

# OPEN SCROLL

An Undergraduate Parsha Sheet for the Harvard Hillel Community

PARSHA MISHPATIM

January 29-30, 2011

Shevat 24, 5771

Nell S. Hawley

I know there's a good deal of debate about whether the order of verses in the Torah really matters, but it's passages like this week's parsha that really convince me it does. Only a truly wonderful book -- the greatest story ever told<sup>1</sup>-- could have me pick up my dusty Tanakh after weeks of neglect, start in on laws about servant girls and lamb theft, and have me positively gripped by the time it gets to the climactic union of Moses and God in a cloud on a mountain for a timeless forty days and forty nights. Parshat Mishpatim is, if only for its unexpected emotional build, a literary mastery.

At first, this parsha is all about the ins and outs of everyday justice. Like I said: servant girls and lamb theft, sorcery and seduction, with a bunch of physical violence, murder, and rape thrown in. This is remarkably heavy stuff for the nearly lighthearted tone that God takes in this section of the parsha. With one rule after another after another, it's almost as if the Torah is trying to hypnotize the reader: when all of the laws blend together, we're left with nothing more than *karma* -- "doing" -- a system in which our actions have consequences.

All of a sudden, with a little turn of rhetoric, these laws begin to penetrate the emotions. First there is the classic marker that what God says and does actually matters in our lives -- "And you shall not mistreat a stranger, nor shall you oppress him, for you were strangers in the land of Egypt." (Is there anyone whose heart doesn't melt to the ground upon reading that?) Then God puts Godself into the picture. "If you oppress [an orphan], beware, for if he cries out to Me, I will surely hear his cry. My wrath will be kindled, and I will slay you with the sword... If you take your neighbor's garment as security, until sunset you shall return it to him, for it is his only covering; it is his garment for his skin. With what shall he lie? And it shall be that if he cries out to Me, I will hear because I am gracious." Not only are we responsible to our neighbors and our manservants, then, but we are also responsible to God. We find ourselves part of a chain of ownership that must strike the difficult balance between being just and being compassionate. We are no longer completely in control -- we must surrender to something greater than ourselves. That's what's emotionally tenuous about this middle section of Parshat Mishpatim.

The Torah acknowledges our new emotional sensibility by phrasing its favorite law in a new way: "And you shall not oppress a stranger, *for you know the feelings*

*of the stranger*, since you were strangers in the land of Egypt." (Emphasis mine.) By this point in the parsha, we are supposed to have cultivated the quality of empathy. The rules aren't about daily life anymore; they're about human experience.

Finally, the parsha asks us to surrender even more of ourselves to God -- and in this deeper surrender, we in fact come closer to God. In the last third of the parsha, we learn that we must "release and abandon" the produce of our lands every seventh year; we must make sacrifice after sacrifice; we must surrender our time by resting on the Sabbath day. We find that God will bring us "to the place that I have prepared" -- if we can only follow. That the whole thing culminates in an elaborate sacrifice is telling: Moses builds an altar, everyone prepares burnt offerings and peace offerings, and everyone ends up "sprinkled" with blood, as if to represent everything that they regain (*karma* again) through sacrifice.

The parsha concludes in a symbol of the union (covenant, even?) between sacrifice and gain, abandonment and return, ownership and responsibility, justice and compassion: "And Moses took the blood and sprinkled it on the people, and he said, 'Behold the blood of the covenant, which the Lord has formed with you concerning these words'...And Moses went up to the mountain, and the cloud covered the mountain...And the appearance of the glory of the Lord was like a consuming fire atop the mountain, before the eyes of the Children of Israel." The language of sacrifice remains in this passage: Moses must be "consumed" by God in order to be with God at all; in the "fire" of the glory of the Lord, Moses metaphorically becomes the burnt offering.

This parsha goes out with a bang.

