

Kol Rina
An Independent Minyan
Parashat Mishpatim
February 22, 2025 *** 24 Shevat, 5785

Mishpatim in a Nutshell

https://www.chabad.org/parshah/article_cdo/aid/1298/jewish/Mishpatim-in-a-Nutshell.htm

The name of the Parshah, "Mishpatim," means "Ordinances" and it is found in Exodus 21:1.

Following the revelation at Sinai, G-d legislates a series of laws for the people of Israel. These include the laws of the indentured servant; the penalties for murder, kidnapping, assault and theft; civil laws pertaining to redress of damages, the granting of loans and the responsibilities of the "Four Guardians"; and the rules governing the conduct of justice by courts of law.

Also included are laws warning against mistreatment of foreigners; the observance of the seasonal festivals, and the agricultural gifts that are to be brought to the Holy Temple in Jerusalem; the prohibition against cooking meat with milk; and the mitzvah of prayer. Altogether, the Parshah of Mishpatim contains 53 mitzvot—23 imperative commandments and 30 prohibitions.

G-d promises to bring the people of Israel to the Holy Land, and warns them against assuming the pagan ways of its current inhabitants.

The people of Israel proclaim, "We will do and we will hear all that G-d commands us." Leaving Aaron and Hur in charge in the Israelite camp, Moses ascends Mount Sinai and remains there for forty days and forty nights to receive the Torah from G-d.

Haftarah in a Nutshell: *Jeremiah 34:8-22; 33:25-26*

https://www.chabad.org/parshah/article_cdo/aid/819841/jewish/Haftarah-in-a-Nutshell.htm

In this week's haftarah, Jeremiah describes the punishment that would befall the Jews because they continued enslaving their Hebrew slaves after six years of service—transgressing the commandment discussed in the beginning of this week's Torah reading.

King Zedekiah made a pact with the people according to which they would all release their Jewish slaves after six years of service—as commanded in the Torah. Shortly thereafter, the Jews reneged on this pact and forced their freed slaves to re-enter into service. G-d then dispatched Jeremiah with a message of rebuke: "Therefore, so says the Lord: You have not hearkened to Me to proclaim freedom, every one to his brother and every one to his neighbor; behold I proclaim freedom

to you, says the Lord, to the sword, to the pestilence, and to the famine, and I will make you an object of horror to all the kingdoms of the earth." The haftorah then vividly depicts the destruction and devastation that the Jews would experience.

The haftorah concludes with words of reassurance: "Just as I would not cancel My covenant with the day and night and I would not cancel the laws of heaven and earth, so too I will not cast away the descendants of Jacob . . . for I will return their captivity [to their land] and have mercy on them."

FOOD FOR THOUGHT

[The Slow End of Slavery: Mishpatim by Rabbi Jonathan Sacks z"l \(5772\)](https://rabbisacks.org/covenant-conversation/mishpatim/the-slow-end-of-slavery/)
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In Parshat Mishpatim we witness one of the great stylistic features of the Torah, namely its transition from narrative to law. Until now the book of Exodus has been primarily narrative: the story of the enslavement of the Israelites and their journey to freedom. Now comes detailed legislation, the "constitution of liberty."

This is not accidental but essential. In Judaism, law grows out of the historical experience of the people. Egypt was the Jewish people's school of the soul; memory was its ongoing seminar in the art and craft of freedom. It taught them what it felt like to be on the wrong side of power. **"You know what it feels like to be a stranger,"** says a resonant phrase in this week's Parsha (Ex. 23:9). Jews were the people commanded never to forget the bitter taste of slavery so that they would never take freedom for granted. Those who do so, eventually lose it.

Nowhere is this clearer than in the opening of today's Parsha. We have been reading about the Israelites' historic experience of slavery. So the social legislation of Mishpatim begins with slavery. What is fascinating is not only what it says but what it doesn't say.

It doesn't say: abolish slavery. Surely it should have done. Is that not the whole point of the story thus far? Joseph's brothers sell him into slavery. He, as the

Egyptian viceroy Tzofenat Paneach, threatens them with slavery. Generations later, when a pharaoh arises who “knew not Joseph,” the entire Israelite people become Egypt’s slaves. Slavery, like vengeance, is a vicious circle that has no natural end. Why not, then, give it a supernatural end? Why did God not say: ‘There shall be no more slavery’?

