2 Kings 4:16 when Elisha promises the Shunamite woman **whose husband is old** (ie. incapable of sexual relations) that **לְמוֹעֵד הַזֶּה כֵּעֵת חַיִּיתָ** - **at this time of life-bestowing** she will be holding a son, ie. her sexuality would be restored to her (and her husband) and she would get pregnant. When the Egyptian midwives refer to the Hebrew women they say (Exod. 1:19): **לֹא כִנְשִׁים הַמִּצְרִיִּית הָעִבְרִיִּית** **כִּי חַיִּוֹת הֵנָּה** - *the Hebrew women are not like the Egyptian women because they are lively* - this is a *double-entendre* for their robust sexuality as well as their fecundity. **2.** Even just a cursory exposure to ancient folklore will reveal a common feature of witches: they are defined by their sexuality

and the *danger* that their sexuality incurs for the men that cohabit with them. Prior to the medieval *uglification* of witches (because of the influence of Christianity) the ancient witch was a beautiful seductress brimming with sexuality. In some cases, sexual relations with witches was a rite that was often associated with pagan goddesses of fertility. **Do not let them live** should not therefore mean **put the witches to death**. In the context of the problematic sex with unbetrothed virgins, and the taboo sex with animals, and in light of other biblical hints about *life, liveliness and living*, (ie. sex) and in light of plenty of ancient folklore (about sex) we should interpret the verse to mean: **men, don't have sex with witches.**



כִּי תִרְאֶה	When you see
תַּמּוּר	the donkey
שֹׂנְאֶךָ	of one who hates you
רֹבֵץ תַּחַת מְשָׁאוֹ	crouching under its burden,
וְהִדְלַת מֵעֹזֵב לוֹ	restrain from abandoning it to him—
עֹזֵב תְּעֹזֵב עִמּוֹ.	unbind, yes, unbind it together with him.

(Exod. 23:5)

The Over-Burdened Donkey that Belongs to Your Hater.

Rabbi Jonathan Sacks: There are two principles at stake here. One is **concern for the animal**. Jewish law forbids *tza'ar ba'alei hayim* -

the needless infliction of pain on animals. It is as if the Torah is here saying: a conflict between two human beings should not lead either of them to ignore the fact that the ass is laboring under its load. It is innocent. Why then should it suffer? That in itself is a powerful moral lesson. The second is stronger still. It says, in effect: **your enemy is also a human being.** Hostility may divide you, but there is something deeper that connects you: the covenant of human solidarity. Distress, difficulty- these things transcend the language of difference. A decent society will be one in which enemies do not allow their rancor or animosity to prevent them from coming to one another's assistance when they need help.

What makes the law of the over-laden donkey significant, however, is the creative way in which it uses an occasion of distress to heal wounds and overcome animosities. And it works. For this, we now have the evidence of the most fascinating research exercises in social science, the study carried out in 1954 by Muzafer Sherif, known as "The Robbers Cave Experiment."

Sherif wanted to understand the dynamics of group conflict and prejudice. To do so, he and his fellow researchers selected a group of twenty-two white, eleven-year-old boys, none of whom had met one another before. They were taken to a remote summer camp in Robbers Cave State Park, Oklahoma. They were randomly allocated into two groups. Initially neither group knew of the existence of the other. They were staying in cabins far apart. The first week was dedicated to team-building. The boys hiked and swam together. Each group chose a name for itself- they became the Eagles and the Rattlers. They stenciled the names on their shirts and flags. Then, for four days the two teams were introduced to one another through a series of competitions. There were trophies, medals and prizes for

the winners, and nothing for the losers. Almost immediately there was tension between them: name-calling, teasing, and derogatory songs. It got worse. Each burned the other's flag and raided their cabins. They objected to eating together with the others in the same dining hall.

Stage three was called the "integration phase." Meetings were arranged. The two groups watched films together. They lit Fourth-of-July firecrackers together. The hope was that these face-to-face encounters would lessen tensions and lead to reconciliation. They didn't. Several broke up with the children throwing food at one another.

In stage four, the researchers arranged situations in which a problem arose that threatened both groups simultaneously. The first was a blockage in the supply of drinking water to the camp. The two groups identified the problem separately and gathered at the point where the blockage had occurred. They worked together to remove it and celebrated together when they succeeded. In another, both groups voted to watch some films. The researchers explained that the films would cost money to hire, and there was not enough in camp funds to do so. Both groups agreed to con-

tribute an equal share to the cost. In a third, the coach on which they were traveling stalled, and the boys had to work together to push it. By the time the trials were over, the boys had stopped having negative images of the other side. On the final bus ride home, the members of one team used their prize money to buy drinks for everyone.

What Sherif had done in stage four was essentially to replicate the situation of the over-laden donkey by creating problems that neither group could solve alone but could be resolved by both groups working together. The conclusion is nothing short of revolutionary. The fault-lines between enemies are not, as it had often been thought, an inexorable fact of human nature, hardwired into our genes. [...] But the boundaries can be redrawn so that erstwhile enemies are on the same, not opposite, side of the table. All it takes is a shared task that both can achieve together but neither can do alone. **Shabbat Shalom!** (Illustrations are by Ruth Schreiber and can be found on the 929 website at www.929.org.il)

This Parsha Sheet is sponsored by Nanette and Dave Cohen in honor of the 2nd Birthday of Sabrina Jade Petraroli. Mazel Tov!