



Moral Refinement • Parshat Mishpatim

Immediately after God's revelation of the Torah to the Israelites on Mount Sinai, the text transitions seamlessly to detail civil, criminal, and ritual laws. According to Rashi, the opening letter "vov," meaning "and," of *Parshat Misphatim* connects the current content to the previous narrative in *Parshat Yitro*. There is an integral and thematic link between the exalted Ten Commandments and the more mundane details delineated immediately after.

At the conclusion of *Parshat Mishpatim*, the narrative returns to transcendent experiences. Moses, Aaron, Nadab, Abihu and the seventy elders ascended the mountain and witnessed a vision of God (Ex. 24:9). Even the Israelites experienced the Presence of God as "a consuming fire on the top of the mountain" (Ex. 24:17).

Sandwiched between these two revelatory experiences, are not accounts of the grandeur of the sanctuary or the intimate elements of sacrificial rituals, but minutia regarding how to judge legal disputes. Embedded in this juxtaposition is a profound statement. In the words of Rabbi Adin Steinsaltz in his *Talks on the Parasha*, "In the world order established by the Torah, the momentous experience of the giving of the Torah is followed by something that is no less important: *Parshat Mishpatim*. To put them on equal footing may seem radical, but the Torah does exactly this – overtly and deliberately."

In delineating the differences between the Torah and the Code of Hammurabi, Rabbi Amnon

Bazak writes in *To This Very Day: Fundamental Questions in Bible Study* that "only in the Torah is there such a phenomenon as *Parshat Misphatim*, where social laws – similar to those in the Laws of Hammurabi, concerning thieves and robbers, monetary damages, pledges, and hiring – appear alongside laws such as the Sabbath, the three pilgrimage festivals, and the laws of sacrifices." The division between social and religious legislation is nonexistent. They both form a part of the "harmonious framework of performing God's Will in the world." Without contrasting to Hammurabi, Rabbi Joseph B. Soloveitchik reaches a similar conclusion: "Civil laws carry religious significance. Destruction of property and trespassing are not merely violations of civil law but moral transgressions" (*Chumash Mesoras HaRav*).

Yet, the argument goes even further. The juxtaposition does not just teach that tort laws are religiously significant, or that causing interpersonal damage is a moral transgression. The Talmud relates in the name of Rabbi Judah that one who wants to become pious should study the laws of damages, which are rooted in *Parshat Mishpatim (Bava Kama 30a)*. The late Slonimer Rebbe, Sholom Noach Berezovsky, explains in his Hasidic commentary on the Torah, *Netivot Shalom*, that Rabbi Judah does not just intimate that learning the laws of damages alone will lead to piety. He is also not praising someone for merely taking responsibility *after* causing damages. Rather, he means that a person becomes pious by adopting the ethos and values of *Parshat Mishpatim*. These

laws inculcate an active aversion to causing anyone physical pain or emotional suffering which requires an internalization of virtue and a refinement of character.

In *The Person in the Parasha*, Rabbi Dr. Tzvi Hersh Weinreb argues that this is the reason that these laws are taught in many *yeshivot* to students when they are very young so that they learn to

be responsible for their actions. Their choices have repercussions for other people's physical, emotional, and financial well-being.

Civil laws are anything but ordinary. An integral part of Divine Revelation includes instructions on how to develop into more sensitive spiritual, ethical, and moral individuals.

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Character Challenge: Are there ways you can be more sensitive to other people's physical, emotional, or financial well-being?

Quote from Rabbi Lord Jonathan Sacks zt"l: “[N]either 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.” “Vision and Details,” *Covenant & Conversation*