

Kol Rina  
*An Independent Minyan*  
Parashat Mishpatim/Shabbat Shekalim  
February 13, 2021 \*\*\* Adar 1, 5781

Kol Rina – An Independent Minyan, is a traditional egalitarian community. We are haimish (homey/folksy), friendly, participatory, warm and welcoming. We hold weekly services in South Orange as well as holiday services and celebrations which are completely lay led. We **welcome all** to our services and programs from non-Hebrew readers to Jewish communal and education professionals.

[Mishpatim in a Nutshell](https://www.chabad.org/parshah/article_cdo/aid/1298/jewish/Mishpatim-in-a-Nutshell.htm)

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Following the revelation at Sinai, G-d legislates a series of laws for the people of Israel. These include the laws of the indentured servant; the penalties for murder, kidnapping, assault and theft; civil laws pertaining to redress of damages, the granting of loans and the responsibilities of the “Four Guardians”; and the rules governing the conduct of justice by courts of law.

Also included are laws warning against mistreatment of foreigners; the observance of the seasonal festivals, and the agricultural gifts that are to be brought to the Holy Temple in Jerusalem; the prohibition against cooking meat with milk; and the mitzvah of prayer. Altogether, the Parshah of Mishpatim contains 53 mitzvot—23 imperative commandments and 30 prohibitions.

G-d promises to bring the people of Israel to the Holy Land, and warns them against assuming the pagan ways of its current inhabitants.

The people of Israel proclaim, “We will do and we will hear all that G-d commands us.” Leaving Aaron and Hur in charge in the Israelite camp, Moses ascends Mount Sinai and remains there for forty days and forty nights to receive the Torah from G-d.

[Shabbat Shekalim](https://www.chabad.org/holidays/purim/article_cdo/aid/644308/jewish/Shekalim.htm)

[https://www.chabad.org/holidays/purim/article\\_cdo/aid/644308/jewish/Shekalim.htm](https://www.chabad.org/holidays/purim/article_cdo/aid/644308/jewish/Shekalim.htm)

When the Holy Temple stood in Jerusalem, each Jew contributed an annual half-shekel to the Temple.

The funds raised were primarily used to purchase cattle for the communal sacrifices. The leftover monies were used for a variety of communal purposes, including providing salaries for the judges and maintenance of the Temple, its vessels, and the city walls. This annual tax, known as the machatzit hashekel, was due on the 1st of Nissan. One month earlier, on the 1st of Adar, the courts began posting reminders about this Biblical obligation. In commemoration, the Torah reading of the Shabbat that falls on or before Adar is supplemented with the verses (Exodus 30:11-16) that relate G-d's commandment to Moses regarding the first giving of the half-shekel.

The Shekalim haftarah (II Kings 11:17-12:17) continues on the same theme, discussing the efforts of King Jehoash (9th century BCE) to earmark communal funds for the upkeep of the first Holy Temple.

(We too give a commemorative half shekel to charity—on the Fast of Esther. Click here for more about this practice.)

"Parshat Shekalim" is the first of four special readings added during or immediately before the month of Adar (the other three being Zachor, Parah and Hachodesh). The Shekalim reading is also related to the upcoming holiday of Purim. According to the Talmud, Haman's decree was averted in merit of the mitzvah of machatzit hashekel.

## Food For Thought

Vision and Details (Mishpatim 5781) by Rabbi Jonathan Sacks z"l  
<https://rabbisacks.org/mishpatim-5781/>

Our parsha takes us through a bewildering transition. Up until now, the book of Shemot has carried us along with the sweep and drama of the narrative: the Israelites' enslavement, their hope for freedom, the plagues, Pharaoh's obstinacy, their escape into the desert, the crossing of the Red Sea, the journey to Mount Sinai and the great covenant with God.

Suddenly, we now find ourselves faced with a different kind of literature altogether: a law code covering a bewildering variety of topics, from responsibility for damages to protection of property, to laws of justice, to Shabbat and the festivals. Why here? Why not continue the story, leading up to the next great drama, the sin of the Golden Calf? Why interrupt the flow? And what does this have to do with leadership?

