

## Likkutei Sichos - Mishpatim

### Three Interpretations; Three Categories of Mitzvos

On the verse:<sup>1</sup> “These are the judgments which you shall place before them,” our Sages and Rabbis offer several interpretations of the Hebrew לפניהם, translated as “before them.”

a) Judgments must be passed “before them,” i.e., a dispute between Jews must be settled before Jewish judges who rule according to Torah law, and not before gentile magistrates. Even when the secular law is no different than that of the Torah, litigation must be brought before a Rabbinic court.

b) לפניהם shares a connection with the Hebrew word, פנים, which has several meanings, including “inner dimensions.” In this context, the verse instructs us that when teaching a student these judgments, one should expose him to their inner meaning. He should not be taught the laws as a dry canon, but should be shown the motivating principle behind them. Moreover, instead of telling a student: “This is the law. Discover the motivating principle yourself,” the concepts should be taught in a manner which sits well within the student’s understanding.

c) The Alter Rebbe explains<sup>4</sup> that “inner dimensions” refers to the student. The Torah’s judgments are Divine knowledge, and this knowledge must be implanted in the inner dimensions of a Jew’s soul. Within our spiritual makeup, we have a number of different levels, some revealed and some hidden. The Torah must permeate even the most hidden of our spiritual potentials.

Like all concepts in Chassidus, the above is also alluded to in Nigleh, the revealed dimensions of Torah law. Commenting on the above verse, the Jerusalem Talmud associates the word tasim, rendered as “place,” with the Hebrew word simah, meaning “treasure-store,” referring to the hidden secrets of the Torah. And the secrets of the Torah arouse the hidden, inner dimensions of the soul.

As mentioned on several occasions, when our Sages offer different interpretations of the same word in the Torah, all the interpretations share a connection. Similarly, with regard to the concepts mentioned above, the different interpretations of לפניהם share a connection.

The common ground underlying these interpretations can be understood by considering the connection between the directives implied by the word לפניהם and the mitzvos that are referred to as mishpatim. As is well known, the mitzvos of the Torah are divided into three categories: chukim, eidus, and mishpatim. These three categories reflect the differing degrees to which a particular mitzvah can be fathomed by our reason and logic.

The mitzvos described as chukim do not have a rationale that can be grasped by reason. Instead, they are observed in obedience to G-d's will. They are, as the Midrash relates, "statutes which I have ordained, decrees which I have issued," to be observed even though one does not understand.

Eidus, by contrast, are mitzvos whose rationale can be grasped. Had the Torah not commanded them, we would not have proposed these observances on the basis of our own logic. Nevertheless, once the Torah has given such commands, we can comprehend their rationale.

Mishpatim represent the category of mitzvos which are mandated by even mortal intellect alone (i.e., our reason not only accepts the observance of these practices, it requires their observance). In this vein, our Sages said: "If Heaven forbid the Torah had not been given, we would have learned modesty from a cat, and [the prohibition against] theft from an ant." For even without the Torah's commandment, our own minds would have dictated the observance of this type of mitzvah.

Questions thus arise: Why is it with regard to mishpatim that the Torah mentions the concept of לפניהם, with all of its interpretations? Why are these lessons more closely associated with mishpatim than with eidus and chukim?

An explanation can be given according to the first interpretation of לפניהם. For only with regard to mishpatim is it possible for gentile judges to rule in the same manner as Jews. With regard to eidus, and surely with regard to chukim, there is no need to forewarn against approaching non-Jewish judges, for it is obvious that such people have no understanding of these things. Their rulings have no connection to subjects which transcend human intellect. But since mishpatim involve matters that fall within the scope of human intellect, it is possible that gentiles will rule in the manner the Torah prescribes. Therefore it is necessary to say that a Jew must bring all disputes before a Jewish court.

