

CHIZUK AND IDUD

*Divrei Torah from the weekly sedra
with a focus on living in Eretz Yisrael -
Chizuk for Olim & Idud for not-yet-Olim*

Coming right after Matan Torah in Yitro, this week's parsha, Mishpatim, takes us through a list of many of the Taryag (613) mitzvot. How many mitzvot are actually mentioned? According to Sefer HaChinuch, 53 Mitzvot are enumerated here, whereas other authorities may posit different numbers.

All mitzvot are by definition of equal value - seeing as they emanate from the one Divine source. Yet, some speak to us as individuals while others proscribe our behavior on the national level.

This brings us to some of the mitzvot in Parshat Mishpatim: "And a Stranger shall you not wrong, neither shall you oppress him for we were strangers in the Land of Egypt" (Sh'mot 22:19).

The Gemara in Bava Metzia 59b relates that in 36 places the Torah warns us against oppressing the ger (proselyte). The Torah is conveying a basic principle: we must be exceedingly careful not to afflict others in a weaker position than our own, as we know only too well what it means to be treated in such a manner.

The Torah's message is a communal one which is very relevant today as we witness the continued oppression of powerless minorities by the all-powerful state and its military in different countries around the world such as Myanmar and Rwanda. We are commanded to steer away from such a mentality and approach the minority with compassion.

Ibn Ezra points out that just as the Ger, stranger or more accurately, proselyte, lacks power or influence so too the Torah wishes to safeguard the widow and orphan, as we read in the very next pasuk: "You shall not afflict the widow or the orphan. If you afflict them in any way and they cry out, I will surely hear their cry: My wrath shall be kindled and I will kill you all by the sword" (22:20-21).

Here too is a communal warning regarding the correct approach to the weaker links in society. The Hebrew wording of the verse jockeys back and forth from the plural form to the singular and back again: "You (plural) shall not afflict the widow and the orphan. If you (singular) afflict them in any way... you (plural) shall be slain...". Ibn Ezra explains that this jockeying hints to the following point: 'After telling us "lo Ta'anun" (plural) then the singular follows to teach us that if one witnesses an individual oppressing a widow or an orphan (or anyone else for that matter), without responding, then the witness is as culpable as the perpetrator and punishment is inflicted upon all.

In his "Halachic Man" Rav J.B. Soloveitchik zt"l wrote as follows: "My uncle, Reb Meir Berlin (Bar Ilan) told me that once Rav Chaim of Brisk was asked to define the main credo of a Rabbi. Reb Chaim replied: "to redress the grievances of those who are abandoned and alone, to protect the dignity of the poor, and to save the oppressed from the hands of the oppressor". Rav Soloveitchik concludes: "The actualization of the ideals of justice and righteousness is the pillar of fire which Halachic Man follows."

Ibn Ezra's statement of how one becomes

complicit to a crime by simply witnessing a crime and standing idly by, can be directed to the German citizens during World War II who knew about the death camps (how could they not know?) and did nothing to help those oppressed. (The German philosopher Karl Jaspers, wrote a volume entitled "On the Question of German Guilt" where he acknowledges and discusses this point.)

Many in Israel today have accepted this point and suggested that it obligates us to assist the Sudanese and Eritreans that have made their way here seeking asylum. This is a sensitive question where the hard facts are hard to ascertain, and each side has raised certain valid points (Rabbi Lau has pointed out, that any overly simplified comparison to WW2 is clearly out of place since we are certainly not dealing with refugees being carted to their death).

The public debate surrounding such matters of public policy is new in the annals of modern Jewish history. For generation upon generation we were the oppressed, we were the powerless minority begging for mercy. Only recently have we entered into a position where we need to grapple and come to terms with the Halachic ramifications of modern statehood. To try to ascertain the Halachic requirement we have on a national level today is not a simple task: How can we be true to the Torah's demands on us at the national level in the twenty first century? -

Come and join the discussion!

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