The answer is this: great leaders, be they CEOs or simply parents, have the ability to connect a large vision with highly specific details. Without the vision, the details are merely tiresome. There is a well-known story of three workers who are employed cutting blocks of stone. When asked what they are doing, one says, "Cutting stone," the second says, "Earning a living," the third says, "Building a palace." Those who have the larger picture take more pride in their labour, and work harder and better. Great leaders communicate a vision.

But they are also meticulous, even perfectionists, when it comes to the details. Thomas Edison famously said, "Genius is one percent inspiration, ninety-nine percent perspiration." It is attention to detail that separates the great artists, poets, composers, filmmakers, politicians and heads of corporations from the merely average. Anyone who has read Walter Isaacson's biography of the late Steve Jobs knows that he had an attention to detail bordering on the obsessive. He insisted, for example, that all Apple stores should have glass staircases. When he was told that there was no glass strong enough, he insisted that it be invented, which is what happened (he held the patent).

The genius of the Torah was to apply this principle to society as a whole. The Israelites had come through a transformative series of events. Moses knew there had been nothing like it before. He also knew, from God, that none of it was accidental or incidental. The Israelites had experienced slavery to make them cherish freedom. They had suffered, so that they would know what it feels like to be on the wrong side of tyrannical power. At Mount Sinai, God, through Moses, had given them a mission statement: to become "a Kingdom of Priests and a holy nation," under the sovereignty of God alone. They were to create a society built on principles of justice, human dignity and respect for life.

But neither historical events nor abstract ideals – not even the broad principles of

the Ten Commandments – are sufficient to sustain a society in the long run. Hence the remarkable project of the Torah: to translate historical experience into detailed legislation, so that the Israelites would live what they had learned on a daily basis, weaving it into the very texture of their social life. In the parsha of Mishpatim, vision becomes detail, and narrative becomes law.

So, for example: “If you buy a Hebrew servant, he is to serve you for six years. But in the seventh year, he shall go free, without paying anything” (Ex. 21:2-3). At a stroke, in this law, slavery is transformed from a condition of birth to a temporary circumstance – from who you are to what, for the time being, you do. Slavery, the bitter experience of the Israelites in Egypt, could not be abolished overnight. It was not abolished even in the United States until the 1860s, and even then, not without a devastating civil war. But this opening law of our parsha is the start of that long journey.

Likewise the law that “Anyone who beats their male or female slave with a rod must be punished if the slave dies as a direct result.” (Ex. 21:20) A slave is not mere property. They each have a right to life.

Similarly the law of Shabbat that states: “Six days do your work, but on the seventh day do not work, so that your ox and your donkey may rest, and so that the slave born in your household and the foreigner living among you may be refreshed.” (Ex. 23:12) One day in seven slaves were to breathe the air of freedom. All three laws prepared the way for the abolition of slavery, even though it would take more than three thousand years.

There are two laws that have to do with the Israelites’ experience of being an oppressed minority: “Do not mistreat or oppress a stranger, for you were strangers in Egypt.” (Ex. 22:21) and “Do not oppress a stranger; you yourselves know how it feels to be foreigners, because you were foreigners in Egypt. (Ex. 23:9)

And there are laws that evoke other aspects of the people’s experience in Egypt, such as, “Do not take advantage of the widow or the fatherless. If you do and they cry out to me, I will certainly hear their cry” (Ex. 22:21-22). This recalls the episode at the beginning of the Exodus, “The Israelites groaned in their slavery and cried out, and their cry for help because of their slavery went up to God. God heard their groaning, and He remembered His covenant with Abraham, with Isaac and with Jacob. So God looked on the Israelites and was concerned about them.” (Ex. 2:23-25)

In a famous article written in the 1980s, Yale law professor Robert Cover wrote about “Nomos and Narrative.”[1] By this he meant that beneath the laws of any given society is a nomos, that is, a vision of an ideal social order that the law is intended to create. And behind every nomos is a narrative, that is, a story about why the shapers and visionaries of that society or group came to have that specific vision of the ideal order they sought to build.

Cover’s examples are largely taken from the Torah, and the truth is that his analysis

sounds less like a description of law as such than a description of that unique phenomenon we know as Torah. The word “Torah” is untranslatable because it means several different things that only appear together in the book that bears that name.

Torah means “law.” But it also means “teaching, instruction, guidance,” or more generally, “direction”. It is also the generic name for the five books, from Genesis to Deuteronomy, that comprise both narrative and law.