The second interpretation, however that when teaching a student, one should expose him to the motivating principles behind the laws, so that he will understand them thoroughly seems more appropriate for eidus and chukim. Our unaided intellect does not obligate the observance of eidus, and chukim are entirely above our conceptual grasp. Accordingly, it is necessary to emphasize that when teaching a student, these concepts should be conveyed in a manner that facilitates internalization.

This message appears unnecessary with regard to mishpatim. In that realm, it is obvious that the instruction should be conveyed in a manner to which a student can relate.

Neither does interpreting לפניהם as "to your inner dimensions" seem to relate to mishpatim. In order to observe the mishpatim, it is seemingly unnecessary to arouse the inner dimension of our souls, for these mitzvos are obligated by our intellect. Since chukim, by contrast, transcend the dictates of intellect, their observance must be spurred by the inner

dimension of the soul. Without such inspiration, observance of these mitzvos will be a function of duty alone. If these mitzvos are not internalized, a Jew will carry them out only because he must; without inner vitality. For him to internalize these mitzvos and be motivated to perform them with vigor, one must involve the inner dimensions of one's soul, which transcend intellect.

### **Faith does not Exclude Intellect**

Our Sages state<sup>11</sup> that “deed is most essential,” emphasizing that the actual observance of a mitzvah is of fundamental importance. For example, with regard to the mitzvah of tefillin and “the entire Torah is equated with tefillin”<sup>12</sup> were a person to have in mind all the spiritual intentions associated with the mitzvah, but fail to actually bind tefillin to his head and arm, he has not performed the mitzvah, and is placed in the category of “a skull on which tefillin have not been placed.” If, by contrast, a person were to put on tefillin even without considering the intent, he fulfills the mitzvah. This applies even when a person is advanced enough to be capable of directing his intent, yet fails to do so. Although he fulfills the mitzvah in a perfunctory manner, he must recite a blessing beforehand, and mention G-d's name and His sovereignty. The lack of higher intention does not detract from the fact that the mitzvah has been observed. The same applies with regard to other mitzvos, because “deed is most essential.”

Nevertheless, this emphasis on deed is not meant to exclude thought or feeling. On the contrary, G-d intends all the mitzvos to permeate our characters, encompassing all the potentials which we possess. A mitzvah should affect not only one's powers of deed and speech, but also one's powers of thought and emotion, and even the encompassing powers of will and pleasure.

This does not apply only to those mitzvos which naturally depend on understanding and the feelings of the heart, e.g., the mitzvos of love, fear, faith in G-d, knowledge of G-d, and the like. Even mitzvos dependent on deed must permeate every aspect of our personalities, including our deepest potentials, especially the potential of pleasure. For every mitzvah must be observed with happiness and joy, as alluded to in the verse: “All the choice parts should be given to G-d.”

Accordingly, not only the mishpatim, but also the chukim must be fulfilled with a commitment that encompasses our minds as well as our bodies. They should not be regarded as mere imperatives required of us because we must perform G-d's command even when it appears to be without reason or purpose. Instead, the mitzvos must permeate every dimension of our being. Since G-d gave these commandments, even the chukim should be made a part of our thought processes.

This is not meant to imply that we should simply admit man's inability to grasp the rationale for the chukim, and be satisfied that G-d, who commanded their observance, has a rationale for them. This attitude indicates that a person is still lacking in kabbalas ol; he

has not transcended the limits of his intellect. On the contrary, his observance is motivated by his trust that the chukim embody and reflect great wisdom.

The proper way is to observe the chukim with kabbalas ol, the acceptance of G-d's yoke, without any rationale whatsoever. This approach does not require the denial of one's intellect. On the contrary, one's kabbalas ol must have so much strength and vitality that it influences one's intellect and spurs it to accept this path. One's mind should appreciate that it is necessary to fulfill G-d's will without wondering why.

On this basis, we can appreciate the precision of our Rabbis' wording: "It is a decree... you have no permission to question its observance." On the surface, the Rabbis should have said: "You have no permission not to observe it." Why is "questioning" mentioned?

