

*Shiur L'Yom Shenit*¹

[Monday's Study]

READINGS:	<i>Torah Mishpatim:</i>	Exodus 21:1-15
	<i>Haftarah:</i>	Jeremiah 34:8-9
	<i>B'rit Chadasha:</i>	II Corinthians 5:17-21

And these are the appropriate restorative courses of action ...

[Exodus 21:1]

Today's *Mishpatim* Meditation is Psalm 119:1-8;

This Week's Amidah Prayer Focus is *L'Hodot* [the Prayer of Thanksgiving]

V'eleh ha-mishpatim asher tasim lifneihem - And these are the appropriate restorative courses of action that you are to set before their faces ... ***Ki tikneh eved ivri*** – if/when you pay the ransom of a Hebrew servant ... **Exodus 21:1-2a.**

The Holy One has brought us to Mount Sinai to reveal His Grand Plan for Creation. The Plan consists of four Great Initiatives:

1. Initiative #1: To heal the wounds in as many individual broken 'souls' as will receive & embrace His treatment protocols - *tikkun nefesh*;
2. Initiative #2: to redeem humankind as a species (*tikkun adam*) to flow in *B'tzelem Elohim* potential;
3. Initiative #3: to restore the Earth ecosystem to its original Edenic state of beauty, fruitfulness, *shalom* & harmonious interaction (*tikkun aretz*); and
4. Initiative #4: to re-align/reconnect *ha-aretz* w/ *ha-shamayim*, so His Kingdom can come & Will be done on earth as it is in Heaven (*tikkun olam*).

He intends to deputize and train us to bring a level of *tikkun* - i.e. healing, restoration, repair, improvement – into each sphere of influence, situation, circumstance, household, and person with which we come into contact. He does not plan for us to waste our lives in ivory towers, or to live in self-imposed isolation like monks in high-mountain monasteries or hermits in backwoods fortresses. He intends to stick us where the world needs *tikkun* most - and that means right square in the thick of human misery. He is going to make sure we cross paths with this world's warmongers and its war-torn, its wanton and its wounded, its empowered, its embattled, and its enslaved.

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What is the first cesspool of fallen man to which the Holy One intends for us to bring a level of *tikkun*? It is one we of the Covenant should recognize – because we have seen it many times before. It is the horror of human trafficking. It is what Ya’akov experienced in Laban’s house. It is what Yosef suffered, first in Potifar’s house, then in an Egyptian prison, and ultimately in Pharaoh’s palace. It is what Moshe dealt with over the course of his forty years in Yitro’s service. Human trafficking has taken many forms over the course of human history – and none of those forms are ‘*tov*’. Yet, it continues even today. The Holy One knows that as long as there are fallen human beings operating under any form of government other than Messiah’s there will be some form of human trafficking – just as there will be other forms of *ra* [*narcissistic exercises of self-will*], *of shachat* [*corruption*], *and of chamas* [*violence/cruelty*]; *as well as of uncleanness, folly, vanity, prejudice, dishonesty, violence, and all other crimes against humanity*. He wants us – His special agents of *tikkun* - to have a whole new approach to the dark energy that leads to human trafficking and other sins. He wants us to approach these things not with ivory tower lenses, hype, hyperbole, and pontification; not with rhetoric; not with marches, rallies, chants, and rants; and not with revolutions or with wars. He wants to deal with these cancers on humanity HIS way - by calmly, patiently, kindly, and gently living - and modeling to the world - a more excellent way. He knows that we cannot eliminate the fruit-of-the-tree-of-knowledge flaws in other people and societies that open the portals of human trafficking. He knows that we cannot make jealousy, hate, or ethnic pride/bias magically disappear. He knows we cannot wipe out poverty. He knows we cannot stop wars, or legislate people into morality. We cannot stamp out sin. But we also cannot ignore those things – or the harm they cause. We have to deal with – and provide a healing countermeasure to help people navigate through, around, or out of – every kind of folly, rebellion, perversion, oppression, and suffering. And we have to do it OUR KING’S WAY, according to HIS INSTRUCTIONS, for HIS GLORY.

Remember Ya’akov? Remember Yosef?

A *Hebrew slave*. Hmmmmn - why does that phrase so familiar? Oh, now I remember! First there was YA’AKOV in Lavan’s house; then there was YOSEF in Potifars; then there was US in Pharaoh’s house of horrors! We can blame Laban; we can blame the Yish’maelites, the Midyanites, or the Egyptians. We can blame any culture or ethnicity all we want. But inside we know better. The root of the problem goes way, way deeper than any single culture, society, nation, or ethnicity. The root of the problem is the deep ‘fruit of the tree of knowledge’ infused beast that lives within all human beings, of all cultures, all genders, all races, all ethnicities, all classes, and all nations – ours included. We

cannot kill that beast – that is not within our power, nor is it our assignment. What we are to do is not to kill the beast – or fantasize of wiping human trafficking from the face of the earth – but simply to tame it, subjugate it, and make it produce something that contributes to the ecosystem of earth rather than sucks the life out of it. See Genesis 1:27-28 for the overall blueprint.

