



Jewish Community Center of Paramus
Congregation Beth Tikvah
304 E. Midland Avenue – Paramus NJ 07652- 201.262.7691

A Shabbat Message

Friday, January 28, 2021 ~ Parsha: Mishpatim

Dear JCCP/CBT family,

What is Judaism? The Senior Sermon of our Rabbinic Intern Samuel Gelman

What is Judaism?

What is something that, theoretically, all Jews share? What connects two otherwise unconnected Jews, in the way that all Americans are bound by nationality or Buddhists by the teaching of Buddha. Is it a religion, an ethnicity, a philosophy, a lifestyle? When someone says they are Jewish, what does that imply? That they have a Jewish mother? A Jewish parent? That they converted? That they go to synagogue? Keep kosher? Eat bagels cream cheese and lox? Are involved in social justice movements?

The 2020 Pew Survey on Jewish identity in America asked American Jews to pick from among 10 options to select what an essential part of being Jewish is to them. The 10 options might say more about the survey-makers than Jews, but included remembering the Holocaust, leading a moral life, working for justice and equality in society, carrying on family traditions, caring about Israel, eating Jewish foods, and observing Jewish law. The vast majority of Jews-76%-identified remembering the Holocaust as essential. 59% said the same about working for justice in society. 34% said Jewish humor was an essential part of their identity, and 20% said Jewish foods. I have long thought about this question--what is the essence of Judaism--and how to explain it al regel achat, on one foot, as it were. It isn't our skin color—Jews come in all colors. It isn't our food—Jews eat all sorts of food, from around the world. The only food we have in common is our ritual foods. It isn't clothing—our wardrobes are varied. The only common piece of clothing is, again, ritual. It isn't humor, or philosophy, or culture—all of them vary wildly across Jews. And Holocaust remembrance as the essence of Judaism would be to let the existence of antisemitism

define Judaism. I cannot accept that as the case, for it would mean in the absence of antisemitism, Judaism would cease to exist.

What about Hillel's answer? דַּעְלָךְ סְנִי לַחֲבֵרְךָ לֹא תַעֲבִיד — זוּ הִיא כָּל הַתּוֹרָה כְּוִלָּה That which is hateful to you do not do to your neighbor. To be honest, I have never been satisfied with that answer. Every religion, every moral philosophy, has some variation on the Golden Rule. There are plenty of rules in Judaism about fairness, about treating the stranger well, about Social Justice. But those rules aren't unique to us. The value of "working for justice and equality in society," as the Pew survey puts it, is a universal one. All of humanity should be worried about loving the stranger. That is not the unique inheritance of Judaism. Rashi notices this as well—in his commentary on Hillel's answer in Masechet Shabbat, he identifies the "neighbor" as being God, and understands that Hillel means "do not violate God's commands." Rashi finds it hard to accept the essence of Judaism as just the Golden Rule.

Now, let's consider the rest of Hillel's lesson. It continues: , וְאֵינְךָ פִּירוּשָׁה הוּא , זֵיל גְמוּר ,
The rest is commentary, go and study. This I think, is even more important than the beginning of his answer. Go and study. Learn it all. You can't stop at not doing what is hurtful, whether that is to your neighbor or to God. There are laws to learn. Go and study them.

וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר תָּשִׂים לִפְנֵיהֶם:

And these are the laws that you should put before them.

We begin this week's Parshat Misphatim mid-speech. God has just been talking to Moshe at the end of the previous parsha. Immediately after the revelation of Mt. Sinai, after the 10 commandments, God instructed Moshe to tell the Israelites that they should worship no foreign gods, but instead build an altar of unhewn stone and worship God alone. וְאֵלֶּה הַמִּשְׁפָּטִים. And these are the laws. The code that follows and the Ten commandments are one indivisible unit. Rashi notes at the beginning of his commentary on Mishpatim that the word V'Eleh links the list of commandments that follows that statement to what came before—the 10 commandments at Mt. Sinai. They are all a part of the revelation our ancestors received. We move directly from the laws of building to the altar to the laws of slaves and maidservants. There is no separation between "ethical" laws and "religious" laws in the law code. We began with "I am the

Lord your God,” we mentioned Shabbat, honoring one’s parents, murder, theft, and adultery. This was all the preamble.

וְאֵלֵהֶם הַמִּשְׁפָּטִים

And these are the laws. Moshe instructs the Israelites about murder, idolatry, injury, offering the first fruits to God, property, loving the stranger, the Shemittah year, not taking bribes, and holidays. Classically Jews have distinguished between Mishpatim, laws with a discernable rational basis, laws that any nation might have, and Chukim, statutes given by God, religious edicts for which there is no logical explanation. The law code in Parshat Mishpatim does not make those distinctions. All are equally incumbent upon Israel. All are part of our covenant with God. Whether we can discern a logical reasoning for the law or not, all of the laws were given to sanctify us, to connect us with God. In Mishpatim, it is just as important to God that we observe the Sabbath and that we protect the widow and orphan.