The explanation is that the mere observance of such mitzvos in deed is not sufficient. Instead, one must develop a thoughtful commitment to their observance, to the extent that one does not question. This goes beyond the advice that a person who occasionally thinks the chukim are of no value should dismiss the thought immediately, as stated in Tanya with regard to other concepts. The intent is rather to say that a person who observes chukim properly does not question ; he proceeds with a single-minded commitment that knows no doubt.

Such a person observes the chukim without a rationale for his observance, not even relying on the explanation that G-d surely has a rationale. His entire personality is permeated with simple faith and kabbalas ol, to the extent that this affects his thinking processes, and he does not question. His commitment has pervaded his thoughts to such an extent that no other approach even occurs to him.

According to this explanation, it is clear that to observe the chukim properly, one must arouse the inner dimensions of one's soul the third explanation of לפניהם mentioned above. For it is this potential that enables the chukim to be accepted within the framework of our intellect and emotion. Without the influence of this inner dimension, a person will not be able to reach the single-minded commitment described above. It is possible that he will observe the chukim with kabbalas ol, but his observance will lack vitality.

When, however, a person arouses the inner dimensions of his soul, he derives a satisfaction in his Divine service which transcends the limits of knowledge. This enables him to internalize the Torah's laws, and make them a part of the way he thinks and feels.

With regard to mishpatim, by contrast, the lessons of לפניהם are seemingly not applicable. For the mitzvos classified as mishpatim can be understood by the intellect, and thus a person will naturally derive satisfaction from their observance. Why is it necessary for a person to arouse his soul for the observance of these mitzvos?

## **An Outgrowth of the Revelation at Sinai**

The above question can be resolved by first explaining another statement of our Sages. On the verse: “And these are the judgments,” our Sages comment: “These complement those which came before.” The mishpatim come as a continuation of and a corollary to the Ten Commandments, for the mishpatim were also given at Mount Sinai.

As mentioned previously, the Ten Commandments represent a fusion of mitzvos from both extremes of the spiritual spectrum. The first mitzvos express the deepest concepts of Divine unity, while the latter convey basic dictums such as “Do not kill” and “Do not steal” which can be grasped even by undeveloped mortals. This fusion emphasizes that the correct observance of “Do not kill” and “Do not steal” must stem from the awareness that they are also G-d’s commandments; they were dictated by the same One who declared: “I am G-d your L-rd.”

By saying: “These complement those which came before,” our Sages are implying that the mishpatim were given on Mount Sinai as a continuation of the giving of the Torah. As such, they must be observed not only because they make sense, but because they too were given by G-d.

This is highlighted by the first interpretation of לפניהם , which forbids reliance on gentile courts, even when their decisions resemble those rendered by a Torah court. For their decisions are not associated with the revelation of “I am G-d your G-d.” Their rulings are not expressions of the laws of the Torah. Therefore we are forbidden to seek them out, for every dimension of a Jew’s life must be guided by the Torah.

This also relates to the Alter Rebbe’s interpretation of לפניהם as referring to the inner dimensions of the soul. The intent is that the study and practice of mishpatim should be motivated not only by mortal intellect, but rather by the inner depths of the soul, as with the study and practice of chukim.

And similarly, with regard to the mishpatim, an effort must be made to internalize their observance [the second interpretation of לפניהם], not only as compelled by mortal intellect, but as an expression of the depths of the soul. For as mentioned above, a Jew’s G-dly core must affect the full range of his character, allowing even these spiritual concepts to become part and parcel of his thought processes.

Based on the above, we can appreciate the interrelation between the three interpretations of לפניהם , and the fact that these concepts are taught in connection with mishpatim in particular. Since mishpatim are mitzvos which can be comprehended by our intellect, it is necessary to emphasize that this understanding alone should not motivate their observance, but rather that they should be kept because they too were given at Sinai. Thus the mishpatim too must be observed with a kabbalas ol inspired by the inner depths of the soul (the Alter Rebbe’s interpretation).

