PARASHAT MISHPATIM

HAFTARAH

Plaut Haftarot 178; Eitz Hayim 481; Hertz 311

Parashat Mishpatim focuses one of three covenants that God makes with the Jewish people. This one is made at the time when the Babylonian general Nebuchadnezzar wants to rule the whole Middle East, and he has his eye on the two Jewish Kingdoms of Judah and Israel. King Zedekiah of Judah seeks to increase the size of his army by enforcing an old covenant by which Hebrew slaves (male and female) should be released after six years of work. However, for the moment, Nebuchadnezzar is having trouble subduing Egypt. This pause is a bit of relief in the threat to the Kingdom of Judah, and, as a result, slave-owners began to re-enslave their former slaves for an additional six years. Jeremiah tells these people that God says that, unless they collectively repent, they are condemned to die by sword or pestilence or famine.. I could elaborate, but I do not think that this covenant is particularly interesting. Therefore, I am going to use my d’var to discuss a covenant that Jeremiah was present to hear from God’s own words. Jeremiah immediately sensed its importance to all Jews, not just those who owned slaves. This would be the third covenant between God and the Israelites.

The first covenant was made at Mount Sinai, and essentially promised that they people would never again be subject to bondage, provided that they followed God’ laws and avoided idolatry. The second was the one just above to limit slavery among Israelites. And this third one will be something totally different, which is God’s covenant, as given from God to Jeremiah (Jer 33:20-22). The three can be casually called, “past, present, and future,” or, as *Eitz Hayim* more imaginatively calls them, creation, revelation, and redemption.

In effect, this third covenant is the ammunition that Jeremiah feels he has been lacking. Now he can speak in the name of God about the whole course of the Israelite people, which are close to becoming the Jewish people. So far as he is concerned, God has expressed his wishes repeatedly. We are God’s people, and God’s laws, commandments, and wishes are our laws, commandments, and wishes. Moreover, even if we are less than faithful, God will not forget us, and, after some period of punishment, He will remember us and provide ways to repent.

Jeremiah makes a great issue of this new covenant that God makes with the Israelites (31:31-34). By calling it a covenant of the day and the night, it implies that it will persist even through the people’s greater or lesser failures to observe God’s laws and instructions. Moreover, this third covenant is to replace the old Mosaic covenant from Mount Sinai, which set the nation of Israel apart from all other nations as God’s chosen people—in effect to free them from slavery. Who.says so? Jeremiah says it, without much support from God. Indeed, we must assume that in each case that he refers to the new covenant, Jeremiah has talked with God, maybe even argued it out with God, but we have no confirmation of that. Therefore, it is almost required to ask whether there are some places where Jeremiah overstepped his divine vocation. I warn readers in advance that what follows comes from the newly revised Essay Version of my presentation on Jeremiah. My opinions are just that, opinions, and I am uncertain of my conclusions about Jeremiah.

I will start with an easy issue to discuss. Some Christian scholars allege that Jeremiah’s statements (for example, 5:21 and 17:19) imply original sin. Nothing that Jeremiah writes (or that God says) support that principle of Christian theology. In fact, Jeremiah’s pleas for people to correct their behavior contradict it, as do God’s promises of a return to their belief in Him. More broadly Jeremiah always links ritual process with moral practice (24:4-7).. The two had to be a pair for the observant Jewish people.

Overstepping his role with the new covenant is harder to talk about. Jeremiah makes a great issue of the new covenant (31:31-34). God may say that it is a covenant of the day and the night, but it is Jermiah who says that it will persist forever. even through chosen people’s fail to observe all God’s laws and instructions. Indeed, this third covenant is, in Jeremiah’s words, intended to replace the old Mosaic covenant from Mount Sinai. Has Jeremiah has talked with God, maybe even argued it out with God. It is certainly possible, almost from his birth, Jeremiah had the closest connection God of any other person known in the Hebrew Bible. But it is equally possible that, perhaps, just perhaps, Jeremiah was overstepping the boundaries of his vocation. There is a small but detailed literature on this third covenant, and it can be found to support either side of the question.

It seems to me that, towards the end of his period of active prophesising, Jeremian was driving in two incompatible directions. On the one hand, he is promoting the worship of God in strictly limited ways, much as would members of an ultra-Orthodox congregation in Israel today. On the other hand, based on the new covenant, he is promoting the worship of God in ways that were sealed in people’s hearts, so well sealed that we do not need further teaching. I cannot imagine Judaism without a vigorous component of education for people at all ages. I therefore suggest that Jeremiah was overstepping his boundaries, or, if not at least becoming over-confident.

Further, there is one comment from God when He is in anguish about what the Judeans and other Israelites were saying about Him. Far be it for me to suggest that God is overstepping His role, but it is certainly disturbing. I will quote His words in Jeremiah 12:7:

I have forsaken My home,

I have cast off My heritage;

I have given the dearly beloved of My soul

Into the hand of her enemies.

Can God possibly be talking about His Asherah or one of His other alleged partners? I suggest that it is better that we treat the worrisome sentence as a reference to all the Israelites collectively.

Before concluding my d’var, I want to play a little game. Jeremiah was very firm about being a monotheist, and he had no use for analysis that made it more complex. At this point I picture a young graduate with a newly polished degree in theology trying to explain some of the new distinctions, such as henotheism and monolatry to Jeremiah. (In truth, those terms were not coined until the 19th century CE. Henotheism is the acceptance of a single, supreme god but does not deny the existence of other deities worshipped by other people. Monolatry restricts worship to one god, even though other gods may exist.) The game allows me to picture Jeremiah’s office, which is terribly untidy, and characteristic for Jeremiah’s busy life. Only in one corner where scribe Baruch sits is it neat. As is typical for him, Baruch plays no part in the arguments of the young person, nor is he surprised when Jeremiah practically kicks the young theologian out of his office. Jeremiah says that he does not care a fig for those new terms. He considers himself a monotheist, and that is all that counts with God.

As for me, I am neither young nor a theologian.

Shabat shalom,