

Parshat Mishpatim 5776

In this week's parasha, the Torah gives us an extensive list of laws – 53 to be precise. These are the laws which any society requires in order to live peacefully and equitably. The word 'mishpatim' comes from the word Mishpat, meaning 'judgment'. Many of these laws are an extension of those taught at Ma'amad Har Sinai, the story of last weeks' parasha, Yitro, which contained the Aseret Hadibrot, and, therefore, these laws fit into the 10 categories of the Aseret Hadibrot. The Sforno teaches us that these social laws are specifically an extension of the last of the Aseret Hadibrot – "Do not covet that which belongs to your neighbour."

Also, at this point in history, the Bnei Yisrael were building a new society, based on the Torah they had recently been given. Therefore, the Mishpatim here are the basic 'regulations' expected of this 'new' society. If they can then implement the Torah and live according to these laws, acceptance is 'complete'. There are laws concerning slavery, personal injury, breach of peace, murder, public nuisance, trespass, contracts, marriage, and lending money, among others. There are also laws about G-d, Shabbat, holidays and certain moral offenses.

One particular law is the command against harming a stranger. This is mentioned twice in this parasha – the first time in perek 22 passuk 20, and the second in perek 23, passuk 9. According to Rabbi Eliezer in Baba Metsia 59b, this law is mentioned 36 times in the Torah, more often than the mitzvah to love Hashem and to observe Shabbat and festivals. Both pesukim teach us about the treatment of strangers & both have a slightly subtle difference in wording, even though they share a common theme of being written in the imperative form.

Rashi says they reveal two different motives for treating the stranger fairly & in a decent manner. The first passuk in 22:20 states: *"You must not abuse or oppress a stranger for you were strangers in the land of Egypt"* Rashi explains the 'abuse' in this context refers to aggravating him – reminding the stranger or convert of his or her origins. He explains that if you abuse him, he is capable of abusing you too, by reminding you that 'you too descended from strangers'. When the Bnei Yisrael came down to Egypt, they were complete strangers.

Rambam explains that even though we may think that the stranger is defenceless, he is not. If we oppress him, others might come to his defence, just as G-d came to our aid when we were powerless in Egypt.

Rabbi Mordechai Kaminetsky adds that the suffering that we endured in Egypt was an essential ingredient in our development as a nation. It strengthened and unified

us to be able to endure any future difficulty. As a result, we might make the mistake and put the stranger through the same difficulties that we had to go through. But really this is teaching us that we should not impose our difficult life experiences on others. The second passuk in 23:9 seems to portray a slightly different stance/motive: *"Do not oppress a stranger. You should know the feelings of the stranger, for you were strangers in the land of Egypt."*

On this Passuk, Rashi reminds us that the reason why the Torah issues several warnings regarding the Ger, is that he has a strong temptation to return to his former evil ways, and his yetzer hara to go back to his 'bad roots' may be exacerbated if he is oppressed. We should also be aware how hard it is for him when he is oppressed. Rashi continues that our collective memory of being an oppressed minority and slaves in Egypt should inform how we should treat the stranger, as *"you know how painful it is for him when you oppress him."* This also suggests that we should welcome and cherish people who are making a spiritual journey towards Judaism, even if they have not yet completed their journey, and may have some way to go.

Shimshon Raphael Hirsch (19th Century commentator) suggests that because we were sensitive to having been persecuted, we should be more sensitive to the suffering of others, and therefore this memory of our experience of slavery forms the core from which moral obligations to other people are derived.

Alternatively, bitter experience suggests that victims of bad treatment can become tyrants themselves.

The Oznaim Le'Torah, as quoted by Rabbi Bernstein Z'L, has a very different approach – Shlomo Hamelech says that one of the three events that cause the earth to tremble is when a slave becomes a king – all too often, history shows that being a victim of cruelty is not ennobling, and when given power the ex-victim can easily become the new perpetrator. The Torah realises this and wants to break the tragic cycles of suffering.

I think that the lesson we can take from this parasha is that everybody goes through times when they may feel like 'a stranger,' and we should extend this mitzvah to being open to people and their ideas and experiences even though they may be 'strange' or even 'threatening'. We should all reflect the place of 'strangers' as we go through our journey of life. We are constantly meeting and befriending 'strangers' in our working and personal lives, and we also feel like strangers ourselves sometimes.

