

JANUARY 28, 2008

Parashat Mishpatim

Rolling Down Like Waters

V'eileh hamishpatim “*And these are the laws*” (Exodus 21:1)

After the ultimate moment at Sinai, Ramban, in his commentary on this verse, explains that Parashat Mishpatim is a continuation of the Ten Commandments. The *sidra* goes into detail explaining a series of tort laws. Why would such seemingly pedestrian rules be placed after the legal and spiritual summit of the Ten Commandments? Ramban explains, by citing a midrash, that the whole world is dependent on justice. By placing tort law right after the Ten Commandments, Hashem shows how justice must be the baseline by which the world operates.

The Ramban’s statement that justice must be the baseline by which the world operates teaches us how important this concept is to civil society. But justice is more than a good idea for getting along – it is part of the very foundation of human life. As we learn in Midrash (B’reishit Rabbah 12:15), God created the world with *midat ha’din* and *midat harachamim* – and neither can exist without the other.

Unfortunately, the Hamas terrorists who control Gaza demonstrate neither of these aspects in governing the impoverished residents of Gaza. There is no compassion when the terrorists are more interested in smuggling in arms and explosives and raining down rockets on Sderot than in providing for their people. There is no justice when terrorists continue to hold Gilad Shalit captive and when Hamas takes control of the territory in a violent coup.

Bringing justice to Gaza means encouraging the Palestinian Authority to resist any rapprochement with Hamas until it agrees to recognize Israel, renounce terrorism, and abide by previous agreements. Bringing mercy to Gaza means combating efforts to turn the territory into an armed terrorist camp. For now, there is no justice or mercy in Gaza – and all fingers of blame point to Hamas. ■

Of Consequence

Lo ti’h’yeh acharei rabim l’ra’ot “*Do not follow the mighty to do evil*” (Exodus 23:2)

Rabbeinu Bachyah, in his commentary on this *pasuk*, tells us that the plain meaning of the verse is that we should not follow the example of someone who we know is doing wrong. The Torah realizes, of course, that a powerful negative influence could confuse us. Once we know what is right, however, we are expected to act accordingly. For example, Talmud (BT Bava Metzia 84a) tells us that the great Resh Lakish started out as the leader of a gang of thieves. Once he began to study Torah, however, he changed his life.

It is always better – or, at least, preferable – for us to change our ways without being punished for wrongdoing. But it isn’t always possible. Sometimes, consequences are required.

Iran is well aware that its nuclear activities are wrong – contrary to international law, its own treaty obligations, and basic standards of right conduct. The U.N. Security Council has passed two resolutions demanding Iran cease uranium enrichment activities and imposing sanctions. The U.S. has lead a group of western countries to impose other economic sanctions against companies and banks doing business with Iran and many states are choosing to divest state retirement funds from those companies. Still, Iran’s enrichment program continues.

In addition to the United Nations Security Council’s efforts at passing a third international sanctions resolution, the U.S. Congress has been hard at work confronting the specter of a nuclear Iran. The Iran Counter-Proliferation Act (H.R. 1400 and S. 970) strengthens existing U.S. tools to cut off funds to Iran's nuclear program and prohibits U.S. nuclear cooperation with those aiding Iran's atomic efforts. The bill passed the House last September by a vote of 397-16 and remains pending in the Senate with 68 cosponsors.

By encouraging our leaders to pass the Iran Counter-Proliferation Act and work for touch international sanctions, we can provide severe enough consequences as to force Iran to change its behavior. ■

In One Voice

Kol echad “One voice” (Exodus 24:3)

After describing a litany of laws and regulations, we are told that Moshe transmitted “all the words of Hashem” to the people. It is important to note that two verbs are used to describe this transmission. Moshe first recounts them orally (*vayesaper*) and then writes (*vayichtov*) these words for posterity. While the *mefarshim* argue over exactly what was told and what was written, all agree that a significant corpus of Jewish Law was transmitted at that time.

After Moshe orally transmits the words of God and the Law to the people, the people answer *kol echad*, with one voice, *na’aseh*. It is important to note that when the people answer with one voice, the primary verb, *anah*, is conjugated in the singular. Ibn Ezra teaches us that the people answered “as if they were one person.”

Achdut is a cherished value in Judaism as well as *asiyah*. While it is certainly important to transmit the heritage through the spoken and written word, what sets us apart is our ability to convert learning into doing. By speaking with one voice, the People Israel sent the clear message that actions speak louder than words. Additionally, the message is conveyed that sometimes we must focus on that which unites us and not on that which divides us.

With all the threats facing Israel, it is so crucially important to speak *b’kol echad* regarding the U.S.-Israel relationship. It is not enough to read about events occurring in Israel. It is not enough to write letters expressing support for Israel. As Americans, we have the power to work within the political process to support the mutually beneficial relationship between Israel and America.

Just as B’nei Yisrael spoke as one person, so too, we must speak with one voice. The Torah is not intended to be placed behind glass in a museum display. We must answer the call by saying *na’aseh*. And, as we have done before, we should do so *b’kol echad*. ■