The Torah has already given us an implicit answer. Change is possible in human nature, but it takes time: time on a vast scale, centuries, even millennia. There is little doubt that in terms of the Torah’s value system the exercise of power by one person over another, without their consent, is a fundamental assault against human dignity. This is not just true of the relationship between master and slave. It is true, according to many classic Jewish commentators, of the relationship between king and subjects, rulers and ruled. According to the Sages it is even true of the relationship between God and human beings. The Talmud says that if God really did coerce the Jewish people to accept the Torah by “suspending the mountain over their heads” (Shabbat 88a) that would constitute an objection to the very terms of the covenant itself. We are God’s avadim, servants, only because our ancestors freely chose to be (see Joshua 24, where Joshua offers the people freedom, if they so choose, to walk away from the covenant then and there).

So slavery is to be abolished, but it is a fundamental principle of God’s relationship with us that he does not force us to change faster than is possible of our own freewill. So Mishpatim does not abolish slavery, but it sets in motion a series of fundamental laws that will lead people, albeit at their own pace, to abolish it of their own accord. Here are the laws:

“If you buy a Hebrew servant, he is to serve you for six years. But in the seventh year, he shall go free, without paying anything . . . But if the servant declares, ‘I love my master and my wife and children and do not

want to go free,' then his master must take him before the judges. He shall take him to the door or the doorpost and pierce his ear with an awl. Then he will be his servant for life. Ex. 21:2-6

What is being done in these laws? First, a fundamental change is taking place in the nature of slavery. No longer is it a permanent status; it is a temporary condition. A Hebrew slave goes free after seven years. He or she knows this. Liberty awaits the slave not at the whim of the master but by Divine command. When you know that within a fixed time you are going to be free, you may be a slave in body but in your own mind you are a free human being who has temporarily lost their liberty. That in itself is revolutionary.

This alone, though, was not enough. Six years are a long time. Hence the institution of Shabbat, ordained so that one day in seven a slave could breathe free air: no one could command him to work:

Six days you shall labour and do all your work, but the seventh day is a sabbath to the Lord your God. On it you shall not do any work, neither you . . . nor your male or female servant . . . so that your male and female servants may rest, as you do. Remember that you were slaves in Egypt and that the Lord your God brought you out of there with a mighty hand and an outstretched arm. That is why the Lord your God has commanded you to observe the Sabbath day. Deut. 5:12-14

But the Torah is acutely aware that not every slave wants liberty. This too emerges out of Israelite history. More than once in the wilderness the Israelites wanted to go back to Egypt. They said, "We remember the fish we ate in Egypt at no cost, also the cucumbers, melons, leeks, onions and garlic" (Num. 11:5).

As Rashi points out, the phrase "at no cost" [chinam] cannot be understood literally. They paid for it with their labour and their lives. "At no cost" means "free of

mitzvot,” of commands, obligations, duties. Freedom carries a highest price, namely, moral responsibility. Many people have shown what Erich Fromm called “fear of freedom.” Rousseau spoke of “forcing people to be free” – a view that led in time to the reign of terror following the French Revolution.

The Torah does not force people to be free, but it does insist on a ritual of stigmatization. If a slave refuses to go free, his master “shall take him to the door or the doorpost and pierce his ear with an awl.” Rashi explains:

Why was the ear chosen to be pierced rather than all the other limbs of the body? Said Rabbi Yochanan ben Zakkai: ...The ear that heard on Mount Sinai: "For to Me are the children of Israel servants" and he, nevertheless, went ahead and acquired a master for himself, should [have his ear] pierced! Rabbi Shimon expounded this verse in a beautiful manner: Why are the door and the doorpost different from other objects of the house? God, in effect, said: “The door and doorpost were witnesses in Egypt when I passed over the lintel and the two doorposts, and I said: ‘For to Me are the children of Israel servants’, they are My servants, not servants of servants, and this person went ahead and acquired a master for himself, he shall [have his ear] pierced in their presence.”

A slave may stay a slave but not without being reminded that this is not what God wants for His people. The result of these laws was to create a dynamic that would in the end lead to an abolition of slavery, at a time of free human choosing.

