



PARSHAS MISHPATIM – JONATHAN GERSHLICK

In Parshat Mishpatim, we read (24:7) that when Bnei Yisrael were offered the Torah – literally “And Moshe took the ‘Sefer HaBrit’ etc.” - the people famously replied, “Na’aseh V’Nishma” – “everything that HaShem will say we will do and we will listen”.

The Gemara (Shabbat 88a) says that when Bnei Yisrael said Na’aseh before Nishma, 600,000 Melachim came down and placed two crowns on every person; one in honour of “Na’aseh” and one in honour of “Nishma.”

Rabbi Yosef Dov Soloveitchik in the Beis HaLevi asks why the Melachim specifically descended when Bnei Yisrael said Na’aseh before Nishma as opposed to simply when they said “Na’aseh V’Nishma”.

The Beis HaLevi explains that there are two levels of Torah learning. The first is learning in order to know the Mitzvot and how to perform them. The second is learning Torah for the sake of learning.

For example, while women may be exempt from the Mitzvah of Talmud Torah, this is only an exemption from learning for the sake of learning. However, argues the Beis HaLevi, they are most certainly obligated to learn the parts of the Torah that they need for Mitzvah observance.

Rabbi Yosef Dov Soloveitchik continues that, had Bnei Yisrael replied to Moshe the other way round, saying “Nishma V’Na’aseh,” – “we will listen and we will do”, it would have seemed as though they were only going to be learning Torah in order to know how to perform the Mitzvot. By saying Na’aseh first, the Bnei Yisrael were saying that not only would they accept the Mitzvot (and any learning needed to perform them) but they would also undertake learning Torah for the sake of Talmud Torah. Hence, by placing the Na’aseh before the Nishma, Bnei Yisrael merited two crowns.

The Beis HaLevi also cites the Gemara (Nedarim 81a) that one reason for the destruction of the Beit HaMikdash was because although the Bnei Yisrael were learning Torah, they were not saying Birchat HaTorah (properly). How could it be that this generation didn’t say the Brachah before learning? The Beis Halevi says that they must have believed that the learning was only a means to understand the Mitzvot they had to perform. If so, they felt that there was no need to say Birchat HaTorah. What they failed to realize was that the learning was intrinsically meaningful and not just a way to better understand how to perform Mitzvot.

Mishpatim contains 53 Mitzvot (23 Mitzvot Aseh and 30 Mitzvot Lo Ta’aseh) and is itself a prime example of the principle of Na’aseh V’Nishma. The Sedra has not far off a tenth of all the Mitzvot in the Torah and has spawned numerous Mishnayot and Gemarot. And yet many of the laws in Mishpatim might appear to have little practical application to 21st century life? For instance, we don’t have an Eved Ivri (Jewish slave) anymore. And there are many other examples of laws in this week’s sedra, which seem to be lacking in practical relevance.

Rabbi Shlomo Wolbe in his contemporary mussar Sefer, Alei Shur, addresses the spiritual importance of Torah learning in this world (amongst the many, many other personal development issues that he also speaks about in his Sefer). Rabbi Wolbe highlights the fact that our Neshamah craves spiritual nourishment – and that HaShem specifically designed us to be this way – we were created with a need to be spiritually nourished. The trick is to tap into this through filling up with Talmud Torah - effectively tapping into the ‘Nishma’ aspect of the twin pairing - learning for learning’s sake. The more we can be spiritually fulfilled through enjoying the learning of Torah, the less we will desire other pleasures that give us less benefit.