In general, law and narrative are two distinct literary genres that have very little overlap. Most books of law do not contain narratives, and most narratives do not contain law. Besides which, as Cover himself notes, even if people in Britain or America today know the history behind a given law, there is no canonical text that brings the two together. In any case in most societies there are many different ways of telling the story. Besides which, most laws are enacted without a statement of why they came to be, what they were intended to achieve, and what historical experience led to their enactment.

So the Torah is a unique combination of *nomos* and narrative, history and law, the formative experiences of a nation and the way that nation sought to live its collective life so as never to forget the lessons it learned along the way. It brings together vision and detail in a way that has never been surpassed.

That is how we must lead if we want people to come with us, giving of their best. There must be a vision to inspire us, telling us why we should do what we are asked to do. There must be a narrative: this is what happened, this is who we are and this is why the vision is so important to us. Then there must be the law, the code, the fastidious attention to detail, that allow us to translate vision into reality and turn the pain of the past into the blessings of the future. That extraordinary combination, to be found in almost no other law code, is what gives Torah its enduring power. It is a model for all who seek to lead people to greatness. [1] Robert Cover, “Nomos and Narrative,” Foreword to the Supreme Court 1982 Term, Yale Faculty Scholarship Series, Paper 2705, 1983. The paper can be found at [http://digitalcommons.law.yale.edu/fss\\_papers/2705](http://digitalcommons.law.yale.edu/fss_papers/2705).

### God's Currency – Mishpatim by Gordon Tucker

<http://www.jtsa.edu/gods-currency>

The arrival of Parashat Shekalim (plural of *shekel*) each year is what might be called the liturgical “rite of spring” in the Jewish tradition, signaling that Pesah is six–seven weeks away, and preparations (spiritual and physical) for the great festival are very soon to begin. This year, it will be observed on Rosh Hodesh Adar, when the weekly reading will be Parashat Mishpatim.

The brief special reading for Shekalim (Exod. 30:11–16) sets forth the obligation that was imposed on the recently freed Israelite slaves to contribute one-half of a *shekel* to the Mishkan (Sanctuary) that was going to be built. But the reason we

re-read this passage annually is not so much because of the biblical passage from Exodus (in which there is no suggestion that this was meant to be a repeated levy), but rather is owing to the opening words of the Mishnaic tractate entitled *Shekalim*: “*On Rosh Hodesh Adar they make a public announcement about the shekels.*” (*M. Shekalim 1:1*)

That is, in the same way that we often get bills telling us that payment is due in 30 days, so it was in the time of the Second Temple: the fiscal year of the Temple began on Rosh Hodesh Nisan, and so a month earlier, the beginning of Adar, notice would go out that the *half-shekel*—the per capita tax that supported the public sacrifices—was about to come due.

Although in the Torah the *shekel* was a unit of weight, by the time of the Mishnah, there had already been hundreds of years during which coins were struck with images, which were often those of the realms’ rulers. And thus begins our story of minted coins.

One of the most famous passages referring to images of rulers on coins occurs in the Gospels Matthew, Mark, and Luke. In those narratives, it is said that some adversaries tried to trap Jesus, by asking him whether it was proper, in Jewish religious law, to pay the tax imposed by the Roman government. If he said “No,” there would be grounds for informing on him to the Romans, while if he said “Yes,” he would lose all authority among his fellow Jews, all of whom hated that tax. But he evaded the trap by pointing out that, since the emperor’s image was on the coin used to pay the tax, the coin might as well go to its ultimate owner (“render therefore to Caesar the things that are Caesar’s”). But crucially, he then added: “and to God the things that are God’s,” thus avoiding the trap.

But what was the meaning of that last phrase? I owe the following insight to the late JTS professor Fritz Rothschild. He pointed to an oft-quoted mishnah in the fourth chapter of Tractate Sanhedrin, in which God’s supernatural power is proven in this way: “When a person stamps coins with a single seal (Hebrew: *hotam*, and remember this word!), they all appear identical to one another. But the supreme King of kings of kings, the Blessed Holy One, stamped all people with the seal that was given to Adam, and not one of them is similar to another” (*M. Sanhedrin 4:5*). What this mishnah testifies to is that in late antiquity, there was a Jewish cultural meme that we are, metaphorically, God’s coins, stamped with the image of the divine. And thus, Jesus appears to have assumed that his listeners were aware of that metaphor, and would understand that while the emperor could claim possession of his (literal) coin, only God could claim the ultimate allegiance of God’s human servants.

