



Shabbat Table Talk Page

Overview

- **Parashah: Mishpatim (משפטים, "Judgments")**
- **Chapters: Exod. 21:1-24:18**



בְּרִיךְ אַתָּה יְהוָה אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו, וְצִוָּנוּ לְעִסּוֹק בְּדִבְרֵי תוֹרָה

– Torah Study Blessing –

Synopsis

Last week’s Torah portion (Yitro) explained that exactly seven weeks after the Exodus from Egypt (i.e., 49 days), Moses gathered the Israelites at the foot of Mount Sinai to enter into covenant with the LORD. In a dramatic display of thunder, lightning, billowing smoke and fire, the LORD descended upon the mountain and recited the Ten Commandments to the people. Upon hearing the law’s moral requirements, however, the people shrank back in fear and begged Moses to be their mediator before God. The people then stood far off, while Moses alone drew near to the thick darkness to receive Torah from Adonai.

This week’s Torah portion begins with Moses in the midst of the “thick darkness” receiving additional instructions regarding various civil laws for the Israelite people. The sages count 53 distinct commandments listed in this portion of the Torah, making it one of the most “legalistic” sections of the Bible. Civil laws, liability laws, criminal laws, agricultural laws, financial laws, family purity laws, Sabbath laws, and holiday laws are all given in this portion.

After receiving these additional laws, Moses descended from Sinai and went before the people and told them all the words of the LORD. Upon hearing the details, all the people responded in unison, “all the words which the LORD has said we will do.” Moses then wrote down the words of the covenant into a separate scroll (*sefer ha’brit*), built an altar at the foot of Sinai, and ordered sacrifices to the LORD to be made. He then took the sacrificial blood from the offerings, threw half upon the altar, and read the scroll of the covenant to the people. The people ratified the covenant by saying, “all that the LORD says we will do and obey.” Upon hearing this, Moses took the other half of the sacrificial blood and threw it on the people saying, “Behold the blood of the covenant that the LORD has made with you in accordance with all these words.” After this, Moses, Aaron (and his sons Nadab and Abihu), and seventy of the elders of Israel ascended Mount Sinai to eat a “covenant affirmation meal” between Israel and the LORD.

After returning from the mountain with the elders, the LORD commanded Moses to go back up to receive the tablets of stone inscribed with the Ten Commandments. On the seventh day there, he heard the Voice of the LORD calling to him from the midst of the cloud of glory, and then entered into the Presence of the LORD. He remained on the mountain for a total of forty days and forty nights while the Israelites waited for him at the camp down below.



Preliminary Questions

Since this week’s Torah portion focuses on “civil laws,” we begin by reviewing some basic Jewish concepts regarding law:



1. What does the word *Torah* (תּוֹרָה) mean? ¹
2. What is *Torah shebikhtav* (תּוֹרָה שֶׁבִּכְתָב)? ²
3. What does the word *mitzvah* (מִצְוָה) mean? ³
4. According to tradition, how many commandments occur in the written Torah? ⁴
5. Approximately how many commandments occur in the New Testament? ⁵
6. In the written Torah, what are the three basic categories of mitzvot? ⁶
7. What does the word *mishpatim* (מִשְׁפָּטִים) mean? Can you give an example? ⁷
8. What is distinctive about *chukkim* (חֻקִּים) and can you give any examples? ⁸
9. Are all people intended to keep all the commandments? ⁹
10. What is *Torah shebal peh* (תּוֹרָה שֶׁבַּל פֶּה)? ¹⁰
11. What is *midrash* (מִדְרָשׁ)? ¹¹
12. In Jewish tradition, what does the word *halakhah* (הַלְּכָה) mean? ¹²

¹ “Direction” or “teaching.” It does not mean “law” as is commonly taught by Christian teachers.

² “That which is written,” referring to the text that has been meticulously transmitted since the time of Moses in the form of a *Sefer Torah* (i.e., a kosher Torah scroll).

³ “Commandment” (understood as an opportunity to serve God). The plural is mitzvot (מִצְוֹת).

⁴ 613. The word *Taryag* (תַּרְיָג) is an acronym that refers to the 613 commandments given in the written Torah. Jewish tradition divides these into 248 positive (“Thou shalt...”) and 365 negative (“Thou shalt not...”) commandments. The positive commandments are called *mitzvot aseh*; the negative, *mitzvot lo ta’aseh*.

⁵ Over 1,000 distinct commandments have been identified.

⁶ *Mishpatim* (“laws” or “rules”), *chukkim* (“decrees”), and *eidot* (“testimonials”).

⁷ “Judgments” (or laws), derived from the Hebrew word *shafat* (“to judge”). An example is not to steal or lie.

⁸ *Chukkim* (“decrees”) are not rationally comprehensible and therefore function as “divine fiats.” Some examples include the laws of *kashrut* (kosher foods); *tzitzit* (fringes); *teffilin*, the sacrifice of the Red Heifer, and so on.

