



DVAR TZEDEK

Parshat Mishpatim 5768

By Carol Towarnicky

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As the title suggests, this week's *parshah* consists almost entirely of *mishpatim*—laws—about everyday living. Directed to a people who have traveled only a short distance in time and space from slavery, the *mishpatim* are anything but mundane legalisms—they are instructions for building a just society. One of the most profound directives is the incredible command, repeated twice in this *parshah* alone, “You shall not oppress a stranger, for you know the feelings of the stranger, having yourselves been strangers in the land of Egypt.”¹ This is the epitome of Exodus morality: we must not perpetrate upon others that which was perpetrated upon us.

This central, Jewish moral imperative was articulated when the memory of bondage still was very much alive. Because it is embedded in that memory of bondage, however, it contains an implied awareness that future generations would need to find a way to keep that memory vibrant. The Exodus morality² that is so clearly outlined in this one *mitzvah* is infused into our liturgy and rituals. At Passover, the directive to remember goes further: we re-enact the story as if we ourselves were enslaved and then freed. The repetition of this story helps us to “turn the memory into moral dynamic,”³ to use the story as an energizing force for change. The Torah maps out for us the parameters of how experience can serve as the basis for moral action. Yet it is not only actual experience, but shared memory that provokes moral action. Whether or not we actually know the suffering of the slaves, we are nonetheless commanded to act as if we do. As Rabbi Yitz Greenberg writes, “The experience of slavery that breaks and crushes slaves does not destroy free people. It evokes feelings of repulsion and determination to help others escape that state.”⁴ This divinely-given determination to help others drives our moral responsibility.

In the modern era, of course, Jews have acquired a devastatingly unique understanding of what it is to be oppressed, abandoned and subject to atrocity. We ought to infer from the Exodus morality that our particular knowledge of violence and genocide in the Holocaust conveys a similar obligation—we must remember and our memory must inform our responses to others who are suffering genocide and atrocity.

My synagogue has the privilege of guarding a Torah scroll that was used in a synagogue in the town of Uherske Hradiste in what is now the Czech Republic. This Shabbat, my community will say *kaddish* for the 300 Jews who lived near that synagogue in the early 1940s. We remember them every year at this time because it was in late January 1943 that they were moved in transports from a makeshift ghetto to the Terezin concentration camp. This is the closest we can come to a *yahrzeit* for them. In a certain way, we are their descendants and their survivors. As in our *parshah*, our shared memory of oppression leads to a moral dynamic and an imperative to act.

But our tradition is not content simply to prohibit us from perpetrating oppression or atrocity. The moral dynamic imposed by our active remembering of both our slavery in Egypt and the Holocaust is reinforced and expanded in

¹ Shmot 22:20, 23:19

² Rabbi Irving Greenberg, “The Exodus Effect,” MyJewishLearning.com, http://www.myjewishlearning.com/holidays/Passover/TO_Pesach_Themes/Greenberg_Effect.htm

³ Greenberg, *ibid*

⁴ Greenberg, *ibid*

the *mitzvah* prohibiting us from “standing idly the blood of our neighbors”⁵—not only must we refrain from being perpetrators, we are prohibited from even being bystanders. It is not enough to refuse to enslave or kill—we must actively intervene when we see others committing these crimes.

The implication is that we are never again to allow the world to pretend it doesn’t know about killings and atrocities. In Darfur, an estimated four million people are in need of humanitarian assistance and protection. In Kenya, violence has erupted after the recent presidential elections. In Burma, oppression and atrocity continue. We have a moral imperative to act, and that imperative is rooted in this week’s *parshah*. We must continue to raise awareness about what is happening. We must refuse to hide behind expressions of neutrality, knowing that failure to take sides always benefits the oppressor. We must pressure our own governments to take the lead in helping refugees return to their homes and to heighten economic sanctions on the governments that are enacting or allowing atrocity.⁶ We have been the strangers in Egypt and in Uherske Hradiste. In Darfur, in Burma, in Kenya—we have a responsibility to protect.



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⁵ Vayikra 19:16

⁶ See for example, <http://www.ajws.org/emergencies/darfur>

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