So when the Torah enigmatically described the payment of the half-*shekel weight* as “expiation for your persons” (*Exod. 30:15–16*), it seems that later tradition understood the physical *coin* given to the Temple to be a metonym (a surrogate) for the human giving it, an act that signified devotion to the One whose

Temple it was, and whose image was stamped on each person.

Coins, of course, can get tarnished, and the image on it blurred. And this leads us, finally, to a beautiful teaching of the early Hasidic preacher Ze'ev Wolf of Zhitomir, found in his work *Or Hameir*.

He draws our attention to a later mishnah in Tractate Shekalim (5:4), which is no longer dealing with the *shekel* but with other financial transactions in the Temple. Pilgrims bringing sacrifices to the altar would need to purchase flour and wine to accompany the animals being offered. In order to avoid having monetary dealings go through a single person, procuring those sacrificial adjuncts was a two-step process. The money would be given to a man named Yohanan, who would give the purchaser a stamp (the word *hotam* again), which would then be taken to Ahiyah, who would redeem that stamp with the flour and wine needed. At the end of the day, Yohanan and Ahiyah would go through a reconciliation, making sure that the number of stamps and the amount of money matched. But what, the following mishnah asks, would happen if someone lost his *hotam*? The text says that “we wait until evening comes,” and if there was indeed excess money, it would be certain that the person who had lost his stamp was truthful and he would be made whole again.

You can now see where Ze'ev Wolf was going. What if we lose our stamp? That is, what if the divine image imprinted on us “coins” gets so tarnished that it is, effectively, lost? Is there any hope, any way to be restored to wholeness? For this teacher, the seemingly defunct details of Temple transactions involving figures long since deceased were vibrantly alive as a message of penitence and hopeful restoration. If a person loses their stamp, we wait for them, suspending judgment until the end of the day. If we have lost our way, there is always hope of its being found again. What is the “end of the day”? Ze'ev Wolf tells us that if it is not the end of a single day, it might be the end of the week, or the month, or the year. However long it takes, the outstanding *hotam* can be restored. And it must be, for we alone are God's currency in the world.

It is not just individuals whose stamp can be misplaced. So many in our nation have felt that America was progressively losing its *hotam* in the years just past.

(Especially since it is said that God's *hotam* is truth.) And that is no doubt why there is now such a broad feeling that perhaps the promised “end of the day” has arrived, and that there is hope for retrieving the lost stamp. But the one who lost the stamp must go looking for it, and show up at the reconciliation. May we all be part of a widespread will among all citizens to return to wholeness, and to become a truthful and compassionate society once again, God's currency in the world. (*Gordon Tucker is Vice Chancellor for Religious Life and Engagement at JTS*)

[The Book of the Covenant – Parashat Mishpatim by Rabbi Yitz Greenberg](https://mechonhadar.s3.amazonaws.com/mh_torah_source_sheets/GreenbergParashatMishpatim5781.pdf?utm_campaign=Dvar)

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What is the covenant method?

The Lord recruits human beings (universal Noahide covenant) to become allies—later full partners—in repairing the world.<sup>1</sup> At Sinai, the Jewish people were established as lead partners, and ultimately ambassadors to the world, in this process of redemption.<sup>2</sup> The Messianic vision includes filling the earth with life and repairing the world so as to overcome all enemies of life such as poverty, oppression, war, and sickness.<sup>3</sup>

The utopian total transformation of nature and history will be realized through a pragmatic, human-centered, real life process. The essence of this paradoxical method is to start by affirming the value of the real world as it is and the importance of living life in it. At the same time the covenant focuses on the future ideal world; participants commit to move the present status quo toward that desired ideal state. This will be done by upgrading conditions, step by step, bringing improvements while affirming human dignity (even of proponents of the status quo) and accepting human limitations (i.e. not overriding or coercing people to move to a higher level). The Divine sets goals, instructs, inspires, and judges—but the human partner must actively participate in the process or the desired outcome will not happen.

