

## Parashat Mishpatim 5781

Shabbat Shalom. This Shabbat's Parashah is Mishpatim. There are a number of names for laws in Hebrew, each of them having a different nuance or implication. First there is the word Halakha, which means "the path" the "way" as in the "right path or way" coming from the root (*hay, lamed, khaf*) that means "to walk" (*holekh*) הֹלֵךְ. There is the word "din" which means judgement or law. There is the word (*khok*) חֹק which implies a law that we could not derive through logic, in other words it touches some deeper place in our consciousness than logic. Finally we have the word "*mishpat*" which is generally understood as a law that we can arrive at through rational thought i.e. through logic. The word *mishpat* also has the implication of justice. It appears in the book of Genesis when G!d is going to destroy Sodom and Gomorrah and Abraham argues on their behalf what if there are so and so many righteous people in the cities and Abraham says to G!d: (*Hashofet kol ha'arets lo ya'aseh mishpat?*) השופט כל הארץ לא יעשה משפט? Will the Judge of all the earth not do justice?

The desire for justice is very strong among us. I think the combination of the desire for justice and the desire for compassion are both very strong in humanity in general and it appears in this Torah portion a great deal. It's a recurring theme throughout the Torah which expresses itself in various ways.

One of the ways that is emphasized is avoiding saying things that hurt other people. We're told in our Parashah that we're not to spread rumors, not to bear false witness, not to favor the wealthy nor the poor when rendering justice, but do what is just. We might tilt our words to favor the wealthy and powerful because we fear the repercussions if we do not. We might tilt our words toward the poor because we feel compassion for them. Nevertheless, we are told to bear accurate witness. Yes, the poor have to be taken care of, but not through dishonesty. There are plenty of laws, *mishpatim*, that take care of the poor, the orphan, and the widow, such as leaving the corners of one's fields for them and on the seventh year leaving the entire field for them which are mentioned in this Shabbat's Parashah.

Returning to the misuse and abuse of words – we are told that we must not embarrass someone in public – that that is akin to murder – that's a very powerful comparison. Embarrassing someone in public can be done even by saying something that's true. Of course, I

don't mean while testifying in a court, but simply when speaking, we are not to embarrass someone in public.

I have a short quote from the Talmud from Bava Metzia 58b. It goes as follows: Rabbi Yohanan said in the name of Rabbi Shimon bar Yokhai: verbal wrongdoing is worse than monetary wrongdoing, because of the first it is written, "And you shall fear your G!d" but not of the second. Rabbi Eleazar said: one affects the person, the other only his money. Rabbi Shmuel bar Nahmani said: for one restoration is possible, but not for the other.

So much depends on the words we use and how we say things. The very same words could be said in a straightforward manner or in a sarcastic manner.

If you'll notice the last paragraph of the silent Amidah opens with: "My G!d keep my tongue from evil and my lips from deceit." It's a constant reminder for us to be vigilant over the things we say. It's so easy for something hurtful to slip out of someone's mouth – not always consciously or intentionally – sometimes it might be one's unconscious at work – as in a Freudian slip.

I have one brother who's six years older than me. He recently moved back to the East Coast and now lives in Towson, Maryland – moving east from Gallup, New Mexico. When we were young, I put him on such a pedestal that his words had an enormous effect on me (they still do, but not quite to the degree that they did back when we were much younger). When I first started writing – when I was about 14 years old in the summer after 10<sup>th</sup> grade. I used to show everything to my brother, and he would tell me what he thought was good and what he didn't think was good in each piece. I would write something every Friday to show him when he came home for the weekend and the pieces were usually unfinished – and his criticism discouraged me. Only one time did I feel so strongly about an unfinished piece that no matter what he said I was going to finish it. He probably didn't think twice about it – and just told me what he thought. Though I recognize that it's difficult to do, I believe it's very important to try to anticipate how the person we are speaking to will hear the words we say – how they might misunderstand them and misinterpret them if that's possible.

The sages tell us that we're not supposed to remind a convert that they were not always Jewish because that might make them feel like they are less a part of the Jewish people. We are told that we are not to take G!d's name in vain. Our words have great power in terms of how they affect our consciousness. I used to listen to a lot of motivational tapes when driving in the

car. They often would encourage people to have very positive “self-talk,” that is, what we say to ourselves in our minds. That what we tell ourselves has a subconscious effect on us. I remember one speaker putting it like this: “If you think you can, you’re right. If you think you cannot, you’re right” In other words what we say to ourselves will make it easier or harder to do what we ultimately might want to achieve.

I think that’s part of the power of using Hebrew in the service even if we don’t understand all the words or even most of the words. Our language is a powerful source of our identity. The use of Hebrew connects us with Jews all over the world and throughout Jewish history.

One last comment regarding language and Hebrew. There’s a well-known phrase in this portion near the end of the portion (24:7) (I guess that implies that it applies 24/7): All that the Eternal One has spoken “*Na’aseh v’nishma*” – literally “we will do and we will heed” But *nishma* also has the meaning of “to understand” i.e. that we will come to understand it by means of doing it. As we are growing up, we often do things because our parents tell us to and we don’t always understand why, but we trust our parents or at least usually listen to them and follow their advice. As we grow older, we often come to understand them and the reasons for what they suggested better than we did when we were young. This reminds me of a Mark Twain anecdote that I’ve always loved. He said: “When I was 13 years old my father was so clueless, I was embarrassed to be seen standing next to him. By the time I turned twenty, I was amazed to see how much he had learned in seven years.”

Shabbat Shalom.