

PARSHAS MISHPATIM

תשפ"ד

We have a very interesting juxtaposition of parshiyos. At the end of last week's parsha, we read about the overwhelming experience of Ma'amad Har Sinai. Then, the beginning of Parshas Mishpotim seems to go off on a totally different topic – discussing various unrelated dinim. Then, towards the end of the parsha, we return to Ma'amad Har Sinai! Why the interruption in the middle with all these halachos? Apparently, these dinim are the introduction to the rest of the Torah that is coming after the Aseres Hadibros. What is so essential about these dinim?

The first topic is the halachos of an eved Ivri. One could easily think Klal Yisroel were once slaves in Egypt, but now that is all behind them – now they are free! Hashem says – not so fast. A Jew is always a slave to Hashem. This idea comes to the fore when we talk about a Jew who sells himself to another Jew. It could happen for one of two reasons: 1) he sells himself because he needs financial support for himself and his family, 2) he is a thief and is sold by beis din to pay off his theft. But this arrangement only lasts for six years. If he wants to extend his servitude, there is a whole ceremony he needs to go through. Rashi says, servitude to another human being can only be temporary. We are essentially slaves to Hashem alone. We didn't become free when we left Egypt. We replaced one master with another.

A slave has no independent identity. His identity is an extension of his master's identity. Eliezer was the greatest talmid of Avrohom Ovinu. He mastered all of Avrohom Ovinu's Torah and taught it to others. But he didn't have his own direct connection to Hashem. It all went through his master's connection to Hashem and his master's way of life. Each Jew has his own connection to Hashem, and servitude to another human being will interfere with this. So it can only be temporary. This is the first mitzvah we are given as an introduction to the rest of the Torah.

At the end of the parsha we go back to Ma'amad Har Sinai. Har Sinai had been surrounded by barriers and there were different levels of kedushah. Klal Yisroel were on the outside of all the barriers, Aharon, Nodov and Avihu, and the 70 zekeinim were allowed to go one level further, and only Moshe was allowed to go all the way in.

In Parshas Yisro, Klal Yisroel only say "na'aseh". Here again in Parshas Mishpotim, initially Klal Yisroel only say "na'aseh". But, then Moshe writes down the first part of the Torah, Sefer Bereishis and Shemos up until Parshas Yisro and the mitzvos they received in Moroh. They make a mizbe'ach, and they offer korbanos and a bris is made.

We derive the details of the process of geirus from this parsha of kabbolas haTorah at Har Sinai. It requires miloh, teviloh, and korbon. Miloh happened when Klal Yisroel made a bris miloh in Egypt before making the korbon Pesach. Now, a korbon is brought for all Klal Yisroel. Moshe sprinkles the blood on all of Klal Yisroel. Chazal tell us this means that there was also teviloh. So, there must have been a mass teviloh here as well.

The Rambam says in Hilchos Issurei Bi'ah that kabbolas haTorah was a mass geirus of Klal Yisroel, and the bris happens with a krias bris over a sefer to be mekabel mitzvos.

The fundamental starting point of any geirus is the desire of the ger to come under the wings of the Shechinah. Rus's process of geirus is described by the posuk that she wanted a kesher with Hashem. You create this connection through accepting the burden of mitzvos. There is an intimate kesher between Hashem and us. We become Hashem's

special people, and we become His representatives by accepting His mitzvos and becoming a holy nation.

The bris is made over the sefer habris, and this is when Klal Yisroel finally say "na'aseh v'nishma". The malochim are extremely impressed. They bring down two crowns for each Jew. One is for naaseh and one is for nishma. What is the big deal about saying this formula of "Na'aseh V'nishma"?

There are two aspects and two sets of ma'amorei Chazal that describe the deeper meaning of this phrase. One is in Parshas V'zos Habrocho: Hashem offered the Torah to every nation and each nation rejected it because it went against their national culture. But Klal Yisroel accepted it unconditionally and said na'aseh v'nishma. We will adapt ourselves to the Torah's demands and not adapt the Torah to fit into our culture.

Naaseh means we will do. But, part of naaseh is knowing the content of a large part of the Torah. This requires a serious amount of learning of Torah. But, then there is understanding the deeper concepts behind the rules. This is nishma – we will understand. The Igles Tal, in the hakdomo to his sefer on Shabbos, and the Beis Halevi, both say the same idea. Hilchos Shabbos are extremely complicated. Accepting all the hilchos Shabbos by saying "na'aseh" includes a tremendous amount of information. The Torah encompasses every aspect of life that you have to master yourself. You can't delegate this expertise to a lawyer and just rely on what he tells you. But you don't have to understand why these laws fit into any larger picture in order to observe it.

