Arlo and Max,

Yasher Koach!

Just now each of you pointed out that this week's parsha, Mishpatim, which literally means, "laws," gives us a long list of, well…laws. And instead of rolling your eyes or letting this ancient litany of commandments feel *only* ancient or legalistic, each of you led us to consider the importance of these biblical mitzvot in our own time.

In your d'var Torah, Max, you pointed out that in a changing world, it's all the more important for us to hold onto enduring values that we know to be true. And as you noted, the fact that you have been able to hold onto who you are, and the values that make you who you are, have strengthened you even as you've faced challenges in recent years. And I have to say, Max, that *that* is basically the central thesis of what we're doing here today. Returning to the Torah to remember who are, as we face all manner of challenges and crises in our time.

And what do we find there? What is this Torah portion all about? In your words, the core of these laws is the notion that, "we all have an obligation to conduct our lives in a just and ethical way to avoid hurting others." And that is absolutely true.

Arlo, you took that same idea and focused our attention on this moment in American political life. In your words, "one quality of a fair society…is that every person has worth simply by being human." And that is also a core idea in the Torah. You honed in on the verses in this parsha that command us not to wrong a foreigner, a widow, or an orphan, as you invited us to question whether or not our government is living up to that ethical standard, especially vis-a-vis the many immigrants who come here. Many of us here share your view that the federal government's current policies toward immigrants fly in the face of the Torah's ideal of a fair society.

And with that in mind I want to dive a little deeper into this section of the Torah text, which is, as you both suggested, all about justice.

In Exodus 22, after a kind of grab bag of seemingly unrelated commandments – ranging from criminal justice and tort law to how to treat animals and even sorceresses – we get a tonal shift in verse 20, where the text goes out of its way to combine different marginalized groups in Israelite society. And unlike in the rest of the chapter, where we find commandments presented without explanation or exposition, in this section the Torah adds a little more color. You shall not wrong or oppress a foreigner, we read, *because* you were strangers in the land of Egypt. Giving us a reason.

In the next verse, we read, “you shall not mistreat a widow or orphan.” And this time, it continues to say that “if you *do* mistreat them, I will hear their cry as soon as they cry out to me.”

God, in this case, takes on the role of guardian, protector of the vulnerable and champion of those who cry out in desperation.

If this weren’t notable enough in its departure from merely listing laws, God continues in the text to say that if you do these things, “My anger shall blaze forth and I will put you to the sword. Your own wives shall become widows and your children orphans.”

In no uncertain terms, the text says, if you harm the vulnerable, you will be punished. It is vivid and clear. And in a parsha that otherwise doesn’t offer much real-time commentary about itself, the fact that *these* laws are singled out with both explanation and punishment, unlike all the others, draws us as readers to meditate on their unique importance.

It is well known that the Torah mentions our ethical obligations to the ger, to the stranger, 36 different times. But we should also note that many of those times are also connected to the widow and the orphan, as they are in this parsha. In Deuteronomy 24, we read, “you must not subvert the rights of the stranger or the orphan, nor take a widow’s garment in pawn.” And later that chapter tells us that a portion of Israelite fields should go to the stranger, the orphan, and the widow. Here and elsewhere, these groups are linked together, reminding us of our ethical commitments not only to strangers, but really to all marginalized groups in society. As Maimonides put it, “A person is obliged to watch out for these groups because…their spirit is lowly.” Perhaps for this reason, the Torah devotes extra language to detailing the punishment for harming these humble, innocent groups.

Mishpatim’s added flourish about God’s anger blazing forth against anyone who mistreats a widow or orphan, which is so clear, is notable for another reason as well. Unlike other parts of the text, it is directed at a plural form of “you,” meaning “you all.”

As the 13th century commentator Hizkuni points out, “Alone of all the laws [in this section], this mitzvah is written in plural—because everyone can be considered to be involved in this sin, even those who do not themselves belittle [widows and orphans] but who see this being done…and remain silent without protesting.”

This is a familiar refrain in Jewish teachings: that if you witness a crime but do not protest, you are counted as an accessory to injustice.

Everyone (not only our leaders) and not only those directly responsible for harming another…every one of us is taken to task for the way in which our society treats the vulnerable.

Yeshiva University professor Jeremiah Unterman puts it this way: “[N]umerous Divine laws . . . enjoin the community and its members to care for the vulnerable elements of society. For the first time, the community becomes responsible for the fate of the individual.” In Unterberg’s view, this was among the unique contributions of the Torah to the Western canon. He explains, the Torah’s moral-legal obligations to help others (who are not first-degree family members) . . . have no parallel in the ancient Near Eastern law collections.”

It may be incorrect to say that the Jews are the only group in history to recognize an obligation of the collective to the individual, especially those individuals who are oppressed. But following Unterberg: for thousands of years, that idea of collective responsibility has been at the core of our national and spiritual identity. The ties that bind us together as a people are only so strong as the ties that bind us to the lowliest members of society, who are struggling the most.

It is surely true, as you taught us, Arlo, that we must include immigrants or foreigners into our conception of fairness, per the Torah’s guidance. And given the rest of these verses, we can add that we must extend that spirit to all those who find themselves on the margins of society. That is essential. Seeing ourselves in the spirit of the “other.” As others ourselves, who understand what it’s like to be different.

And here I want to return to one final aspect of both of your *divrei Torah*, Arlo and Max.

In your teachings, not only did you emphasize the importance of ethics within the Torah, but you also echoed one another in a different way – recognizing that the Torah doesn’t merely offer us guidance for when we’re in the synagogue, or for the most dramatic episodes in Jewish history. Rather, in your words Max, “it is easy to be impressed by the inspiring language of the Ten Commandments. But life is lived in these everyday moments,” as Mishpatim describes. And you said, too, Arlo, “Parashat Mishpatim doesn’t focus on miracles or splitting seas. It…reminds us that fairness isn’t just about governments and laws. It’s about how people act every single day.”

And if that's the case, and I agree that it is, then the moral imperative of this parsha is not abstract. It's not only about the ways in which we need to agitate against unfair policies or seek better leadership – although that's certainly part of it. The parsha also invites us to consider how we treat the workers who facilitate our day to day lives. How we might see people who are otherwise invisible as we go about our way. How we might intervene when we see someone being mocked or picked on. How we might go out of our way to alleviate any suffering we encounter. All of that is what Rambam means when he says we need to look out for the stranger, and the widow and the orphan.

Reiterating your own words as you become b'nai mitzvah today, I encourage you, Max, to continue holding on to your values and remembering who you are. And Arlo, I hope that you can continue to demand that people are treated in accordance with their inherent worth. I hope all of us here will push ourselves to do the same.

Because as we continue to fight for a fairer society, resisting the social trends that erode our democracy and so many institutions we hold dear, our empathy matters, as does our ability to make space for marginalized people. As you both taught us, building a just society requires that we live these Torah values every single day.

Shabbat Shalom.