



*“Words from the Heart  
Enter the Heart”*

## SHEMOT > Mishpatim

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February 14, 2015

Mishpatim

**Four Guardians & One Donkey**



# Meaningful Sermons *“Words from the Heart Enter the Heart”*

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## **ABSTRACT**

What does a donkey have to do with your soul? What do the four guardians have to do with your purpose?

Everything. Every detail in the Torah is a lesson in life. The fact that this week’s Torah portion teaches us the laws about a donkey and about the four guardians means that they contain directives for our souls and our life’s purpose.

But what relevance do these Torah laws have today when most people have never even seen a live donkey? How can the laws of the four guardians be pertinent today when most people think *The Guardian* is a newspaper?

A soul-warming teaching of the holy Shaloh, and a mind-blowing explanation of the Baal Shem Tov, demonstrate how precisely today, when certain Torah laws may *seem* to be archaic, the eternal profundities of Torah are revealed.

This sermon is further spiced by a sharp and witty story of Rabbi Yonasan Eybeschutz about how sometimes donkeys walk on two feet.

## FOUR GUARDIANS & ONE DONKEY

### 1. Donkey Business (Joke)

A man in a movie theater notices what looks like a donkey sitting next to him. “Are you a donkey?” asks the man, surprised.

“Yes,” replies the donkey.

“What are you doing here?”

“Well, I really liked the book.”

### 2. Are Donkeys Relevant?

When was the last time you sat next to a donkey at the movies? When was the last time you had a conversation with a donkey? When was the last time you even saw a donkey? Have you *ever* seen a donkey?

Thousands of years ago people rode donkeys as means of transportation and used donkeys to transport their baggage from place to place. In some parts of the world donkeys are still used. But in our modern Western world, we have cars, UPS, and a plethora of shipping solutions to move merchandise and get from place to place. Donkeys today aren't exactly on anyone's radar.

Unless you study Torah ... which does concern itself with donkeys, don't you know.

Indeed, the Torah speaks of laws pertaining to donkeys, and yet donkeys are no longer part of our lives. Most of us cannot tell the difference between a mule, a donkey and a pony.

And yet...

We Jews believe the Torah is eternal. Its truths are true today as they were three thousand years ago, and will be just as true in three thousand years henceforth.

Which begs the question: What's with the donkeys and how are they relevant to our lives?

### 3. Parshat Mishpatim

This week's Torah reading is called *Mishpatim*, meaning "laws." It is a portion packed to the brim with many different forms of legislation, some of which seems highly irrelevant to today's time and age, from legalities of dealing with slaves to ones dealing with animals.

Certainly the moral laws of the Torah – such as loving your neighbor, and thou shall not kill – are just as relevant today as they were when they were given on Mount Sinai, but laws that pertain to donkeys don't seem applicable to our progressive, modern lives.

In today's day and age, we have, in our Western societies, democratic legal systems, courthouses, justices of the peace, and officers to uphold it, and, therefore, it might seem as if some of the laws in this Torah portion has nothing to do with us.

But before we dismiss it all out of hand, let us take a closer look.

### 4. The Guardians

The "watchers" or "guardians" are mentioned as part of the Torah discussion<sup>1</sup> of the legal responsibilities of an individual to whom another entrusts, leases, or lends something of value.

Basing itself on this week's Torah portion, an entire section (series of tractates) in the Talmud<sup>2</sup> concerns itself with laws of damages. And more specifically, the verses about the "guardians" says the Talmud, serve as a basis for four different levels of responsibility, four types of guardians – or *daled shomrim*, as it calls them:

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<sup>1</sup> Exodus 22:6-14.

<sup>2</sup> *Seder Nezikin* (Order of Damages). For a general discussion on *Seder Nezikin*, see *Sefer Hasichot* 5752, vol. II, pp. 369-371. See also *Bava Metzia* 93a, 94b-95a for a Talmudic discussion on how these four guardians are derived from the Torah verses of our portion.

- the unpaid guardian
- the paid guardian
- the borrower
- the renter

Literally, two entire Talmudic tractates – Bava Kama and Bava Metzia – and thousands of pages of commentary discuss the ins and outs of these “four guardians.” Yet, how many people have even heard of this term?

Sure, a yeshiva student, whose Talmudic education revolves to a great extent around these topics, would be familiar, but – to most of humanity – the word “guardian” either evokes that British newspaper or the person who signs in place of a minor. Nonetheless, this is a concept we should be aware of. Indeed, it is the basis of much modern law regarding the obligations we have with volunteers or people we hire to watch our property.

Let me give you just a slight taste of the intricacy of these laws:

- An “unpaid guardian” (say the fellow you asked to check on your house while you are away on vacation) is one who receives no benefit from the entrusted property, and he is only responsible if he intentionally damages it.<sup>3</sup>
- The “borrower” (say the fellow who borrows your car while you are away) is one who receives a benefit, and he is responsible if anything at all that happens to the borrowed property, even something out of his control (like if the car is stolen out of his garage).
- A “paid guardian” (the fellow you paid to housesit) or the “renter” (who rented your house during your vacation) both receive a benefit but they also return benefit to you, the owner, and they are responsible if your property is damaged on their watch.