*Nell Hawley '11 lives in Lowell House, studies Sanskrit epic and drama, and really really needs to write her thesis, like, now.*

## THE WEEK IN EDUCATION AT HILLEL

Tuesday, February 1:

6 PM: Parsha HaShavuah, Hillel Dining Hall

*Enjoy dinner at Hillel while exploring the weekly Parsha*

9 PM: Srugim, Lamont Library

*The Israeli TV show critics call a "pop culture phenomenon!"*

Wednesday, February 2:

6:30 PM: Talmud Class, Hillel Solarium

*Learn Talmud in a traditional shiur (class) that will focus on Tractate Beitzah!*

Thursday, February 3:

6:30 PM: Level II Hebrew Course, Smith Hall, Hillel

*This free follow-up course enables participants to strengthen their Hebrew reading skills. Each participant will receive a Level II student text.*

8 PM: Mishmar, Beren Hall, Hillel

*Come for the fantastic cholent, come for the intriguing and fascinating Torah learning sessions or come to just hang out with friends!*

<sup>1</sup> Insert some fine print here. The Bible rocks Western Judeo-Christian literature and philosophy. Overall, of course, the Sanskrit epic *Mahabharata* is the greatest story ever told. But you knew I would say that.

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## Samuel Milner

The laws which we encounter in Mishpatim are a diverse bunch: restitution of personal injury; accidental and premeditated manslaughter; and the many different cases of oxen gone wild. While sometimes seeming to treat trivial situations, these are necessary to provide the basis for society to function. Certainly, every nation has its own code of laws, and while attitudes towards torts and taxes differ, the same underlying issues are still addressed.

What is remarkable here is how justification can add spirit to the letter of the law. The prohibition on consuming torn meat follows God's declaration "You shall be a holy people to Me" (Exod. 22:30 NJPS). A law seemingly devoid of any purpose but to safeguard public health is transformed into a path to spiritual uplift and distinguished behavior: not merely something to avoid, but something to strive to uphold. It is not dissimilar from allowing assembly not because it's a nice thing to do but "in order to form a more perfect union." Even the coarsest law can be imbued with a lofty aspiration.

That ritual behavior can be combined with social relations is an even more impressive aspect of this code. In last week's parsha, when the Israelites received the Ten Commandments, among them was the commandment to observe the Sabbath because God rested on the seventh day of Creation. To rest on Shabbat means to imitate God, to reach a level of holiness befitting a holy people. But in Mishpatim, there is a different clause by way of explanation: "Six days you shall do your work, but on the seventh you shall cease from labor, in order that your ox and your ass may rest, and that your bondman and the stranger may be refreshed" (Exod. 23:12 NJPS).

What is a ritual act three chapters ago is now inseparable from everyday life. To relate to God is an awesome and, not being omnipotent, rather difficult task. Instead, the Torah asks us to focus those energies towards bettering our relations with others. We aren't following this law by looking to the heavens whilst standing by idly. Observing the commandments means to actively live by them not for some reward in either this or the next life but because we live in a world in which we interact with others. Doing so does not just make society holy but the holy into a society in the here and now, following commandments in the course of daily life however mundane. The commandment is not for the individual's own sake but for those around him, even the slave, stranger, and beast who we are commanded to treat equally

with the rich and free. It takes effort to realize this vision, but that is the Law's intent: whether ritual or social, to actively combine the body of observance and compliance with a soul of purpose and meaning.

Towards the end of the parsha, God makes a promise: "You shall serve the LORD your God, and He will bless your bread and your water. And I will remove sickness from your midst" (Exod. 23:25 NJPS). For some, this is religion: follow the commandments out of obligation to God and in return for His blessing. But that is not all Judaism has to offer. When Moses and Company ascend the mountain and behold God, they do what all Jews do: they eat. It isn't that they are ungrateful to God, but instead they are making what could just be a ritual procedure into a social one as well. To behold God they haven't retreated into the wilderness or gone to the outskirts away from all civilization. They have a picnic right on that very spot to demonstrate the importance of interacting with others in this life. They celebrate God and follow His laws communally. It's more than just worship, more than looking to some ultimate goal while ignoring events that happen nearby. This is what sets Judaism apart from other faiths, that religion means more than just thanking God for an ox. Paul missed this point when he argued of the importance of the doer of the deed, not the recipient: "Is it about oxen that God is concerned? Surely he says this for us, doesn't he? Yes, this was written for us" (1 Cor. 9:9-10 NIV). In contrast, Judaism maintains that God does care about the ox, just as He does the slave and stranger, by commanding that we show them equal compassion. To be a holy people means more than ritual observance and scattered acts of community service. As Mishpatim demonstrates, without observing in daily life a code of morals, justice, and care not just for us but for others, religion is meaningless.

*Samuel Milner '13 is Harvard Hillel's Vice President of Education. Although obligated to write for Open Scroll by virtue of being its editor, he enjoys mixing the spirit and the body of the law with a few ulterior motives.*