What happened in between which made Klal Yisroel go from just na'aseh, and upgrade it to na'aseh v'nishma? They received a sefer. It is something to immerse your mind in trying to understand it. Not just a list of rules. This is the most potent way to develop a kesher with Hashem – understanding how Hashem's mind is expressed in the Torah.

A ger has to be mekabel ol Torah u'mitzvos. There are a number of elements to this statement. The first aspect is that it is a full commitment. Becoming a ger means making sacrifices to keep the Torah – no matter how hard it is.

But it isn't just kabbolas ol mitzvos. It includes an ol of Torah which is supposed to change and mold a person and enable him to make a personal relationship to Hashem.

At this point, the 70 zekeinim experienced an incredible prophetic vision, and the posuk says they ate and drank. There are two very different explanations as to what this means. Onkelos says that their joy and spiritual satisfaction of having their korbon accepted was so palpable to them, that it was as if they enjoyed a physical meal. Rashi says they were indulging in a meal while they were experiencing this incredible vision. Normally, a novi will go into a trance and lose control of his body while experiencing a nevuah. Here, Klal Yisroel were given a special gift of nevuah close to the level of Moshe Rabbeinu which allowed them to remain conscious and in control of their body during their nevuah. But this meant they could eat and drink at the same time they were seeing this incredible vision, and it was a very distasteful thing to do.

I compare it to people who bring a cup of coffee with them to the place they are davening shacharis and sip it as they recite krias shma. They are being mekabel ol malchus shomayim and sipping coffee? It doesn't make any sense.

The midrash says because of this behavior, they were chayav misoh, but Hashem delayed their punishment to not mar the simcha of Ma'amad Har Sinai. Hashem waited till there were other opportunities. They didn't appreciate the awesome privilege they were given to receive such a high-level experience of ruchniyus. Nodov and Avihu were killed for this aveiroh when they entered the Mishkon with unauthorized ketores. It was the same problem of lack of sensitivity to ruchniyus. The 70 zekeinim were killed with the mis'onenim who complained about the mon. When the leaders of Klal Yisroel show insensitivity to the spiritual opportunities they are given, it trickles down to the people they are leading. Klal Yisroel didn't appreciate the specialness of the mon. So they were not fit to be role-models and had to be replaced.

After this whole experience, Hashem tells Moshe to come up to Har Sinai.

What does Ma'amad Har Sinai teach us?

The first thing is to teach us we are not free people. While it is true that the only free person is someone who is oseik in Torah, but there is also an avdus and it has to be exclusive to Hashem.

What it means to be a Jew is to make a bris between ourselves and Hashem. It is a personal bris – not just one we inherited from our fathers. It means that I am entering under the wings of the Shechinoh. I am forging a relationship with Hashem and we represent Hashem in this world.

Part of the krias bris is a physical sign on our bodies through bris miloh. It involves losing blood and it is painful. When Klal Yisroel had their bris in Egypt, they were adults with fully formed nerves and it hurt! There was no anesthetic to numb the pain. Another dimension to bris miloh is that it is with you all the time – it is permanently stamped on your flesh. Dovid Hamelech was inspired by the fact that he was

always with a mitzvah – even when he was in the bathhouse and he wasn't wearing his tallis and tefillin. His bris miloh was always there to remind him that he is an eved Hashem. The message here is that sometimes, the mitzvos I do are peripheral to who I am. I do them as an external act. But bris miloh is ME. It's embedded in me in a way that I can't escape.

So there is miloh which is painful, a korbon which is a sacrifice, and there is teviloh which is how I wash away all the tumoh that has created a barrier between me and Hashem.

Then we have something else. Part of the bris of geirus is not only to perform mitzvos, but to understand the Torah. The posuk says **אם לא שמת בריתי יומם ולילה חוקות שמים וארץ לא שמת**. There is a "bris of day and night". Chazal say this bris is Torah which needs to be learned day and night in order for the laws of nature to continue to function. There is no purpose to having a world without Klal Yisroel learning Torah.

Another aspect of "na'aseh v'nishma" is that we accept the Torah unconditionally, and commit to adapt our culture to the Torah – not to adapt the Torah to our culture.

Finally, we have the tragedy of those who ate and drank while having a nevuah. We need to feel what Onkelos says – to feel the joy of a korbon being accepted by Hashem as if it was a physical pleasure. Klal Yisroel were propelled in just 49 days to an unbelievable level of ruchniyus. The challenge is to integrate all that sudden growth and not go back to old habits. When you are indulging in physical pleasure and eating and drinking during that time, you are missing the opportunity you are given to form a close relationship with Hashem.

The idea of geirus and becoming Jewish, is forming a bris with Hashem which is a close, intimate relationship with Hashem, which becomes the highest value in my life. This is the story of Parshas Mishpotim.