

Torah Table Talk

The Stranger in our Midst

Parshat Mishpatim

Exodus 21:1 – 24:17



Possibly the most important thing about this week's Parshah is its opening word: "V'eleh," "And these are the statutes that you shall set before them." Mishpatim contains a variety of laws which define every aspect of life. They cover criminal actions (homicide and kidnapping,) civil behavior (returning lost property and public nuisances,) domestic standards (marriage and divorce) and our relationship to God (holidays and idolatry.) These laws define our relationship to God as well as the essential laws that define a good society. The opening word of Parshat Mishpatim, "V'eleh," "AND these..." reminds us that the Ten Commandments which appear in the previous Parshah are the beginning but not the end of Jewish living. What follows in Parshat Mishpatim is a continuation of the Ten Commandments.

Some of the laws in this week's Parshah may trouble us, particularly laws which appear to condone slavery. To understand these laws, we must seek to understand them within the context of the time in which they were composed. At the same time we have far reaching laws protecting those people who in need of protection which are just as relevant today as they were thousands of years ago. Both remain part of our tradition so we continue to study them and explore them for deeper meaning.

Exodus 22:20-23

You shall not wrong a stranger or oppress him, for you were strangers in the land of Egypt. You shall not ill-treat any widow or orphan. If you do mistreat them I will head their out-cry out to Me, and My anger shall blaze forth and I will put you to the sword and your own wives shall become widows and your children orphans.

Exodus 23:9

You shall not oppress a stranger, for you know the feelings of the stranger, having yourselves been strangers in the land of Egypt

Nechama Leibowitz, Studies in Sh'mot (1976 –)

The memory of bondage and exile is regarded here (Exodus 23:9) as acting as a protective shield against the evil impulse of over-lordship and dominion, the temptation to exploit and oppress, on the part of the self-supporting respectable citizen who himself was once a slave and exile and now wishes to lord it over those who are now strangers in his land....Because of a history of alienation and slavery, the memory of your own humiliation is by itself no guarantee that you will not oppress the stranger in your own country once you gain independence.

Mishnah, Baba Metziah, Chapter 4

Just as there is wronging (Ona'ah)* in buying and selling, so there is wronging with words. One should not say to someone, "How much is this item," if he does not want to buy it. If someone is a Baal Teshuvah, a penitent, one should not say to him, "Remember your past deeds." If someone was descendent from a Ger, a convert, one should not say to him, "Remember the deeds of your forefathers." For it is stated, "You shall not wrong (Toneh)* wrong or oppress a convert."

*(*Note that the words ona'ah and toneh come from the same Hebrew root. The Mishnah concludes that wronging must be similar in these two cases.)*

Baba Metziah 59b

What is the meaning of that which is written: "You shall not wrong the stranger (Ger) nor shall you oppress him; for you were strangers in the land of Egypt." ...Rabbi Natan says: A blemish that you yourself have do not mention to your fellow.

Mekhilta

"You shall not wrong a Ger" – with words "nor shall you oppress him" – with money. You are not to say to him, "Only yesterday you worshiped idols and up until just now swine's flesh was between your teeth." From where do we learn that if you wrong him so too will he wrong you? As it says: "For you were strangers (*Gerim*.)"

Exodus Rabba 19:4

"The stranger need not lodge outside" (Job 31:32). The Holy One declares no creature unfit--He receives all. The gates [of repentance] are always open, and he who wishes to enter may enter

Questions for Discussion

1. In the Bible the word "Ger" originally referred to "A foreign born resident whose status was intermediate between that of a native born citizen (ezrah) and a foreigner temporarily residing outside the community (nohri)." (Etz Hayim, Page 468) in later literature the word "Ger" came to have the connotation of a convert or a proselyte. Is it pejorative to refer to a convert as a Stranger? In what ways is the proselyte similar to and different from a stranger.
 2. According to the Talmud there are no less than thirty six references in the Talmud to the protection of the "stranger." Why is this law mentioned so many times? What is the connection in exodus between the stranger, the widow and the orphan?
 3. Have you ever found yourself in the position of being a stranger in unfamiliar surroundings? What was it like? How did the people around you help you and were there others who hurt you?
 4. What should our attitude and actions be in dealing with illegal immigrants and day laborers who are working in our communities? Do they fall into the category of "Gerim," or strangers in our midst? What responsibilities does society have toward them and what responsibilities should we have?
 5. Look at the final passage from Exodus Rabbah. According to this passage who is the stranger? How is someone who sins or feels distant from his tradition a stranger? How can we make people who are strangers to the Jewish tradition feel comfortable when visiting the synagogue or participating in Jewish life?
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Glossary

Baba Metziah: A section of the Talmud in the Order of Nezikin, or Damages which deals with civil and criminal laws.

Exodus Rabbah: A popular Midrashic work on the book of Exodus. It was compiled in the sixth century, CE.

Nechama Leibowitz: 1902-1997 An Israeli scholar of the Bible and its rabbinic interpretations.

Moses Maimonides: 1135- 1204 Also known as the Rambam, Halachic codifier, philosopher and communal leader who lived in Spain and Egypt. Maimonides is best known for his magnum opus on Jewish law, the Mishnah Torah.

Mishnah: The first written compilation of the orally transmitted teachings of Jewish law. It was edited by Rabbi Yehudah Hanasi around 200 CE.

Mekhilta: A Midrashic work on the book of Exodus quoting early sages. It was compiled around 400 CE.

How to use Torah Table Talk

1. *Read the sheet out loud to one another. Discuss what it has to say.*
2. *Focus on the text in the box. It is taken from Biblical, post-biblical and modern Jewish sources. What does it mean? How does it make you feel?*
3. *Try to answer the questions following the text.*
4. *This is not a test and there are many correct answers and interpretations to each question. Share your ideas with one another. Be open and honest in sharing your ideas.*

***“All it takes to study Torah is an open heart, a curious mind
and a desire to grow a Jewish soul.”***

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