

מִשְׁפָּטִים

MISHPATIM/ORDINANCES

Shemot/Exodus 21:1-22:24:18

You may feel that this week's portion is a great descent from the heights of Mt. Sinai, where the children of Israel met with יהוה and received the Ten Words/Commandments. No other group of people can recount such an event so significant in its consequences as that moment on the mountain. This week would we not expect something equally as dramatic? Something that really inspires and moves us? Instead, in one short week, we descend from the mountain-top event into the lowlands of everyday life – replete with laws addressing conflict, irritations, bitterness, and mundane, ordinary life experiences.

“**Mishpatim**” is defined as “**ordinances, judgments, statutes, or regulations.**” It also means “**sentences,**” like the ones that are given by a judge in a courtroom. **Mishpatim** in modern day usage includes the grouping of words one finds in a story – i.e., “**sentences.**” Words make up “**mishpatim/sentences,**” and many “**mishpatim**” make up a paragraph, a page, and eventually, a book. The reading in the text this week begins in **Shemot 21** and includes three full chapters of “**mishpatim**” which help us to know how to behave in situations that come up in the normal course of our daily lives. The Torah can never remain on the mountain top. It must come down in the valley where His people live, struggle, hate, love, strive, and where all our human frailties are revealed.

Last week in **Mike Clayton** and **Barry Phillips**' weekly program on the Torah, ([Foundations for Life](#)), Mike spoke about how the purpose of the Torah was always to guide the inner man, i.e., the heart of man. Mike was speaking about the **Ten Words**, but what he said also applies to every instruction given by the Almighty in the Torah. Quoting Mike:

The Words of the Torah were never designed to be written, they were designed to be lived. The Torah was there from the beginning:

John 1:1 In the beginning was the Word, and the Word was with Elohim, and the Word was Elohim.

The Torah which was from the beginning became the constitution of the nation of Israel. I believe the Torah was in the Garden.



Proverbs 3:18 She *is* a tree of life to those who take hold of her, and happy *are all* who retain her.

The Torah is the “**Tree of Life.**” So, as Adam and Eve were eating of the Tree, they were eating of the commandments. They were internalizing. The ways of living, the Torah, the ways of Elohim...His ways expressed unto mankind. The Torah is who He is. We will find Him in the pages of the Torah.

Psalm 40:7 Then I said, "Behold, I come; In the scroll of the book *it is* written of me.⁸ I delight to do Your will, O my Elohim, And Your Torah *is* within my heart."

Adam was finding Him in the Tree of Life. They were eating it. It was becoming part of them. Who He is, was becoming part of them. You are what you eat. Whatever we nourish our bodies with in the Spirit, is what we are going to become in the Spirit.

At the time of the fall, they were banished from the Garden which means that the commandments that they were eating of now became an external thing and had to be taught from one person to another. If everything had gone right in the beginning, there would never have been a teacher of the Torah. Adam and Eve would have only taught their children to eat from the Tree of Life. In the eating of the Tree, his children would have been eating of the express Word of Yah and that's the person they would have become. So, one of the consequences of the fall is that Torah has to be taught from one generation to another. And because all generations did not teach it, Torah had to be written.

Torah was not originally meant to be written down. It was meant to be eaten. Meant to be consumed. What I consume, becomes who I am. So, if I consume the Torah, I become like the Torah, the expressed will of Yah unto mankind. The renewal of the covenant is that Torah comes back to its rightful place which is inside of me...written on my heart. End of Mike's quotes

Psalm 81:10 I am יהוה your Elohim, Who brought you out of the land of Egypt; **Open your mouth wide, and I will fill it.**

A people who live by the Torah will not falter nor fail. They are, and shall always be, as the book of **Psalms** teaches "**like a tree planted by rivers of water**":

Psalm 1:2 But his delight *is* in the Torah of יהוה, And in His Torah he meditates day and night.
³ **He shall be like a tree planted by the rivers of water,** that brings forth its fruit in its season, Whose leaf also shall not wither; And **whatever he does shall prosper.**

There are over **50 mishpatim/ordinances** to be found in our reading this week. These laws are meant to be the glue that keep the children of Israel together in society. The motivation behind these mishpatim is יהוה's love for humanity. The challenge today for Israelites (Jew and non-Jew) desiring to keep the Torah is to internalize (eat from the Tree of Life) the priceless treasure of our "**heritage**":

Devarim/Deuteronomy 33:4 Moshe commanded a Torah for us, A **heritage** of the congregation of Ya'acov.

