

# Is Our Compassion Making Us Cruel?

*Parashat Mishpatim*



## Parashat Mishpatim

*These are the laws you are to set before them... – Exodus 21:1*  
[NIV]

After the Ten Commandments are given, there is a long list of laws and orders related to the course of life, such as a person's property, responsibility for this property, laws of loss, and the relationship between the citizen and the government.

This Shabbat I want to talk a bit about the contrast between the exciting and the mundane, between the extraordinary and the ordinary. Then I want to talk a little about mercy, fair trial, and justice.

Many commentators tend to see Parashat Yitro and Parashat Mishpatim as complementary, one following after the other. The giving of the Torah begins with the Ten Commandments in Parashat Yitro, and then continues on in Parashat Mishpatim.

I would like to suggest otherwise, that there is a contrast between these two Torah portions, as opposed to a connection. The contrast is in the fact that

these parashot present two contradicting mental and spiritual states.

The portion in which the Torah is given culminates in a one-time revelation. And Parashat Mishpatim is about the daily requirements of human society.

## **The difference between exciting and ordinary**

The giving of the Torah was a one-time event. But God requires us to follow His commandments every day. How do we reconcile our ordinary daily lives with extraordinary one-time events?

Last week we read the portion of Yitro, the portion of the Ten Commandments. When we read the Ten Commandments, it is customary in Israel to stand. And in our congregation we stood, and we thought about the weight of the matter. In last week's Torah portion, God Himself came down from heaven in order to give us, to all humanity, the Tablets of the Law.

Last week's parasha was a climax, God's one-time revelation to all the people. The excitement was tremendous, the whole nation saw it. There was awe, a real fear in the hearts of the people. There was a full pyrotechnics display: smoke, fire, voices, noises, rumbling. And there was an emotional high.

The giving of the Torah on Mount Sinai is a foundational event for the Jewish people throughout the ages. But immediately afterwards comes the great fall of the Golden Calf.

There are more stories in which there are great, exciting, and tremendous events, followed by a big fall. In the story of the creation of the world, we read about the creation of nature, the animals, the garden. Everything is new, everything is fresh, everything is amazing. But immediately afterwards, we have a great fall and the disgraceful expulsion from the Garden of Eden.

The parting of the Red Sea is perhaps the greatest miracle in the Torah. The people of Israel are stuck between the desert and the sea. They see the Egyptian army closing in on them. The people cry to Moses, saying they would have preferred to be slaves in Egypt than to die “free” in the desert.

And at the height of pressure and fear, God parts the sea! Just thinking about it gets me excited. Think about it: an entire people, passing through

the middle of the sea, with walls of water on each side. It's an almost unimaginable image.

Then the sea closed over the entire Egyptian army. With a mighty miracle, God brought the people of Israel through the sea and destroyed the Egyptian army all in one blow. A mind-blowing miracle.

But what happens immediately after that? The people of Israel quarreled with Moses and God over water, and then about the food, then about the manna, and then again over the water.

People are all human beings. We need things to be regular, steady. We don't do well with one-time events, especially when they take us to the peak of all spiritual experience.

We see that after the peak, then comes the fall. And the higher we are, the more painful the fall. Falling out of your chair hurts far less than falling from a skyscraper...

## **The balance of everyday life**

As believers, we need to find the balance of everyday life. I think that most of us live in some kind of dualism. A spiritual peak at the end of the week, in being with the congregation, when we fervently debate the meaning of a particular verse or theology. (Ironically, these debates are usually on theoretical issues, which are not at all relevant to our daily lives. We debate and get angry mainly about “theoretical ideas”.)

On the other hand, during the week we live very secularly, very earthly, and very detached from the imaginary ideal that we demand of others in our debates over the weekend.

We must find the balance. To be less “spiritual” with false standards that are lofty and inaccessible, and to live our daily lives alongside Yeshua and our faith in Him, alongside our families, neighbors, and coworkers, and alongside those we interact with on a daily basis.

I think that Yeshua was against this natural human behavior, which exists today and existed even during the time of Yeshua. This hypocrisy, which demands much of the other, but is full of concessions when it comes to myself, which is hidden, because outwardly we like to look like righteous people.

*The teachers of the law and the Pharisees sit in Moses' seat. So you must be careful to do everything they tell you. But do not do what they do, for they do not practice what they preach. They tie up heavy, cumbersome loads and put them on other people's shoulders, but they themselves are not willing to lift a finger to move them. Everything they do is done for people to see... - Matthew 23:2-5a [NIV]*

Here is the place to ask: Do we demand much from others? Do we like to look more righteous than we really are?