⁹ No. Some pertain only to women, others only to priests and Levites, others to kings, etc. According to the Mishnah, women are exempted from those mitzvot that are restricted by time.

¹⁰ Torah “which is oral,” referring to the legal and interpretative traditions handed down by word of mouth until these were codified in the Mishnah and Gemara (i.e., the Talmud).

¹¹ A exegetical method that uses stories, allegories, and speculation to further explain the Biblical text. Collections of midrashim (such as the Mekhilta, the Sifra, the Midrash Rabbah, etc.) are considered part of the Jewish Oral Torah tradition. Some midrash are homiletical (aggadah), whereas others are legal (halakhah).

¹² The way to “walk” (i.e., the way to apply the various commandments in everyday life). Traditional halakhah includes takkanot (case law), gezerot (restrictions), and minhagim (customs). These correspond to the three categories of mitzvot found in the written Torah.



Basic Questions

The following questions are related to the content of this week's Torah portion:

1. What two cases called for an Israelite being put into slavery? ¹³
2. How many years was a Hebrew slave required to serve before he would be set free? ¹⁴
3. If a slave did not want to go free, what ritual was prescribed? ¹⁵
4. What crimes were punishable by death? ¹⁶
5. Does a person have to pay for damages if they were done *accidentally*? ¹⁷
6. If two men got into a fight and one was injured, what was the penalty upon the one who hurt the other? ¹⁸
7. If an ox gored a person to death, what was the penalty upon the owner? What if the owner had been warned that the ox had gored in the past? ¹⁹
8. Restitution for damages is a Torah principle. In *general terms*, how is the Torah principle of restitution applied? ²⁰
9. What is the law about finding lost items? ²¹
10. Is it permissible to charge interest on a loan to your needy brother? ²²
11. What is the law regarding non-Jewish strangers (i.e., *gerim*), widows, and orphans? ²³
12. What is a "Sabbatical Year?" ²⁴
13. What are the three *required* holidays? ²⁵
14. The laws of *kashrut* (dietary laws) were developed from what command in this parashah? ²⁶

¹³ 1) He is so poor he sells his servitude; 2) He was a convicted thief sentenced into service.

¹⁴ Six years (i.e., set free on the seventh year). Note that *the eved ivri* (Hebrew slave) was more like an indentured servant. All servants were to be released on the Yovel (i.e., Jubilee Year), even if the slave had not yet served 6 years.

¹⁵ The slave would testify before the judges and afterward his master would pierce his ear at the door of his house.

¹⁶ Striking (or cursing) one's parents, murder, kidnapping, bestiality, and sorcery.

¹⁷ Yes, though in the case of involuntary homicide, a designated "City of Refuge" was provided.

¹⁸ He had to pay the other's medical bills and also pay for the loss of his wages while not working.

¹⁹ In the first case, the ox is killed and the owner is not liable; in the second case, both the ox and owner are killed or else the ox is killed and a financial penalty imposed on the owner.

²⁰ Greater compensation must be given than the original loss (e.g., a thief must pay double what was stolen). The idea of "eye for an eye" means to pay for physical damages, *including* pain, healing, shame, and disability.

²¹ You shall return it to the original owner, if known.

²² No (Exod. 22:25). If you lend someone money, and take their garment as a pledge, however, you must return it before nightfall.

²³ You cannot wrong or oppress them. If they are mistreated, God Himself will exact vengeance (Exod. 22:21).

²⁴ A year of rest given to the land after six years of use. This is called the Shemittah Cycle.

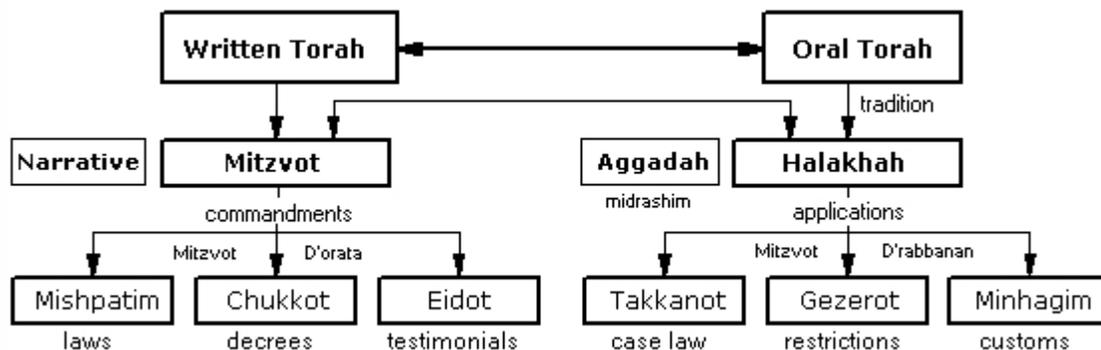
²⁵ Passover, Shavuot (Pentecost), and Sukkot (Tabernacles). Note that the idea that (only) *males* were required to appear during these times, the sages came up with the idea that women are exempt from "time-bound" commandments (Kiddushin 34a).