Living by the covenant translates into reviewing every behavior in life. Each action is shaped and reshaped. While fully anchored in the present reality, each behavior should reflect some movement toward the ideal, honoring the ultimate standard. One example in this *parashah* is lending money to someone who is poor. There is no attempt to end poverty by redistributing property or setting up a socialist economy. The way of the world is that there are poor and they need to borrow. But the Torah forbids the lender from lording it over the borrower and turning the loan into social degradation. It also prohibits taking interest, for repaying that increase in the debt will drive the needy deeper into poverty. The lender can take the blanket or cloak of the borrower as collateral, but it must be returned to the borrower every night so he will not be cold (Exodus 22:24-26).

To join the covenant, one must commit one's whole life. The commandments cover ritual and religious behaviors, but they equally regulate ethics, i.e. all behaviors between human beings. Mishpatim includes prohibition of idolatry (22:19); commands to observe Passover, Shavuot, and Sukkot, and visit the sanctuary three times a year (23:14-17); a requirement to dedicate the first-born animals to the sanctuary (23:19); instructions not to eat meat that is torn by beasts in the field, not actually slaughtered properly (22:30); and not to cook a kid goat in its mother's milk (23:19).<sup>4</sup> There are many more laws regulating parent-child interactions (21:15, 17); governing economic relations and commercial behaviors (22:6-30); placing

responsibility for torts (21:22-36); for telling truth (23:1); providing equal justice in legal action (23:2); for protecting widows and orphans (22:21); as well as not exploiting or taking advantage of outsiders (*gerim*, 23:9). Contra the prevalent patterns we see in many Jewish communities today, there is no narrowing of the covenantal commitment to limited ritual areas, even as there are no sweeping utopian steps to bring the Kingdom now.

Every aspect of society will be transformed in the eventual Kingdom of God so that human life is treated as of infinite value, equal and unique. That condition is a long way from present standards. Mishpatim's Book of the Covenant is a case study of the first steps on the covenantal journey. They show, at once, the acceptance of current culture—thus implicating the Torah in present inequities and violations of Messianic norms—as well as the initial, halting steps toward the future. The Book of the Covenant is a first sketch of how to live by covenantal guidelines when the Israelites settle down in a reclaimed homeland.

As is appropriate in addressing a community of ex-slaves, just liberated, the first laws deal with the treatment of slaves (21:1ff). But wait, by the covenantal, ideal standard, slavery is utterly unacceptable! Ben Azzai taught that every human being is “created in the image of God” (Genesis 1:27; 5:1) is the *kelal gadol*, core teaching and underlying foundation, of the whole Torah (Jerusalem Talmud Nedarim 9:4, 41c). According to the Mishnah, the divine image means that every human being is of infinite value, neither measurable nor fungible, by any amount of money (Mishnah Sanhedrin 4:5).<sup>5</sup> The essence of slavery is that the person is turned into property, to be bought and sold. In the Messianic state there is zero room for slavery.<sup>6</sup> However in the world when the Torah was given, slavery was a standard fact of life. The covenant starts in the world as it is and begins the process of moving toward the ideal state.

The Torah, therefore, does not abolish slavery; it accepts it as the starting point in reality for the redemptive process which will some day end it. The covenant moves to ameliorate slavery in three ways. The Torah puts a time limit of six years on servitude; in the seventh year every slave goes free (Exodus 21:2).<sup>7</sup> Within the six years of bondage, the slave is free every seventh day; they are prohibited to work on Shabbat, as all free people are (20:9-10; Deuteronomy 5:14-15). Samson Raphael Hirsh suggested that the Shabbat law is designed to instill in the indentured servant the recognition that he or she is fundamentally a free person who is temporarily in servitude, and not a slave with one day off a week. Finally, when the slave goes free, they get special payments to tide them over and enable them to begin a free life of economic dignity (Deuteronomy 15:12-18).<sup>8</sup>

The Oral Law continued this process of incremental amelioration. The improvements included requiring that the food, shelter, and clothing of the servants be equal to the master's (= a free person); that the labor assignment be not servile or degrading but of the same type as free labor.<sup>9</sup>

Nevertheless, two demurrals must fill in the record. This process of gradual amelioration is started with Hebrew slaves. Gentile slavery is limited only in one way: violent mistreatment is prohibited. In fact, the Gentile slave is set free if the master injures them by physical abuse (Exodus 21:26-27). Furthermore, by starting with acceptance of the standing culture, the Torah is implicated in the violation of its own ultimate standard, the image of God. If the master fatally injured his slave, he is punished. But if the slave survives for a while before dying, the master is ultimately exonerated because he is guilty of **damaging his property**—not of killing a free person (21:20-21).