Slavery – being trafficked – is fresh on our minds. It has only been seven weeks since *we were all captives and slaves* in Egypt. It was humiliating. It was dehumanizing. It was dangerous. What we endured – in this case at the hands of the Egyptians, but it could have been anyone - we are never to inflict on any other human being ever. Evil cannot be overcome with evil [Hebrew, *ra*]. It must be overcome with good [Hebrew, *tov*]. So ... what exactly is ‘good’? Grab a pencil and paper, because the One Who created, Who alone has the right to define, and Who works all things together for ‘good’ is about to explain – and call upon His People to model to the world – what His definition of ‘good’ consists of in a number of very real, very practical situations. Warning: As doctors often caution before they administer the hypodermic needle to start your healing: *You may feel a little pressure ... followed by a little stick.*

***Defining ‘Tov’ – As the Holy One Sees It;
Warning: Prepare for Impact!***

Each of the 7 weeks that has elapsed since Pharaoh’s storehouse cities disappeared in our rear-view mirror has provided us at least one unique and stunning event to tell our children about. We have seen the Sea of Reeds part – and we have walked right through it dry-shod. We have seen the bitter waters of Marah turned sweet. We have seen manna fall from Heaven – and learned what it means in real time to remember the Sabbath. We have seen bands of desert raiders stalk and attack us, catch us unarmed and totally by surprise, and still wind up running away from our camp like a whimpering pup with its tail tucked between its legs. We have seen streams of living water burst forth from a desert rock at Moshe’s command. Last week however we witnessed – and participated in - *the most amazing redemptive event so far. What a week* it was! As the week started we found ourselves encamped under the *Chuppah* of the Creator of the Universe – the very place where Moshe had that ‘burning bush’ experience he has told us so much about. Then before we knew it we heard a Heavenly *shofar* sound, and headed up the mountain to a special place the God of Avraham, of Yitzchak, of Ya’akov, of Yosef, and of Moshe had prepared for us to interact with Him.

We did not see a burning bush – we saw a burning *mountain*. We saw - and *heard*, and *experienced in our innermost beings* – something *a thousand times more awe inspiring* than what Moshe told us happened to him. And now every single one of us in the camp – every man, every woman, and every child - knows the joyful sound of the Beautiful Voice that Moshe has been hearing for months now. Now we finally understand why Moshe is so absolutely *passionate*. Now we get why He is so *driven*, and so totally *focused* on everything he does. Now we know why he is *so wholly dedicated to seeing the will of the God of our forefathers done in our midst*. We are slowly beginning to *catch that fire* ourselves. Now we, too, have heard the Voice. Now we, too, have felt the fire.

A New Focus in Life

It is a *little overwhelming*. Strike that ... it is a *LOT overwhelming*. But for the first time in a long time there is *nowhere we would rather be* than right here *basking in His Presence, soaking in His shade, eating of His manna, drinking of the streams of living water He has provided, and waiting with bated breath upon His Word*. At this mountain we have actually become *partners with Him* in a covenantal relationship that is transforming the way we *look at, and think about, and live* our lives. In the aftermath of the first ever God-encounter involving over 2 million people simultaneously the Redeemed Community of the Holy One is now sitting at the base of Mount Sinai *resting in the King's shade*. Family by family and group by group we are all busily engaged in the process of trying to figure out *what in the world has just happened to us – and what it all means for our futures* - not to mention *our children's future*.

Try to imagine the kinds of conversations that must be going on in the camp over manna between husbands and wives, between fathers, mothers and children, and between neighbors and friends. The whole camp was absolutely *buzzing* about the ten prophetic empowerments which every man, woman and child who followed Moshe out of Egypt heard spoken forth amidst thunderings, lightnings, clouds of smoke, and the sounding of the Great Shofar of Heaven. Try to picture in your mind Y'hoshua, the military leader of the camp, discussing with his friend Kalev the parameters of the Holy One's ***lo tirtzach*** [*'you will not kill'*] declaration. Picture yourself as a fly-on-the-tent wall listening in on discussions between Aharon and Hur about how to properly interpret and apply the Holy One's prophetic pronouncement ***Lo ta'aseh-lecha fesel*** [*'you will not make any graven image ...'*]. Imagine what the daughters of Tzelozechad said amongst themselves regarding what the Holy One meant by ***Kaved et-avicha v'et-imecha ...*** [*'honor your father and mother ...'*]” If you want you can even try to

imagine *Korach, Datan, Aviram and On* discussing with their families and friends the implications of ***lo tachmod ...*** [*you will not covet ...*]

Meanwhile, Moshe Is Having Conversations on Another Level

Moshe is not involved in the discussions that are going on in the camp this time. He is not even in the camp. He is up on the mountaintop. He is doing what we asked – meeting with the Holy One on our behalf. He is presently receiving from the Holy One, to bring back and put before the rest of us, something I have come to call the ‘*Mish’patim*’² *Discourse*.’

Moshe is discovering that the transforming covenantal relationship to which the Holy One has called every man, woman and child in the Redeemed Community is indeed going to be like a *Divine Betrothal*. Instead of it being ‘over’ with the Theophany on the mountain it is in reality just beginning. All the Redeemed Community received *en masse* during the Great Theophany was the *Aseret HaDibrot* [*i.e.* the so-called ‘Ten Commandments’]. And as wonderful and life changing as that was, *that was merely the preamble to the documentation of this particular betrothal*. A much larger covenant document - our *Shitre Eyrusin* (detailed betrothal covenant document) – is yet to be delivered. And part one of that larger, more detailed covenant document, is to be a section entitled ‘*Mish’patim*’. The Holy One will author this part of the document from cover-to-cover just as He authored the *Aseret Ha-Dibrot*. But this time, per the request of the immature and overwhelmed Redeemed Community, Moshe will be the messenger through which it is communicated.

Back in the camp we wait anxiously - albeit a little *nervously* - for Moshe’s return. We know in our hearts you see that when Moshe returns we will receive much more detail in the way of *Bridal instructions* from the Holy One. The possibilities are mind-blowing. What if What if the Holy One actually wants us to learn to *think like Him*, and *speak like Him*, and *act like Him*. What if He continues as He did when He met with us on the mountain to *challenge us to the core of who we are? Can we handle the TRUTH?* To be honest, some of us *shudder* just thinking about it. Sometimes it even causes us *to tremble*.

