

פרשת משפטים / Parashat Mishpatim

Shabbat Shevat 26, 5768, Feb. 2, 2008
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The Torah is more than a bunch of do's and do not's

This Weeks Reading List:

Torah: Exodus 21:1-24:18

Haftarah: Jeremiah 34:8-34:22 33:25-26

B'rit HaChadashah: Matthew 5:38-42 17:1-11

In this week's parsha, after receiving the Ten Commandments in Parashat Yitro, Yisrael receives another set of mitzvot that can be divided into three sections. Section one of the mishpatim (laws) begin with the laws of a Hebrew slave and then are followed by numerous examples of "case-type" civil laws dealing primarily with "nzikin" (damages). The structure of this Parashat seems to be organized in a progression from cases of accidental property damage to capital offenses to ethical living. The case structure can be elucidated by looking at a word that is used in Hebrew that forms these "case-type" rulings. The word used is כִּי (ki, meaning "if" or "when") which is used to begin a certain case example. Below I have listed some examples from the Hebrew text and circled the important word I wanted to look at.

שמות 21:1-2

וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר תִּשִּׂים לִפְנֵיהֶם: כִּי תִקְנֶה עֶבֶד עִבְרִי
שֵׁשׁ שָׁנִים יַעֲבֹד וּבְשִׁבְעַת יֵצֵא לְחֻפְשֵׁי הָנֶסֶם: אִם-בְּגֹפוֹ יָבֹא

שמות 21:7

אֶת-אָזְנוֹ בַּמַּרְצֵעַ וְעָבְדוּ לְעַלְמָם: וְכִי-יִמְכַר אִישׁ
אֶת-בֵּיתוֹ לְאִמָּה לֹא תֵצֵא בְּצֵאת הָעֶבְדִּים: אִם-רָעָה בְּעֵינָי

שמות 21:14

לִידוֹ וְשִׁמְתִי לְךָ מָקוֹם אֲשֶׁר יָנוּם שָׁמָּה: וְכִי-יִדַּד
אִישׁ עַל-רֵעֵהוּ לְהַרְגוֹ בְּעֶרְמָה מִעַם מִזְבְּחוֹ תִקְחֵנוּ לְמוֹת:

שמות 21:18

וּמִקְלַל אָבִיו וְאִמּוֹ מוֹת יוּמָת: וְכִי-יִרְיֹבֵן
אֲנָשִׁים וְהִכָּה-אִישׁ אֶת-רֵעֵהוּ בְּאֶבֶן אוֹ בְּאֶגְרֵף וְלֹא יָמוּת
וְנָפַל לְמִשְׁכָּב: אִם-יָקוּם וְהִתְהַלֵּךְ בְּחוּץ עַל-מִשְׁעַנְתּוֹ וְנִקְּה

שמות 21:20-22

המכה רק שבתו ותן ורפא ורפא: וכי יכה
איש את-עבדו או את-אמתו בשבט ומת תחת ידו נקם
ינקם: אך אסורים או יומים יעמד לא יקם כי כספו הוא:
וכי ינצו אנשים ונגפו אשה הרח ונצאו ילדיה
ולא יהיה אסון ענוש וענש כאשר ישית עליו בעל האשה ונתן
בפללים: ואם-אסון יהיה ונתתה נפש תחת נפש: עין תחת

