

Parashat Mishpatim
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February 7, 2013

פרשת משפטים
ד"ר עמית גבריהו
כ"ז בשבט תשע"ג

Thoughts on Parashat Mishpatim

Shabbat shalom! My name is Amit Gvaryahu, and I'm a faculty member at the Drisha Summer Programs.

This week, in synagogues throughout the world, we will be reading Parashat Mishpatim. "Mishpatim" means "laws," and in fact, most of Parashat Mishpatim is concerned with mundane matters such as oxen, and goats, and all sorts of other monetary damages people can inflict on each other, as well as murder, and slavery, and all of the other things that govern human society.

However, Parashat Mishpatim is known in Tanakh itself by another name: Sefer haBrit–The Book of the Covenant! This name comes from an incident related at the end of the parashah, where Moses goes to God at the command of God, and he takes The Book of the Covenant–Sefer haBrit–and he reads it to the people, and the people all say, "Everything that God commanded, we will hear, and we will obey–naaseh, v'nishma."¹

However, the Rabbis thought² that this incident happened before the giving of the Torah. This is because the pasuk says, after the reading of Sefer haBrit, God said to Moses, "Come up to Me on the mountain and wait there, and I will give you the stone tablets with the teachings and the commandments, which I have instructed to instruct them."³

So, what happened was, according to the Rabbis, that the incident or the reading of Sefer haBrit happened before the giving of the Law at Sinai, before the Ten Commandments.

¹ Exodus 24:7 (ויקח ספר הברית ויקרא באזני העם ויאמרו כל אשר-דבר יהוה נעשה ונשמע)

² As relayed in Shabbat 88a and other sources.

³ Exodus 24:12 (ויאמר יהוה אל-משה עלה אלי ההרה והיה-שם ואתנה לך את-לחת האבן והתורה והמצוה אשר כתבתי) (להורותם)

This is one way of reading the pasukim, but if we read the pasukim in order, we get a different experience. After the mundane matters of the mishpatim: the oxen and the goats, the murderers and the slaves, the thieves and the bailiffs, comes a moment of sublime communion with God. But sublime communion with God can only come about through the reading of Sefer haBrit—The Book of the Covenant—which contains mundane and boring laws.

The lesson of reading the parashah in its order is that communion with God—seeing God, in fact—as the pasuk says “and they saw the God of Israel; under his feet there was the likeness of a pavement of sapphire, like the very sky for purity”⁴—can only come through diligent observance of laws about money, property, and people.

Shabbat shalom.

⁴ Exodus 24:10 (ויראו את אלהי ישראל ותחת רגליו כמעשה לבנת הספיר וכעצם השמים לטהר)