5781 - Exodus 21-24 - Mishpatim (Judgements)

Three Short Rules for Successful Relationships¹

Ever wonder why fresh flowers make such a great gift?

There is their fragrant aroma and vibrant beauty. But flowers don't actually do anything. They don't satisfy a craving; they can't be hung on a wall or provide an enduring contribution. To some, they are just wasteful extravagance.

But perhaps that's precisely why we love them. Flowers represent a small luxury whose sole purpose is to express care. A spouse who gifts flowers may be saying, "I have no idea why you like this. This isn't about me, but rather, my love for you."

In this week's Torah portion, Mishpatim,we read:

[Moses] took the book of the covenant, and read in the hearing of the people; and they said: "All that G-d has spoken, we will do, and we will hear."—Exodus 24:7

The Talmud (Shabbat 88a) states: "When the people of Israel gave precedence to 'we will do' over 'we will hear,' a heavenly voice exclaimed: 'Who revealed to My children this secret ...?""

In saying "we will do" before even hearing the details of what they were committing themselves to, the nation demonstrated their absolute devotion to G-d. They were prepared to "blindly" do G-d's bidding just because it is His will.

The first step in a relationship is doing for another unconditionally not because it makes sense, or is logical or practical.

But doing is not enough! Aside from saying "we will do," the nation also said "we will hear." The Chasidic masters explain: "G-d desires that we should do as well as 'hear' and comprehend His will, so that we serve Him not only with our hands and feet, but also with our minds and hearts."

Action needs to precede understanding, but we can't stop there, or our acts become robotic and unfeeling. Blindly doing is not enough. We also need to actively engage in the relationship, to understand the other's wants and needs. To dig deeper into their psyche to recognize what motivates, pleases, or cheers them; what angers, inspires, or arouses them. But here's where we come full circle. Even while working to understand the reasons or benefits in doing their desires, we must still do it just for them.

Mishpatim were taught after the Giving of the Torah in order to emphasize that, just as the other commandments are from Sinai, so, too, are these from Sinai.—MECHILTA, SHEMOT RABBAH 30:3

Mishpatim are those laws that logically make sense and create a just society. Yet we follow mishpatim not merely because they are practical, but because doing so connects us to our Creator. That's why Chasidim would wish each other to fulfill the rational *mishpatim* with the same unquestioning acceptance as commandments whose explanations are mysterious.

So, whether in your relationship with G-d or with your significant other, here are three relationship rules learned from this week's Parshah:

Do. Unconditionally. llogically.

Work to understand your partner's needs and wants.

Never forget: It's not about me, but you.

1. <u>Exodus 24:7</u> (JPS)

And he took the book of the covenant, and read in the hearing of the people; and they said: 'All that the LORD hath spoken will we do, and obey' (*lit.*, "we will do and we will hear").

- a. ... it is also G-d's will that every facet of man be involved in the mitzvah; not only his power of action and speech, but also his emotion, intellect, will and delight. This applies not only to the commandments which obviously involve feeling and understanding—like the mitzvot of loving and fearing, believing in and knowing G-d—but to every command, including those which require a specific action. Each mitzvah must be affirmed by the deepest reaches of man's being, especially by his delight, so that he performs it with joy and a willing heart.²
- b. "It's what's in the heart that counts" is a gnostic idea, i.e., that only things spiritual are "good") and that material (*or* earthly) things are "bad."

1) Matthew 5:14-16

"You are the light of the world. A city on a hill cannot be hidden. (When) people light a lamp ... they put it on its stand, and it gives light to everyone in the house. *In the same way, let your light shine before men, that they may see your good deeds* and praise your Father in heaven."

¹ Chana Weisberg, Shabbat deLights, Bereishit/Shemot, (Chabad.org), pp. 209-211.

 $^{2\} www.chabad.org/parshah/article_cdo/aid/1297/jewish/Mitzvot-of-the-Third-Kind.htm$

2) Matthew 6:1,2

"Be careful not to do your 'acts of righteousness' ... to be seen by (men) ... So *when you give* to the needy, do not announce it with trumpets, as the hypocrites do ... to be honored by men ..."

3) Matthew 22:34-40

³⁴Hearing that Yeshua had silenced the Sadducees, the Pharisees got together. ³⁵One of them, an expert in the law, tested him with this question: ³⁶"Teacher, which is the greatest commandment in the Law?" ³⁷Yeshua replied: "Love the Lord your God with all your heart and with all your soul and with all your mind.' ³⁸This is the first and greatest commandment. ³⁹And the second is like it: 'Love your neighbor as yourself.' ⁴⁰All the Law and the Prophets hang on these two commandments."

a) Deuteronomy 6:5

Love the LORD your God with all your heart and with all your soul and with all your *strength*.

