



Sermon Tidbits

FEBRUARY 1, 2016

Parashat Mishpatim

The Rule of Law

Now these are the ordinances (Exodus 21:1)

ואלה המשפטים (שמות כא:א)

Every year, the [Worldwide Governance Indicator](#) (WGI) project, supported by the World Bank, rates 215 countries for six dimensions of governance, including Government Effectiveness, Control of Corruption, and the Rule of Law. Predictably, when you zoom in on the map of the world to view the Middle East, only two countries are represented by the color green (which is good). One is the United Arab Emirates. The other is, of course, Israel, which ranked in the 75th-90th percentile rating for “Rule of Law” for 2014. (The United States was also rated in the 75th-90th percentile). This is because the founders of both Israel and the United States, established their countries upon the principles of democracy, freedom and equality, and understood that they could only successfully protect these freedoms if it upheld and protected the “Rule of Law,” a critical concept which plays a major role in Parashat Mishpatim.

The majority of Parashat Mishpatim deals with different forms of jurisprudence, in particular injuries, theft and damages. According to the Midrash (Shemot Rabbah 19), the Torah delineated societal laws immediately after the nation received the Ten Commandments to convey the importance of the rule of law in Judaism. “Rabbi says: Just as the Holy One, blessed be God, warned regarding observing the Commandments, so too he warned about the law. Why? Because the world depends on it, as it is said: ‘By justice a kings sustains the land’ (Prov. 29:4)...Rabbi Eliezer said: The entire Torah depends on justice. Therefore the Holy One, blessed be God, gave laws after the Ten Commandments...”

While the rule of law in America is enshrined in the Constitution of the United States, Israel’s political leaders have not been able to agree on a constitution for the Jewish state. Nonetheless, in the absence of a Bill of Rights, and grounded in the Basic Laws passed by the Knesset, Israel’s Supreme Court has assumed the role of protecting civil liberties and upholding the rule of law by developing a body of case law protecting civil liberties almost as if a Bill of Rights existed. The court’s decisions have protected, among other liberties, freedom of speech and equality as fundamental values of the Israeli legal system. As a result, in practice Israelis largely enjoy the same civil liberties as citizens in other Western democracies.

Israel’s devotion to liberty is remarkable given the country’s neighborhood—where many regimes deny their populations the most basic rights, and in some cases, support extremist groups that seek to impose repressive interpretations of Islamic law. While most of Israel’s neighbors trample on the rights of their own citizens and many of their leaders see their nations’ laws as non-binding—at least upon themselves—Israel has followed the model of the United States in its fundamental commitment to democracy, rule of law, freedom of speech, press, religion and equal rights for all of its citizens. This Shabbat, when we read Parashat Mishpatim, let us give thanks that we live in a country which strives to uphold the rule of law, and let us commit ourselves to ensure that Israel, a bastion of freedom and democracy in the Middle East, remains strong, safe and secure. ■

We Must Not Tell Lies

Keep far from a false matter (Exodus 23:7)

מדבר שקר תרחק (שמות כג:ז)

It is told about the famous Hasidic master Rabbi Simcha Bunim of Peshischa, that one year at the conclusion of Rosh Hashanah, when the rabbi bade farewell to each of his hasidim, as they prepared to return home, he said: "I will ask one thing of you, and you must promise that you will fulfill my request." Each disciple of course responded in the affirmative. Then the rabbi said to him, "I ask that you will never speak falsehoods, but only truth." He repeated this conversation with each and every one.

Hasidic teaching considers the act of lying not simply sinful behavior. Rather, lying contravenes the underlying values of Judaism and destroys a person's connection to God. Hasidic masters glean the importance of refraining from lying from the Torah itself. Normally, the Torah establishes a specific prohibition to which the Sages added additional restrictions, following the dictate that we must "make a fence for the Torah." (Avot 1:1) Regarding the admonition against telling falsehoods, the prohibition is unique in that the Torah does not simply forbid lying. Rather, the Biblical text itself demands that we distance ourselves from falsehood. Rabbi Simcha Bunim taught, "We do not find throughout the Torah [rules that] require us to distance ourselves [from sin]. Rather, the Sages [added] rabbinic prohibitions to create distance from sinful behavior. Yet, regarding falsehood, the Torah itself commanded that we distance ourselves [from it]. From this we derive that speaking words of falsehood is a great sin."

If only the Iranian leadership got the message. Speaking to reporters in Rome about its relationship to the United States, Iranian President Hassan Rouhani said that, "It's possible that Iran and the United States might have friendly relations. But the key to that is in Washington's hands, not Tehran's." According to [Reuters](#), Rouhani also rejected accusations by many Western nations that Iran is funding various militant groups which they deem to be terrorist organizations. "It is clear that Iran is a country opposed to terrorism and a country that fights terrorism," he said. Regrettably, nothing could be farther from the truth.

According to the U.S. State Department, Iran remains the leading state sponsor of terrorism—financing, arming and training terrorist groups operating around the world, including Hamas, Hezbollah and the Syrian dictator Bashar al-Assad. Iran provides weapons, money and training to groups whose goals include the destruction of Israel and the establishment of Islamic theocracies throughout the Middle East and beyond. The State Department's most recent report on [State Sponsors of Terror](#) reported that Iran's terrorist-related activity in 2014 included "support for Palestinian terrorist groups in Gaza, Lebanese Hezbollah, and various groups in Iraq and throughout the Middle East."

Speaking to reporters at the World Economic Forum in Davos last week, U.S. Secretary of State John Kerry acknowledged that, "It's likely that some of the billions of dollars in sanctions relief granted to Iran under a landmark nuclear deal will go to groups deemed to be terrorists," [ABC News reported](#). "I think that some of it will end up in the hands of the IRGC or other entities, some of which are labeled terrorists," he told CNBC television.

Recently the United States sanctioned entities and individuals involved in procurement for Iran's illicit ballistic missile program. This is an important step in ensuring that Iran lives up to its commitments in the international arena. The Iranian regime must know that illegal or malign behavior will be met with a certain, swift, and severe response.

In the same vein, the United States must take all appropriate measures to prevent Iran from using the over \$100 billion windfall it just received to support terror and foment chaos across the Middle East. And we must also remind Iran that if it truly wishes to rejoin the community of civilized nations, it must learn to stop telling lies about its support for global terrorism. Instead, it should actually oppose terrorism and restrain the terrorist groups promoting mayhem and murder around the world. ■

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