And so it happened. The Quakers, Methodists and Evangelicals, most famous among them William Wilberforce, who led the campaign in Britain to abolish the slave trade were driven by religious conviction, inspired not least by the biblical narrative of the Exodus, and by the challenge of Isaiah “to proclaim freedom for captives and for prisoners, release from darkness” (Is. 61:1).

Slavery was abolished in the United States only after a civil war, and there were those who cited the Bible in defence of slavery. As Abraham Lincoln put it in his

second Inauguration:

“Both read the same Bible and pray to the same God, and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not, that we be not judged.”

Yet slavery was abolished in the United States, not least because of the affirmation in the Declaration of Independence that “all men are created equal,” and are endowed by their Creator with inalienable rights, among them “life, liberty and the pursuit of happiness.” Jefferson, who wrote those words, was himself a slave-owner. Yet such is the latent power of ideals that eventually people see that by insisting on their right to freedom and dignity while denying it to others, they are living a contradiction. That is when change takes place, and it takes time.

If history tells us anything it is that God has patience, though it is often sorely tried. He wanted slavery abolished but He wanted it to be done by free human beings coming to see of their own accord the evil it is and the evil it does. The God of history, who taught us to study history, had faith that eventually we would learn the lesson of history: that freedom is indivisible. We must grant freedom to others if we truly seek it for ourselves.

[Don't Be the Terumah: Mishpatim by Stephanie Ruskay](https://www.jtsa.edu/torah/dont-be-the-terumah/)

<https://www.jtsa.edu/torah/dont-be-the-terumah/>

Last week JTS, The Rabbinical Assembly, United Synagogue Youth, United Synagogue of Conservative Judaism, Camp Ramah, the Jewish Youth Climate Movement Powered by Adamah, and Congregation Adas Israel in Washington, DC, launched Ruchot, the first ever advocacy and lobbying training for Conservative Movement teens. We gathered as an erev rav (mixed multitude) of

36 teens from 11 states (and one Canadian), 7 rabbinical students, 6 rabbis, three youth director staff, and an Israeli shaliah.

We celebrated Shabbat together; learned how to advocate in meetings with senators, members of congress, and their staff; learned about the specific issues of climate change, immigration, and reproductive rights with Dayenu, Bend the Arc, and National Council of Jewish Women; and went to Capitol Hill and had 28 meetings with legislative leaders on these issues.

Students wrote and delivered speeches asking their legislators to support the Global HER Act and the Right to Contraception Act, undo the reversal of the sensitive sites protection for religious institutions (in an attempt to prevent ICE from disrupting religious services and communities), protect the Environmental Protection Agency funding and staff from enormous cuts, and support clean energy tax credits.

The teens mined their own stories to share with the elected officials about why the issues mattered to them. Their stories were personal and included an individual need for hormone contraception to address menstrual pain, flooding and fires in their home communities that jeopardized their health and their homes, and fear that people in their communities will be forced from their schools and religious institutions, despite having been raised in this country. They were particularly asking for religious institutions to be places that could actually welcome people who are poor and marginalized, as religious institutions are intended to be.

And they brought Torah. They shared specific teachings that helped them root their requests in Jewish tradition.

They asked the elected officials to take their stories and religious values seriously and remember them as they vote and work to protect democracy.

Both Parashat Yitro and Mishpatim offer us frames that inspire the kind of learning

we did on Ruchot.

In Yitro, Moshe's father-in-law, Yitro, sees him convening all the Israelites who have disputes with one another. Moshe sits from dawn until late at night adjudicating, keeping everyone standing in line until they can be seen. Yitro tells Moshe that concentrating the right to judge and act in one person is unfair to him and to every single person seeking a judgement. He needs to seek out well established, God-fearing people of integrity who aren't chasing money:

You must discern, from among all the people, people who are well-established, God-fearing, people of integrity, who "hate" money. Appoint these individuals over the people as leaders of thousands, leaders of hundreds, leaders of fifties, and leaders of tens. (Exod. 18:21)

Similarly, lobbying and advocating are not one-person activities. They are activities of the people. Elected officials represent the people of their districts. So, the people of their districts must be the people who lobby them. Yitro's advice is a reminder that we must spread out responsibility, training anyone willing to learn how to lobby. And we must do our best to ensure that the people we train have integrity and keep refining themselves to be God-fearing people of honor who are not motivated by money. We hope the elected officials will be too! We need to do whatever it takes to help us put aside ego and personal gain, to prioritize the greater good. We don't win awards for being the best individual lobbyist or advocate. We make progress by creating the context for the greatest number of people to bring their stories, values, and priorities to their elected officials.

