

Spotlight on...Oxen!

Background:

Parashat Mishpatim contains a series of civil and criminal laws to help govern Israelite society. Because the ancient Israelites were farmers in the land of Israel, it makes sense that a number of these laws are about the consequences of damaging another person's field or animals. Today we will look at one possible situation - when an ox attacks a person and kills them (Exodus 21:28-30):

<p>Case 1 (28): When an ox gores a man or a woman to death, the ox shall be stoned and its flesh shall not be eaten, but the owner of the ox is not to be punished.</p>	<p>וְכִי־יִגַּח שׁוֹר אֶת־אִישׁ אֹו אֶת־ אִשָּׁה וּמָת סָקוּל יִסְקַל הַשׁוֹר וְלֹא יֵאָכַל אֶת־בְּשָׂרוֹ וַבֶּעַל הַשׁוֹר נָקִי:</p>
<p>Case 2 (29-30): If, however, that ox has been in the habit of goring, and its owner, though warned, has failed to guard it, and it kills a man or a woman—the ox shall be stoned and its owner, too, shall be put to death. If ransom is laid upon him, he must pay whatever is laid upon him to redeem his life.</p>	<p>וְאִם שׁוֹר־נִגַּח הוּא מִתְּמַל שְׁלִשָּׁם וְהוֹעֵד בְּבַעְלָיו וְלֹא יִשְׁמְרֵנוּ וְהָמִית אִישׁ אֹו אִשָּׁה הַשׁוֹר יִסְקַל וְגַם־בַּעְלָיו יוּמָת: אִם־כֶּפֶר יוֹשֵׁת עָלָיו וַנִּתֵּן פְּדִיָן נַפְשׁוֹ כְּכֹל אֲשֶׁר־יוֹשֵׁת עָלָיו:</p>

Questions:

1. Case 1 introduces us to a case that the rabbis of the gemara refer to as a *shor tam*, or an innocent ox. This is understood as an ox that is not known to have ever attacked a person before. If a *shor tam* kills a person then what happens to the animal, and its owner? Why do you think that is?
2. Case 2 introduces us to a case that the rabbis of the gemara refer to as a *shor muad*, or an ox that already had attacked people three times and is therefore predisposed to violence. If a *shor muad* kills a person then what happens to the animal, and its owner? Why do you think that is?
3. What is the punishment for the owner of a *shor muad* in verse 29? What stipulation does verse 30 add? Why do you think that the Torah adds this stipulation in verse 30? Does any of this surprise you?

BONUS QUESTION: What do you call an ox from New Jersey? Email your answer to MaharatRuth@ostns.org to win ice cream!