² *Mish’patim* are very specific teachings from the Holy One regarding how people in Covenant with Him would confront and deal with a series of difficult hypothetical situations. The goal of these teachings appears to be to train us how to think and act in ways that will keep the community of the redeemed pressing forward in the covenant lifestyle upon which we have embarked, delicately balancing personal interests against the common good and the integrity of the grand redemptive mission of our nation.

***Of Mishpatim and Mitzvot –
the Substance of Everyday Life Lived ‘Before His Face’***

What are the essential characteristics of the people of the *brit* to be? Well, it has to start with *a deep hunger for holiness* – not a holiness that can be *earned* but one that is *divine in nature and in origination* and which must therefore be *imparted*. Beyond the deep hunger for holiness there must be *an intense passion to develop an abiding, life-changing relationship with the Holy One* – a relationship which will transform even the most mundane social or business activity into an act of worship - a *mitzvah*. According to the way the Holy One expects us to look at life *every breath we take, every opinion we form, every priority we assign, every business dealing in which we engage, every conversation in which we participate, and every evil circumstance we encounter* (and we *will* encounter them however exciting our ceremonial “altar-life” may be), is an altar of surrender.

As we discussed in connection with our study of last week’s parsha [*Yitro*] the Holy One began the *Eyrusin* [betrothal] ceremony of Sinai by pronouncing over His Beloved the *Aseret HaDibrot* - the ten foundational aspects of which the relationship would consist. We are about to find out, however, that the *Aseret HaDibrot* is merely the beginning – a preamble, as it were. As this week’s parsha begins Moshe is receiving a whole body of *supplemental instructions* – instructions that build upon, and give some very basic, practical application to, the general principles stated in the *Aseret HaDibrot*. What is *the essence* of these ‘supplemental instructions’ the Holy One is giving us? Are they *‘laws’*? Are they *‘commandments’*? Are they *‘orders’* we as a people are to obey the way an army obeys the directives of their commander? No, that is not it at all. What we are being given is neither “law”, nor ‘commandments’, nor ‘orders’. The essence of what the Holy One is going to give us at Sinai is not legislative, but *covenantal*. We are His Betrothed. The words He is speaking are *words of love, commitment, and betrothal*.

We are not being *commissioned as foot soldiers to ‘follow orders’*; we are being *empowered as beloved covenant partners to become the Bride He desires* and so deserves.

***How Our Bridegroom-King Sees Us –
Dressed up In All of His Glory!***

In speaking the *mishpatim* what the Holy One is doing is describing His Betrothed - not as she appears to the world, or even to herself, but *as He sees*

her, in all her vast potential. Throughout the whole parsha He will be speaking over us *prophetically* and *creatively* - *touching us* at our essence, *elevating us*, and *transforming us* through the power of His Words.

Embracing the Purifying, Healing, and Transformative Power of Our Divine Bridegroom's Words

We know from the Torah's narrative of creation, from the plain language of Isaiah 55, as well as from many other Scriptural sources, that all the Holy One's Words are endowed with awesome *creative power*. Whatever He speaks to *becomes whatever He says it is to become. That is the nature – and the reason for – Divine communication.* Remember the words of the Psalmist: ***He sent His Word and healed them, and delivered them from all their destructions/destructive tendencies.*** Psalm 107:20.

All Divine utterances – from the 'Light, BE!' of the First Day, to the *Aseret Ha-Dibrot* [ten words] we studied last week, to the *Mishpatim Discourse* we study this week, to Yeshua's Sermon on the Mount and Upper Room Discourse – contain the same power and all released usward for the same purpose. They are not given to *inform us, or make us think ourselves more intelligent or educated than others, much less morally superior to anyone.* Nor are they given to *command us* – at least in a governmental or military way of ordering us around. They are instead given by our Beloved Covenant Partner to His cherished protégé' as inspiration and empowerment. They *AWAKEN US* to our true identities. They *ENERGIZE US for the glorious mission of service to the world in which we were designed to engage.* They seek us out where we are, catch us in our free-fall, and begin to *CHANGE us* - thought by thought, word by word, behavior by behavior, and reaction by reaction - into the beautiful *am segulah, mamleket ha-kohanim, and goy kadosh* that we were created to be. They are given to *EQUIP US* to model righteousness to the people and nations of the world. The Holy One's words therefore hit us with the power of surgically precise lightning bolts. With laser beam accuracy, they penetrate our corrupted flesh, then immediately go to work separating what in the area of penetration is *soul* [i.e. fallen human will, mind, and emotion, suffering from the poisonous effects of the fruit of the tree of the knowledge of good and evil] from what is spirit - i.e. the living spark of the pure, creative, *nishmat chayim* that the Creator breathed into the progenitor of our species. See **Genesis 2:7**. The Words of the Holy One then *seek out and identify areas of corruption in our mind and heart, invade those areas, and start to cleanse, purify, and debride the areas most acutely affected.* By focusing upon *forward-looking solutions and radical solutions and resolutions* instead of blame, offense, outrage, and vengeance, the Words of the Holy One

probe us for *pseudo-intellectualism* and *cynicism* and *fatalism*. They search out and attack our *bitter roots of pride, outrage, self-righteousness, and hypocrisy*. They search our hearts, minds, lives, and relationships for *strongholds of uncleanness* – then set about to systematically dismantle them. They clear the rubble away and start to rebuild us. They give us a *renewed mind, a clean heart, and a right spirit. the physical substance of the spiritual truth they proclaim*. The Holy One’s words are like seed. They have within themselves the *innate power to transform the earth in which they are planted into their image*.