4) James 2:14-19

"What good is it ... if a man claims to have faith but has no deeds? Can such faith save him? ... **faith by itself**, *if it is not accompanied by action*, *is dead* ... You believe that there is one God. Good! Even the demons believe that—and shudder."

c. Obviously, what's in the heart is important—but what we do is also important. And, in Jewish thought, they go together.

1) Sanhedrin 91b

Antoninus(28) said to Rabbi: 'The body and the soul can both free themselves from judgment. Thus, the body can plead: The soul has sinned, [the proof being] that from the day it left me I lie like a dumb stone in the grave [powerless to do aught]. Whilst the soul can say: The body has sinned, [the proof being] that from the day I departed from it I fly about in the air like a bird [and commit no sin].' He replied, 'I will tell thee a parable. To what may this be compared? To a human king who owned a beautiful orchard which contained splendid figs. Now, he appointed two watchmen therein, one lame and the other blind. [One day] the lame man said to the blind, "I see beautiful figs in the orchard. Come and take me upon thy shoulder, that we may procure and eat them." So the lame bestrode the blind, procured and ate them. Some time after, the owner of the orchard came and inquired of them, "Where are those beautiful figs?" The lame man replied, "Have I then feet to walk with?" The blind man replied, "Have I then eyes to see with?" What did he do? He placed the lame upon the blind and judged them together. So will the Holy One,

blessed be He, bring the soul, [re]place it in the body, and judge them together, as it is written, He shall call to the heavens from above, and to the earth, that he may judge his people:(1) He shall call to the heavens from above-this refers to the soul; and to the earth, that he may judge his people-to the body.'

- (28) Antoninus has been variously identified: with Marcus Aurelius (Rapport); Severus (Graetz, who, however, assumes that it was the second R. Judah the Prince who was the friend of Antoninus); Caracalla (Jast. and N. Krochmal), and others; v. 'A. Z. 10a, and J. E. I, 656.
- (1) Ps. L, 4—"He summons the heavens above, and the earth, that he may judge his people."
- 2. The first step in a relationship is doing for another unconditionally—not because it makes sense, or is logical or practical.

But doing is not enough! Aside from saying "we will do," the nation also said "we will hear." The Chasidic masters explain: "G-d desires that we should do as well as 'hear' and comprehend His will, so that we serve Him not only with our hands and feet, but also with our minds and hearts."

a. Habakkuk 2:1-5

'I will stand at my watch and station myself on the ramparts; I will look to see what He will say to me, and what answer I am to give to this complaint. 'Then the LORD replied: "Write down the revelation and make it plain on tablets so that a herald may run with it. 'For the revelation awaits an appointed time; it speaks of the end and will not prove false. Though it linger, wait for it; it will certainly come and will not delay. 'See, the enemy (i.e., the Babylonians) is puffed up; his desires are not upright—but the righteous person will live by his faithfulness—indeed, wine betrays him; he is arrogant and never at rest. Because he is as greedy as the grave and like death is never satisfied, he gathers to himself all the nations and takes captive all the peoples.

- 1) The righteous person trusts God even though "the revelation awaits an appointed time," i.e., even "though it linger," he/she "wait(s) for it."
- b. Generally speaking, the mitzvot are divided into two categories: logical *mishpatim* ("laws" or "judgements") and supra-rational *chukkim* ("decrees").

The *mishpatim* are mitzvot such as the commandment to give charity or the prohibitions against theft and murder, whose reason and utility are obvious to us, and which we would arguably have instituted on our own if G-d had not commanded them. The *chukkim* are those mitzvot, such as the dietary laws or the laws of family purity,

which we accept as divine decrees, despite their incomprehensibility and—in the most extreme of *chukkim*—their irrationality.

[A third category, the *eidot* ("testimonials"), occupies the middle ground between the decrees and the laws. A testimonial is a mitzvah which commemorates or represents something—e.g., the commandments to put on *tefillin*, rest on Shabbat, or eat matzah on Passover. These are laws which we would not have devised on our own, certainly not in the exact manner in which the Torah commands; nevertheless, they are rational acts. Once their significance is explained to us, we can appreciate their import and utility.] Yet each of these terms—*mishpatim*, *chukkim* and *eidot*—is also used by the Torah as a synonym for "mitzvah" and a reference to all commandments of the Torah. A case in point is the Torah section of Mishpatim (Exodus 21-24), which opens with G-ds words to Moses, "And these are the *mishpatim* that you shall set before them." The 53 mitzvot that follow are indeed primarily logical laws. but they also include a number of "testimonials" and at least one supra-rational "decree"—the last mitzvah in the series, which is the

prohibition against mixing meat with milk ("Do not cook a kid in its

3. Action needs to precede understanding, but we can't stop there, or our acts become robotic and unfeeling. Blindly doing is not enough.

