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Parshat Mishpatim
Crafting an Ideal Society
Jennifer Geretz

Parshat Mishpatim begins with the words “and these are the rules…” Rashi elucidates that when the Torah uses the term “and these,” it is continuing a subject which had already begun in the previous section. What does the term “and these” join together in this instance? Last week’s Torah portion, Parshat Yitro, contains the Ten Commandments and ends with a discussion of how to build an altar. This week’s Torah portion, Parshat Mishpatim, begins with the legalities involved in the ethical acquisition of a Hebrew slave and continues with an impressive collection of moral and ethical rules that, if followed, will create an optimally functioning human society.

Many residents of ostensibly democratic countries view the separation of religious and civil law as not only positive, but necessary to the healthy functioning of society. Yet the Torah takes a different view, presenting civil law as a continuation of ritual commandments. Ramban (Nachmanides), in his discussion of Parshat Mishpatim’s first pasuk, brings a quote from Midrash Rabba on Shemot: “The whole Torah depends on justice; that is why the Holy One, Blessed be He, gave the civil laws after the Ten Commandments.” Laws must reflect morality in order to create a coherent society. When laws become unmoored from morals, when laws reflect human desires rather than the desire to behave like G-d, society sickens and ceases to function optimally.

The juxtaposition of ritual and civil law in the Torah is therefore one of intent rather than happenstance. G-d gave the Jewish people a Torah which places civil and ritual law next to one another, in the same narrative thread. Civil and ritual law partner to cultivate an environment conducive to moral and ethical behavior.

It is only in a fully functioning, morally healthy human society that people can reach their potential to become their best selves. The length of Birkat HaMazon reflects this phenomenon. Eating bread requires a larger expression of gratitude than eating a hunk of meat. Birkat HaMazon, the full Grace after Meals, is much longer than the one-line “Borei Nefashot” prayer recited after drinking water or eating a piece of an animal. One can eat a hunk of meat in circumstances of great turmoil and privation – one can imagine eating a piece of meat while under attack huddled in a cave. However, bread requires many things to come into existence – a time of peace long enough to be planted and

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harvested, a place to winnow and thresh the wheat, a mill or a grindstone, yeast, bowls, and time long enough for the bread to bake. Bread requires a human society functioning cooperatively and peacefully. When we give thanks for G-d's bringing forth bread from the Earth in the "hamotzi" blessing, we are thanking G-d not only for the bread itself, but for the functional human society in which it was created.

Humans can certainly survive in subpar conditions (see much of human history.) But survival is different than thriving. Trying to emulate the Divine through our observance of mitzvot, inventing geometry, determining the Theory of Relativity – these are only possible when humans have the opportunity to achieve more than winning a fight for continued existence.

We fulfill the Torah mandate to reflect the Divine when we work together to create a moral, peaceful society in which each human being created B'Tzelem Elokim (in the image of G-d) can reach their maximum potential. Let us become inspired by the moral astuteness and Divine wisdom so visible in Parshat Mishpatim, and thereby renew our hope for a time in which the partnership between civil and religious law brings about the ultimate redemption, speedily and in our days.

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