

Parshas Mishpatim

This week's Parshas is Mishpatim, where we are commanded various first laws of the Torah, post 10 commandments. The mepharshim explain that this parsha directly follows the 10 commandments to show that even the logical rational mitzvos are by divine design¹. One may think that human society would devise their own order and logic of how to live, and these laws wouldn't be or contain a spiritual element, comes the chronology of the Torah the mepharshim explain, and shows that even these laws (as found in this week's parsha) are significant, and rewarded because Hashem commanded us to do them. The choice of words as the opening posuk to the parsha is וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר תָּשִׂים לִפְנֵיהֶם: these are the laws that I place before them. Rashi explains that any time there is the word "v'eileh" it's a continuation of what preceded it. Ramban explains that the civil laws are here, for their importance as similarly spiritual catalysts, like other mitzvos such as believing in Hashem. Tasim lifneihem, is interesting, as Hashem didn't say that which was commanded. Rashi explains that this is due to Hashem placing all the mitzvos in front of us to use, like a set table. More than this, one can justify away the civil laws as part of "natural order" or how humans develop civilizations, and that these types of laws are not divine. Yet the juxtaposition of the parsha to the 10 commandments states the opposite, and the words of the posuk, that even these civil

laws, and "ways of the land" are placed here by Hashem- they too are Divine ordinances, and the reward for following these ordinances are the same as any other mitzvah, big or small, hard to complete or easy to complete.

Before the Torah was given, all ordinances were strictly conducted on a spiritual level, and for the person conducting it. All the mitzvos were on the "Gavra", there was no "cheftza" of mitzvos. Therefore, for example, when Yakov put on tefillin, they represented a spiritual symbol, and therefore once the "mitzva was complete" the object used carried no lingering spiritual holiness, for example he bound sticks on his arm and head, that could be thrown out so to speak when he was done. Whereas after the Torah was given, spirituality was imbued into the mundane, and physical object can retain lingering holiness, and must be respected. But more than this, through specific and defined physical objects one can achieve spiritual fulfillment (again using tefillin as the example, tefillin must look a certain way, and be formed in a specific shape, and color, as that is the method by which one can complete mitzvah. One cannot devise their own method of conducting the physical dimension of the mitzvah-attitudes are subjective, everything else is objective, and written in Halacha.)

On Nidda 73a- which we say in our version of Ein Kelokeinu,

תנא דבי אליהו כל השונה הלכות בכל יום מובטח לו שהוא בן העולם הבא שנאמר

¹ There are 3 categories of mitzvos. The Eidot, that we do as a testimony for a great miracle that Hashem manifested, such as all the laws surrounding the Jewish Holidays. There are the Chukim, which are laws that have no reason- such as not mixing

wool and linen, and finally there are the Mishpatim, which are "ordinances" and laws that have rational and logical basis-such as those related to paying damages.

הליכות עולם לו אל תקרי הליכות אלא (חבוק ג,ו)
הלכות

This means, that Halachos, are a way of life to achieve eternal reward. This way of life is not only mitzvos but acting with the Mishpatim that were “placed in front of us”.

The way we see the mitzvos not only as a commandment to fulfill to get closer to Hashem, and live in His ways, they are also a way of life. The mepharshim explain that the reason for the juxtaposition of the parsha to the 10 commandments, in addition to the ideas above, is so that the Jews have compassion on Jewish slaves, based on their own terrible experience in Egypt. As treacherous as the Egyptian slavery was for the Jews is as compassionate as we must be. Even for a slave that was punished for his inability to repay something that he stole. Hashem teaches us to be compassionate and have humanity. We see these types of moralistic directives built into all sorts of mitzvos such as further found in this parsha where learn about Kashrus, from the posuk of not cooking a kid goat in its mother milk. (We find in Megilla 25 a conversation about the humane way we send a mother bird away in order to extract its eggs).

Hashem therefore in addition to giving us the commandments, and the way of life, that may seem rational, logical, and have sociological and anthropological explanations, nevertheless we perform them because Hashem said so, and in doing these acts, we also need to have compassion and humanity. We see this contravenes what the Jews were doing in the time of Yirmiyahu (as seen in the Haftora). The Jews of the time were specifically breaking the laws relating to

Jewish slaves, and Yirmiyahu warned that if we keep this up, the punishment in 34:17 will be quite harsh- and in fact the same or similar words used in the parsha in terms of the punishment for not heeding the ways of Hashem, for example opposite of the blessing of Shemos 23:25 (famine and pestilence and subjugation). These punishments logically make sense, because for contravening civil laws, if there is discord the land devours itself, including the people in it. By breaking the laws of civil ordinances, as prescribed by the Torah, the order of the world remains intact as Hashem intends.

Megilla 25 also teaches that Hakol Bidey Shomayim-Chutz M'Yiras Shomayim. Meaning when it comes to keeping Hashem's laws and ordinances, the only nuance isn't how it is stated in the Torah, or how the Rabbanim, who we respectively follow explain the actions, it is our attitude. Which means that all the Mitzvos are equally as powerful regardless of how logical, or how little or grand the leap of faith required, and that is because Hashem told us to keep them. And through these activities we draw spirituality and G-dliness into this world.

According to the gemara in Kiddushin 31a “And [Rabbi Hanina](#) says: And if this is related about one who is not commanded by the Torah to honor his father, as Dama was a gentile, and nevertheless when he performs the mitzva he is given this great reward, all the more so is one rewarded who is commanded to fulfill a mitzva and performs it. As [Rabbi Hanina](#) says: Greater is one who is commanded to do a mitzva and performs it than one who is not commanded to do a mitzva and

performs it.” While this concept seems counter intuitive, we see a reason why it works from this week’s parsha. If the civil ordinances were so obvious, the Torah wouldn’t “waste time” commanding them to us. Yet, even with all the logic and rationale, Hashem commands us to keep the laws, because the true testament to our faith is preforming the commandments because Hashem tells us to. This is, the Rebbe explains in a sicha, what also differentiates the era before the giving of the Torah to the era we live in, which is post Matan Torah, with all the laws and ordinances, logical, and illogical commanded to us. As we know the precise number of mitzvos from the Torah is 613, the same number comprising the limbs and organs of our body. Because mitzvos permeate our very being, and with them the moral compass of humanity, compassion, and faith. The Rebbe in his mamer on Kol Yisrael highlights this point about every action we do is a possible mitzvah which is why we are a nation of Tzadikim.

Good Shabbos!