mother's milk").3

- a. For many, *understanding needs to precede action*—but, as is mentioned above, many of the commandments, i.e., the *chukkim* (decrees, statutes) are incomprehensible and/or in some cases, irrational.
 - 1) So, what do we do? Only observe the instructions that make sense to us? Or, observe even the ones that don't make sense to us knowing that by doing so, 1) we are serving/loving God and 2) recognizing that an understanding will come with time.
 - a) This is true, furthermore, even of the "decrees," which by nature lie beyond his understanding. It is not enough to obey them in action only, as if he had no choice but to submit to G-d's will without sense or comprehension. Nor is it enough to say: I do not understand them, but G-d must certainly have a reason for decreeing them, and that is sufficient for me. For this attitude is not one of unconditional obedience. It is as if to say: I will obey only what is reasonable, but I will allow a mind greater than mine to decide what is reasonable and what is not. Instead, the true ac-

ceptance of *chukim* is one which goes beyond reason, and which makes no conditions. It is one in which the desire to serve G-d for His own sake is so strong that even the intellect positively assents to the call of He who is beyond it.⁴

b) Pirkei DeRabbi Eliezer. 41⁵

Rabbi Tarphon said: The Holy One, blessed be He, rose and came from Mount Sinai and was revealed unto the sons of Esau, as it is said, "And he said, The Lord came from Sinai, and rose from Seir unto them" (Deut. 33:2). And "Seir" means only the sons of Esau, as it is said. "And Esau dwelt in Mount Seir" (Gen. 36:8). The Holy One, blessed be He, said to them: Will ve accept for yourselves the Torah? They said to Him: What is written therein? He answered them: It is written therein. "Thou shalt do no murder" (Ex. 20:13). They replied to Him: We are unable to abandon the blessing with which Isaac blessed Esau, for he said to him, "By thy sword shalt thou live" (Gen. 27:40). Thence He turned and was revealed unto the children of Ishmael, as it is said. "He shined forth from Mount Paran" (Deut. 33:2). "Paran" means only the sons of Ishmael, as it is said, "And he dwelt in the wilderness of Paran" (Gen. 21:21). The Holy One, blessed be He, said to them: Will ye accept for yourselves the Torah? They said to Him: What is written therein? He answered them: "Thou shalt not steal" (Ex. 20:15) is written therein. They said to Him: We are not able to abandon the usage which our fathers observed, for they brought Joseph down into Egypt, as it is said. "For indeed I was stolen away out of the land of the Hebrews" (Gen. 40:15). Thence He sent messengers to all the nations of the world. He said unto them: Will ve receive for yourselves the Torah? They said to Him: What is written therein? He said to them: "Thou shalt have no other gods before me" (Ex. 20:3). They said to Him: We have no delight in the Torah, therefore let Him give His Torah to His people, as it is said, "The Lord will give strength unto his people; the Lord will bless his people with peace" (Ps. 29:11). Thence He returned and was revealed unto the children of Israel ... and His right hand was holding the Torah, as it is said. "At his right hand was a fiery law unto them" (Deut. 33:2).

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 $^{3\} www.chabad.org/parshah/article_cdo/aid/2797/jewish/The-Logic-of-the-Mitzvot.htm$

⁴ Ibid.

⁵ Composed in Talmudic Israel/Babylon (c.630 - c.1030 CE). Pirke de-Rabbi Eliezer (Chapters of Rabbi Eliezer) is an aggadic-midrashic work on the Torah containing exegesis and retellings of biblical stories.

4. Never forget: It's not about me, but you.

a. Matthew 20:20-28

¹Then the mother of Zebedee's sons came to Yeshua with her sons and, kneeling down, asked a favor of him. ²¹"What is it you want?" he asked. She said, "Grant that one of these two sons of mine may sit at your right and the other at your left in your kingdom." 22"You don't know what you are asking," Yeshua said to them. "Can you drink the cup I am going to drink?" "We can," they answered. ²³Yeshua said to them, "You will indeed drink from my cup, but to sit at my right or left is not for me to grant. These places belong to those for whom they have been prepared by my Father." ²⁴When the ten heard about this, they were indignant with the two brothers. ²⁵Yeshua called them together and said, "You know that the rulers of the Gentiles lord it over them, and their high officials exercise authority over them. ²⁶Not so with you. Instead, whoever wants to become great among you must be your servant ... ²⁸ just as the Son of Man did not come to be served, but to serve, and to give his life as a ransom for many."

1) Isaiah 53:10

¹⁰Yet it was the LORD's will to crush him and cause him to suffer, and though **the LORD makes his life an offering for sin**, he will see his offspring and prolong his days, and the will of the LORD will prosper in his hand.

2) Ephesians 5:1-2

¹Follow God's example, therefore, as dearly loved children ²and walk in the way of love, just as Messiah loved us and gave himself up for us as a fragrant offering and sacrifice to God.

3) Galatians 6:1-2

¹Brothers and sisters, if someone is caught in a sin, you who live by the Spirit should restore that person gently. But watch yourselves, or you also may be tempted. ²Carry each other's burdens, and in this way you will fulfill the law of Messiah.