Humans are formed of the earth. His words act within us the way seeds acts in the earth. The process is gradual. It is subject to interruption. There can be an abortion, or plucking up, if the ground is not ‘good soil’. But to the extent we allow our hearts, souls, and minds to be ‘good soil’, we must understand that as the Holy One speaks these words concerning His Betrothed, He is simultaneously releasing over us all the creative power we will ever need to be able to *sh’ma, sh’mar, and asah* [that is, to *hear and understand, to guard and treasure, and to make and do*) the words our Covenant Partner has spoken]. We will conform to His words as the inanimate goo of the primordial deep conformed to His decree *Let there be Light* and as the dust of the earth conformed to His decree *Bring forth plants bearing seed ... We will*. It is just a matter of *times and of seasons*.

Mishpatim and the Process of ‘Renewing the Mind’

We are *not the same people* we were when we came out of Egypt. None of us is unchanged. And yet we are still *not the people we will need to be* to enter into, possess, and model the Holy One’s righteousness to the rest of the world as *the special treasure people* of the Holy One, the *royal ambassadors of the kingdom of Heaven* and the *holy nation* that He envisions and has called us to be.

The process of ‘renewing the mind’ began back in Mitzrayim with the Holy One’s awesome display of ‘signs and wonders’. But it is very much a work-in-progress. The goal of the process is impressive - to totally *restructure the way we think* and to *completely change our attitudes and approaches to the opportunities and challenges life brings our way*. We get to play *Eliza Doolittle* to the Holy One’s *Professor Henry Higgins*³. This means that *our entire orientation toward life will have to undergo a 180-degree paradigm shift*. We will have to make a transition from a *slavish orientation* to life - *i.e.* a lifestyle of fearfully and reluctantly staying one step ahead of the whip, hoping merely

³ The reference is to the main characters of the classic stage musical *My Fair Lady*, based on the play [*Pygmalion*](#) by George Bernard Shaw.

not to displease, and therefore suffer the wrath of, the cruel taskmaster Pharaoh has set over us – to a ‘bridal’ orientation to life – *i.e.* a lifestyle of confidently and enthusiastically moving and flowing in response to and rhythm with the words and silent movements of the Holy One, our loving and nurturing Bridegroom.

The ‘signs and wonders’ the Holy One performed on our behalf in Egypt and at the Sea of Reeds were of course a part of this. We had to see the Holy One as our DELIVERER, our SALVATION, and come to recognize both that WE ARE THE APPLE OF HIS EYE and that HIS WORDS ARE LIFE TO US. Then just as the training of a wild stallion as a personal steed for a king has to begin with depriving the stallion of food and water until it will *respond instantly to the king’s voice, eat from the king’s hand, and drink only when the king gives it water*, so the Holy One had to deprive us of food and water until we would respond instantly to His Voice, would take, on His terms, what He gave us to eat, would learn to thirst for and drink of only the living water He provided, and would come to accept that He was/is/will always be the only trustworthy source for everything we need.

Now a new phase in renewing the mind is about to begin. He now wants to train us not just to *respond to Him* – but to THINK LIKE HIM. He wants to train us *to look at life the way He looks at life*. He wants to teach us *to see other people, and their circumstances, the way He sees them*. He wants to discipline us to *see our life experiences – good and bad - as part of His Divine Plan*. He wants us to coach us in *approaching the challenges of life instinctively knowing what He is doing and saying in the situation*. He wants us to be so connected to Him as our ‘Head’, that we move instinctively at the slightest impulse He sends our way – like healthy human limbs move instinctively and immediately in responsively to impulses sent to them by the brain. He wants us to be His *Bride*. Not hard-working slaves. Not legalistic robots. A *Bride!* An *eishet chayil* [woman of virtue]!

Training Methods of the Master

And to achieve this goal our Divine Bridegroom is going to employ *two primary tools* - something that in Hebrew is called ‘*mishpatim*’, and something else that in Hebrew is called ‘*mitzvot*’⁴. Our English Bibles translate the word “*mishpatim*”, a masculine gender Hebrew noun, as “*judgments*”, or “*ordinances*”, or “*laws*”. Our English Bibles translate the word *mitzvot*, a

⁴ A third tool, which in Hebrew is called *chukim*, will be addressed in later studies.

feminine gender Hebrew noun, as “*commandments*”. It all sounds very sterile, and LEGAL, doesn’t it? But those unfortunate translations - and the legalistic images they conjure up - reflect the attitude and mindset of monarch-dominated England in the time of King James and the highly militarized, emperor-focused worldview of the Roman empire - not the Hebraic mindset of the desert nomad in which and into which the Holy One released the Torah. From a Hebraic perspective what is spoken by the Holy One at Sinai is thus as distinct from “commandments” as vows of betrothal or marriage spoken under a *chuppah* are distinct from military orders issued from a command post.

If you are to approach Torah from this point forward as anything other than ‘legalism’ you must ‘renew your mind’ regarding the way you look at *mishpatim* and *mitzvot*. They are not ‘commandments’. They are *impulses sent from the Holy One’s brain to the various members of your body, soul, and spirit*. You do not have to *perform them* or *fulfill them* – just *yield to* and *rest in* them. The impulses have, you see, been endued by the Creator with the power to bring about the performance of their objective *with merely the slightest cooperation on your part*. You do not have to *grunt, growl, and groan* and *strain* to ‘make it happen’. All you have to do is *let yourself respond naturally, in rhythm with the Bridegroom*. You just have to do what you see Him doing, following His lead in the dance of life. As a Hebrew Bride-to-be is given a *shitre eyrusin* to study, and meditate upon, and practice, day after day, week after week, month after month, and year after year in the course of preparing to be the Bride her husband desires, so the Community of the Redeemed was given the *Aseret HaDibrot* and the Sinaitic *Mishpatim*, to study, and begin to walk out, in preparation for *nissuin* [the wedding ceremony] and a life of intimacy with the Holy One.

