

Parashat Mishpatim 5778, 2018:

*Understanding the Mishpatim*

Rabbi David Etengoff

Dedicated to the sacred memories of my mother, Miriam Tovah bat Aharon Hakohen, father-in-law, Levi ben Yitzhak, sister-in-law, Ruchama Rivka Sondra bat Yeziel, sister, Shulamit bat Menachem, Chaim Mordechai Hakohen ben Natan Yitzchak, Yehonatan Binyamin ben Mordechai Meir Halevi, Avraham Yechezkel ben Yaakov Halevy, Shayna Yehudit bat Avraham Manes and Rivka, the *refuah shlaimah* of Devorah bat Chana, Yitzhak Akiva ben Malka and Shoshana Elka bat Etel Dina, and the safety of our brothers and sisters in Israel and around the world.

The *mishpatim* are most often viewed as a category of laws that the Jewish people theoretically could have formulated on their own. In many instances, the Torah contrasts these with the term “*chukim*,” as we find in *Talmud Bavli, Yoma 67b*:

Our Rabbis taught: “You should perform my *mishpatim*” (*Sefer Vayikra* 18:4). These are matters that were they not actually written [by G-d] it is logical that they would have been. They include: the prohibitions of idol worship, illicit sexual behavior, murder, stealing, and cursing Hashem. “... *Chukim*,” these are matters wherein the Satan [Rashi, *yetzer harah*, the “evil inclination”] attempts to disprove their validity and veracity, including: the prohibitions of eating pig flesh, wearing garments comprised of a mixture of linen and wool threads, the act of relieving a brother-in-law of his obligation to marry his widowed sister-in-law (*chalitzah*), the ritual purification of the individual afflicted with *tzarat*, and the scapegoat rite [of Yom Kippur]. [Since you cannot understand them] perhaps you will say that they are completely worthless and devoid of meaning! Therefore the Torah states: “I am the L-rd your G-d.” I am He who has decreed it [i.e. the *chukim*] and you do not have permission to question them.

The Rambam (1135-1204) codifies the distinction between *chukim* and *mishpatim* in the following manner:

The *mishpatim* are those commandments wherein their rationale is revealed and the value that obtains as a result of their performance is manifest in this world. For example: the prohibitions of stealing and murder and the obligation to honor one’s father and mother. [In contrast,] the *chukim* are those commandments whose rationale is unknown. (*Mishneh Torah, Hilchot Meilah* 8:8)

In sum, the *mishpatim* are laws that we could have derived on our own if left to our own devices. In this sense, they are “natural laws” that stand in stark contrast to *chukim*, whose underlying reasoning is beyond the scope of human understanding.

We must be very careful, however, regarding the *mishpatim*, precisely because “their rationale is revealed and the value that obtains as a result of their performance is manifest in this world.” This can easily lead us to the false conclusion that we observe the *mishpatim* because “they make sense to us.” Nothing could be further from the truth! In reality, we observe all of the *mitzvot* solely because G-d commanded us to do so. In other words, one of our basic obligations as Jews is to view the entire Torah in its proper light. This means that whether or not we understand a *mitzvah*, or believe we have discovered its rationale, its absolute demand upon us is exclusively based upon the Voice that eternally issues forth from Mount Sinai.

On the most basic level, therefore, we must ever recognize that there is a tripartite nexus that forms the background of each and every *mitzvah*: Hashem the *metzaveh* (the Commander), the *mitzvah* (the commandment), and the *metzuveh* (the commanded). As a result, each time we fulfill a Torah precept, whether it is one of the *chukim* or *mishpatim*, we demonstrate our unswerving loyalty to our Creator and His holy Torah. Moreover, we are declaring to all mankind that the relationship the Holy One blessed be He forged with our forebears continues in full force until our own historical moment. As such, when we fulfill the *mitzvot*, we are proclaiming: “*Hashem Hu HaElokim.*” (“Hashem is our G-d and Master,” *Sefer Devarim* 4:35)

In conclusion, we need to approach every commandment with a sense of awe, and an ever-present recognition that we are fulfilling G-d’s will. Humility, especially regarding the *mishpatim*, must ever be our watchword. As Michah the prophet declared so long ago: “O man, what is good, and what does the L-rd demand of you, but to do justice, to love loving-kindness, and to walk humbly

with your G-d." (6:8) With His loving help, and our fervent desire, may this be so. *V'chane yihi ratzon.*

Shabbat Shalom

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They may also be found on <http://www.yutorah.org/> using the search criteria of Etengoff and the parasha's name.

The email list, *b'chasdei Hashem*, has expanded to hundreds of people. I am always happy to add more members to the list. If you have family or friends you would like to have added, please do not hesitate to contact me via email <mailto:rdb718@gmail.com>.

\*\*\* My audio *shiurim* for Women on the topics of *Tefilah* and *Tanach* may be found at: <http://tinyurl.com/8hsdpyd>

\*\*\* I have posted 164 of [Rabbi Soloveitchik's](#) English language audio *shiurim* (MP3 format) spanning the years 1958-1984. Please click on the highlighted link.