שמות 21:26-28

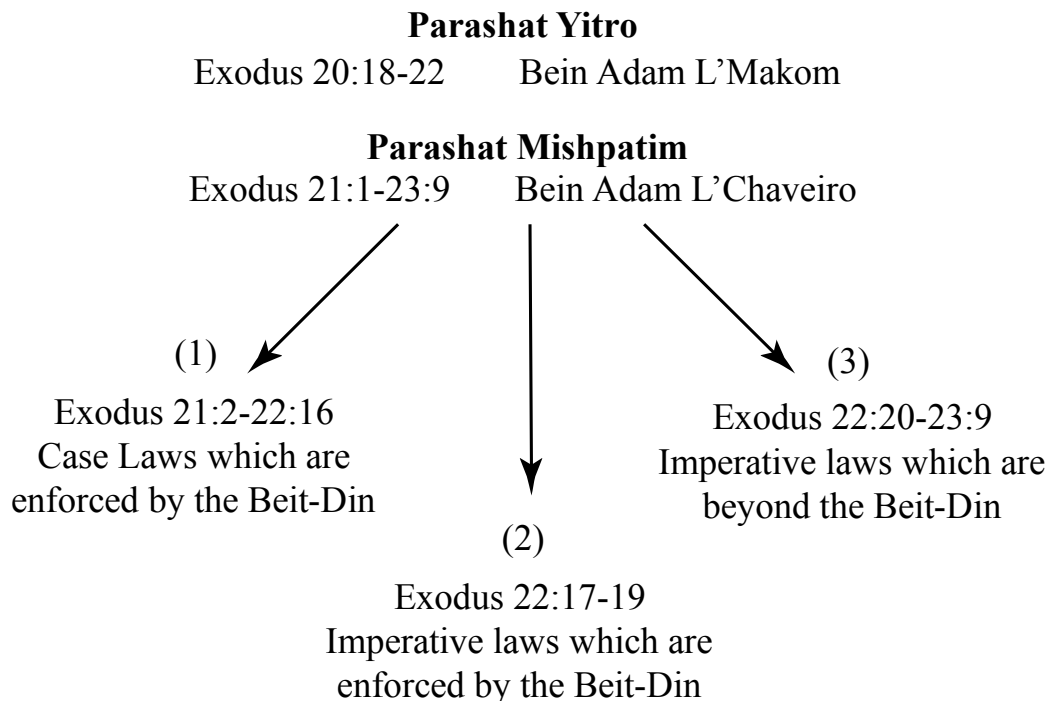
וכי יכה איש את-עין עבדו או-את-עין אמתו ושחתה
לחפשי ישלחנו תחת עינו: ואם-שן עבדו או-שן אמתו ופיל
לחפשי ישלחנו תחת שנו:
וכי יגח שור את-איש או את-אשה ומת סקול יסקל השור
ולא יאכל את-בשרו ובעל השור נקי: ואם שור נגח הוא

שמות 21:33-37

וכי יפתח איש בור או כיר-כרה איש בר ולא יכסנו ונפל-
שמה שור או חמור: בעל הבור ישלם פסו לבעליו
והמת יהיה-לו: וכי יגח שור-איש את-שור
רעהו ומתו ומכרו את-השור החי והצו את-כספו וגם את-
המת יחצו: או נודע כי שור נגח הוא מתמול שלשם ולא
ישמרנו בעליו שלם ישלם שור תחת השור והמת יהיה-לו:
כי יגנב-איש שור או-שה ושבחו או מכרו
חמשה בקר ישלם תחת השור וארבע-צאן תחת השה:

Basically each mishpat (law) begins with a certain case (“if ...”) and is followed by a ruling (“then ...”). For example in *Exodus 21:20*, “*If a man hits is servant then ...*” and *21:28* “*If an ox gores a man ... then the ox must be stoned.*” Basically this section of Parashat Mishpatim contains many examples of “case-law” which is ruled upon by the Beit-Din (Jewish court). This is the basic meaning of a “mishpat” (משפט) which is a case where one person claims damages from another and the “shofet” (שופט, judge) renders a decision.

The beginning of Section 2, (at the end of the list of mishpatim in section 1) we find three laws written in a more imperative form that do not discuss damages but rather discuss laws that the Beit-Din must enforce by the death penalty. There is a transition here because it is one from personal property, cases which relate man-to-man, to cases which relate man-to-God. This change is indicated by the imperative form of the laws. The change occurs at Exodus 22:20, the transition as opposed to the “case-type” laws is a collection of “imperative-type” laws that follow the pattern of “do ...” or “do not ...” which is obviously beyond civil enforcement of the Beit-Din and marks the beginning of Section 3.



