

DARCHAI NOAM - דרכי נועם

“Its ways are ways of pleasantness”

(Mishlei 3:17)

Parashat Mishpatim
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How can the Parasha help us grow this week?

Mishpatim – Keeping it new and fresh

In last week's Parasha of Yitro we read about the Divine Revelation at Har Sinai and the giving of the Ten Commandments. This week's Parasha of Mishpatim provides us with many of the details. We read a long list of mitzvot covering ownership of slaves, murder, manslaughter, monetary damages, the obligation to give charity, maintaining an equitable judicial system, keeping Shabbat and the festivals and more.

As is well known, when they were camped around Har Sinai, Bnei Yisrael famously declared in unison: “Naaseh V’Nishmah” (We will do and we will hear)! First, they undertook to “do”. Then they said they would listen to what they needed to do. By making this declaration, Bnei Yisrael were affirming that they would follow whatever Hashem commands, regardless of what those commandments would be. Bnei Yisrael thus affirmed their faith in Hashem. When Hashem heard this declaration, He praised Bnei Yisrael and compared them to angels, saying “Who revealed this secret to My children, the secret that the ministering angels use for themselves”.¹

So in summary, parashat Yitro contains the revelation at Har Sinai (the smoking mountain, the loud shofar blast, the indescribable revelation when the entire nation became prophets and literally heard Hashem speak). Parashat Mishpatim contains the long list of technical details and the minutiae of the laws. With that in mind, now it's time for a quick pop quiz.

Question: In which Parasha does the famous declaration “Naaseh V’Nishmah” appear?

If one didn't know better, it would seem natural that this affirmation of faith would appear in Parashat Yitro - before the revelation at Har Sinai. However, this famous phrase actually appears at the very end of Parashat Mishpatim - not only *after* the revelation at Har Sinai, but even after the long list of detailed mitzvot that we learn this week. Rashi² explains that the chronology of events is not the same as the order in which they appear in the Torah. Despite its location at the end of Parashat Mishpatim, Naaseh V’Nishmah was in fact recited before the revelation.³ If so, then it begs the question - why would the Torah record this famous declaration at the end of Parashat Mishpatim and not at the correct place in the narrative of events? Let us suggest an answer.

We learn in masechet Brachot⁴:

*Rebbi Yehuda expounded on the Pasuk which Moshe recited towards the end of his life: “Pay heed and Listen Israel, **on this day** you have become a nation”⁵. But was it on that day that the Torah was given to Israel that it should say that Israel became a nation? This day [on which Moshe said these words] was at the end of 40 years in the wilderness, not when they got the Torah which was at the beginning of the 40 years. Rather, the verse means that every day that you learn the Torah it is as dear to you as the day that it was given on Har Sinai.*

¹ See Gemara, Shabbat 88a-b.

² In his commentary to Shmot 23:1.

³ Note, there are different opinions amongst the Sages and the commentators as to as the precise chronology of events. A more detailed explanation is beyond the scope of this article.

⁴ Daf 63b.

⁵ Devarim 27:9.

When we learn Torah, it should always feel as new and fresh as the day that we first received it. The Tur⁶ writes that the correct kavana that we should have when reciting Birkat HaTorah (the blessings over Torah study⁷) is to remember the revelation at Har Sinai⁸. We should feel as though we are literally receiving the Torah right now!

When Bnei Yisrael were actually standing at Har Sinai, it was easy to feel the newness and freshness of the Torah, because it was literally new and fresh. (And even today, when we read the events of Parashat Yitro, if we really pay attention to the meaning of the words, it is not so difficult to feel a bit of that inspiration.) But after the excitement of Har Sinai has begun to fade, and we learn a long list of mitzvot and the details of those mitzvot, it is precisely at that point that we need to recapture the excitement and re-affirm our faith with as much intensity as when we were trembling at the awesome revelation. The intensity of our kavana and inspiration should not be a one-off occurrence, but should apply whenever we learn and practice Hashem's Torah and mitzvot. Perhaps that is why Hashem chose this point in the Torah to go back to the narrative of the Divine Revelation and in particular, to recount the most inspiring and dramatic affirmation of Bnei Yisrael.

How can we try to capture this excitement and enhance our inspiration every time we learn Torah? We see elsewhere in the Gemara⁹ that the Torah is likened to a fig tree. Rashi explains that the figs on a fig tree do not all ripen at the same time. Just as with a fig tree, every time a person reaches out he can find ripe figs, so too with words of Torah. Every time one studies them, he can find new flavour in them. One of the ways in which the Torah is unique is that the very same text is learnt by young children and great sages alike.¹⁰ (Just to make the point even stronger – try to imagine a university professor reading a grade one reader.) There is limitless depth and meaning to the words of the Torah – every time that we study the same words again (as we do each year when we study the weekly Parasha), we can look for a different spin, a deeper explanation, a fresh perspective. There are so many commentaries available that this is not difficult to do.

Another time that we learn Torah regularly is when we recite the Shema. The repetition of the three paragraphs of the Shema twice every day may make it challenging to keep inspired and feel kavana. The Mishnah Berurah¹¹ provides us with some practical advice - one should recite the Shema as if it were a new proclamation from the king. Imagine how much care one would take to read a new proclamation from a human king. How much more so when we are reading a proclamation from the King of kings. To make this exercise even more powerful, one can imagine that the decree is personally addressed to them. If we try to put this advice into practice and really focus on the meaning of the words, we are sure to feel inspired and have more kavana each time that we read the words of the Shema.

Let's try something this week:

1. When reciting Birkat HaTorah, try to fulfil the Tur's instruction and really try to imagine you are standing at the foot of Har Sinai and receiving the Torah.
2. Before reciting Shema, try to imagine that you are about to read a letter from the King of kings that is addressed to you personally. And then pay attention to the meaning of the words.

[Note – most of us might find it very difficult to concentrate for the entire recitation of the Shema. Concentrating during the first pasuk (i.e., Shema Yisrael...) is most important. One suggestion could be to choose just one additional pasuk (i.e., besides the first pasuk) to focus on with extra kavana. And you can choose a different pasuk each time.]

Shabbat Shalom, Rabbi Ledder

⁶ Orach Chaim, Siman 47.

⁷ See page 16 of the standard Artscroll Ashkenaz siddur.

⁸ The Tur specifically refers to the 2nd bracha that we recite (אשר בחר בנו) – the bracha in which we thank Hashem for choosing us from amongst the other nations and giving us His Torah.

⁹ Eruvin 54a-b.

¹⁰ I heard this idea from Rabbi Yaakov Sprung at Mizrachi shul in Melbourne.

¹¹ Siman 61, seif katan 2.