

Mishpatim (22:13-30)

This Shabbat is Shabbat Shekalim, the Shabbat falling immediately before the beginning of the month of Adar, so we have two readings, both from the book of Shemot, the first being the sidra for the regular Shabbat cycle, Mishpatim, and the second the one for this particular Shabbat, from the start of Ki Tisa.

Mishpatim, the rules, the laws, from the root טָפַף, to judge or to govern, is one of Torah's most significant Parshiot. Using the Sefer Ha Mitzvot of Maimonides, the great Mediaeval Spanish rabbi and scholar, writing in the late 1100's, we still today count 613 mitzvot in Torah, of which 51 are found in Mishpatim.

Only 4 other Parshiot have the same or more mitzvot than Mishpatim, Vayikra's Kedoshim and Emor, with 51 and 56 mitzvot respectively, and Devarim's Re'eh and Ki Teitzei, with 55 and 74 respectively; the next nearest is Shofetim, also in Devarim, with 42.

And, necessarily, no other mitzvot except for those of Mishpatim follow the Ten Commandments, which were in last week's sidra, Yitro, no others are hewn from the rock of the same Sinai moment. That of all Torah's mitzvot, God gives these at this time and in this place, surely endows them with extra significance.

Nonetheless, Mishpatim's mitzvot are neither a poetic, soul searching moral or ethical code nor an inspiring Judaic political philosophy, they neither satisfy our enlightened revolutionary hunger for liberty, equality, fraternity, nor are they a call to arms in the defence of life, liberty and the pursuit of happiness.

For the truths which are the essence of the God that is Ehyeh Asher Ehyeh, I am that I am, are embedded in the Ten Commandments. They are what they are – simple unvarnished devarim, words, as it is said, “And God spoke all these words, saying” וַיְדַבֵּר אֱלֹהִים אֵת כָּל-הַדְּבָרִים הָאֵלֶּה לְאַמָּר.

Imperative these words may be, but free of consequences for their contravention, they exist in splendid isolation from, and do not envisage, any external factors interfering in our compliance with them. These are truths of God which we hold to be self-evident; why would we not, how could we not, embrace them.

But then, the echo of God's giving of the Ten Commandments hanging in the air, our anticipation building as we sense God drawing breath in the gap in Torah's text between Yitro and Mishpatim, the mood changes. “These are the rules you shall set before them” וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר תָּשִׂים לִפְנֵיהֶם

Because Mishpatim's mitzvot describe a society in chaos, conflict and crisis, where Egyptian and Hebrew have been turning on and against each other, Pharaohmania and Hebrewphobia normalised in each group across 430 years. Breaking this cycle requires power rather than liberalism, iron and blood, not speeches.

Hence, amongst Mishpatim's political and religious demands, its mitzvot arrest, prosecute and punish the indifference, iniquities and ills of the time, less an exercise in social control, although it is that, but more a display of the awesome, mountainous scale and scope of God's justice. Indeed, as Rabbi Sacks notes¹:

“Judaism is a religion of law, not because it does not believe in love (“You shall love Adonai your God”, “You shall love your neighbour as yourself”) but because, without justice, neither love nor liberty nor human life itself can flourish. Love alone does not free a slave from [their] chains.”

Human, family, property and employment rights; criminal, civil, contractual wrongs; due process, the rule of law, Sovereign supremacy, Mishpatim is a Sinai storm. Its thunderous life-forfeiting penalties shake us, yet giving voice to the victims, the weak, the powerless, we glimpse the sun as the clouds briefly part.

The Mishpatim are not truths, but are what they are, and being so, like laws of nature, they are a factual revelation, that the God that is Ehyeh Asher Ehyeh, I am that I am, is necessarily embedded in life's realities. We may not see God's face any more than we may not “see” gravity, but in the kiss of Mishpatim's mitzvot on our hearts, we may know God as surely as we know gravity from an apple's fall.

¹ <https://rabbisacks.org/covenant-conversation/mishpatim/in-the-details/>

Ki Tisa (30:11-16)

Turning to the second scroll, Shabbat Shekalim stems from the mitzvot of Ki Tisa for raising a half-shekel tax to meet the costs and expenses of the Ohel Mo'ed, the Tent of Meeting, which practice we see in the later Biblical writings becoming the basis for supporting the first Temple.

Fast forward half a millenium to the Roman era, and the Mishnah² describes in great detail how this tax was then being raised and applied for the second Temple's upkeep. In particular, whereas payment was due on 1st Nisan, the authorities would make a proclamation one month earlier, 1st Adar, as a reminder.

With the second Temple's destruction and the passage of time, twin customs evolved across the diaspora recalling these practices - charitable giving on 1st Adar of a sum equal to a half-shekel, and on the Shabbat beforehand, reading the Ki Tisa verses and a certain Haftarah describing the practice's re-establishment.

There is an awkward two-pronged hook on which this tax hangs, which classical Midrash³ has Moses challenging God on. Never mind where the money is going, it is demanded as atonement from the Israelite soldiers, a penance of the soul, כִּפּוּר נַפְשׁוֹ, in which case a half shekel seems cheap for the purpose it serves.

The tax's amount is, however, not the point, for it is not that it cheapens the value of a life or demeans the trauma incurred in its taking, but it follows from the Midrash that God does not impose impossible burdens on Israel⁴, that the sum recognises how priceless life is and how unquantifiable the liability for its taking.

Rather, as the Midrash seeks to convey, the tax's real value was in its giving, not in its worth. Hence, the imperative was for it to be offered with the same fire, to use the Midrash's imagery, as the soldier would use in combat. For the spiritual debit of taking life, a balancing spiritual credit could, if meant, be earned.

But these verses are also important for their enduring communal examples, that rich or poor, not only are we all equal in our obligations before God, but also that our endeavours on their own are only ever part of the work of our society, a half of anything always calling out for its equivalent to make up the whole.

And perhaps this is Shabbat Shekalim's broader point, that numbers, be they of people or of shekels, count for less than the determination - the fire - with which they are applied. Our numerical and financial scale, or its lack, will be what it will be, but our greatest resource is always the wealth of our Jewish spirit.

² [Mishnah Shekalim](#)

³ Rashi on Shemot 30:13 זה יתנו [Midrash Tanchuma Ki Tisa 9.5](#)

⁴ [Midrash Tanchuma Ki Tisa.10.4](#)