

(Dvar Torah continued from front page...)

midrashim which examine the religious and philosophic significance of the ear-piercing ceremony: “Rabban Yohanan ben Zakkai used to interpret this verse as something quite precious. [He asked:] Why was the ear singled out from all the other limbs of the body? The Holy One blessed be He said: This ear, which **heard** My voice on Mount Sinai when I proclaimed: ‘For it is to Me that the children of Israel are servants’ (Leviticus 25:55) - they are my servants, and not servants of servants, and yet this [man] went and acquired a master for himself? — let it (his ear) be pierced! Rabbi Shimon ben Rabbi [Yehudah HaNasi] [also] expounded this verse as something precious. Why were the door and doorpost singled out from all other parts of the house? The Holy One blessed be He said: The door and the doorpost, which were **witnesses** in Egypt when I passed over the lintel and the doorposts and proclaimed: ‘For it is to Me that the children of Israel are servants’ - they are My servants, and not servants of servants, and so I brought them forth from bondage to freedom, yet this [man] went and acquired a master for himself? - Let him (his ear) be pierced in their presence (the doorpost and the door!)” (Kiddushin 22b)

The sages connect the two symbols - the ear and the lintel - to our two primary ways of knowing - hearing and seeing - and the two seminal moments in Israelite history - the Sinaitic revelation and the Exodus from Egypt. The ear knows that God is our one true master; the doorpost knows that God wants us to be free. The absolute wrongness of the *eved Ivri* should be obvious to us all, and yet, paradoxically, we have the God-given freedom to enslave ourselves to another. It is not forbidden, and one who chooses it is not punished; the piercing ceremony is just a lesson to drive home the stunning significance of the choice.

On a certain level, all choices mean relinquishing some of our freedom. The deeper question is whether we are relinquishing our freedom just to be comfortable, or to make a more just, caring, and peaceful world. Are we abdicating responsibility or embracing it? For a people who experienced Sinai and the Exodus, the choice should be clear.

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TORAH SPARKS

Parashat Mishpatim

Shabbat Mevarekhim Hahodesh

February 2, 2019 | 27 Shevat 5779

Annual | Exodus 21:1-24:18 (Etz Hayim p. 456-480; Hertz p. 306-322)

Triennial | Exodus 23:20-24:18 (Etz Hayim p. 474-480; Hertz p. 319-322)

Haftarah | Jeremiah 34:8-22; 33:25-26 (Etz Hayim p. 1276-1279 Hertz p. 992-995)

D'var Torah: Choosing Responsibility

Rabbi Mordechai Silverstein, Conservative Yeshiva Faculty

Just last week, we were standing at the foot of Mount Sinai for the experience of the revelation of God's Torah. Following this grand and auspicious event, Parashat Mishpatim finds us deep in the intricate minutia of laws governing civil society, some of which seem relevant, some irrelevant, some concerting and some deeply disconcerting.

The parashah opens with the laws of the *eved ivri* (Hebrew slave), a thief or debtor who became indentured to another in order to work off what they owe. They work for however long it takes, but no more than six years, because in the Sabbatical year all debts are forgiven and Hebrew slaves are freed. But, the Torah tells us, when the time came for manumission, the *eved Ivri* could *choose to remain a slave in perpetuity*: “But if the servant declares: I love my master, my wife, and my children; I do not wish to go free; **his master shall take him before God. He shall be brought to the door, or the door-post; and his master shall pierce his ear with an awl, and he shall remain his slave for life.**” (Exodus 21:5-6)

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The rabbinic sages found the very idea that someone might want to remain a slave highly distasteful. In the Babylonian Talmud, we find two

D'var Haftarah: Freedom Cuts Both Ways

Rabbi Mordechai Silverstein, Conservative Yeshiva Faculty

As well as being a prophet, Jeremiah was quite a wordsmith. This quality made his message all the more biting and poignant. Parashat Mishpatim opens with the laws of the Hebrew slave. The Torah specifically limited the terms of service for a Hebrew slave to a period of time up to the Sabbatical year or six years - whichever was shorter. During the lifetime of the prophet Jeremiah, people disregarded this law, refusing to free their slaves. In an attempt to reestablish the proper observance of this law, King Zedekiah made a covenant with his subjects to enforce it: "Lately you turned about and did what was proper in My (God's) sight, and each of you proclaimed a release (freedom - *dror*) to his countrymen; and you made a covenant accordingly before Me in the House which bears My name." (46:15-16) While the people acceded to this promise, they almost immediately reneged on it and returned all of the freed slaves to servitude.

Jeremiah expresses the ignominy of the abrogation of this promise in a creative way. If the former use of the word "*dror*" was positive, Jeremiah frames it negatively in God's response to the people's behavior: "Assuredly, thus said the Lord: You would not obey Me and proclaim a release (*dror*), each to his kinsmen and countrymen. Lo, I proclaim your release (*dror*), declared the Lord, to the sword, to pestilence, and to famine; and I will make a horror to all the kingdoms of the earth..." (46:17)

This play on the word "*dror*" brings home in a poetic way the seriousness of the people's crime and its subsequent punishment. As Rabbi Yosef Kara, a contemporary of Rashi, notes "Behold, I release you to the sword, to pestilence and to famine, as if you are **free** from Me (God) and you are not Mine." The crux of this message is that if you are intent on obstructing the freedom of your brethren by keeping them enslaved, then you will have to struggle with "freedom" from divine providence.

Jeremiah clearly wants us to ponder the price of doing something wrong even when it seems to us really advantageous. He seeks to shock us into the realization that ultimately there will be a substantial price to be paid. It is his hope that this idea will haunt us with guilt and fear until we do what is right.

Parashat Mishpatim Self-Study

Vered Hollander-Goldfarb, Conservative Yeshiva Faculty

We ended last week with the revelation at Sinai. As part of that, the people received some of the laws of the Torah ("Mishpatim" means 'laws'.) Here is a taste of a few of them (this is in no way a Halachic discussion.):

- 1) The parashah opens with the words "And these are the laws that you will put before them" (21:1). Where were the laws that follow given, and how do you think that they are connected (if at all) to the previous parashah?
- 2) After the law of buying a Hebrew slave, the Torah brings the case of a father who sells his daughter as a servant (21:7-11). Why would a father sell his daughter? The Torah stresses that the regular "exit" laws of slavery do not apply in this case. The buyer is limited in what he might do to her, but he could marry her to his son. Why would the Torah allow such an arrangement?
- 3) If a person intentionally kills another person, the Torah says "you shall [even?] take him from My altar to die" (21:14). Why would the killer be by the altar? If you want to see examples of persons holding onto the altar, look at I Kings 1:50, 2:28.
- 4) If a fire goes on to burn some thorns, and a crop is destroyed by the fire, the person starting the fire has to pay for the burnt things (22:5). Why do you think that the Torah has to specify who is financially responsible?
- 5) At the end of the parashah Moshe is told to go up to God together with Aaron, his 2 older sons Nadav and Avihu, and seventy elders of Israel. But in the end, only Moshe will go up, and the rest will stay back, and Moshe will bring them the words of God and the laws (24:1-3). Why do you think that all these people need to go with Moshe if they are actually not allowed to go up?

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