Do our religious debates lead to unity or division? Anger? Or love? Are most of the issues we debate about relevant to everyday life? Or are they just theoretical?

In this matter, we must strive towards unity.

## **A Call for Justice**

The second issue I want to talk about is justice.

Chapter 23 of our parasha opens with instructions for judgment in Israel - and the requirement for a fair trial. Meaning the forbiddance to take bribes, the forbiddance to listen to a false witness, etc.

In the course of proper judgment, we find two interesting verses, and I would like to examine them:

*...and do not show favoritism to a poor person in a lawsuit. - Exodus 23:3 [NIV]*

*Do not deny justice to your poor people in their lawsuits. - Exodus 23:6 [NIV]*

I think there are two ways in which most people relate to the rich and the poor. Some of the people, amongst the officials and the judges, take the side of the rich and powerful. And often it annoys us.

For example, a large company gets tax breaks on an unimaginable scale, and the ordinary citizen, or the small business, gets choked by taxes left and

right - that's not fair!

Or if we go into debt, the banks will incur all possible interest payments, including repossession, and take everything from us. When a large company goes into debt, banks often intervene and reduce the debt - again it's not fair!

Sometimes when a rich person comes to the congregation, we make the mistake of saying to him, "Come, sit up front, in the place of honor." And to the poor, or the helpless, we say, "Go to the back, do not stand out, and do not interfere."

On the other hand, the feeling of compassion inherent in most of us wants to feel sorry for the poor, and we take the side of the underdog. In many cases we consider the poor person to be in the right.

This happens many times in the framework of civil or family law. But it also happens in the context of Israel and our Palestinian neighbors, often Israel is seen as the strong, the ruling, the aggressors, and the Palestinians as the underdog to be supported. The world sees them as the victims.

God warns our judges, and us, not to look with pity on the defendant with the ragged clothes and the holes in his shoes, and justify him when it comes at the expense of another person.

## **Is our compassion making us cruel?**

God requires a warm and compassionate heart on the one hand, and on the other hand, He requires of us to take a look at the cold, hard, facts. And from there we have to make a decision that is true and just without being blinded by the wealth, influence, and power of the strong, but on the other hand not to let our emotions intervene to justify the poor and helpless - if they are guilty.

Chazal, the Jewish sages, teach us an interesting principle:

*He who is compassionate to the cruel will ultimately become cruel to the compassionate. - Midrash Tanchuma, Metzora 1*

This sentence was first taught in connection with the King Saul:

*Now go, attack the Amalekites and totally destroy all that belongs to them. Do not spare them; put to death men and women, children and infants, cattle and sheep, camels and donkeys. - 1 Samuel 15:3 [NIV]*

Saul did not fulfill the commandment:

*But Saul and the army spared Agag and the best of the sheep and cattle, the fat calves and lambs—everything that was good... - 1 Samuel 15:9b [NIV]*

And later, when Saul suspected that the priests of Nob had cooperated and helped David, Saul killed them mercilessly:

*He also put to the sword Nob, the town of the priests, with its men and women, its children and infants, and its cattle, donkeys and sheep. - 1 Samuel 22:19 [NIV]*

Saul had compassion on the Amalekites and did not want to kill them as he was commanded, and then he was cruel to the people of Nob and killed them in exactly the same way he was supposed to kill the Amalekites.

From there comes the aforementioned talmudic expression. But this expression is deep and important to us and our conduct even today.

The world community tends to silence problems and scandals of all kinds: assault, sexual harassment, theft, fraud, exploitation, injury, and more.

We tend to forgive, to give another chance, not to report to the police, not to publicly defame someone, according to the understanding that we are all sinners and we all need a second chance, and we all need Yeshua.

But here's where this expression comes in: "He who is compassionate to the cruel will ultimately become cruel to the compassionate."

If we do not complain to the police about sexual assault, or allow a person who makes members of the opposite sex uncomfortable to remain in our society, who are we helping and who are we harming?

If we know that there is someone who exploits others in our society, financially or materially, and we turn a blind eye, who are we helping and

who are we harming?

The requirement in this week's parasha is for true justice. Emotion is good and important, compassion is important, but the requirement of our weekly Torah portion, the requirement of God, is to ignore the wretchedness of man, to examine the cold, hard facts, and to truly judge.

We must make sure to keep the good people in the community safe and not allow them to become victims.

Shabbat Shalom.

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