וְאֵלֵהֶם הַמִּשְׁפָּטִים

As a people, as Jews, we have struggled to uphold these laws, this combination of the sacred and ethical. Some of us have different struggles than others. There are those who are, in the words of Ramban, a naval bireshut ha-Torah, a scoundrel following the Torah, who are so focused on the letter of the religious law that they forget the moral ones. I speak to you today as a Conservative Jew who grew up in a Conservative household, and I firmly believe that we do not have this problem in Conservative Judaism. Instead, we face the opposite problem. We, as Rabbis, teachers, and leaders of the Conservative Movement, have abandoned any expectation that Conservative Jews should follow the religious laws of Judaism. We focus on just one half of the covenant. How many times have I heard a Rabbi exhort their congregation what we read this week, וְגַר לֹא תִלְחָץ וְאַתֶּם יָדַעְתֶּם אֶת-גִּבְשֵׁי הָאָרֶץ כִּי-גֵרִים הָיִיתֶם בְּאֶרֶץ מִצְרָיִם: , you shall not oppress the stranger, for you know the soul of the stranger, for you were strangers in the land of Egypt. But almost never have I heard a Conservative Rabbi urge, with a similar passion, the verse just 4 verses later וְשֵׁשֶׁת יָמִים תַּעֲשֶׂה מַעֲשֵׂיךָ וּבַיּוֹם הַשְּׁבִיעִי תִשְׁבֹּת , six days you shall work and on the seventh day rest. We hold Conservative Jews to a high ethical standard, as we should. But we have no expectations that our communities will perform the slightest observance of religious laws.

וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר תָּשִׂים לְפָנֶיךָ:

These are the laws that you should set before them. We learn in the Talmud, in Tractate Eruvin 54b, that from this verse we are חַיִּיב לְהִרְאוֹת לּוֹ פָּנִים, that is, obligated to teach the law's reasoning. Rashi, quoting the Mekhilta d'Rabbi Yishmael back in his commentary on Misphatim, notes that our explanations should be like "a table set out for eating." But we have not lived up to that charge. I grew up in a Conservative household going to a Conservative synagogue, and it was not until my twenties I learned, as an example, why cooking counted as work on Shabbat. Shabbat, Kashrut, holidays, all ritual matters—these were spoken of from the pulpit of the shul I attended as general positive things for really good Jews to do. There was no sense that I had to act on them, in the same way I needed to on the ethical laws. No description of what I had to do, no sense of obligation, or covenant. That which made us as Jews most unique—the special religious obligations of the Jewish people— was functionally a footnote.

That cannot be our model. We, as future leaders, as people dedicated to the future of Jews and Judaism, have to make the mitzvot accessible to everyone. We have to be warm, welcoming, and encouraging, making it as convenient to be a religious Jew as it is to eat from a set table. We don't need to judge those who aren't perfect. There is no such thing as perfection, in the civil laws as well as the religious laws. We need to accept people where they are. And we also need to encourage them to continue along their journey. Just as we encourage our fellow Jews to walk the road of moral self-improvement, without condemning them where they are, so too should we encourage them to always be improving in matters of religious law.

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After the Israelites left Egypt, we gathered at Mt. Sinai. God spoke to us, gave us the Ten Commandments, and gave us a Law Code. That Law formed us into one people. It binds us across space, it connects us across time. Every mitzvah performed, every action taken in the pursuit of that Code, strengthens the ties between us. It doesn't matter how "perfect" the action taken is. The businesswoman in America who turns down the pork dumplings at a company lunch because of Kashrut is at that moment linked with the Haredi woman checking the hechsher of a product in an Israeli supermarket. The young boy in England who puts down his phone for Shabbat and

then goes and helps his mom cook, because that is what he knows, is connected to the yeshiva boy in Argentina welcoming the Sabbath Queen with song and prayer at shul. We celebrate our uniqueness as Jews by celebrating that which is unique to us: our covenant. Our mitzvot. When we perform a mitzvah, we are not only linked vertically to God but horizontally to each other. We become a part of one people.

When we engage in what makes us unique as Jews, we help bridge all other lines that divide us: sect, culture, custom, and language. We can be one tribe—we can understand each other. Solomon Schechter, in an address to this very school over 100 years ago, put it best. Comparing Maimonides and Rashi, he noted how little the two had in common. In his words, “The one spoke Arabic, the other French. The one had all the advantage of an Eastern civilization, the other lived in the barbaric West. The one was a merchant, afterwards a famous physician in the great capitals of Cordoba and Cairo; the other was a Rabbi, without a salary, in an unimportant provincial city...but as they both observed the same fasts and feasts; as they both revered the same sacred symbols though they put different interpretations on them; as they both prayed in the same language—Hebrew; as they were both devoted students of the same Torah, though they differed in its explanation...in one word, as they studied the Torah and lived in accordance with its laws, and both made the hopes of the Jewish nation their own, the bonds of unity were strong.”

It is our task - as Rabbis, as teachers, as leaders - to create those bonds of unity, of connection. It is our job to make sure that no matter where any of our congregants or students or colleagues go, when they meet a Jew, they are at home. That they know there is something that connects them to Jews around the world, no matter the differences between them. It is my firm belief that that something is the mitzvot. The Torah. Our unique, strange, even sometimes antiquated practices that separate us from all other peoples. That makes us a nation apart. An Am Kadosh.

Every mitzvah offers the path to connect to both God and Jewish people. Every religious act helps gives us purpose: we are Jews. We are here. We are one people. And no matter our differences in philosophy, clothing, color, diet, or even interpretation of the mitzvot, nothing can change that.

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And these are the laws that you should put before them.

ואיך פירוש הוא, זיל גמור :

The rest is commentary, go and study.

Shabbat Shalom, Samuel Gelman