The Torah touches on all aspects of the human condition: physical, moral, societal, and spiritual. There is no place in life that is empty of Torah, its laws, wisdom, and guidance. Torah law is religious law, and although there may be the separation of state and religion, Western civilization developed out of the morality of the Torah. As history moved forward, civil law became separated from the Torah (the root and source of Western civilization's law) and began to operate as an independent entity.

But we can never move away from יהוה's sovereignty in our world. A religious law is concerned not only with protecting society, or defending the rights of people, but with the basic premise that people should do what is right according to the mind of the Creator. The one assigned as the judge must decide what is the duty of each – the offender as well as the victim. There is always the concern in the Torah, for not just what is legal, but for what it is that יהוה want us to do. What is our duty as those who are committed “**to do and to obey!**” The judge sits in authority as a teacher, as one to whom has been given the privilege of interpreting in human terms יהוה's will according to His Word. Let's consider some of the responsibilities one has toward another's property when something unforeseen happens:

Shemot 22:5 " If a man causes a field or vineyard to be grazed, and lets loose his animal, and it feeds in another man's field, he shall make restitution from the best of his own field and the best of his own vineyard.

Shemot 22:6 " If fire breaks out and catches in thorns, so that stacked grain, standing grain, or the field is consumed, he who kindled the fire shall surely make restitution.

Shemot 22:7 " If a man delivers to his neighbor money or articles to keep, and it is stolen out of the man's house, if the thief is found, he shall pay double. ⁸ "If the thief is not found, then the master of the house shall be brought to the judges *to see* whether he has put his hand into his neighbor's goods.

Shemot 22:14 " And if a man borrows *anything* from his neighbor, and it becomes injured or dies, the owner of it not *being* with it, he shall surely make *it* good. ¹⁵ "If its owner *was* with it, he shall not make *it* good; if it *was* hired, it came for its hire.

For matters of dispute:

Shemot 22:9 " For any kind of trespass, *whether it concerns* an ox, a donkey, a sheep, or clothing, *or* for any kind of lost thing which *another* claims to be his, the cause of both parties shall come before the judges; *and* whomever the judges condemn shall pay double to his neighbor.

Shemot 22:10 "If a man delivers to his neighbor a donkey, an ox, a sheep, or any animal to keep, and it dies, is hurt, or driven away, no one seeing *it*, ¹¹ "then an oath of יהוה shall be between them both, that he has not put his hand into his neighbor's goods; and the owner of it shall accept *that*, and he shall not make *it* good. ¹² "But if, in fact, it is stolen from him, he shall make restitution to the owner of it. ¹³ "If it is torn to pieces *by a beast*, *then* he shall bring it as evidence, *and* he shall not make good what was torn.

There were laws in place to protect the poor and the needy:

Shemot 22:21 " You shall neither mistreat a stranger nor oppress him, for you were strangers in the land of Egypt. ²² " You shall not afflict any widow or fatherless child. ²³ "If you afflict them in any way, *and* they cry at all to Me, I will surely hear their cry; ²⁴ "and My wrath will become hot, and I will kill you with the sword; your wives shall be widows, and your children fatherless.

Shemot 22:25 " If you lend money to *any of My people who are poor* among you, you shall not be like a moneylender to him; you shall not charge him interest. ²⁶ "If you ever take your neighbor's garment as a pledge, you shall return it to him before the sun goes down. ²⁷ "For that *is* his only covering, it *is* his garment for his skin. What will he sleep in? And it will be that when he cries to Me, I will hear, for I *am* gracious.

It is very important in any society to have fairness in the courts with no favoritism towards the poor:

Shemot 23:1 "You shall not circulate a false report. Do not put your hand with the wicked to be an unrighteous witness. ² "You shall not follow a crowd to do evil; nor shall you testify in a dispute so as to turn aside after many to pervert *justice*. ³ "You shall not show partiality to a poor man in his dispute.

