



Around the Shabbat Table

Mishpatim 5765

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This week's writer:

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Introduction

משפטים

Shalom!

The title of this parasha, Mishpatim, stands for the rules or laws that would govern the Jewish people. Many parshiyot in the Torah contain stories which help us learn to live moral and ethical lives. In most cases the examples show a clear-cut theme. Yet Mishpatim, which is not the first parasha to contain rules to live by, is the first dedicated to only rules and laws, without having a story to tell.

The parasha opens in Exodus 21:1 with the statement "These are the rules (*mishpatim*) that you shall set before them". It closes with the words "Moses went and repeated to the people all the commands of the Lord and all the rules... The two operative words in this parasha are *mishpatim* (rules) and *devarim* (commands).

In this parasha we can see three categories of laws or themes which are addressed. They are:

1. The importance of mitzvot and commands
2. Attention to treatment of the "Ger" or stranger
3. The rules, which govern the Shabbat and Festivals (Pesach, Shavuot and Sukkot)

Let us keep in mind that the Jewish people had just come out of slavery. They already had a set of rules to live by. It is interesting that one of the first things God asked Moses to do was to bring a new code of behavior to the people. Some of these rules accentuated ways to treat the *ger* (stranger) and also remind them that not in the distant past they were *gerim* (strangers). One might think that a code of laws of behavior was needed due to the lack of laws at the time historically. We are aware that even in the Babylonian, Hittite and Egyptian community there were laws. A primary difference between the laws of those existing codes and those of the Torah was that in those communities the laws were not universal and their application was based on who you were or your status in the society. Even Hammurabi's code imposed penalties for theft based on the status of the victim. If an ox were stolen

from the King, Priest, a person of middle station the penalties were on a scale that ranged from death penalty on one end, ten fold at the other end or thirty times value at the middle.

The Torah at this point in time brings a new dimension to the treatment of the offender in a crime, saving the death penalty for the most serious of offenses. Jewish people paved the way for humane treatment of people. In this parasha, the death penalty is given to those who murdered deliberately, for kidnappers or for those that cursed their parents. In Genesis, we read of characters and conflicts of human life and personal struggles dealing with finding purpose, leadership, jealousy, power struggles, relationships between individuals and relationships of individuals with God. In Exodus, however, we see the beginnings of the Jewish group or nation. Where previously, individuals interacted with God, we now have Moses bringing God's laws to the entire Jewish people.

Some specific laws, which Moses brought to the people at Sinai, would help them govern their community. The new laws helped them to understand the evils of slavery. The laws limited a person's slavery to seven years. It further clarified the rights of the slaves and their children in cases of marriages.

As mentioned before, those who murdered could receive the death penalty, while a person who murders by accident is provided a safe haven.

Responsibility for one's actions becomes part of the basis for disposition of offenses. If a person's ox gores a man or woman, the ox is put to death. If the owner of the ox knows the ox is a danger and does not take steps to protect others, he along with the ox is penalized with death.

Some laws have survived and are incorporated in modernity. If a person digs a pit and does not cover it, he is responsible for the damages of those that fall in and are harmed. In today's world we know that we are responsible for unsafe conditions. The landlord must assume liability for people who live on his property. Further, if a person is responsible for allowing damages to another's property, or for misappropriating property, he will be penalized by fine.

Certain things are also forbidden, such as witchcraft, making sacrifices to other gods, and certain types of fornication.

The Torah in this parasha is very clear about how to treat the ger (stranger), because the Jews had been strangers in other lands.

Widows and orphans received special status and protection. We are told to give interest-free loans to the poor and to return a coat at night if it is left as collateral. From this we learn the right things to do.

Finally, we are commanded to observe the celebration of rituals.

1. The first born of one's flock are to be offerings of thanksgiving to God.
2. Observing the Shabbat each week.
3. Observing a Sabbatical year in which the fields are left fallow.
4. To observe the pilgrimage festivals of Pesach, Shavuot and Sukkot.



Questions for Your Family Discussion:

1. The rabbinic commentators divided mitzvot into two categories. One, regarding observation of commandments dealing with Shabbat, holidays, diet and religious practices are called *mitzvot bein adam l'makom*, between humans and God. The others, dealing with moral relationships between human beings, are called *mitzvot bein adam l'chavero*, mitzvot between individuals and other human beings.
 - From this article, can you make up your personal list of mitzvot under those two categories?
2. The treatment of the *ger*, or stranger, is emphasized in this portion.
 - Can you offer some guidelines for modern day treatment of the *ger*?
3. The Hebrew word *ger* means stranger. It also means convert.
 - Might the status of the convert be of importance to us today?
 - Should there be special rules?
4. If you were asked to make a loan to a person, what questions might you ask them other than about their ability to pay you back? Are there any comments in this portion that might help you decide how to proceed?

Texts to Wrestle With:

You shall not turn over to his master a slave who seeks refuge with you from his master. He shall live with you in any place he may choose among the settlements in your midst, wherever he pleases; you must not ill-treat him.

- Deuteronomy 23:16

This is one of the Biblical laws of slavery. How did this law differ from that of the runaway slave in America?

When a potential convert approached Hillel and asked to be taught the entire Torah while standing on one foot, Hillel summarized as follows, "That which is hateful to you do not do to others. All the rest is commentary. Now go and learn."

-Talmud Shabbat 31a

Based on this quote, one might assume that the interpersonal mitzvot are more important than those between a person and God.

1. Do you think that this was Hillel's intent?
2. Why does Hillel first introduce the person to the *mitzvot bein adam l'chavero*, mitzvot between individuals and other human beings?



Towards an Action Agenda:

Rabbis took the text of this week's parasha to mean different things as American Jews took positions on slavery in America before and during the civil war. During this, the 350th anniversary of the American Jewish community, it might be of interest to read one of the strong anti-slavery articles, written in that era:

<http://www.jewish-history.com/einhorn.html>

In recent years, the situation in Sudan has included forced labor as part of its civil war. You can learn about the positions Jewish organizations have taken towards this oppression, and what you and your family can do at:

[Religious Action Center of Reform Judaism](#)

[Orthodox Union](#)

[United Synagogue of Conservative Judaism](#)

Shabbat Shalom

Please join together in learning with other families by sharing your family's discussions and ideas by posting them on our web site. Simply respond with your thoughts and ideas to RavADS@bjeny.org

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