



ALIYA-BY-ALIYA SEDRA SUMMARY

RABBI REUVEN TRADBURKS
RCA ISRAEL REGION

PARSHAT MISHPATIM

We begin a new era in the Torah, the mitzvah era. In the first 86 verses of the parsha, there are 53 mitzvot. The bulk of the parsha is civil law mitzvot. The end of the parsha resumes the narrative, describing the impending entry into the Land of Israel. Moshe ascends the mountain to receive the tablets.

To give some structure to these 53 mitzvot, I have introduced each section with a heading in bold, indicating the topic of the laws that follow.



1ST ALIYA (21:1-19)

And these are the laws you are to instruct them in. **The laws of slaves:** a Jewish slave goes free after working 6 years. If he chooses, he may extend his slavery permanently. The owner or his son may marry a female slave. If they choose not to, she goes free upon puberty. **Physical assault** resulting in death is punishable by death; as is

assaulting a parent, kidnapping, cursing a parent. For bodily assault not resulting in death, payment is made for damage, unemployment and medical costs.

The juxtaposition of these civil laws coming on the heels of the pinnacle experience of the revelation at Sinai is striking. What a contrast; experiencing G-d's voice, then laws about slavery and assault.

Well, actually this is not the first juxtaposition of the dramatic narrative and the court system. Last week, Yitro advised concerning the court system. Then the story of Mt. Sinai. Now the long list of civil law. Then in the middle of our parsha, back to the narrative of the aftermath of Mt. Sinai. Court, Sinai, Court, Sinai.

The Court system sections are complementary; Yitro addressed procedural law, while Mishpatim is addressing substantive law. Yitro helped Moshe set up the *system*. Lower courts, higher courts. Judges need to be people of integrity who will not be bribed. That is procedural law, the system.

Our parsha fills in the content, the *substance* of the law. Judges are not to make up the law but rather to implement the law. For example, what to grant the victim when his property is damaged.

But why interrupt the narrative of leaving Egypt and the events at Sinai with the seemingly mundane topic of courts and justice?

It could be that we are viewing the narrative too narrowly. The narrow view would be that this is the story of leaving Egypt and arriving at Sinai. The Court system doesn't fit in

May the Torah learned
from this issue
be in memory of and לע"נ
our beloved wife, mother,
daughter, sister, daughter-in-law,
granddaughter-in-law,
and sister-in-law

Efrat Polachek ז"ל
אפרת בת יוסף ושושנה ז"ל
On her first yahrzeit כ"ה בשבט

*The extended Polachek
and Glovinsky families*

that story.

The larger story is the story of the Torah. The promise made to Avraham that the Jewish people will be slaves in a foreign land, leave and then journey to the Land of Israel. Our real destiny is to build a Jewish society in our Land.

And that society is going to be animated by 2 things: ethical monotheism. How we treat man and how we treat G-d.

Now that we are out of Egypt, our focus needs to turn to that great project of building the Land. And the first thing we know from our time in Egypt is: that society that we are going to build, don't make it like the one in Egypt. Leave Egyptian society behind. Our Jewish society is to be nothing like that society: we are building an anti-Egypt society. Well, much more than that, but certainly a society that rejects the rot of Egypt.

So much of that society was rotten. Slaves who had no one to turn to. It had abuse of slaves, or more accurately, of people. Its flip-pant disregard for human life (babies in the river), its excessive use of physical force (the slave master). Its corrupt use of power.

No. Our Jewish society will respect life, respect others, delineate regard for the property of others and build a society of goodness and justice.

In that regard, it makes perfect sense to begin the description of the Jewish society in the very things that Egyptian society failed at: judges with authority circumscribed. And in our parsha, slavery, physical assault, property infringement.



2ND ALIYA (21:20-22:3)

Physical assault resulting in financial payment: assault of slaves, of a pregnant woman resulting in a lost pregnancy. Assault of a slave resulting in loss of

an eye or tooth grants the slave his freedom.

Damage caused by my property or actions: a goring ox resulting in death of a person, death of an animal as a result of a pit dug by me, or as a result of my ox goring another. **Theft** and sale or slaughter of animals requires restitution of 4 or 5 times the value of the loss. In clandestine theft, if the thief is killed, the perpetrator is deemed to have acted in self-defense. The punishment for theft is double the stolen object.

The theme of this aliya is protection of the victim, including women and slaves.

And the topic is not oxen goring oxen; it is people taking responsibility for their property. If my property damages yours, I take full responsibility. Our society protects people and their property.



3RD ALIYA (22:4-25)

Property damage by neighbors: damage in your property must be compensated if done by either my grazing animals, or by a fire lit by me in my property; laws of compensation for loss of your property while being guarded or borrowed by me. Laws when **taking advantage of another:** seducing an unwed woman, sorcerers put to death. If one oppresses the stranger, widow or orphan and they call to Me, your wives will be widows, children orphans.

Returning to the theme of rejecting the norms of Egypt the superpower; power does not grant privilege. There are people with power. And people without. The foreigner, the widow and the orphan have no power – they are alone, with no one to champion their cause. Do not prey on their lack of power. I, says G-d, I am the Champion of those who have no power. They may have no person to turn to. But they always have Me. You, with power, who take advantage of those without;

you will have Me to reckon with.



4TH ALIYA (22:26-23:5)

Good citizens: do not curse judges or rulers, do not delay obligations, nor ally with tricksters to pervert justice, nor follow a bad crowd in disputes. **Helpful neighbors:** return a stray animal, help unburden a buckled animal even of your enemy.