The third section dealing with imperative laws which are beyond the Beit-Din rulings focuses upon the nature of the society that God hopes to create with the people of Yisrael as the individual conducts his daily life. For example: do not wrong a stranger (*Exodus 22:20*), do not oppress a stranger (*Exodus 23:9*), do not mistreat a widow or orphan and some things about lending money (*Exodus 22:20-26*). This section of verses also contains additional mitzvot such as “you shall be a holy people for me” (*Exodus 22:30*), Honesty and integrity while judging (*Exodus 23:1-3,6*), Helping your neighbour, even your enemy (*Exodus 23:4*), and to keep your distance from dishonesty and from bribes (*Exodus 23:5-8*). These mitzvot establish a very high ethical standard and provide a community that is sensitive to the needs of the less fortunate, because they are our family in Adonai. This parsha is titled “Bein Adam L’Chaveiro” (between man and his brother) because as a family we need to be supportive of each other spiritually, ethically, and even economically. These mitzvot are designed to help influence the social development of the nation, the development of the individual (i) between man and HaShem, and (ii) between man and his brother; and also provides for the poor and needy.

HaShem is calling us to go above and beyond in relation to the nations around us and in our relationship with Adonai. Now I don’t know about you but for me ... honestly ... it is difficult. This year may be the most difficult year of your life. Some of my friends whom I am praying for

are having health problems, the passing of a mother or father, financial problems, and even problems in marriage with marital unfaithfulness. In the midst of this world's problems, and our own personal issues it is extremely difficult to be holy as Hashem asks us to be, especially in our hearts. Bad things happening to us can make us very angry and I believe that is a natural response, even HaShem gets angry, the point is not to sin in the process of being angry. Even King Solomon towards the end of his life it is written that his heart was not perfect before HaShem; he allowed this world, and his wives to lead him to worship idols. (*1 Kings 11:4 For it came to pass, when Solomon was old, that his wives turned away his heart after other gods: and his heart was not perfect with the LORD his God, as was the heart of David his father. (KJV)*) When I get depressed because of the worries of this world or sin, my heart draws farther away from Adonai, and then it becomes more difficult to pray, and return back to the fellowship that I once had with the Lord. This world really can draw my own heart away and the question is how can I get back to where I was, learn from my mistakes and grow closer to Adonai all at the same time? I believe the answer is found in the scriptures. In this week's parsha and in the Torah we do not simply find a list of "do's and don'ts" we find instruction for how we should be living our lives. We find civil laws on how to relate to our family, brothers, sisters, and the community of believers, we find laws on how to live a relationship between man and HaShem, and we find the severe consequences of sin. When this world draws me away from holiness I need something to get me back on track. The way I can do that is to return to studying the word of HaShem. In the Holy Bible I am reminded on how to live my life and how to perform Teshuva in repentance and return to the Lord in Yeshua His Messiah. With the list of problems I could give in my own life, and the lives of others, some people would claim that we do not have much to be thankful for. However, I am very thankful to HaShem. Without Him I would not be able to endure, without Him I would probably have given up on life and through Him I have been given the strength and the courage to face the obstacles in my own life. So no matter what life throws your way, no matter what life presents to you, know that HaShem is with you, he will sustain you and give you peace. Furthermore, HaShem gave us His Torah for the purpose of bringing us back on track, in our life, in our relationships with others, and most importantly, in our relationship with Hashem. Let's pray!

Avinu u'melechani (Our Father and our King),

I thank you for gift of having and being able to study your holy word. My life has been forever changed. You have placed the living Torah into my heart by faith in the living word of Hashem, Yeshua the Messiah. I also recognize that by studying Torah, and even observing Torah I am not placing myself into bondage rather I am acknowledging your holy mitzvot (commandments) which are an instruction for my life to draw me back into a closer more intimate relationship with you Adonai. Lord, you have blessed my life so abundantly in the richness of the knowledge of your word. Please help make my life one that would solely rely on your provision. Allow what you have given me and changed me to bring glory to your name in all aspects of my life. Help me to use what you have given me today to reach out to others for your glory.

In Yeshua's name we pray, Amen!

Be Blessed in Yeshua our Messiah!

הללויה לאדוננו מורנו ורבינו ישוע מלך המשיח לעולם ועד:

Hallelujah for our Lord, our Teacher, our Rabbi,
“Yeshua” King Messiah forever and ever