

Sermon

Parshat Mishpatim | Shabbat Zachor

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Before I decided that I was going to be a rabbi, I thought that I wanted to be a lawyer. I was enthralled by United States history, and especially the history of our system of government. In high school I took Advanced Placement and Honors courses to study these subjects. As you know, I did not become a lawyer, but I often jest that as a rabbi I still attended law school, God's law school. My interest in legal texts and systems continues to this very day, and my interest in our own American system has been reawakened these past few days in watching the impeachment trial unfold.

I do not imagine that the framers of our government looked to the Torah for a blueprint, but I cannot help but notice as I have read these past few *parshiyot* that they lay a foundation for how a people should self-govern. Mirroring our own system of the government, the Israelites have a court system to adjudicate disputes, a source of legal authority like a legislature, and an executive to lead them. These three components are interdependent; they rely upon one another to unify the collective and form a nation.

I would like to take a closer look at each of these three components. Two weeks ago we read Parshat Beshalach: the Israelites are finally liberated from Egyptian slavery and set themselves on course for Sinai. They were free, but a homeless, wandering mass, not yet a nation. Standing at the foot of Sinai, there they become a nation. They stand before God, and await further instructions from their leader, Moses. In this instance, and for the remainder of the Torah, Moses serves as the executive, the one who enforces the instructions, and the one who advocates on their behalf when necessary.

Last week, in Parshat Yitro, Moses receives the Ten Commandments from God, a sort of Constitution for the Israelites. Thereafter, he learns from Yitro, his father-in-law, how to organize a court system to adjudicate matters of law in a fair and timely manner—an Israelite judicial branch. This week, in Parshat Mishpatim, Moses receives from God the laws and statutes that the people are to follow—our legislative branch. The laws of this week's parsha are predominantly what we would call civil laws: laws about indentured Hebrew servants, laws about damages from physical altercations, laws about theft and damage of property. Most of these are no longer practiced as part of Jewish life today. Rather, we adhere to the rabbinic principle of *dina d'malchuta dina*, the law of the land is the law. But the essence of these laws remains crucial to understanding the moral code of our people. For our Israelite ancestors, these laws animate the terse Ten Commandments and set the foundations for a just society. Taken together, these three institutions of leadership and law, Moses as executive, the legal code of Mishpatim as the legislature, and Yitro's courts as the judiciary, these three help to refashion the Israelites from a people into a nation.

The system must be malleable enough to self-correct, yet strong enough to protect itself from threats. We see this testing of the system throughout the Torah. The Israelites challenge it from time to time. They push back against Moses and Aaron. They imagine that God has abandoned them. They disregard the laws that Moses set before them. But the system holds, like our own. Malleable, yet resilient, relying upon the participants within the system for its functioning and perpetuation.

But the system does not exist for its own sake, nor would it perpetuate itself without a critical party: the people themselves. Our system of government here in the United States exists to endow each and every one of us with the right to life, liberty, and the pursuit of happiness. And the system continues to function because we are signatories to a social contract in which we commit to upholding its laws and participating in its institutions. We understand that we have both liberties, as well as responsibilities.

Which brings me to Shabbat Shekalim. Not only did we read the weekly Torah portion this morning, but we also read a selection for Shabbat Shekalim, the passage requiring all Israelites to contribute a half-shekel. The half-shekel seems to serve a dual purpose. The first instruction to Moses is: “When you take a census of the Israelite people according to their enrollment, each shall pay Adonai a ransom for himself on being enrolled, that no plague may come upon them through their being enrolled” (Exodus 30:12). The half shekel enables Moses to take a census of the people. In Judaism, there is an aversion to counting individuals, so the half-shekel is a stand-in for the person. Count the half shekels, rather than the people, in order to take the census. Here, the half-shekel program determines how many are in the Israelite ranks. But by the end of the instructions, the half-shekel takes on a different meaning: “You shall take the expiation money from the Israelites and assign it to the service of the Tent of Meeting; it shall serve the Israelites as a reminder before Adonai, as expiation for your persons” (Exodus 30:16). Now, it is not about counting the people, but rather it serves to affect atonement. The individuals are forgiven for their wrongdoings when they give the half-shekel to Moses. But it does not stop there. The half-shekel is not just a prop—it is currency, it has value. It is designated for use in the *Ohel Moed*, the Tent of Meeting, enabling Moses to interact with God, Aaron to offer sacrifices, and the people to thereby be in relationship with the Divine. The half-shekel gives everyone the opportunity to be engaged in the civic and religious life of the community; it enables each individual to fulfill their commitments to the community at large. They are part of something greater than themselves. But the individual counts. The individual is not subsumed as part of the collective. Somehow, we hold these things at once—the value of the individual, and the importance of the collective.