The power imbalance of Egypt that bred resentment of those in power is not for us. We are them – respect those in power, for they are us. Our society is to be cooperative for the good of us all.

And bettering the lives of others is not the sole responsibility of the government: we all can make the lives of others better – initiate the return of lost items, unburdening the burdens of others.



5TH ALIYA (23:6-19)

Justice: do not pervert justice – of the poor and weak, through lies, through bribes and of the foreigner, for you were foreigners in Egypt. **Man's limits in G-d's world:** work the land 6 years, leave it for the poor in the 7th. Work 6 days, allow rest to your workers on the 7th. Observe the 3 pilgrimage festivals: Pesach, Shavuot, Sukkot. Do not appear empty handed.

The Sabbatical year and the weekly Shabbat have dual meaning. Social engineering and religious principles. Workers get a break every 7 years and every 7 days. That is protection of the rights of the employees. This too is an anti-Egypt comment. We treat our workers with respect, not milking them, breaking them.

And in addition, Shabbat is man in relationship to his Creator. Shmita is ceding the field to its Owner, Shabbat day ceding this world to its Creator.

Our society in the Land of Israel will be built on ethical monotheism. Dignity of man

and deference to our Creator.



6TH ALIYA (23:20-25)

Journey to the Land: I am sending My angel to guide you to the Land of Israel. Loyalty to what I say will ensure your successful settling of the Land. Don't worship idols there; rather serve G-d and you will enjoy blessing and health in the Land.

The listing of the mitzvot concludes and the narrative picks back up. But not the narrative of what happened at Mt. Sinai. Rather, that we are on our way to the Land of Israel.

We have to remember that we know the story of the 40 years in the desert. But they don't. Reading the Torah in real time, Moshe was told by G-d that He was going to take the people out of Egypt, bring them to Mt. Sinai. And bring them to the Land of Israel. Sinai is a stop, a dramatic stop, but a stop on the way to the Land of Israel.

Now that they are out of Egypt, been at Sinai, they are ready to trek on to the Land of Israel. The list of the mitzvot that describes creating a just and kind society makes perfect sense. Because in just a few months they'll be setting up a new Jewish society in the Land of Israel.

After hearing those mitzvot, they now know in what way it will be a Jewish society – where power is limited, where people are respected and where the Divine is acknowledged.



7TH ALIYA (23:26-24:18)

Your opponents in the Land will cower. I will cause them to leave slowly over time so the land will not be desolate when you arrive. Do not make a pact with the people in the Land; they may not dwell with you lest you end up serving their gods. Moshe ascended the mountain, wrote the words of G-d. He built an altar at the foot of the mountain; offerings were brought. He

read the words of the covenant; the people responded that they will fulfill it all. Blood was sprinkled as a covenant. Moshe ascended with Aharon, Nadav and Avihu and the 70 elders; they perceived sapphire, the purity of the heavens. G-d called Moshe up the mountain to give him the luchot, the Torah and the Mitzvot. The cloud of G-d was on the mountain, the vision of G-d like a consuming fire. Moshe was there 40 days and 40 nights.

The covenant that we will be His people is sealed. Moshe will ascend the mountain to receive the fullness of the Torah and the inscription of the 10 Commandments on stone. With that, we will be ready to continue on our journey to the Land of Israel, building a society of relationship to G-d and ethical treatment of people. And leaving Egypt and its abuse of power and of people behind. ■

**Maftir is special for Parshat Shekalim,
Exodus 30: 11-16**



STATS

18th of 54 sedras; 6th of 11 in Sh'mot
Written on 185 lines in a Torah (31st)
33 parshiyot; 6 open and 27 closed
118 p'sukim - ranks 22 (5th in Sh'mot)
1462 words - ranks 31 (7th in Sh'mot)
5313 letters - ranks 37 (8th in Sh'mot)
Mishpatim's p'sukim are among the shortest in the Torah.



MITZVOT

MISHPATIM has 53 mitzvot; 23 positive and 30 prohibitions.
Only 3 sedras have more mitzvot - Ki Teitzei (74), Emor (63), and R'ei (55).

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A SHORT VORT

BY RABBI CHANUCH YERES
RAV, BEIT KNESSET BEIT YISRAEL, YEMIN MOSHE

In memory of my father on his yartzheit - Rabbi Yitzchak Yeres zt"l - 28 Shevat

אם כסף תלווה את עמי את העני עמך (כב:כד)

"If you lend money to My people, to the poor who are with you." (22:24)

What does it mean "the poor who are WITH you?"

Rabbi Mordechai Benet (1763-1829, Nickolsburg), upon explaining this pasuk quotes the Talmud (Pesachim 8a). "If one gives money to a poor person and states that his intention in this act is in order for his son to be blessed with long life, such an act of charity is complete, and the giver is wholly righteous." Why according to this Talmud is the giver offering such a request? There is no mention that his son is even ill. The answer must lie in the fact that the giver wishes to avoid any embarrassment to the poor person for receiving this handout. It is the giver who is requesting assistance by asking for a blessing for his son. "You will do me a favor by receiving my gift to you." The Talmud attributes such a giver as "wholly righteous."

The Chatam Sofer (Rabbi Moshe Sofer 1762-1839, Pressburg) continues this thought and suggests that the pasuk is teaching us the importance of helping the poor with sensitivity. One should give charity as if the poor is "WITH you", as if he is a part of you, a fellow member of the Jewish people, meaning, it should be done as if the poor individual is doing YOU the favor and not the reverse.

Shabbat Shalom