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<sup>3</sup> Unless the object depreciated due to the work it was borrowed and meant for.

Beyond the legalities, these laws offer us a profoundly relevant lesson in our personal present day lives.

But before we get there, let me say a few words about the donkey.

## 5. The Donkey

In this week's reading the Torah states:

*If you see the donkey of your enemy lying under its burden, even if you do not want to help him, make every effort to help him.*<sup>4</sup>

Imagine the scene: you are walking down the street on a nice sunny day and suddenly you come across a donkey lying in the road – a poor donkey which has collapsed under a pile of heavy baggage. You look closer and, behold, it's your worst enemy's donkey! You'd like nothing better than to walk on by, but the Torah says, "No, you must help your enemy ease his donkey's burden.

But now let me ask you:

When was the last time you met a donkey on the road? Let alone your enemies' donkey? Do your enemies even have donkeys? Do your enemies' donkeys collapse from their loads?

I didn't think so.

So how, in the name of donkeys everywhere, is this verse relevant to our lives today? What is the Torah trying to teach us? And why indeed should we help our enemies ease their burden? Isn't an unbearable load exactly what we want for our enemies?

Sure, we get the message – help a fellow in need ... have mercy on a suffering animal. But, why is this message delivered in this archaic language? Why does the Torah feel compelled to share with us this message of unburdening specifically our enemy's *donkey*?

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<sup>4</sup> Exodus 23:5.

## 6. Torah Relevance

Before we get into the nitty-gritty of explaining these specific laws, I would like to say a few words about the eternal relevance of Torah.

Three thousand years ago when the world was barbaric, corrupt, very undemocratic and very unfair, Torah law was obviously very relevant. These laws set the precedent for how to conduct business, when to assist one's fellow, even when to assist one's enemy.

Today, much of the world live in relatively moral and democratic societies, where property is protected by common and civil law and where most human beings will help an animal being crushed by an unbearable burden.

Even if we consider the barbaric acts recently committed by ISIS in the Middle East, we still have to concede that, *generally*, many ethical, moral, and legal laws that are rooted in Torah are now kept by the masses.

Today, the relevance of Torah, more than in the easing of literal burdens of literal donkeys (which many of us may never have seen) is how that translates into easing the burdens of our symbolic "donkeys." And this goes for our symbolic "four guardians" as well.

Today, with so much of the precedent-setting Torah laws taken for granted by the Western World (though the world would do well if it were to refer back to Torah and trace the steps of modern law to the Torah), the deeper layers of Torah are revealed and what they mean for our souls.

In other words: the true timelessness and eternal relevance of Torah is revealed when the literal meaning has become the norm and we have to dig deeper to discover the spiritual levels of meaning.

Perhaps on the literal, revealed level none of us have enemies with overburdened donkeys. But on the spiritual, concealed level *all* of us have enemies with overburdened donkeys.

Perhaps on the literal, revealed level none of us are familiar with the "four guardians." But on the spiritual, concealed level *every second of every day* is an experience of the "four guardians."

Let me explain:

## 7. The Deeper Meaning of the Four Guardians

The great 16th century mystic, Rabbi Yeshaya Halevi Horowitz, better known as the Shaloh writes<sup>5</sup> that the “four guardians” represent the four ways that human beings may serve their Creator and fulfill their purpose here on earth.<sup>6</sup>

Our mission on earth is to be a guardian. As it clearly states in the Book of Genesis, *Now the Lord God took the man, and He placed him in the Garden of Eden to work it and to guard it.*<sup>7</sup> Each and every one of us is born into this world to be its guardian, to cherish, safeguard and protect the earth and all its creations. We do this by refraining from damaging or being negligent with the environment and by elevating and refining the earth.

There are four ways we may guard our purpose – as represented by the four types of guardians:

- As “unpaid guardians,” living to our fullest, serving our Creator and protecting the world without expecting any payment in return.
- As “paid guardians,” doing the work of safekeeping this world but expecting a reward in return.
- As “renters,” with the mentality that “I will give this money to charity so long as God does x for me”
- As “borrowers,” using the world for our own selfish needs with no commitment on our end, deriving self-centered pleasure from creation without any cost to our own selves and without contributing anything

Now do the “four guardians” become relevant to our own, everyday lives?

Sure they do. They represent four different ways of living and an ideal – to guard and perfect this world without expecting a reward – we can all live by.

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<sup>5</sup> Shaloh Tractate Pesachim, 155a (“Matzah Ashira”).

<sup>6</sup> See *Likkutei Sichot* vol. 31, p. 115-118.