The Bride-Training Process Starts With Learning to Think Like the Bridegroom

When I went to law school, the first day I went to class I was told something that took me by complete surprise. The professor looked at all the bright young ‘blank slates’ before him, each one with pen in hand ready to take notes on every word he might utter, and he said: “*I hope you did not come here expecting me to teach you the law. I am not here to do that. I am here to do something much more important. I am here to teach you how to think like lawyers.*” I believe that in giving the Sinaitic *mishpatim* the Holy One was saying virtually the same thing as that wise professor. The Holy One did not redeem us from Egypt and bring us to Sinai in order to teach us a bunch of laws to follow like robots. He delivered us and brought us unto Himself to teach us how *to think like His Bride*. And to do that we had to learn not just how *powerful* He is [which He taught us with

the ‘signs and wonders’], or how to *stay well fed and cared for* [which He taught us through feeding us manna and giving us living water from a Rock]; we also had to learn *how He sees and deals with real-life situations*. We had to learn to approach real-life relationships, experiences, challenges, and controversies with His unique combination of WISDOM and COMPASSION.

My law professors taught me to ‘think like a lawyer’ through what is called the ‘*casebook method*’. Our textbooks were called ‘casebooks’ and consisted primarily of *actual judicial opinions written in real court cases*. Over the course of my years in law school I must have read ten thousand *cases* – *i.e.* judicial decisions in the form of ‘opinions’ written by judges discussing the contentions made by litigating parties. Each day I had to be ready to answer questions about *who did what to who*, and *what the lawyers for all parties involved were arguing should be done*, and *what reasoning the court used to deal with those competing arguments* and reach its decision, and *what public policy the decision advanced*, and *what exactly the court’s ruling meant for the parties*. And whatever any of us said about those issues it was *always challenged*. The professor always *argued the exact opposite position or viewpoint* and made us look and feel like idiots. Each time it happened to us, or to a close friend, we *learned from the experience*. We learned to *look at all sides* the way a good judge – be he/she liberal or conservative – would. And when it was over, though I still did not as I look back on it know much law, *I knew very well how to think like a lawyer* in connection with just about any controversy or situation that might arise.

What we find in today’s aliyah are the first ‘cases’ the Holy One wants us to study to learn to think like He thinks and approach life-situations the way He does. He is the judge. The words He speaks are the ‘judicial opinions’ He lays down on certain real-life issues. They do not cover every possible subject. What is more, some of the subjects may not even seem to have any relevance to us. That is intentional. The last thing He wants us to think about this process is that He is teaching us a set of do-and-don’t rules of law. He wants us instead to learn to think *the way He thinks* and come to understand *what is important to Him*, and *what interests He prioritizes*, and how He applies both WISDOM and COMPASSION in a multitude of different contexts.

The Holy One’s Case Book – Chapter One

The first subject area of ‘case law’ the Holy One has Moshe assign us to study and struggle with has to do with PEOPLE LESS FORTUNATE THAN OURSELVES. As Tevye said to the Holy One in *Fiddler on the Roof*:

You made many, many poor people.

*I realize, of course, that it's no shame to be poor ... but it's no great honor either.*⁵

The Holy One sees 'poor folks' and their circumstances differently than human beings – even redeemed human beings - do. Think about Yeshua's *Lazarus parable*⁶ for a few moments, and perhaps you will understand what I mean. Think also of *Ya'akov* [Jacob], who crossed over the *Yarden* [Jordan] River with just his staff, and came as a beggar to – and lived 14 years as a bondservant in - the house of Lavan.

Poor people are not very important to the mind of man. But they are *very, very, very important to the Holy One*. The Holy One wants us to learn to think about and see people and circumstances – especially poor people - the way He does. So He gives us a few really *tough cases* to stew on. As we read the Holy One's justice decrees [*mishpatim*] on the specific cases He spells out for Moshe that involve poor people, keep in mind that *the goal is not just to remember and apply the ruling – but to try to get an understanding of the Heavenly thought-processes. We – like Messiah - are to judge not by the sight of our eyes or by the hearing of our ears.* We are instead to *shafat* with *righteousness – i.e.* with the same mindset and principles that underlie the *mishpatim* we are about to read. Ask yourself therefore – or even better ask the Holy One - *what Heavenly policies the Holy One is advancing* by saying what He says about what dealings men in covenant with Him should have with the poor, and what societal goals He is declaring to be the most important for us to honor in each given situation.

Will Work for Food!

Every Friday and Saturday at the busiest intersections in any town of moderate size the seemingly down-and-out hold forth their *picket signs against poverty*. Today what they really want – and all most of us have time to give – are a few dollars for a meal [or perhaps a bottle of cheap wine - we never *really* know]. How do we respond? At most we roll down the window, say 'God Bless You', hand the sign-carrier a couple of bills and drive off. But once upon a time a man named Yosef took in a whole nation of people – including his own brethren and their children – and actually had them *work for food*. It is very, very Biblical. [Read Genesis 47:18-25 if you don't believe it.] It flows from the premise that *it is better to work for someone else, whom the Holy One has blessed, than to starve or beg.* It assumes *it is more humane and Godly for a man the Holy One has blessed to give a poor man work to do, to earn his food, than it is to give him a hand-out, and turn him into a perpetual beggar.* Call it *slavery* if you

⁵ *Fiddler on the Roof* (Crown Publishers, Inc., 1964), screenplay by Joseph Stein.

⁶ See Luke 16:19-31.

wish. That is *your* buzzword – and *your cultural bias* Beloved - not Torah's. The first *mish'pat* given by the Holy One at Sinai says:

Ki tikneh eved ivri shesh shanim

If you acquire a Hebrew bondservant, he is to serve you for six years,

ya'avod uvashvi'it yetze lachofshi chinam

but in the seventh year, he is to be set free without liability.

Im-begapo yavo begapo yetze

If he was unmarried when he entered service, he shall leave by himself.

im-ba'al ishah hu v'yatze'ah ishto imo

But if he was a married man, his wife shall leave with him.