The Rambam emphasizes this in his Mishneh Torah in the opening laws about the half-shekel. He teaches, “Even a poor man who lives on charity is required to give; he borrows or sells the garment off his back and contributes a silver half-shekel.” The half-shekel is not a large sum of money, but neither is it negligible. There may be individuals who cannot afford to give it. But somehow they must find a way, even if it means temporarily pawning a garment. They must be counted; as an individual, they matter. Other systems are in place to provide for their immediate needs, but they must find a way to contribute, to step forward and to be counted. All Israelites have this responsibility. All must contribute. Not because the system needs your half-shekel, but because the system needs you, the individual, with all of your uniqueness and individuality. Remember, the half-shekel is a stand in, the real value is in your participation in the system, your being counted among the collective.

People often talk about Jewish continuity. It is nothing new. Generation after generation, the Jewish people fret that *this* is the end. *This* one thing, typically an internal *thing*, a perceived threat from within, will somehow erase the future of the Jewish people. That is probably a somewhat healthy anxiety—it keeps us all on our toes, engaged in the holy work of sharing the value in living a Jewish life. And that is the real goal: demonstrating that there is great value in living a Jewish life. Not to perpetuate the system for the sake of the system, but to do so because

of the incredible value that it brings to us as individuals, to us as a collective community, and to the world. But it is natural to have these concerns about the future.

In a *midrash*, Moses stands before God and declares, “*Ribbono shel Olam*, Master of the Universe, when I die, I will not be remembered.” God reassures him, “Just as you stand here today, teaching the portion about the half-shekel to the Israelites, enabling them to be forgiven, so too shall it be when they read this passage before Me each and every year. It will be as if you are standing there in that very moment, enabling them to be forgiven” (Midrash Tanchuma, Ki Tisa 3). Moses feared that he would pass from this earth without contributing much to it. Humble Moses, who partnered with God to liberate an enslaved people and guide them to their Promised Land, even he worried about the future, and whether his life’s work was for naught. Rest assured, God tells him, you and your teachings will be remembered each and every year when the Jewish people gather together to learn about the half-shekel, when they are reminded that their contributions matter, that as individuals, they matter, and that the system overall functions because they are the participants in it. When they exercise their rights and when they fulfill their obligations, they make their mark as individuals, and they help to perpetuate a system that seeks to bring meaning and goodness to all within its orbit. That is the lesson we are to learn from this week’s Torah reading. You matter, your participation matters, and we are all stronger thanks to you.

Synagogue communities function similarly. Today, we celebrate Men’s Club Shabbat. No, the Men’s Club is not the only branch of our community. No, the Men’s Club alone does not keep our community running. But the Men’s Club is a necessary and deeply valued component of our communal structure. Their contributions to our community are impactful: Jews and Brews conversations, the Yellow Candle project to support the observance of Yom HaShoah, and so many other programs and initiatives are part of the fabric of what it means to be B’nai Israel. Remove this individual thread, and the tapestry of our community loses its color and form. The individual groups matter and the individuals within those groups matter.

As Americans, we understand the symbiotic relationship between the government and the governed. In fact, our system, a representative democracy, tries to blur the distinctions between these two entities. The government operates by our will, by your will. We see in elections, especially the most recent one, how every vote counts; margins were razor thin. The vote of the individual matters. The half-shekel of the individual matters. Both are symbolic of the relative importance of the individual as part of the collective. Your participation in and your contributions to the system of American civic life and Jewish religious life are essential for these systems to self-perpetuate, and to imbue the lives of all they touch with beauty and meaning. So stand up, step forward, and contribute your half-shekel.