

MISHPATIM – 5783

Our knowledge of the ancient world and its evolution into multiple societies has expanded tremendously over the last fifty years since I entered university as an undergraduate. We have always understood that sociology was the study of the development, structure and functioning of human society. But it took modern archaeology and anthropology to reveal that before there could be societies, there had to be the evolution of farming and the change from nomadic wanderings in search of food sources to the domestication of animals and plants that could thrive in one place and feed a growing settled population. This has to be in the back of our minds as we try to understand this week's parsha and make sense of a group of laws that bear little or no resemblance to our experiences as individuals today. After all, how can any of us relate to laws about slavery in our own society or what to do when someone digs a pit and another man's animals fall into it?

So, how do we look for meaning as we read the verses and, even more challenging, how do we make what we read meaningful to the children we try to raise in our traditions, and they study for bar or bat mitzvah and have to prepare a Davar Torah based upon this week's parsha. Well, I think we have to go back to understanding that every culture or tribe or civilization, for that matter, needed to have ways to keep order, to enable a group of people to get along together. From that point of view, we can reiterate and focus on the fact that what we read about in Mishpatim is the beginning of the collection of laws and mitzvot that were meant to create out of this motley band of now freed slaves, a nation that was to be a light unto the rest of the nations. This was to be accomplished by making sure the laws contributed to a harmonious society, comprised of people who treated each other and

the strangers amongst them or who interacted with them justly and who strived in their daily lives to be a holy people, dedicated to the covenant with the Almighty first made with the patriarchs and then reaccepted by the Children of Israel at Sinai. But nowhere are all these three principles outlined up front, so to speak. The text addresses holiness often throughout the Torah. We are reminded often as well about justice and the searching for justice in all that we do. But it is up to us in every age to see how those two played out properly would yield harmony in society. But throughout the Five Books of Moses, we find references to elements that alert us to the ultimate goal of harmony.

Mishpatim begins with a long list of seemingly random laws and how their lack of obeying them ought to be punished. But then, at the very end of this week's parsha, we read the following "then he took the record of the covenant and read it to the people. And they said, all that the Lord has said, we will faithfully do." That's the translation offered in Eitz Chaim, our chumash, on page 478. But the commentary below points out that the actual Hebrew is "NaAseh V'Nishma". If we translate that literally, it means we will do and we will listen. When you think about it, isn't that the reverse of what really happens? First don't we listen and then do?

The sages differ in how we ought to interpret those two words. First of all, many of them point to the inclusion of this at the end of the parsha as evidence that the Torah was written by many voices over many years and what we read is the final accepted version. But then they often point out that they both refer to interactions with the divine, HaShem tells us what to do and then we listen. They argue that we listen to call for justice and holiness. We listen to what the Mishpatim are addressing, and we acknowledge their role in making us a holy and a just nation. For example, the rules first

introduced here about the giving of the first born to HaShem and the separation of milk and meat so as to keep kosher. But nowhere does this really address the harmony in society, really. BUT it seems to me that if we think about a different meaning of the expression we will do and we will listen, if we think about a different audience, we might understand better the import of that phrase NaAseh VeNishma.

Every action results in a reaction. No matter what we are referring to, there is cause and there is effect. I would like to suggest that another way of looking at NaAseh V'Nishma is to make more sense of the placement of the words by revealing a new meaning. First, we do, and then we listen to what happens afterwards. If I do something that affects another person unfairly, or unjustly, I will know because of what THEY say or do. If I treat another person unfairly, what comes back to me will be very different from what happens when I treat that person fairly. If I keep the laws of Kashrut, then I will hear the still small voice inside of me referring to my acceptance of the commandments and doing what I must to be a holier person and set an example for good around me. If my actions contribute to a positive outcome, I have to hear and see that from the responses I get as a result of my actions. What I do then contributes to greater harmony in my immediate world, in my relationships with others, with those around me

WE often speak about Shalom Bayit, peace in the family our in the group. If what I do results in Shalom Bayit, it is up to me to see that and understand how I have contributed to harmony and peace around me. If my actions result in negative reactions, I need to be attending to, tuning in, to the other so that I can see something is not right and adjust my behaviour appropriately. Before there can be holiness and justice in the abstract, my individual actions have lead to positive reactions. But I only know they are

positive because I see, and I hear. It is up to each of us, as individuals to begin to Letaken HaOlam by observing how what we do impacts on others and adjust so that the outcomes are more appropriate. Only by doing that can we then say I have done, and I have heard. Only then can my actions contribute to harmony, justice, AND holiness. That is what we mean by Gemilut Chasadim, acts of lovingkindness. WE don't have to be religious or observant to treat one another fairly, justly. We just have to attend to our own behaviours and ensure they have the right, desired, outcomes.

Shabbat Shalom.