

CSAIR MISHPATIM 5784

There's something that has always troubled me about this week's *parsha*.

וְגֵר לֹא־תוֹנֶה וְלֹא תִלְחָצֶנּוּ

You shall not wrong or oppress a stranger,

כִּי־גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם:

for you were strangers in the land of Egypt.

The first part of the pasuk makes total sense. It is of course a moral imperative to NOT wrong others... and even to take care of others. But it's the second part, the REASON given, which disturbs me.

Among ALL of the *mishpatim* in our *parsha*, only a few *psukim* have WHY's attached to them...

מִדְּבַר־שָׁקָר תִּרְחֹק וְנָקִי וְצַדִּיק אֱלֹהֵי־תִקְוָה כִּי לֹא־אֲצַדִּיק רָשָׁע:

Do not lie, do not execute innocent people, BECAUSE I will not abide an evil person.

וְשֹׁחַד לֹא תִקַּח כִּי הַשֹּׁחַד יְעִיֵּר פְּקֻחִים

Do not take bribes, BECAUSE bribes blind clear sighted people.

If you take your neighbor's garment in pledge, you must return it before the sun sets;

כִּי הוּא כְּסוּתָהּ לְבִדָּהּ הוּא שְׁמֶלְתּוֹ לַעֲרוֹ בַּמָּה יִשְׁכָּב

Because this is his clothing... in what will he sleep? ?

These seem like fair reasons to take on these mitzvot. God will show righteousness. Bribery will mess with your head.

But WHY THE GUILT? YOU were strangers in Egypt.

וְגֵר לֹא תִלְחָצֶנּוּ וְאַתֶּם יֹדְעֶתֶם אֶת־גִּפְשׁ הַגֵּר כִּי־גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם:

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

Can you imagine if the rest of the *parsha* were worded in the same way:

YOU SHOULD KNOW... YOU HAVE SLEPT WITHOUT A COAT!!!

If your ox gores someone, you must pay, BECAUSE YOU KNOW WHAT IT'S LIKE TO HAVE BEEN GORED BY AN OX.

This does not feel KIND or loving of the Torah... in fact, it feels shaming. BE NICE, because you know what it's like to have people be horrible to you.

So first of all, it is actually *ASUR* to remind someone of their demeaning past. It's one thing if we want to say it about ourselves: *AVADIM HAYINU*... we can SELF-disclose that we were once slaves. THAT kind of *gnut* is self-inflicted. Why would the Torah want to shame us in this way?

Bava Metzia 59b

One who has a person hanged in his family [*bidyotkei*], does not say to another member of his household: Hang a fish for me, as the mention of hanging is demeaning for that family.

YES. so then why does the Torah keep mentioning that we were Gerim??? Isn't that like telling us to HANG A FISH??? Is the Torah trying to be demeaning to us??? ?

So it seems to be that it's A) Asur and B) MEAN. It's shaming.
And C) It is unlikely to work.

KNOWING what it's like to be a stranger is actually NOT an easy path to kindness and generosity.... It's not usually the BULLIED kid who then goes on to be the kind one.

When you're always the stranger, you don't always have the energy or the will to stick up for the other strangers.

You might say, wow I have suffered... I really don't want anyone else to have to go through what I went through.

Or, you might ALSO say, wow I have suffered, I really don't want to suffer again... and i'm going to be REALLY SURE that i don't EVER get hurt again. In fact, it's the kid with the lovely, easy upbringing who more often has the bandwidth to be kind and generous and welcoming.

It is NOT helpful when people use this against us as a people. YOU SHOULD KNOW BETTER.

[Holocaust scholars](#) call it Holocaust Inversion, which involves the abuse of the Holocaust memory to issue a *moral stricture* aimed at Israel and 'the Jews', imposing upon them a *uniquely* onerous moral responsibility and accountability in their treatment of others. (Fathom Journal)

I am not prepared to use the Shoah as a moral high school lesson that now demands that we be kind.

So in general the Holocaust argument— Jews should know better— I think- is a) Basically asur— or rather it goes against a core value of Judaism, which is not bringing up another person's sad past... B) MEAN, shaming MORALLY REPUGNANT and C) I just don't think it works.

So how can we read the Torah's language without having it feel like a shaming, moral police? What if the Torah is not actually SHAMING us or REMINDING us of our terrible past? What if the Torah is saying the OPPOSITE?

Rabbi Aryeh Klapper at the Center for Modern Torah Leadership brings a reading that helps me.

Devarim 23:8

לא תתעב אדמי כי אחיך הוא
לא תתעב מצרי כי גר היית בארצו

Do not abominate the Edomite, for he is your brother; do not abominate the *Mitzri*, for you were a *ger* in his land.

Here the experience of Egypt seems to be recalled as positive; it generates an obligation to treat Egyptians as relatives rather than as strangers.

Klapper writes, It is possible that we have simply been misreading all along. Perhaps our obligations toward *gerim* are modeled on the Egyptians' initial welcoming of the Jews, rather than in contrast with our eventual enslavement.

I love that. Egypt BEFORE Vayakom Melech Chadash. Before the new Pharoah. Not the Inquisition, but The Golden Age of Spain.

Throughout our history we have had both. We have been welcomed in, not always for the right reasons... but we have been safe, even briefly, in foreign lands. What if THAT is why we need to be kind to the stranger? Because we've been treated WELL... because that's how we might POSSIBLY find it in ourselves to be kind. It may not feel so safe to be a Jew in this moment in the world, and it may not make us feel like treating the stranger well. But it is also true that we have many moments in our history and even today, when we DO feel safe, when we HAVE FELT welcomed and when we WILL feel welcomed again, please God.

This is not about politics for me. This is a spiritual and emotional need. This is about how I feel in the world... this is about when I feel scared and angry, not being told: you should know better.

And when I want to feel less scared and angry to be able to call upon a history that is not ALL DARK. If I can tap into the moments when I have been WELCOMED, when I have been treated well... I can move away from my traumatized fearful angry self, which is where I too often end up in these times... I can tap into a kind of faith in my own safety, and in the safety of our people... and I have a better chance at believing that we can be safe again... and from that place of feeling safe— not GUILT or shame— I can look across at the other and have faith in the humanity of the stranger.

So now our Parsha reads a bit easier to me. We don't bribe, we pay when our oxen hurt someone and we don't mistreat the stranger, not out of guilt or shame but all as part of our faith in a system that sometimes works. As part of our faith that there is an ebb and flow to our history and we can still act in accordance with these rmishpatim. As part of our faith in a better world.

In our haftarah this week, Isaiah offers a vision for better days.

שִׂמְחוּ אֶת־יְרוּשָׁלַם וְגִילוּ בָּהּ כָּל־אֲהָבֶיהָ שִׁישׁוּ אֶתְהָ מְשׁוֹשׁ כָּל־הַמְתַּאֲבָלִים עָלֶיהָ:

Rejoice with Jerusalem and be glad for her,

All you who love her!

Join in her jubilation,

All you who mourned over her—

As Adar begins, I hold onto a faith in simcha. I hold onto a faith that we who have mourned so deeply with our people will also rejoice with her. I hold onto that faith because I know we have been carried before. Welcomed in. Lived without fear. And I hold onto the faith that that can happen again . Ken Yehi Ratzon.