

Parshas Mishpatim

“They’re Not Like Us At All”

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Lizechus refu’ah shleimah for my dear niece Hadassa bas Sarah Rivka, tichyeh

Video Vort: “Lichayim With Hashem”

<https://torahanytime.com/lectures/280893>

*Vi’eileh hamishpatim asher tasim lif’neihem*¹ – And these are the laws that you should place before them. Rashi points out the significance of preceding the word “eileh” with the letter “vav.” The letter “vav” means “and.” It denotes a connection to what was written in the Torah immediately prior. In this case the “vav” creates a bond between the *mishpatim* of this *parsha* with the *mitzvos* of the previous *parsha*. The *mitzvos* of the previous *parsha* were given on Har Sinai.

The *parsha* of *Mishpatim* deals with monetary laws.

Monetary laws are found by the gentiles, as well. They are one of the *sheva mitzvos bnei Noach*. But our monetary laws share nothing in common with the laws of the gentiles. Their monetary laws are “*bein adam lachaveiro*” – between man and his fellow-man.

The laws governing our financial conduct are rooted in Har Sinai. They are *mitzvos bein adam lamakom* – between man and the Creator. They come to us through the *mesorah* of *Moshe kibel Torah miSinai, umesara liYehoshua*.

Rashi continues, “Why are the *mishpatim* written in close proximity to the laws of the *mizbe’ach*? This is to teach us that the place that the *Sanhedrin Hagedola* was situated in the *lishkas hagazis* – one of the chambers of the *Beis Hamikdash*.

Rashi comments on the words, “*asher tasim lifneihem*” (that you place before them), that one must bring his conflicts in front of a *beis din*. Even if it is known that the court system of the idol worshippers rules in the same manner as the Torah, it is forbidden to bring one’s affairs before them. To do so would be a *chillul Hashem*.

Rav Avrohom Chaim Levin³ explained, this *chillul Hashem* can be understood on multiple levels. Going to a court system of idol worshippers is an act of respect. The court is being granted legitimacy. It is on an equal standing of honesty and integrity with a *beis din*. This alone, is a *chillul Hashem*.

But there is a deeper level of *chillul Hashem*.

The *Sanhedrin* must be near the place of the *korbanos*. This tells us something profound about the *Sanhedrin*. The *p’sak din* that emerges from the deliberations of the *Sanhedrin* brings clarity to the litigants. Now, they know how to conduct themselves according to Jewish law. But it is so much more than that.

¹ Shemos 21:1

² Shemos 20:21

³ Rosh Yeshiva, Telshe Chicago

The decision of a non-Jewish judge is mundane. It contains no intrinsic kedusha. The role of a secular judge is to preserve the norms of society. The judicial system is in place to prevent members of the society from devouring one another⁴.

The role of the *beis din* is to infuse every aspect of our lives with the sanctity of *mitzvos* Hashem. When the *baalei din* accept the decision of the *dayan*, they are doing so because it is so written in the Torah that was given on Har Sinai. When Reuven pays Shimon what is owed to him, he is connecting with the Bnei Yisrael who stood at the foot of Har Sinai. Through the process of *din*, Reuven and Shimon forge a direct connection with the Torah and the Giver of the Torah.

And the *dayanim*... are the *kohanim* of their *beis din*, a *beis din* which is a veritable *beis hamikdash*. The judges are not merely sharing legal information. They are performing *avoda*, much like the *korbanos* brought in the *beis hamikdash*. It is for this reason that the place of the Sanhedrin is situated near the place of the *korbanos*.

Prior to the giving of the *aseres hadibros*, Hashem said to His nation, “*Vi’atem tihyu li mamleches kohanim vi’goy kadosh*”⁵ –And you will be to Me a kingdom of kohanim and a holy nation.

When one views these two polar opposite systems as equal, it is a *chillul* Hashem of immense proportions.

Hashem was preparing the Bnei Yisrael. They are not meant to reside on the “ground.” They are meant to rise up above the lowliness of the physical world. They are kings. They are *kohanim*, and they are a holy nation. And why is that? They are on the verge of accepting the Torah *hakedosha*. One who sees his own reality as the connection with Hashem’s *mitzvos* becomes connected to those *mitzvos*. The root of the Torah is in *shamayim*. By embracing the Torah one changes his very essence and is transformed into a “*shamayim*”-person.

And at that point, the nation was ready to hear about the uniqueness of the *mishpatim*. They are unlike any human system. “*Vi’eieleh hamishpatim asher tasim lifneihem.*” – and these *mishpatim* are different. They are to be placed before them. They are to be placed before the *dayanim*, the *dayanim* who are part of the unbroken link forged from *rebbe* to *talmid* back to the time when we all stood at the foot of Har Sinai and heard directly from the Giver of the Torah, “*Anochi Hashem Elokecha*.”

⁴ Pirkei Avos 3:2

⁵⁵ Shemos 19:6