The Book of the Covenant exhibits a similar approach to the status of women. In the Torah's ideal world, a woman is unequivocally an image of God, just as a man is (Genesis 1:26). Equality means full standing as a citizen. However in the contemporary world, women were chattels, bought and sold. The Torah does not overthrow that world; it starts the process of amelioration within it. The Torah states that henceforth only a father can sell his daughter, i.e. general trafficking and making business of selling women is over (Exodus 21:7-11). The father can only sell her to a man who wishes to marry her (or marry her to his son) and commits to do this. When she marries, she is given all the rights of a free wife (as if she had never been bought). If the marriage is not entered into, the woman goes free (21:15). The last two paragraphs are painful to write for a person like me who believes in the divinity and eternity of the Torah. Nevertheless, believers in the divinity of the Torah must uphold their faith with integrity. They must not cover up the record in order to claim that the Torah is somehow not implicated in its human context and beyond criticism or change. This record refutes the ultra-Orthodox version that the Torah is always self-validated, authoritative, and not subject to human judgement. The Oral Law reflects that God seeks out human judgement and partnership. The problematics make the Oral Law—the process of interpretation and application revealed at Sinai—essential. The Oral tradition enables the Torah to be totally present in the human culture and context in every generation. At the same time, the Torah has a mechanism to remove the contradictions to its ultimate values and to keep the process—and Jewish society and the world—moving toward the final state of repair, when full human dignity will be realized for all.

I defend the Torah's choice of temporarily incorporating social evils out of the belief that the future ideal world is best realized by the covenantal method. Partnership with God and between the generations—working via gradualism, compromises, respect for human nature and the dignity even of opponents, and never ceasing until complete repair is achieved—may be slower and morally compromised but it will more likely get to the goal.<sup>10</sup> I acknowledge the heavy human cost along the way. Still, I believe that there is a lesser toll and less human suffering in this method than has been done by the more ideologically driven, more universal, more immediate, totally demanding movements for redemption that have proliferated,

particularly in recent centuries. There are also less dead ends or systemic outcomes which totally oppress the people.

Mishpatim, the Book of the Covenant, sketches the beginning of a long way which is the shorter way toward *tikkun olam*. Of course, an essential condition for reaching the goal is that the carriers of the covenant never sink into the status quo, never freeze or fossilize the Torah, never sell out to the local civilization along the way. That is why joining the covenant is not limited to those who happened to be at Sinai or in the plains of Moab (Deuteronomy 29:9ff). This is an open covenant—inviting in those “standing with us **today** before Lord our God, and those not with us today” (29:14)—who will take up the task next day, next year, next century, next millennium.

Shabbat Shalom.