Im-adonav yiten-lo ishah veyaldah-lo v'nim o v'not

If his master gives him a wife, and she bears sons or daughters,

Ha-ishah v'ladeyha tihyeh l'adoneyha

the woman and children remain her master's property.

V'hu yetze v'gapo

[The former bondservant] is to leave by himself.

[Exodus 21:2-4]

In America the concept of ‘acquiring’ another human being as a servant and having them work for food and shelter is considered repugnant – a far bigger sin than letting a human being starve to death. That is in part because what we know as ‘slavery’ in the years leading up to our civil war was something forced upon the weaker tribes of Africa [first by other, stronger African tribes, then by Europeans] and in part because we *talk big*, and *think great, idealistic thoughts* – but are alas by and large a shallow, weak-stomached people.

Some of us insist government to do our dirty work. Others insist that institutions of organized religion and/or highly public charitable organizations should do it for us instead. Neither way is Biblical. Both are an abomination. In both cases the idea is that real people – people like you and me - need to separate ourselves from the process of ‘aid’ so that we do not get our hands dirty.

The liberals among us hold up signs and march for ‘peace’ at all costs, abortion on demand, ‘homosexual rights’, advocate the abolition of morality based upon Judeo-Christian ethic, say they represent ‘the 99%’, and truly think they are the ones who ‘care’ and ‘feel your pain’. The conservatives in our midst call for ‘faith-based’ welfare programs run by churches and synagogues and big budget foundations and charities, promote free prescription drugs for everyone, and declare themselves as the guardians of ‘family values’. And both groups ‘put

their money where their mouth is' as they see it by throwing a few bills out their car window [or at the local office of the *United Way*, or the offering plate of some local church or synagogue] ... and just driving away, congratulating ourselves all the while on how *caring we are*.

We like to feel good about ourselves, you see [that, and gaining political 'clout' and advantage, are the real reasons for both government welfare programs and faith-based charitable programs] - but *we don't by and large ever really deal with the problem of the poor in any meaningful way*. We convince ourselves that government programs and charitable organizations are the answer to human suffering. We close our eyes to cold hard reality and congratulate ourselves that – in our imaginations – we are *part of the solution, not part of the problem*.

The thoughts and ways of our Bridegroom are different. And He wants the ways and thoughts of the Bride to whom He has betrothed Himself to be different too.

The Torah Challenge

So Torah's way is different - and it is *radical*. Torah challenges us right up front to *get personally involved*, and to do the politically incorrect. Torah does not consider it a sin to buy another person to keep them from starvation or degradation⁷. Torah does consider it unthinkable to let people starve, or worse, to *waste their lives away*, and do nothing real and substantive about it. The point of Torah is that if the Holy One gives us means we are not let our fellow Hebrew starve – nor are we to turn the down-and-out among us into perpetual beggars by merely giving them hand-out after hand-out or referring them to the local welfare office or soup kitchen. Our Divine Bridegroom wants us to consider it better to 'buy' – a better word might be '*redeem*' - a person down-on-his-luck, put him to work for 6 years, [not one day more, unless he chooses voluntarily to become our servant for life], teach him a trade, and let him be a productive member of society, than to make him a perpetual dependent on hand-outs.

We will later learn that buying/redeeming a poor man as a bondservant is, of course, a 'last resort'. We will later come to understand that before ever even considering doing that we are first to have loaned him money without interest. Then, if that did not do the trick, we are to buy his property [subject to his right of redemption, and for our use and possession only until the next '*Jubilee*']. Only if neither of those 'first responses' works are we to purchase/redeem the man himself.

⁷ I am not suggesting you try this in modern day America. This is one of those cases – which are many – where the law of this wonderful country in which we live – as good as it is - is clearly at odds with Torah. Try to follow this *mish'pat* here, and you will be prosecuted.

Our Divine Bridegroom cares about human dignity. Believe it or not, He *invented the concept*. But Torah and its Author do not use ‘human dignity’ as a political buzzword to attract voters and sway popular opinion and/or elections. Torah is not superficial. Torah is real. And the *mishpatim* of Torah teach us that the Holy One does not want His Bride to *talk the talk* of human dignity without *walking the walk*.

The Bondservant By Choice – ‘And I’ll Do it All For Love’

What if a man’s lot in his master’s household is so pleasant to him that he chooses to remain a bondservant after his allotted time of service – the time for which he sold himself (at a maximum, according to the Holy One, 6 years) - expires? In a world and among a people in which the Holy One dwells in manifest glory this possibility exists. So Torah tells us in Exodus 21:5-6:

V'im-amor yomar ha-eved

If the slave declares,

ahavti et-adoni et-ishti v'et-banai

I am fond of my master, my wife and my children;

lo etze chofshi

I do not want to go free,'

V'higisho adonav el ha-Elohim

his master is to bring him before the Holy One [or perhaps ‘the authorities’⁸].

V'higisho el ha-delet o el ha-mezuzah

Standing [the servant] next to the door or doorpost,

veratza adonav et-ozno bamartzea

His master is to pierce his ear with an awl.

v'avado l'olam

The servant is then to serve [his master] longer⁹.

The Holy One knows that the prospect of escaping servanthood and standing on one’s own is daunting, and that some will not have the stomach for it. Perhaps they will come to see their lives as inextricably bound up in the lives of their

⁸ Usually when a Hebrew is speaking *Elohim* refers to the Holy One. It is however a generic term for ‘authorities’, and in some contexts it seems to be intended to mean judges or courts. See for instance Exodus 22:7, 22:8, 22:27, 1 Samuel 2:25, Judges 5:8, and Psalms 82:1,6, 138:1.