Parashat Mishpatim includes the famous response by the Israelites to God's commandments that

And he [Moses] took the book of the covenant, and read in the hearing of the people; and they said: "All that God has spoken will we do, and

obey.” (Exod. 24:7)

Much has been made by the commentators about the Jewish response to act and then understand. I thought of this orientation frequently during Ruchot. Lobbying and advocating are a constant dance of acting and learning. One can never know everything there is to know on a subject or policy. And time doesn't stop while you are lobbying. In an ideal encounter you go to lobby, and not only do you offer your perspective and request for your elected official to represent you, but you also ask why they are planning to vote how they plan to vote, or co-sponsor the legislation they plan to co-sponsor, or defend a policy they plan to defend. You are learning. They are learning.

Our theory in creating Ruchot is that to be a Jewish person in the world requires us to act upon our values. Judaism is not silent on climate, immigration, reproductive rights, or any other issue of the day. The Torah in most cases doesn't say exactly what should be done, but it does offer us values and orientations to the world as well as definitions about who falls within our communal responsibilities that can guide our response. We are building muscles. By taking teens to learn to lobby and then practicing, they are doing and learning. They are speaking from their hearts, listening to the reactions of the elected officials, and creating muscle memory so they can stay engaged for the rest of their lives.

We learn in Midrash Tanhuma, Mishpatim Siman 2 that “If a human being does nothing [lit. sits like a terumah grain in the corner of the house] and says, ‘What do the affairs of society have to do with me? Why should I trouble myself with the people’s voices? Let my soul dwell in peace!’ this destroys the world.”

Now these are the ordinances (Exod. 21:1). The Torah teaches elsewhere: The king by justice establishes the land, but the person who sets themselves apart (terumah) overthrows it (Prov. 29:4). The Torah’s king rules through

justice and therefore causes the earth to endure, but the person who sets themselves apart (terumah) overthrows it. This implies that if a person acts as though they were a terumah (the portion separated, or set aside, for the priests) by secluding themselves in the corner of their home and declaring: “What concern are the problems of the community to me? What does their judgment mean to me? Why should I listen to them? I will do well (without them),” that person helps to destroy the world. Therefore the saying, the person of separation (terumah) overthrows it.

We have started building scaffolding for teens, rabbinical students, clergy, and staff of Ruchot to remember that the affairs of society have everything to do with each of us. We did and we listened. The work now is to keep on doing it and like Moshe, inspired by Yitro, to keep refining our souls and seeking out new people to teach how to advocate and then join together with them to do it. (*Stephanie Ruskey is Associate Dean at the Rabbinical School, JTS*)

The Haftarah Project: Mishpatim – Justice for Some or Justice for All
by Jane Gronau (is a member at B'nai Jeshurun, NYC)

<https://bj.org/the-haftarah-project-mishpatim-justice-for-some-or-justice-for-all/>

The haftarah for Parashat Mishpatim recounts the prophet Jeremiah’s reprimand of the Israelites for continuing to subjugate their Hebrew slaves, by freeing and then re-enslaving them in violation of the commandment to free Jewish slaves after six years. “But now you have turned back and have profaned My name; each of you has brought back the men and women whom you had given their freedom and forced them to be your slaves again.” On the surface, it sounds like a righteous chastisement. But as Rabbi Rachel Barenblat writes: “Slave ownership? We’ve just read and relived the story of the Israelites’ transformation from slaves into free and

covenanted people, and now we're kicking off a long set of legal ins and outs with a rule about owning Israelite slaves?" Furthermore, Jeremiah is entirely silent on the topic of non-Jewish slaves, who appear to have been excluded from this constraint on slavery, even though later in this same parashah we are told, "You shall not wrong a stranger or oppress him, for you were strangers in the land of Egypt. (Exodus 22:20)"

The Torah delineates two categories of slavery: the Eved K'naani (non-Jewish slave) and the Eved Ivri (Hebrew slave). The Eved K'naani remained enslaved for life, whereas the Eved Ivri worked for a fixed term before being granted freedom (with more restrictive exceptions for Jewish women). The tacit tolerance of slavery in general, and the exceptionalist approach to Jewish slaves while discounting the others, render this haftarah a problematic one.

