



## TORAH SPARKS

### Parashat Mishpatim, Shabbat Shekalim

February 13, 2021, 1 Adar 5781

**Torah:** Exodus 21:1-24:18; **Triennial** 22:4-23:19  
Shevii: Numbers 28:9-15; **Maftir Exodus** 30:11-16

**Haftorah:** II Kings 12:1-17

#### Torah on an Endless Loop Ilana Kurshan

Our parsha features the famous phrase *na'aseh v'nishma*, in which the Israelites commit first to do and then to listen to everything that God commands them on Mount Sinai. Although the rabbis praise the Israelites for their unconditional obedience, the Talmud also contains several voices that criticize the Jewish people for their impulsiveness. After all, what is the meaning of pledging to comply when you don't yet know what is expected of you? A close reading of this rabbinic discussion suggests that perhaps "we will do and we will listen" is not about blind obedience, but about acting in a way that enables us to hear God's word.

The Talmudic rabbis discuss the Israelites' response to the revelation at Sinai in tractate Shabbat (88a). Rabbi Elazar regards the Israelites' willingness to act before listening as angelic behavior, arguing

that it is a characteristic of the ministering angels to do God's will and only then to hearken to God's voice. Unlike human beings, who may question or even challenge authority, the angels act as if programmed to do God's bidding. But Rabbi Simlai raises doubts about whether this angelic behavior was really so pure and praiseworthy. He states that in the moment when the Israelites spoke *na'aseh* before *nishma*, six hundred thousand ministering angels came and tied two crowns to every member of the Jewish people, one corresponding to *na'aseh* and one corresponding to *nishma*. Then when the people sinned very soon afterward with the Golden Calf—while still standing at Sinai, awaiting Moshe's descent down the mountain—thousands of other angels descended and removed those crowns. The Israelites may have pledged their blind obedience, but then they tripped over the very first stumbling block placed in their path, violating the first two commandments just moments after they had been inscribed on the divinely chiseled tablets.

Was it really so wise for the Israelites to agree to keep the Torah even before hearing what God had to say to them? Often when the Talmudic rabbis wish to give voice to opinions that seem too heretical to utter themselves, they place them in the mouths of others – heretics, Roman matrons or foreign kings. The Talmud goes on to relate that a certain heretic once saw that the sage, Rava, was immersed in the study of Jewish law. Presumably the matter he was studying was very difficult, because he was sitting on

his hands and squeezing them together so hard that his fingers were spurting blood. Was it just a complicated passage to understand? Or was it the prospect of fulfilling what he was learning – “doing” and not just “listening”—that made Rava seem paralyzed, unable to move his hands freely? We do not know. But the Talmud relates that upon seeing Rava in such a state, the heretic said, “You impulsive nation, who preceded your ears with your mouths! You are still so impulsive!” It is not always easy to live a life of Torah and mitzvot, and sometimes it really does seem like the effort is so draining that it might have been wise first to negotiate with God over the nature of our commitment.

But perhaps Rava was not distressed by the challenge of Torah study, but rather so deeply immersed in it that the heretic’s critique did not seem to matter. We might read the Israelites’ response at Sinai not as an unconditional commitment to accept God’s laws, but rather as a description of what will happen as a consequence of living in accordance with them. *Na’aseh v’nishma* is less about chronology than about causation: It is not “we will do and then we will listen,” but rather “we will do so that we might listen.” The more we live in accordance with God’s Torah, the more receptive we will be to God’s will, and the less distracted we will be by competing voices. By keeping Shabbat, we allow for the stillness that enables us to hear God’s voice. By honoring our parents, we learn to submit ourselves to a higher authority. By caring

for the disempowered – the widow, orphan, and stranger, as our parsha demands of us – we internalize what it means to be created in the image of God. Our actions bring us to a deeper understanding of God’s Torah and enable us to listen more deeply.

At the end of the book of Deuteronomy, God instructs Moshe to write down the words of the Torah and teach them to the people of Israel: “Put it in their mouths, in order that this song may be my witness.” (31:19). Words of Torah ought to be like the song we can never get out of our head – the one that runs on an endless loop until we know all the lyrics by heart and find ourselves singing them unawares. This happens to those who chant regularly from the Torah, but it also happens to anyone who is deeply committed to making the words of Torah a part of themselves. It resonates inside us with every breath we take.

