

FEBRUARY 5, 2018

Parashat Mishpatim

A Tunneling Thief

If while tunneling in the thief is discovered (Exodus 22:1) (אם במחתרת ימצא הגנב (שמות כב:א))

You may have watched a [video](#) produced by CNN's Wolf Blitzer a few years back where he was given a tour of a Hamas terror tunnel. The tunnel, 45 feet underground and 1.7 miles long, was built by Hamas with materials Israel provided Gaza for school, homes, and hospitals. During the summer of 2014, several Israeli soldiers were ambushed and killed by Hamas fighters who emerged from these terror tunnels. In total, the Israel Defense Forces (IDF) discovered and destroyed 32 tunnels during the fighting. Sadly, after the cessation of hostilities, rather than using the materials Israel and the international community supplied to rebuild its infrastructure, Hamas resumed its tunnel construction. Hamas claims to have employed 1,000 diggers who have completed 50 new tunnels, 17 of which extend into Israeli territory. This past month, Jason Greenblatt, the Trump administration's special envoy in the Middle East, toured one of these newly constructed tunnels under the Gaza border area with Israeli military officials, the Times of Israel [reported](#). Following his tour Greenblatt [tweeted](#), "Hamas wastes resources on tunnels & rockets to attack Israel, instead of helping the people of Gaza by getting the lights on, the water flowing & the economy growing."

It is quite timely that in our Torah portion, *Mishpatim*, we find the example an enemy who aggressively gains access and attacks with the use of a tunnel. The Torah rules that if, "[a] thief is discovered tunneling into a house for housebreaking and is struck and dies, there is no bloodguilt in this case" (Exodus 22:1). In other words, if someone tunnels into an individual's home to steal, and even more so if he intends to kill that person, the homeowner has a right to take any necessary action in self-defense. While this may seem obvious today, in this Torah verse Judaism establishes the inalienable right of man to self-defense. Moreover, the Sages (see Talmud *Sanhedrin* 72) explain that because the thief is trying to steal into the house in stealth, we can only assume that he has terrible intentions and may therefore take the necessary steps to prevent him from carrying them out. Thus, this verse teaches not only the moral right to self-defense, but the right to defend one's possessions and to fight for them. One may defend his property even if the act of defense results in hurting or even eliminating the intruder.

The recent successes in identifying and destroying Hamas terror tunnels has been the direct result of our efforts to encourage Congress to allocate funds specifically for research and development of tunnel defense technologies. In May 2017, Congress appropriated \$42.5 million to support joint research, development and test activities between the United States and Israel to better detect and destroy these tunnels and to help both nations defend against future threats. While we should take pride in recent successes, the job is far from over, and significant technological barriers to success remain.

Continued U.S. security assistance to Israel is vital in helping the Jewish state confront this key challenge. As American Jews committed to Israel's safety and security, we need to express our appreciation to our elected officials who have supported the [robust aid](#) that has enabled Israel to meet and address the tunnel threat. At the same time, we must encourage them to support the \$3.1 billion in security assistance for the Fiscal Year 2018. This vital assistance gives Israel the resources it needs to address not only the tunnel threats, but also the myriad ways that Hamas continues to attempt to harm the citizens of the Jewish state. ■

Bringing Heaven Down to Earth

And these are the ordinances (Exodus 21:1)

ואלה המשפטים (שמות כא:א)

Jews across the world take great pride in the state of Israel's reputation as the "Start-up Nation." Israel has established itself over the last number of years to be a major hub of innovation in the world. What is less well known is that the Jewish state [is a rising star in space and satellite technology](#). Several key developments in recent years highlight Israel's growing contribution in this field, including a successful [launch of the Venus satellite](#) this past summer. This micro-satellite was built as part of collaboration between the space agencies of Israel and France.

Rashi (on verse 1) points out that *Mishpatim* should be viewed as an extension of the previous parashah, *Yitro*. This is hinted to in the very first letter of the Torah portion: "And these are the laws..." Rashi notes that the Hebrew letter *vav*, "and," which opens the *parashah*, teaches that these laws in *Mishpatim* come as a continuation of the laws given at Sinai. The Ten Commandments represent the foundational ideals that are meant to guide us. How then do these multifaceted and seemingly random laws found in the portion of *Mishpatim* relate to the principles articulated at Sinai? The laws in *Parashat Mishpatim* contain the *interpretation* of the Ten Commandments.

Judaism never intended for its major principles to remain merely conceptual or in the realm of lofty ideas. Our tradition has always taught that our ideals must be put into practice. Without transforming our principles into defined action we can never hope to attain the ultimate vision enunciated by the Torah that we become "a kingdom of priests and a holy nation." (Exodus 19:6) We are called upon to heal the sick, welcome the stranger, and extend our reach in all areas of knowledge and wisdom for the betterment of the world. The words that were heard by the Israelites at Sinai are placed into a practical format in *Parshat Mishpatim*. The Torah positions *Yitro* and *Mishpatim* back-to-back because they are really two sides of the same coin: our mission as a people begins with ideals, but it is absolutely critical that these principles be applied and incorporated into a system that guides our daily life. The paradigms only have meaning when they are translated into engagement with the world.

This past December the U.S. House of Representatives unanimously passed the [United States and Israel Space Cooperation Act](#) (H.R. 1159). Authored by Reps. Derek Kilmer (D-WA), Jim Bridenstine (R-OK), Mario Diaz-Balart (R-FL) and Mark Veasey (D-TX), the bipartisan bill aims to enhance cooperation between the National Aeronautics and Space Administration (NASA) and the Israel Space Agency (ISA). The legislation specifically directs NASA to continue working with the ISA in identifying and cooperatively pursuing peaceful space exploration and science initiatives in areas of mutual interest. "This [bill](#) allows us to work with one of our key partners to continue breaking the boundaries of space," said Rep. Kilmer. "In turn, it will keep us on a path that fosters innovation and experimentation, encourage the growth of the U.S. space industry, and create American jobs."

It is gratifying to see the United States working together with Israel to increase our knowledge and understanding in areas of scientific research. In this way, the Jewish state fulfills the great mandate to engage in the world and "reach for the stars" in working towards improving and enhancing the lives of all humanity. ■

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