One response to these implications has been to say that slavery was a cultural norm in biblical times. Numerous aspects of the parashah, particularly its discussions of property law and damages, are framed in an ancient context that can perhaps be made relevant for today. Many have viewed Jewish law, with its regulations requiring the release of Jewish slaves and with some protections for all slaves, including a mandated day of rest on Shabbat, as an improvement over common practices of the era.

However, the underlying acceptance of slavery in general, and the exclusion of non-Jewish slaves from whatever improvement may be represented in these writings, reflect not only historical distance but also present a moral problem for us today as well. How are we to celebrate and sing about the implicit endorsement of a repugnant institution, no matter how circumscribed, and of that institution's insidious distinction between the Eved Ivri and the Eved K'naani? It is disturbing to encounter our texts' sanction of slavery in any format, and even more so to recognize that in the United States, some slaveholders and even some rabbis

— including BJ's Rabbi Rev. Dr. Morris J. Raphall in 1861—invoked biblical law to justify it.

Throughout history, Jews have engaged with the Torah through the lens of rabbinic interpretation rather than taking its words at face value. Rabbi Moses ben Nachman (Nachmanides, also known acronymically as Ramban), a major medieval Jewish scholar, philosopher, and commentator, offered in a commentary on another parashah (Va'ethanan, Devarim 6:18): “And you shall do what is right and good in the eyes of God that it may go well with you.” He understands this as a broad moral directive. “Our Rabbis have a beautiful Midrash on this verse. They have said: ‘[That which is right and good] refers to a compromise and going beyond the requirement of the letter of the law.’ The intent of this is as follows: At first, he [Moses] stated that you are to keep God’s statutes and God’s testimonies which God commanded you, and now he is stating that even where God has not commanded you, give thought as well to do what is good and right in God’s eyes, for God loves the good and the right.”

The Rambam is even more clear and specific, suggesting in that while the law allows the Hebrews “to have a Canaanite slave perform excruciating labor,” the law doesn’t always embody God’s righteousness, stating that, “Although this is the law, the attribute of piety and the way of wisdom is for a person to be merciful and to pursue justice.”

So why choose to continue the tradition of reading this haftarah with these objectionable undercurrents, which addresses such a limited piece of the broader Torah portion? In *Studies on Shemot*, Nechama Leibowitz pointed out that the Torah cautions us regarding our behavior toward the stranger no less than 36 times, the most repeated injunction in the Torah. Empathy is an outgrowth of experience. She summarized, “We are bidden to put ourselves in the position of the stranger by remembering how it felt when we were strangers in another land.”

Perhaps as a minimum, we should offer a companion text – a reading based on other verses in the same parashah (Exodus 22:20-21), that would push us to confront this history in a more direct and ethical way – one that rededicates our commitment to liberation.

Exodus 22:20

Strangers

You shall not wrong a stranger or oppress him,
For you were strangers in the land of Egypt.

We were strangers in Egypt and in Kiev.
we were foreigners in Babylon and Berlin,

We were outsiders and wanderers
in Spain and Poland and France.

We looked at the citizens of those lands
with the dark pleading eyes of the alien.

Our hearts beat the hesitant beats
of those without rights, fearful and uncertain.

We pray You help us to remember
the heart of the stranger
when we walk in freedom,

Help us to be fair and upright
in all our dealings with other people.

O, burn and brand the lesson
of all the years and all the lands
on our hearts.

Lord, make us forever strangers
to discrimination and injustice.

From Harvest, Collected Poems and Prayers

by Ruth Brin

Yahrtzeits

Neil Fox and all of Kol Rina remember dear friend and Kol Rina member Susan Marx on Wednesday February 26th.

Lenny Levin remembers his mother Hadassah Ruth Routtenberg Levin on Thursday February 27th