²⁶ "You shall not boil a kid in its mother's milk" (Exod. 23:13; also 34:26; Deut. 14:21). Also the law of *treif*.



Discussion Topics

1. In this week’s Torah, slavery seems to be tolerated within the ancient Israelite economy. But how can slavery of *any* kind be deemed acceptable, especially since God Himself redeemed Israel from the “house of slavery”? How were the laws regarding the treatment of slaves different than those of Egypt?
2. The Sabbatical year (shemittah) required that every 7th year a field must remain fallow, and a Jubilee Year (Yovel) required that all slaves were to be set free, all debts were to be canceled, and the land would be “reset” to its original inheritances (Lev. 25:8-17). Discuss the viability of these practices and what benefit to society they would yield.
3. The sages interpreted the Torah’s statement, “an eye for an eye” (עֵין תַּחַת עֵין) *exclusively* in terms of financial restitution. Money must be given commensurate to the injury suffered by the victim in a civil case. This interpretation, however, is based on Jewish oral law, not on the written words of the Torah itself. The Talmud discusses formulas for determining compensation. “Eye for eye” refers to the difference in value between a servant who could be sold before the injury with the his later condition; “burn for burn” refers to the amount of money someone would be willing to accept for the pain and suffering; “wound for wound” refers to the cost of lost employment; and so on. Discuss the idea of compensation for injury and what criteria might be used.
4. Discuss the role of Jewish theological tradition in relation to the written Torah. What are your views about the role of “Oral Law”? Can you think of good reasons to respect Jewish tradition?



5. What do you think Yeshua thought of Jewish tradition? On the one hand, he clearly condemned the practice of donating tithes (“korban”) to the Temple at the expense of caring for one’s parents (Matt. 15:3-6) and he gave no weight to the custom of ritually washing hands and cups before eating (Mark 7:3-13). On the other hand, he agreed with the ethical teachings of the sages of his day (e.g. Hillel on neighbor love, Shammai on divorce, the centrality of the Shema, etc.), and he read Torah during Sabbath services, etc., and therefore it is a mistake to say that he categorically rejected *all* the traditions of the elders. Discuss.



6. In Matthew 23:2-3 we read: “The scribes and the Pharisees have seated themselves in the “chair of Moses;” therefore all that they tell you, do and observe, but do not do according to their deeds; for they say things and do not do them.” The idea of “Moses’ Seat” apparently comes from the Book of Exodus (parashat Yitro), where we read how Moses “sat to judge the people” to declare the “statutes of God and his laws” (Exod. 18:13-16). Some archaeologists have claimed that a stone chair in some ancient synagogues, placed next to the ark where the law was stored, was used when reading the Scriptures to the assembly. Some Catholics have attempted to cite this as a prototype of the idea of the pope’s authority, but the further statements given by Yeshua condemn the hypocrisy of these scribes and we are warned not to call anyone “father,” “rabbi” or “master” (Matt. 23:8-14). What do you think Yeshua thought of the role of religious authority in His day?
7. This week’s Torah includes the phrase, “Lo tiheyh acharei rabbim” (לאֲחֵרֵי רַבִּיּוֹתַיִם), “do not follow the crowd” when it comes to doing wrong (Exod. 23:2), which the sages say stresses the importance of *Jewish education* in our lives. After all, understanding why something is right is regarded as more important than merely “following orders.” Do you think learning about Jewish values (*middot*) can help keep you from blindly following the crowd? What helps you retain your integrity in the face of peer pressure?
8. When challenged by a gentile to be taught the entire Torah “while standing on one leg,” the sage Hillel responded with, “V’ahavta l’re’acha kamocho” (“love your neighbor as yourself”) and continued by saying, “What is hated when done to you, do not do to your fellow; all the rest is commentary.” How would you summarize the meaning of the Torah while standing “on one leg”?
9. When the Jews were offered *Sefer Habrit* (the book of the covenant that listed all the various commandments given at Sinai), they answered in unison: “We shall do and obey.” In other words, they put their commitment to God first *before* they fully understood what was required of them. Do you need to understand in order to obey, or are you able to obey in the hope you might come to understand?
10. Discuss the following statement: “You cannot have the Cross without the Torah, and you cannot have the Torah without the Cross... God is One.”

For Next Week

- Read parashat **Terumah** (i.e., Exodus 25:1-27:19)
- Read the Haftarah (I Kings 5:26-6:13)
- Read the New Testament (2 Cor. 9:1-15; Matt. 5:33-37)

