

SIDRA OF THE WEEK : משפטים

1. Although the Torah contains stretches of narrative, the Torah is not a history book. The Torah is the revealed wisdom of HaShem as it applies to us, the Jewish People, and as such it is the Book of Instruction with which HaShem has favoured us. (The word “Torah” in fact means “instruction.”) The narrative in the Torah is intended to be only part of that instruction (the laws and Mitzvos of the Torah are obviously another part) and many lessons are to be derived not only from the events narrated in the Torah, but also from the very sequence that HaShem dictated to Mosheh our Teacher to place them in the Written Torah. It is just because “there is no chronological order in the Torah” (“אין ביקורתם”) (“בְּתוֹרָה וּבְאִוָּתָהּ” that we are therefore to derive whatever lessons that our Chachommim, of blessed memory, point out for us from the very order in which events are reported in the Torah, for this, too, is chosen by HaShem to serve as instruction.
2. In last week’s Sidra (יתרו) the events of the Giving of the Torah are reported. But besides the Decalogue (the Ten Commandments) Mosheh learned from HaShem also the 613 Mitzvos of the Torah to teach them to us later. A great many of these laws are given in this week’s Sidra. Although most of them were taught to us much later, and not (as would appear from the proximity of these two Sidros) directly after the Giving of the Ten Commandments on Mount Sinai, nevertheless this proximity is to teach us that all the laws of this week’s Sidra, as indeed all the laws of the Torah, originate from HaShem at Sinai as do the Ten Commandments themselves.
3. One of the methods used by the Torah to teach principles of law is to describe a single unusual or far-fetched case and teach the law concerning this case. From this, our Chachommim, of blessed memory, using the rules of Derash, etc., then derive the law as it applies in more straightforward cases, which themselves would be too numerous to list (and would anyway not describe how the law is to be applied in an unusual case). One need not therefore be surprised at the peculiarity of a case which the Torah uses as an illustration of the law. On the contrary, the more unusual or complicated or exceptional a case, the more principles of law can this case illustrate. (Incidentally, the same applies to the Mishnah and the Gemorroh.)
4. In a number of cases, the Torah prescribes a severe punishment — even the death penalty — for an offence. Not always is the punishment applicable, however, because to be deserving of extreme punishment, the Torah of our All-Merciful G-d stipulates that many conditions must exist. (However, where all the conditions are not fulfilled for the prescribed penalty, the Torah does authorize other sanctions against offenders.) In practice, extreme forms of punishment are very rare indeed. Nevertheless, the fact that the

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Torah prescribes severe punishment is in itself a deterrent against crime and sin (the Torah does not see the artificial difference that others have made between the two — both are offences against HaShem's Law) and many times the severity of the punishment that is prescribed for an offence is an indication to us of the degree of displeasure to HaShem that an offence incurs.

5. One must be very careful not to compare in any way unfavourably the laws of HaShem with the man-made laws with which we are all familiar. (Sometimes those laws are more familiar to us than the laws of HaShem are, unfortunately!) Nor are we to try to determine the laws of HaShem that they should fit in with our own small intelligence. HaShem created the world and He knows what is best for it — and the Torah of HaShem is the Instructions Manual for that world. Both, the whole of Creation and the Torah, emanate from HaShem. In the same way as to ignore the instructions manual for any machine is to court disaster, sooner or later, so too do those who would ignore the Torah of HaShem or abrogate HaShem's commandments do so at their own peril — only infinitely more so.
6. Just as the special sequence of events as reported in the Torah indicates particular lessons to be derived, so does the order in which the Torah lists the laws themselves. Sometimes lists are separated into paragraphs (open or closed) in the Sefer Torah; sometimes laws of widely differing areas are listed within the same paragraph. Sometimes a single law or Mitzvah is the only one in the paragraph and sometimes seemingly unconnected laws are placed next to each other but in separate paragraphs. All of these arrangements — and there are various others, too — are exactly how He dictated the Torah to Mosheh our Teacher and represent what HaShem intended in His Torah.
7. Through the methods taught by HaShem to Mosheh our Teacher (and revealed to us by our Chachommim of the Talmud, and our later Rabbis, of blessed memory, and properly applied by our faithful Rabbis down to the present day) all the details of all the laws of HaShem's Torah can be inferred and determined. Thus, in HaShem's Torah itself are to be found all the principles necessary for our guidance in any situation for any case and any circumstance that can conceivably arise, ever.
8. There are 53 Mitzvos in this week's Sidra: 24 positive Mitzvos and 29 negative Mitzvos, and there follows here a selection of some of those laws and Mitzvos: The laws of the Hebrew servitor and the Hebrew maidservant; laws of murder, manslaughter and the Cities of Refuge. Laws of injury to parents; kidnapping; abduction. Laws of monetary compensation for inflicting bodily harm. Laws against cursing parents. Laws concerning the maltreatment and the death of slaves. Laws of "atonement money." Laws concerning vicious animals; laws of damages; laws concerning the responsibilities of the owners of dangerous animals. Laws concerning the theft of sheep and cattle. Laws about damage caused by dangerous activities and by one's property. Laws of burglary; stealing; robbery. Laws concerning responsibility for fire and conflagration. Laws of deposit and custody; of

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borrowing; of hire. Laws concerning seduction. Laws about witchcraft; bestiality; idolatry. Laws concerning the consideration for the stranger and the oppressed. Laws of money-lending and pledges. Laws of blasphemy and laws concerning respect for those in authority. Laws of holiness and Kashrus (and reward for all creatures in HaShem's world). Laws of Tithes, and of the Redemption of the Firstborn. Laws against bearing false testimony and of deciding cases according to majority votes of the Courts, and other laws concerning the process of justice. Laws of lost property; laws of cruelty to animals. Laws against lies and deception. Additional warning to have consideration for the stranger, and the laws of Shmittah (the seventh year, when the Land is to rest "a Shabbos to HaShem"). Laws of the weekly Shabbos and of the three Pilgrimage Festivals. Laws of the First Fruits. The laws of separating meat and milk. Etc., etc..

HaShem tells us that we are to obey the Torah and the Prophets (HaShem's messengers to us) and that we may not tolerate idolworship in Eretz Yisroel. In return for obeying His Torah, HaShem promises us health and prosperity, safety and security.

9. After these lists of the various laws, the Sidra continues with a "flashback" to the events that occurred at the Giving of the Torah: how HaShem told Mosheh to ascend Mount Sinai to learn from Him all the Laws of the Torah which he is to teach us later. In the morning before the Giving of the Torah, Mosheh built an altar and brought Korbannos on our behalf, and told us the terms of the Covenant between HaShem and us, His Chosen People. We entered into this Covenant with HaShem proclaiming, "We will obey and we will listen" and we further declared that "HaShem is our G-d and we are His People." The Torah describes the great jubilation of the Jewish People and HaShem, and the holy rejoicing and the wonderful visions of HaShem's Glory.
10. After the Decalogue, Mosheh ascended Mount Sinai again to bring down to us the Two Tablets, inscribed by HaShem with the Ten Commandments that we all heard at Sinai. While Mosheh was absent, Aharon, Chur and the seventy Elders taught and instructed us in the laws that we had heard. Meanwhile, Yehoshua bin Nune waited at the foot of the mountain for Mosheh our Teacher to return after forty days and forty nights.

For the explanation of the Haftorah of Sidra משפטים please go to HAFTORAHS.