Shemot 23:6 " You shall not pervert the judgment of your poor in his dispute. ⁷ "Keep yourself far from a false matter; do not kill the innocent and righteous. For I will not justify the wicked. ⁸ "And you shall take no bribe, for a bribe blinds the discerning and perverts the words of the righteous.

We have seen that the ordinances of the Torah were community oriented. The ordinances and the laws were expanded outside of the land of Israel when the Jews were exiled. With their homeland destroyed and without sovereignty or independence, a system of **Halacha** (the way to walk as defined by Jewish Law) was developed to enable them to live an organized and disciplined life outside of the Promised Land. The laws united the community. Without unity of law, the Jewish people never would have survived.

It is also imperative to note that Torah law was largely a system that had no power. Whenever we think of a legal system, we think of policemen and prisons as well as lawyers, judges, and juries. Have you ever noticed that Torah did not set up a prison system? The closest things to prisons were the cities of refuge that someone who had committed manslaughter was allowed to flee to. However, the offender was not imprisoned there. Prisons were used in other cultures surrounding Israel. We know that centuries before Sinai, Yosef was imprisoned in Egypt. But an Israelite prison is not mentioned until many years later during the days of the wicked King Ahab:

1 Kings 22:27 "and say, 'Thus says the king: "Put this *fellow* in prison, and feed him with bread of affliction and water of affliction, until I come in peace." ' "

יהוה gave the Torah to His chosen ones in order to develop their character – to deal with the outside forces of the world and give them a standard of holiness that reflected יהוה as their Master. The Torah was just as concerned about the thief as the victim of thievery. The honest man was protected, but the intention was also there to restore the wrongdoer to respectability and usefulness. How then, were people meant to be rehabilitated? For certain crimes, there was no rehabilitation. Their offense was a capital crime deserving of death. The following are capital crimes mentioned in this week's parasha:

Shemot 21:14 " But if a man acts with premeditation against his neighbor, to kill him by treachery, you shall take him from My altar, that he may die.

Shemot 21:15 " And he who strikes his father or his mother shall surely be put to death.

Shemot 21:16 " He who kidnaps a man and sells him, or if he is found in his hand, shall surely be put to death.

Shemot 21:17 " And he who curses his father or his mother shall surely be put to death.

Shemot 21:29 "But if the ox tended to thrust with its horn in times past, and it has been made known to his owner, and he has not kept it confined, so that it has killed a man or a woman, the ox shall be stoned and its owner also shall be put to death.

Shemot 22:18 " You shall not permit a sorceress to live.

Shemot 22:20 " He who sacrifices to any god, except to יהוה only, he shall be utterly destroyed.

If a person committed an offense that was not a crime deserving of death, he may be punished physically, but there was another system in place to repay debts or to pay for their crime...**slavery.**

We have come to accept the prison system as the agreed upon method of correction, but in the beginning, it was not יהוה's way. Because of slavery's heinous abuses in the past, slavery sounds repulsive to us. However, the system of slavery we are familiar with was condemned by the Torah. Notice in the above **Shemot** verses, a person who kidnapped a man to sell him as a slave was condemned to death. But for many reasons, Torah's slavery was a much better system for rehabilitation then sending a person to jail. Slavery was also used as a system of welfare.

Under pure Torah law, a thief who was "**unable to make restitution**" was "**sold as a slave,**" not sent to jail:

Shemot 22:1 "If a man steals an ox or a sheep, and slaughters it or sells it, he shall restore five oxen for an ox and four sheep for a sheep. ² "If the thief is found breaking in, and he is struck so that he dies, *there shall be* no guilt for his bloodshed. ³ "If the sun has risen on him, *there shall be* guilt for his bloodshed. He should make full restitution; **if he has nothing,** then **he shall be sold for his theft.**

Torah's intention was, that a thief with character flaws that got him into trouble could live with a righteous family who would become positive role models and mentors. The poor, through slavery, could become an apprentice – learning a trade that would allow him to be productive after release. They would also often get married and have children.