1 See e.g. my earlier essays on Parashat Noah (“Covenant”) and Lekh Lekha (“Covenantal Pluralism”), available here: <https://www.hadar.org/torah-resource/covenant>; and here: <https://www.hadar.org/torah-resource/covenantal-pluralism>. 2 See my essay on last week’s parashah for the recentering of this aspect of the Sinai experience, “What Happened at Sinai?: From Revelation to Entering the Covenant in Love”, available here: <https://www.hadar.org/torah-resource/what-happened-sinai>. 3 See Genesis 1-2; Isaiah 45:18; and Isaiah 66:12; 44:8-10; Ezekiel 34:25-29; Isaiah 11:4, 9; Isaiah 2:3-4; Isaiah 35:5-6 as examples. In prophetic and Rabbinic literature, when the earth becomes the dreamed of Garden of Eden, it is described as the Kingdom of God (malkhut Shaddai). 4 This last instruction is translated by the Oral Law into a broad prohibition of eating, or even cooking or deriving any benefit from meat and milk together. 5 Which is why saving one life is equivalent to saving a whole world, see the mishnah and discussion on Babylonian Talmud Sanhedrin 37a (the other defined dignities are equality and uniqueness). The Torah specifically does not permit compensation payments for a murderer to avoid punishment for killing; see Numbers 35:31. 6 See Leviticus 25:55: Jews cannot be others’ slaves because they belong to God. 7 Full disclosure: The slave could reject this release and voluntarily continue as a slave indefinitely; see Exodus 21:5-6 and Deuteronomy 15:16-17. However, in the Jubilee year, the Torah’s year of living by its ideal standards, all the slaves, even the self-extended, had to go free; see Leviticus 25:10-11. 8 The record shows that Hebrew slave owners resisted and often violated this law, obviously feeling that this restricted their profit compared to the rest of society which kept slaves permanently; see Jeremiah 34. 9 See the various laws in Babylonian Talmud Kiddushin, especially the comment on 20a that “buying a Hebrew slave is like buying yourself a master,” i.e. that the regulations made hiring a slave as expensive and as restrictive as hiring free labor. 10 See my essay on Parashat VaYehi, “The Covenant Between the Generations”, available here: <https://www.hadar.org/torah-resource/covenant-between-generations>.

### Mishpatim by Rabbi Shaul Rosenblatt

<https://mailchi.mp/tikun/haazinu5781-2578647?e=e0f2ca6c0d>

This week’s portion is absolutely packed. You name it, it’s talked about: murder, kidnap, murderous bulls, stoned oxen, dangerous holes, witches, seduction, swearing and slavery. It also contains one of the most misunderstood phrases in the Torah: ‘an eye for an eye’ - which of course refers to monetary restitution.

This portion also contains the punishment for one who hits their parents: the death penalty - someone so unappreciative of the gift of life that they could hit the one who gave it, is not worthy of participating in a life they deem to be of such little value. The Torah says this week, ‘don’t mistreat the stranger because you were yourselves strangers in the land of Egypt’. Rashi, the Medieval commentator, explains that the word ‘stranger’ refers to someone who comes from a foreign country to live in your country, i.e.

an immigrant.

The Torah is saying that the Jewish People were strangers in the land of Egypt. They were oppressed and abused. Hence they, of all people, who know how it feels and should know how to treat immigrants properly.

To reach out to immigrants and accept them into our midst is a fundamental part of Torah's values. Of course, they must toe the line and not behave in a subversive manner. But, immigration is a time of incredible uncertainty and insecurity and it's up to the local population not to make them feel unwelcome. It takes a lot for a person to leave their home country – war, oppression or even simply limited prospects for the future. However you look at it, a person who leaves their home country walks into a position of incredible insecurity and hence must somehow feel compelled to do so.

This is a topic that means a lot to me personally. A hundred years ago, this country accepted my grandparents. They learnt English, they worked hard and they, as well as their descendants, have contributed so much. The UK has benefitted greatly from them and tens of thousands like them. And here is something about which I am very confident. Whether it had been the pogroms, the persecution of the Russian Revolution, or the horrors of the Holocaust, it is very unlikely that I would be here today were it not for this country's granting of sanctuary to my grandparents. As someone with that history, I know full well what it means to welcome those in need into our home and into our country. Immigration and specifically asylum seeking is something I feel deeply passionate about. On the Statue of Liberty is inscribed this poem:

*“Give me your tired, your poor, your huddled masses yearning to breathe free,  
The wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed,  
to me: I lift my lamp beside the golden door.”*

America's greatness is to be found in the consequences of this attitude. Between 1880 and 1920, 23 million immigrants arrived in the United States. Between 1990 and 2010, there were a further 23 million, with 15 million in between. It is no accident that the wealthiest and most successful nation in the history of mankind has also been the most liberal in terms of welcoming immigration.

There are always risks when a country takes in immigrants. But fortune favours the bold. Our concerns should not be with if we take immigrants, they should be with how we take those immigrants and do our best to make sure they become contributing members of our society. That is a big job, but one well worth engaging in. As a Jew, it is in my DNA to know what it is like to be a stranger in a strange land. My ancestors have been there many times over many millennia. The Torah insists that I remember this and treat strangers in my own land with the compassion that my own history demands.

