

Parshas Mishpatim

This week's Parsha, Mishpatim, is the first Parsha after the giving of the Torah on Har Sinai, and it begins with certain laws that beg the question as to why they follow right after the 10 Commandments. As I've written before and will summarize here: after coming from the 10 Commandments, the miracles at Har Sinai, and the proclamation that Hashem is our king, how is it possible that a person will listen to or be controlled by another human? This seems to be a natural part of the world that hierarchies of power result in slavery, servitude, etc. Therefore, Hashem puts in the Torah the first thing that, in the normal course of humans expecting to be repaid for loans or outstanding debts, there may be court-sanctioned ways in which a human is in the full service, i.e., slavery of another human. But there are strict rules around all these laws, and the 'owner' may not mistreat the slave, even if, out of justice, the owner feels the need to make the slave suffer as retaliation for an accounts payable. It is important to note that Hashem empowers us to define the laws given in the Torah. Meaning the Torah itself is a very generalized, non-wavering version of a law, which the Gemara and Rabbanim interpret according to the rules of interpretation to derive a conclusive law. The critical point is that, across different eras, these laws may adapt, change, or be modified, but according to the Torah, they remain connected to that

foundation that never changes. This is critical to the continuity of the Jewish people and to the eternity of the Torah. It never changes.

Furthermore, many of the laws that are introduced in this parsha relate to the Jews and their status as slaves in Egypt as well, as the laws of damaging a fellow (remember that Moshe ran away from Egypt for correcting Dasam and Aviram). The point being further that the moral compass does not begin at the human level; rather, it is codified in the Torah, and we derive morality from it. The Torah now gives us an opportunity to get a reward for every action we take that falls under the laws of the Torah, as opposed to some human-derived conclusion of what is good or not. The reason is that human-derived moral conclusions can change, get lost over time, and not be true, as another person may come along and alter prior thinking. Whereas the Torah stands the test of time, regardless of the era, the Torah is the same, it is true and remains true.

Another point, there is a law that if one sells his fellow, he is liable to the death sentence (21:16). This would mean that at face value, the claim of Hadrian against Rabbi Yishmael, that he was liable to take the death penalty for the brothers who sold Yosef. Rabbi Yishmael was perturbed by this claim and nevertheless asked in the heavens if this was true. For which, Hashem said He would overturn the world. I heard a story from Rabbi YY

Jacobson about this, based on a parable from the Vilna Gaon, who offered an explanation for this seemingly disconnected response. There is a story of a king who wishes to make the nicest cape, and he is recommended to hire a Jewish tailor who is the best in the land. The King commissioned him to make the cape using the most valuable fabric. After he completed the task and presented the king with the cape, the king's vizier and antisemite told him that the tailor had stolen some of the fabric. After the king measured the cape, it was apparent there was less fabric than supplied, for which the king punished the tailor to death. Before carrying out his sentence, the king asked the tailor if he had any last wishes. The tailor requested scissors to unwind the cape and show he didn't steal any fabric. The king granted the same and began to cut the beautiful cape and unwind the stitches to prove that there was no less fabric than had been supplied; some of it had been folded and hidden. It took scissors and unravelling the stitches to see the truth. In the case of Hashem's response to Rabbi Yishmael, while we don't see the "folded fabric" which makes us not understand things at times, the thread is all there, no more, no less than what Hashem wills. So Hashem's response to Rabbi Yishmael, while extreme, was meant to say, don't try to unravel the fabric of reality, or it will all come apart.

This parable teaches me two things. First, Hashem is the arbiter of the universe and the world in it. The Torah is His book for how to act and exist; it is all in there. Therefore, human intervention outside the service of Hashem is not foundational compared to the everlasting edifice of the Torah. The second conclusion is that the interpretation of the brother's sale must have a subtext that cannot be taken at face value. As the brothers kept the Torah. Therefore, the explanations that I've given in the past have a basis to explain how the brothers were not guilty based on the pesukim (for example, the specificity of the laws of Eglar Arufa at the time between Yakov and Yosef, etc.). But the point remains the same: the pesukim, as they are, are specific and can be interpreted according to Halacha, but the foundation remains the same, and the thread of Hashem underlies it all.

When Mashiach arrives, this thread will be obvious to all, Jews and non-Jews alike, where we will see the truth of Hashem.