## **Punishment, Compensation, or Deterrence? Vered Hollander-Goldfarb**

Parashat Mishpatim is the first collection of laws in the Torah. Here is a small and partial taste:

### **Text: Shmot 21:37-22:3**

*(37)Should a man steal an ox or a sheep, and slaughter it or sell it, he shall pay five oxen for the ox, and four sheep for the sheep... (3)If what he stole shall be found in his hand – from ox to donkey to sheep – alive; he shall pay double.*

- In some situations, the person stealing pays 4-5 times the value, at other time only twice the value. What is the difference in situations? What would be the logic behind the difference in payments?
- Why do you think that there is a difference in the payment depending on which animal he stole (ox or sheep), if it cannot be returned?
- What is the difference between the “returnable” list and the “unreturnable”?
- The penalty of four or five times the value is limited to the two types of animals listed (according to the Talmud). Why do you think that in those specific cases the Torah prescribed severe payments?
- Should we consider the payment a fine or compensation (or something else)? What would be the logic behind each?

### **Commentary: Ibn Ezra Shmot 21:37**

*Should a man steal – [Rabbi] Yeshua [said]: The LORD made the penalty for the ox greater than the penalty for the sheep for one cannot hide an ox as one can hide a sheep, and therefore only one experienced in stealing will be able to carry out such theft. And the Gaon said that it is because of the damage done to the owner of the ox more than the [theft of a] sheep, for with the ox he will plow.*

- What difficulty is Ibn Ezra is trying to resolve?\*
- Ibn Ezra brings 2 possible answers (neither is his own). In each answer, what is the reason for the added payment, a fine or a compensation (or some of each)?
- Who is the focus of each answer, the thief, or the owner?
- Which answer do you prefer? Why?

\* Assistance for those who want: The Torah gives different penalties depending on the animal stolen and disposed of. What is the logic behind the difference? This will lead to two different ways of thinking, and to focus on two people involved: the thief and the owner. As you work through it, think about the question at the top of this learning.

## **Keep it in the Family**

**Bex Rosenblatt**

The star of our haftarah, 2 Kings 12:1-17, is Yoash, King of Judah. He becomes king at a particularly chaotic time. Yoash is third in a series of four rulers of Judah who are assassinated. The story begins with his grandfather, Yehoram, King of Judah, who brings evil into the Judean dynasty, into the dynasty of David. Yehoram marries Athaliah, the daughter of the King of Israel. While this may seem like a beautiful and reasonable move, reconciling the Kingdoms of Judah and Israel after they had split about one-hundred years earlier, the narrative strongly condemns the marriage. Athaliah is the daughter of King Ahab and Jezebel, who were best known for encouraging worship of foreign gods, murdering prophets and an innocent man, and having their corpses consumed by dogs. Elijah the prophet pronounces judgement on their entire dynasty, setting up the circumstances of its destruction.

Of course, one would hate to judge Athaliah for the sins of her parents. But she manages to bring condemnation down on herself of her own accord. After the death of her husband, her son reigns for one year before being killed by the same man who killed Athaliah's mother as part of Elijah's prophetic judgement. Athaliah's response is to kill off all other members of the royal family. In 2 Kings 11:1, she kills off all the rest of royal seed before assuming reign herself. The hero of our haftarah, Yoash, survives the purge as a baby only because his aunt took him and hid him in the Temple.

Six years later, at the age of seven, Yoash emerges from the Temple in a coup against Athaliah, staged by the high priest. Athaliah is killed, Yoash is made king, and the high priest performs a covenant ceremony between God, king, and nation. After this, Yoash will reign mostly successfully for forty years before being killed by his servants who set his son up as the next king. Likewise, his son will be killed by his own officers after ruling for twenty-nine years.

In this time of extreme chaos, in which rulers are murdered, the nation swings between worship of God and worship of Baal, and foreign invasion is a real threat, what does Yoash do as king? How does he attempt to establish order out of chaos? Yoash's first action, as we read in the haftarah, is to collect funds to repair the Temple. He unites the nation through their ability to give, to rebuild their most holy of institutions. Moreover, his ask of donation echoes the donation or tax that Moses requested of the Israelite people at the time of the building of the Tabernacle. In both stories, a covenant ceremony is followed by donation to the building and upkeep of the most holy.

But there is not a happy ending to the story. Even after following in the footsteps of Moses, Yoash will be assassinated and his son will as well. The Kingdom of Judah has begun its descent leading to its eventual destruction. But perhaps, even in this narrative of chaos and destruction, we can find instruction in choosing to rebuild.