[Torah on an Endless Loop by Ilana Kurshan](https://drive.google.com/file/d/1Ajzk_KnerS_1VmAe0KxVVLeMz5f7VmdR/view)

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Our parsha features the famous phrase na'aseh v'nishma, in which the Israelites

commit first to do and then to listen to everything that God commands them on Mount Sinai. Although the rabbis praise the Israelites for their unconditional obedience, the Talmud also contains several voices that criticize the Jewish people for their impulsiveness. After all, what is the meaning of pledging to comply when you don't yet know what is expected of you? A close reading of this rabbinic discussion suggests that perhaps "we will do and we will listen" is not about blind obedience, but about acting in a way that enables us to hear God's word.

The Talmudic rabbis discuss the Israelites' response to the revelation at Sinai in tractate Shabbat (88a). Rabbi Elazar regards the Israelites' willingness to act before listening as angelic behavior, arguing that it is a characteristic of the ministering angels to do God's will and only then to hearken to God's voice. Unlike human beings, who may question or even challenge authority, the angels act as if programmed to do God's bidding. But Rabbi Simlai raises doubts about whether this angelic behavior was really so pure and praiseworthy. He states that in the moment when the Israelites spoke *na'aseh* before *nishma*, six hundred thousand ministering angels came and tied two crowns to every member of the Jewish people, one corresponding to *na'aseh* and one corresponding to *nishma*. Then when the people sinned very soon afterward with the Golden Calf—while still standing at Sinai, awaiting Moshe's descent down the mountain—thousands of other angels descended and removed those crowns. The Israelites may have pledged their blind obedience, but then they tripped over the very first stumbling block placed in their path, violating the first two commandments just moments after they had been inscribed on the divinely chiseled tablets.

Was it really so wise for the Israelites to agree to keep the Torah even before hearing what God had to say to them? Often when the Talmudic rabbis wish to give voice to opinions that seem too heretical to utter themselves, they place them in the mouths of others – heretics, Roman matrons or foreign kings. The Talmud goes on to relate that a certain heretic once saw that the sage, Rava, was immersed in the study of Jewish law. Presumably the matter he was studying was very difficult, because he was sitting on his hands and squeezing them together so hard that his fingers were spurting blood. Was it just a complicated passage to understand? Or was it the prospect of fulfilling what he was learning – "doing" and not just "listening"—that made Rava seem paralyzed, unable to move his hands freely? We do not know. But the Talmud relates that upon seeing Rava in such a state, the heretic said, "You impulsive nation, who preceded your ears with your mouths! You are still so impulsive!" It is not always easy to live a life of Torah and mitzvot, and sometimes it really does seem like the effort is so draining that it might have been wise first to negotiate with God over the nature of our commitment.

But perhaps Rava was not distressed by the challenge of Torah study, but rather so deeply immersed in it that the heretic's critique did not seem to matter. We might read the Israelites' response at Sinai not as an unconditional commitment to accept

God's laws, but rather as a description of what will happen as a consequence of living in accordance with them. Na'aseh v'nishma is less about chronology than about causation: It is not "we will do and then we will listen," but rather "we will do so that we might listen." The more we live in accordance with God's Torah, the more receptive we will be to God's will, and the less distracted we will be by competing voices. By keeping Shabbat, we allow for the stillness that enables us to hear God's voice. By honoring our parents, we learn to submit ourselves to a higher authority. By caring for the disempowered – the widow, orphan, and stranger, as our parsha demands of us – we

internalize what it means to be created in the image of God. Our actions bring us to a deeper understanding of God's Torah and enable us to listen more deeply.

*At the end of the book of Deuteronomy, God instructs Moshe to write down the words of the Torah and teach them to the people of Israel: "Put it in their mouths, in order that this song may be my witness." (31:19). Words of Torah ought to be like the song we can never get out of our head – the one that runs on an endless loop until we know all the lyrics by heart and find ourselves singing them unawares. This happens to those who chant regularly from the Torah, but it also happens to anyone who is deeply committed to making the words of Torah a part of themselves. It resonates inside us with every breath we take. (Ilana Kurshan is an American-Israeli author who lives in Jerusalem. She is best known for her memoir of Talmud study amidst life as a single woman, a married woman, and a mother, If All the Seas Were Ink.)*