⁹ Although the Hebrew phrase is ‘*l'olam*’, usually translated ‘forever’, the sages have interpreted this verse to mean that the bondservant by choice serves only until the next *Yovel* [Jubilee], then goes free with all other servants.

‘master’/benefactor. Perhaps a mate or children given them in the master’s house is more important to them than their freedom.

Try to think like the Holy One on this issue. What would the Holy One’s WISDOM decree to be the ‘right’ way to deal with this less-than-optimal situation? How would the Holy One’s perfectly measured COMPASSION for all people involved interplay with the ‘wise’ and ‘right’ way of approaching the situation? Think of the pros and cons on all sides. And wrestle with the Holy One over the ‘judicial opinion’ He has rendered. Why is the awl through the ear into the doorpost the ‘best possible’ answer to this dilemma? What *Heavenly/Kingdom policies* are advanced by such a ruling? What *societal values* are given pre-eminence by this result?

Do not just assume that since you are not a servant, and don’t own any, that this *mishpat* has no application to you. The point of the exercise is to teach you to think like the Holy One – to *see things from His perspective*.

Rejection At The Deepest, Most Painful Level Possible

Until relatively recently, at least up until a girl reached puberty, her father was deemed to have not only the *right* but the *responsibility* to arrange and contract marriage on her behalf. The economies of all countries were primarily based upon agriculture, and while women could and did work in the fields, vineyards and orchards with the men, since women could not own property there was no way for a woman to build wealth and improve one’s lot in life except through marriage. There was no such thing in those days, except in very rare circumstances, as ‘career women’. Life held no ‘guarantees’. Conditions were very hard, life spans were often very short, and unmarried women had virtually no way to sustain themselves. In such a world the sooner marriage partners could be arranged for one’s daughters, especially in poor households, the better. No age was too young for a daughter to be considered someone’s potential bride. Just as in our culture wise and responsible fathers often make plans for college or trade school for our children, and those who have the means to do so make financial arrangements for such training in the child’s earliest years, so a father and mother in past centuries would plan for their daughter’s marriage.

However badly this may offend our smug 21st Century Western sensibilities, there was nothing immoral or inherently evil in the process of arranged marriage. The socially acceptable practices of modern Western fathers and mothers in buying revealing clothing and make-up for teenage and pre-teenage girls, exposing them to ‘adult theme’ television programming, music videos, and

movies, and sending them out to school functions, parties and social events where they will interact with young men on whose mind is everything *besides marriage* is, in the long run, *far more cruel and immoral*.

What has all this got to do with Torah you ask? *Everything*. Torah did not by any means *initiate* arranged marriage – no more than it initiated slavery. Nor does Torah *command* or even for that matter *encourage* arranged marriage. But since arranged marriage – like slavery – existed [in every generation of man up until the present, although now in the West slavery is at least illegal under civil law], and since the potential to harm an innocent child was inherent in it, it was a proper thing for the Holy One to deal with. How better to introduce us to how the Holy One looks at things like marriage, child labor, and taking advantage of girls and women, than by discussing arranged marriages?

The Holy One told Moshe to report his Heavenly perspective on the issues discussed not in order to encourage or institutionalize arranged marriage, but to show us the value He – unlike any earthly ruler – placed on the lives of young unmarried, unprotected girls and women. He allowed a father to do the best he could to assure his daughter would live in a good household, not starve to death, and have the opportunity for a good life – but He put limits on how much suffering she would have to suffer if the arrangement did not go well.

A daughter sold by a poor man into another man's home with marriage in mind was not called a *servant* but an *amah* [*alef, mem, hey*, Strong's Hebrew word #519, pronounced *ah-mah*]. Our English Bibles translate this as a 'maidservant', but in context it means a potential bride (some translate it as 'concubine') – either for the man who pays her father's price, for his son, or for some trusted servant in the household. Think of Hagar; think of Leah and Rachel; and even think of Moshe's wife/Yitro's daughter Tziporah.

Here is what the Holy One reveals as His *mishpatim* on the subject [i.e. His righteous ways of looking at and dealing with the whole arranged marriage concept]:

Vechi-yimkor ish et-bito l'amah

If a man sells his daughter to be an amah,

lo tetze ketzet ha-avadim

she shall not be freed as male servants are released.

Im-ra'ah b'eynei adoneiha asher-lo ye'adah

if she is not pleasing to the master of the house, he must let her be redeemed

v'hefdah l'am nochri

And [the master of the house] has no right to sell her to anyone else.

lo-yimshol l'mochrah bevigdo-vah

He is considered to have broken faith with her,

V'im-liv'no yi'adenah

If [the master] designates her as a bride for his son,

k'mishpat ha-bano det ya'aseh-lah

she must be treated exactly the same as any other girl.

Im-acheret yikach lo she'erah ksutah v'onatah lo yigra

If he marries another wife, he may not diminish her allowance, clothing or conjugal rights.

Expanding on the Instruction *Lo tirtzach*

Today's aliyah also contains a number of expansions on the prophetic announcement that the Holy One's kingdom of priests will not 'kill'. The Holy One wants us to know what that means. So He shares with us His thoughts and ways having to do with hypothetical cases where the reality of human death is expected to be encountered. After all Kayin slew Hevel - even after the Holy One told him not to. Even Moshe killed the Egyptian taskmaster - even though both the instructions to Noach and his family and the law of the land of Egypt clearly forbade it. And so the Holy One knows very well that His saying ***Lo tirtzach*** – you will not kill – is not going to be enough for some people.

One of the cases the Holy One deals with is the explanation that ***lo tirtzach*** does not prohibit – but actually contemplates - 'capital punishment' [in its proper context, of course]. The Holy One shares His thoughts on the subject with us. What a blessing! The Holy One tells us that if we think like He thinks we will not consider it a violation of the *Lo Tirtzach* instruction for a murderer to be executed – if the execution is *adjudicated and carried out according to a legitimate legal process*.