Accordingly, it is forbidden to bring judgments to a gentile court (the first interpretation), for their rulings are based solely on mortal intellect. And although the observance of mishpatim should be motivated by kabbalas ol, this kabbalas ol should be internalized within our thinking process (the second interpretation) through the arousal of the soul's inner potential.

### **The Drawbacks of Relying on Mortal Intellect Alone**

There are two reasons for not relying on mortal intellect in observing the mishpatim:

a) Were the observance of these mitzvos to depend on concepts that could be understood by our animal souls, there would be a tendency towards spiritual descent, as implied by our Sages' statement: "Today, it (the yetzer hora) tells a person 'Do this.' Tomorrow, it tells him 'Do that'... until it tells him 'Go worship false divinities.' "

My revered father-in-law, the Rebbe, would explain that at first the yetzer hora does not have the boldness to entice a Jew to sin. Therefore it begins by telling him to perform a mitzvah "Today, it tells a person 'Do this,' " i.e., something which the Torah itself commands. But when a person fulfills a mitzvah because his animal soul deems it beneficial to do so, and not because G-d commanded him to do so in the Torah, he severs his connection with G-d. From then on, it is possible to descend lower and lower. "Tomorrow, it [will] tell him 'Do that' " and ultimately, "it [will] tell him, 'Go worship false divinities.' "

b) Moreover, when a person fulfills a mitzvah only because of the dictates of mortal wisdom, his observance lacks a fundamental awareness of the connection established (for the word mitzvah relates to the word tzavsa, meaning "connection") with "I am G-d, your L-rd." He does not appreciate that his observance is an expression of the Torah's mandates.

### **A Thrust Toward Outreach**

As mentioned previously, the fusion of the two extremes in the Ten Commandments teaches a twofold lesson:

a) To borrow the wording of the Midrash, "the higher realms descended to the lower realms." In the analog, the spiritual power embodied in the commandments "I am G-d" and "You shall have no other gods" must descend and be felt in the observance of the commandments "Do not kill" and "Do not steal." Even these mitzvos should be observed because they were commanded by G-d Himself.

b) "The lower realms ascended to the higher realms." In the analog, the term "lower realms" refers to people who by nature are even less developed than animals, and thus do not learn the prohibition against theft "from an ant..." They must be commanded "Do not kill" and "Do not steal" by G-d Himself. Even such individuals must meditate and "ascend to the higher realms," developing their faith and knowledge of G-dliness in order to establish a connection with "I am G-d, your L-rd."

These two directives are emphasized again at the beginning of Parshas Mishpatim, which as mentioned above is a continuation of the giving of the Torah. As stated previously, the observance of mishpatim must be inspired by the inner depths of the soul. This reflects “the descent of the higher realms to the lower realms.”

Simultaneously, there must be “the ascent of the lower realms to the higher realms.” Students who have a minimal knowledge of the Torah and who do not have the ability to make distinctions must be shown how to study, with the lessons prepared “as a table set before a person, ready for him to eat from.”

Moreover, this can also refer to those who are lowly with regard to their moral development, such as litigants who occasionally advance false arguments. (Although the word לפניהם , “before them,” refers to the judges, since it is speaking about judgments, it also relates to the litigants.) These lowly individuals must be exposed to the “treasure stores” of pnimiyus HaTorah, the Torah’s inner, mystic core.

This exposure will awaken the inner dimensions of the soul, a level on which all Jews are “worthy,” potentially fit to receive these treasures. Although the inner dimension of the soul may be hidden from such people, we are obligated to help them reveal it. And this is accomplished by exposing them to the Torah’s treasures.

This arouses the inner dimension of their souls, and motivates this inner potential to permeate their conscious powers of thought and feeling. And it also affects their deeds, leading to the observance of the mitzvos with energy and vitality.