

Laws and Love to Live By

Our humanity rests upon a series of learned behaviors, woven together into patterns that are infinitely fragile and never directly inherited. Margaret Mead

This week's Torah portion, *Mishpatim* (Exodus 21:1- 24:18), contains a great collection of legislation that includes laws of social, moral, ethical, civil, criminal and ritual significance. Indeed, the ethical importance of some of these laws helped to shape the foundation of our modern understanding of just and compassionate society.

Let us examine just one of the many passages that resonates today as profoundly as it did 3,000 years ago:

¹ You must not carry false rumors; you shall not join hands with the guilty to act as a malicious witness: ² You shall neither side with the mighty to do wrong -- you shall not give perverse testimony in a dispute so as to pervert it in favor of the mighty -- ³ nor shall you show deference to a poor man in his dispute.

⁴ When you encounter your enemy's ox or ass wandering, you must take it back to him. ⁵ When you see the ass of your enemy lying under its burden and would refrain from raising it, you must nevertheless raise it with him.

⁶ You shall not subvert the rights of your needy in their disputes.

⁷ Keep far from a false charge; do not bring death on those who are innocent and in the right, for I will not acquit the wrongdoer.

⁸ Do not take bribes, for bribes blind the clear-sighted and upset the pleas of those who are in the right. ⁹ You shall not oppress a stranger, for you know the feelings of the stranger, having yourselves been strangers in the land of Egypt. (Exodus 23:1-9)

The first five laws (verses 23:1-3) protect the judicial court system.

Rumors, false testimony, and impartiality in court are threats to the integrity of the legal system and erode trust. To emphasize the sacred duty to protect the innocent and to avoid prejudicing a case the *Mishnah* taught:

Your verdict of acquittal is not equivalent to your verdict of guilt. Your verdict of acquittal may be on a vote of a majority of one, but your vote for guilt must be by a majority of two (Sanhedrin 6:1).

Justice requires that we err on the side of acquittal; that is, a benefit of doubt leans toward innocence.

The second set of laws (verses 23:4-5) commands humane treatment even of those who are considered “enemies.” It is worth noting that it was not until 1864 that Western nations agreed to the Geneva Conventions designed to protect the innocent (i.e. non-combatant of your enemies) as well as those who are prisoners of war. It is also worth noting that it became necessary to frequently update and reissue the Geneva Conventions due to widespread violations.

A third set of ethics are established in verses 6-8. Namely, commanding us to be extra compassionate to the needy and the innocent.

Finally, we are reminded of the supreme principle to avoid oppressing or wronging those who are most vulnerable in our society: the stranger. And it is for this principle that we are reminded that the Children of Israel know full well what it feels like to be vulnerable, to be the “other,” the minority in a culture that was frequently intolerant.

At the core of Jewish belief is that every human, regardless of faith, race, gender, or nation, is of God: created with a sacred purpose and meaning. And also at the core of Jewish belief is the understanding that laws and

ethics are required to protect the innocent and the vulnerable. Laws and ethics are required to guide behavior toward justice and compassion. Therefore, as we recite the *Sh'ma* every morning and every evening (*Sh'ma Yisrael, Adonai Eloheinu, Adonai Echad, Hear O Israel, the Eternal is our God, the Eternal is One*) we note that the notion of God's oneness that unifies all life has to be considered and taught. As it is written (in the *V'ahavta* that follows the *Sh'ma*): *V'shinantam l'vanekha -----Teach them to your children. Recite them when you stay at home and when you are walking on your way, when you lie down and when you get up!*

The ethics, morality, judicial wisdom and spiritual insights found in Judaism are the foundation of a just and compassionate world. "Oy," we say, "so why does our world seem so bereft of ethics and justice?" Fair enough. In truth, a teaching is only as strong as the will and determination of the students. It is up to us to learn and to teach. Our ancestors, upon first hearing the laws and standards of a truly just society proclaimed "*Na'aseh v'nishma, We will do and we will hear!*" That promise is found in this week's Torah portion (Exodus 24:8). And though we have never quite been able to live up to that promise, every generation of our people has tried to help bring blessings to this world.

Shabbat Shalom

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