Makeh ish vamet mot yumat

*If one person strikes another and [the victim] dies,
[the murderer] must be put to death.*

Va'asher lo tzadah v'ha-Elohim inah leyado

If he did not plan to kill [his victim], but Elohim caused it to happen,

V'samti lecha makom asher yanus shamah

then I will provide a place where [the killer] can find refuge.

Vechi-yazid ish al-rei'eihu lehorgo

If a person plots against his neighbor to kill him intentionally

v'ormah me'im mizbechi tikacheinu lamut

then you must even take him from My altar to put him to death.

[Exodus 21:12-14]

The point the Holy One is making is that the death penalty is not to be imposed by *individuals* [i.e. through a system of *blood avenging* by relatives of the slain man or of *vigilantism* by self-appointed executioners] but by the Community as a whole [i.e. the appointed officials of the community] after fair and equitable legal proceedings.

For a person found guilty of murder after a proper trial, the death penalty is not, in the Holy One's eyes, 'cruel and inhuman punishment'. The Author of life recognizes that *sometimes one life must be sacrificed for the greater good*. He knows that 3,000 men are going to die by the sword of the Levi'im at this very mountain in just a few days. He knows that the earth is going to open up and swallow rebellious Korach and his household alive. He knows that Y'hoshua is going to kill a lot of Kena'ani a generation hence. He knows that Kalev is going to slay some giants. And *it is all going to be for – or at least be turned around and used for - the greater good*. Does that bother you? That just means that you are human. But let the Holy One *renew your mind* so you can see these things *from His perspective*. And keep in mind that we would not have forgiveness of sin through the atoning death of Messiah if the Creator had taught us otherwise.

Questions for Today's Study

1. Let's begin with a few questions.

[A] In Strong's and Gesenius look up the word our English Bibles translate as "judgments". Write the Hebrew word that is so translated in Hebrew letters, with the vowel marks, in the masculine plural form.

[B] Look up the symbolic picture of each letter of the singular form of this word (*mish'pat*). What picture do you see developing, in your mind's eye, when you put these letter-pictures in the order *mem, shin, peh,* and *tet*?

[C] Do a word study on the word *mish'pat*. What are the various meanings the authors of Strong's, Gesenius, and Richards have assigned to this word?

[D] Read the Holy One's own description of what took place leading up to, at, and as a consequence of Sinai, as written in Ezekiel 16:3-14. Does this indicate the Holy One saw the words He spoke at Sinai as "laws", "judgments", "commandments", "ordinances", or "orders"?

[E] In light of the Holy One's pronouncements in Ezekiel 16, describe how you think the Holy One viewed and considered the words He spoke to the Community of the Redeemed at Sinai.

[F] Outline the subject matter covered by the *Mishpatim* contained within today's aliyah.

[G] What does the Holy One decree in verses 2-6 concerning dealing with Hebrew servants?

[H] While none of us probably has bought a Hebrew servant today, in what context could the *Mishpatim* taught in these verses be applied to our lives?

[I] What does the Holy One decree in verses 7-11 concerning dealing with an underage girl one intends to take as a wife for himself or his son?

[J] While none of us probably has bought a Hebrew girl today intending to take her for a wife, for himself or his son, in what context could the *Mishpatim* taught in these verses be applied to our lives?

[K] What does the Holy One decree in verses 12-15 with regard to a person who kills another person?

2. In today's Haftarah aliyah a King of Judah made a "Jubilee" declaration just as significant as Abraham Lincoln's "emancipation proclamation".

*The word that came to Yirmayahu from the Holy One,
after king Tzidkiyahu had made a covenant
with all the people who were at Y'rushalayim, to proclaim liberty to them;
that every man should let his manservant,
and every man his maidservant, who is a Hebrew or a Hebrewess, go free;
that none should make bondservants of them, of a Yehudi his brother.*

[Jeremiah 34:8-9]

[A] Who was the king at this time?

[B] What is the meaning in English of his name?

[C] What proclamation did he make?

3. In today's B'rit Chadasha reading Shaul of Tarsus speaks concerning the work of the Messiah at His first advent.

*Therefore if anyone is in Messiah, he is a new creation.
The old things have passed away. Behold, all things have become new.
But all things are of the Holy One, who reconciled us to himself
through Yeshua the Messiah, and gave to us the ministry of reconciliation;
namely, that the Holy One was in Messiah
reconciling the world to himself, not reckoning to them their trespasses,
and having committed to us the word of reconciliation.
We are therefore ambassadors on behalf of Messiah,
as though the Holy One were entreating by us.
We beg you on behalf of Messiah, be reconciled to the Holy One.
For him who knew no sin he made to be sin on our behalf;
so that in him we might become the righteousness of the Holy One.*

[2Corinthians 5:17-21]

- [A] What has Mashiach [Messiah] done in us according to verses 17-18?
[B] What has Mashiach made of us according to verses 19-20?
[E] What has Mashiach made us according to verse 21?

*May He clothe you in His righteousness,
and empower you by His Breath to perform mitzvot befitting His Mishpatim.*

The Rabbi's son

Meditation for Today's Study

119:1-8

*Blessed are those whose ways are blameless,
Who walk according to the Holy One's Torah.
Blessed are those who sh'mar his edut [testimonies of righteousness],
Who seek him with their whole heart.
Yes, they do nothing wrong. They walk in his ways.
You have uttered your precepts, that we should sh'mar them.
Oh that my ways were steadfast to sh'ma your chukot!
Then I wouldn't be disappointed.
When I consider all of your mitzvot,
I will give thanks to you with uprightness of heart.
When I learn your righteous Mishpatim, I will sh'mar your chukot.
You will never utterly forsake me.*