<sup>7</sup> Genesis 2:15.

In short: Every single one of our actions in this world can be performed in one of four ways, each way higher than the next.

The lowest level is the “borrower,” who acts as if he is entitled, borrowing everything for free without investing anything into this world. This is utter selfishness and it is the lowest level of action.

The next level is the “renter.” The “renter” says: “I am here to enjoy the world, but I will also pay a price so that I may enjoy it freely. I will pay the Creator so that I may borrow and use His creations. I will, effectively, pay a premium to get an easy life.”

The next level is the “paid guardian.” He says: “My job is to safeguard this world, make it better with my deeds, speech and thought. But I expect to receive compensation and blessings in return. This is fair and square. I am providing the Landlord, the Creator with a service, let the Creator pay for it.”

Then there is the highest level, the “unpaid guardian.” He says, “I was put here to guard the earth and this is my only purpose, reason and desire. I do not expect payment and I am not looking for personal benefit (though that may come).”

This is the ideal to strive for.

## 8. The Deeper Meaning of the Donkey

The 18th century founder of the Chassidic movement, the Baal Shem Tov, explains the overburdened donkey in a mind-blowing way.<sup>8</sup>

*The Torah states: If you see the donkey of your enemy lying under its burden, even if you do not want to help him, make every effort to help him.<sup>9</sup>*

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<sup>8</sup> Keter Shem Tov Hashalem, Hosafas – Torat Upisgomei Habesht #21 (p. 294, Kehot 2004). See also Sefer Hamaamarim 5704, p. 145 and Hayom Yom, 28 Shevat.

<sup>9</sup> Exodus 23:5.

Explains the Baal Shem Tov:

- *If you see the donkey* – the Hebrew word for donkey is *chamor*. *Chamor* is the same word as *chomer*, meaning “matter.” Thus, says the Baal Shem Tov, if you examine your body, analyzing your material matter, you will see that...
- *Your enemy* – your *chomer*, your matter, your body, is the enemy, the antithesis of your divine soul. Your body longs for its own physical desires, while your divine soul longs for the divine and the spiritual. Furthermore, you will see that it is...
- *Lying under its burden* – God gave the *chomer*, the matter, the body, a heavy load to carry namely, that it should become refined through the Torah and its mitzvahs, that the material matter should be sublimated to soulful spirit. But the *chomer*/matter is *lying under its burden*, the body is too lazy to lift up its mission and it is collapsing under its load. It may then occur to you that...
- *You do not want to help him* – because the body is your enemy and so encumbered by its load, its purpose, you may think it easier to ignore the body, even mortify the body. Instead of educating, unburdening and inspiring the body, you may want to allow it to stumble or collapse under its load. However, this is not the way to bring forth the light of the Torah. Rather...
- *You shall make every effort to help him* – purify the body, refine it, but do not break it; help the matter, your body, become more refined by teaching it, showing it and leading it, thus unburdening the unbearable load of your perceived enemy and allowing it to fulfill its purpose.

So now we see that *Mishpatim*, the laws of Torah, are more relevant than ever.

## 9. Donkey Kong (Story)

In 18th century Prague, there lived a notable prince, Graf Gumprecht von Hartzlossergezelschaft, who was an anti-Semite and leader of a so-called “Progressive Party.” He once taunted Rabbi Yonasan Eybeschütz, the Rabbi of Prague, by saying:

“How is it, Rabbi, that fashions have changed with you Jews so much? Moses and his wife rode on a donkey from Midian to Egypt, and you say the Messiah will come riding in similar style, yet we never see a Jew nowadays ride any animal but a horse?”

“It is because we wish to refrain from offending anybody, that is all,” answered the Rabbi. “It is not because we are too proud.”

“How is that?” asked the Graf.

“Well,” replied the Rabbi, “now that the donkeys are organizing and calling themselves ‘Progressives,’ we have given up riding on donkeys in order to avoid appearing as if we are mixing into politics.”<sup>10</sup>

## 10. The Greatest Reward (Conclusion)

Our body is comparable to a beast of burden, for it is coarse, insensitive and completely material. Our body – today’s donkey – does not walk on four legs, but on two.

Today’s donkey, *chamor* in Hebrew, is matter, the *chomer* of the world.

It is our job as Jews to not practice asceticism and avoid material immersion in fear of it being our enemy, but rather we must engage in the world and ease the donkey’s burden, ease the coarse load of the material body, by infusing it with the light and purity of the soul.

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<sup>10</sup> Printed in Humorous Tales of Latter Day Rabbis (Neches, 1945), p. 100.

We eat food and use its energy for productive causes. We run our businesses in ways that help make the world a better place. We earn money and give part of it to tzedakah. Every mitzvah is taking a part of the material world and sanctifying it.

This is how we become true and altruistic “unpaid guardians” of the world. And the reward of this type of guardianship is infinite.

Shabbat Shalom!

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