Those who were rebellious were sometimes beaten by their masters, but the punishment was intended for personal transformation. I know this all sounds cruel and wrong to us, but how effective is the prison system we have today in transforming the strong-willed, defiant ones? And how well does the welfare system work? Slavery was not forever, it had an end to it, and hopefully the servant left ready to be a productive citizen. A slave's master sent him off with blessings:

Shemot 21:2 "If you buy a Hebrew servant, he shall serve six years; and in the seventh he shall go out free and pay nothing.

Devarim 15:13 "And when you send him away free from you, you shall not let him go away empty-handed; ¹⁴ "you shall supply him liberally from your flock, from your threshing floor, and from your winepress. *From what יהוה has blessed you with, you shall give to him.*

Slaves often opted to remain with their owners because of how well they were treated:

Shemot 21:5 "But if the servant plainly says, 'I love my master, my wife, and my children; I will not go out free,' ⁶ "then his master shall bring him to the judges. He shall also bring him to the door, or to the doorpost, and his master shall pierce his ear with an awl; and he shall serve him forever.

"Slavery" is a topic which continues to be mentioned throughout the Hebrew Scriptures and into the Brit Chadasha. Slaves were encouraged to be obedient to their masters and masters were encouraged to be fair to their slaves. What is emphasized more in the Brit Chadasha, however, is man's problem of "slavery to sin" from which we can be set free through the "death and resurrection" of Messiah:

John 8:34 Yeshua answered them, "Most assuredly, I say to you, whoever commits sin is a slave of sin.

Romans 6:5 For if we have been united together in the likeness of His death, certainly we also shall be *in the likeness of His resurrection*, ⁶ knowing this, that our old man was crucified with Him, that the body of sin might be done away with, that we should no longer be slaves of sin. ⁷ For he who has died has been freed from sin.

And don't forget the definition of "sin":

1 John 3:4 Whoever commits sin also commits Torahlessness, and sin is Torahlessness.

From "slaves of sin" to "slaves of righteousness." A true slave of the Master "obeys from the heart":

Romans 6:16 Do you not know that to whom you present yourselves slaves to obey, you are that one's slaves whom you obey, whether of sin *leading* to death, or of obedience *leading* to righteousness? ¹⁷ But Yah be thanked that *though* you were slaves of sin, yet you obeyed from the heart that form of doctrine to which you were delivered. ¹⁸ And having been set free from sin, you became slaves of righteousness.

At Mt. Sinai, the grateful Israelites who had been saved from their bondage, initially had intentions to "do and obey everything יהוה had said":

Shemot 24:7 Then he took the Book of the Covenant and read it to the people. They responded, "We will do everything יהוה has said; we will obey."

Now, through the resurrection of Yeshua and through the power of the Holy Spirit, we once again have the opportunity to eat from the “**Tree of Life**.” Yeshua knocks on the doors of our “**hearts**” (remember the “**heart**” is where the Torah is written – **Jeremiah 31:33**) and asks us to say once again, “**We will do everything יְהוָה has said; we will obey.**” We desire to eat from the “**Tree of Life**” in the Garden! These are the very last words of the Bible:

Revelation 22:12 " And behold, I am coming quickly, and My reward *is* with Me, to give to every one according to his work. ¹³ "I am the Aleph and the Tav, *the* Beginning and *the* End, the First and the Last." ¹⁴ **Blessed are those who do His commandments, that they may have the right to the Tree of Life**, and may enter through the gates into the city. ¹⁵ But outside *are* dogs and sorcerers and sexually immoral and murderers and idolaters, and whoever loves and practices a lie. ¹⁶ "I, Yeshua, have sent My angel to testify to you these things in the churches. I am the Root and the Offspring of David, the Bright and Morning Star." ¹⁷ And the Spirit and the bride say, "Come!" And let him who hears say, "Come!" And let him who thirsts come. Whoever desires, let him take the water of life freely. ¹⁸ For I testify to everyone who hears the words of the prophecy of this book: If anyone adds to these things, Elohim will add to him the plagues that are written in this book; ¹⁹ and if anyone takes away from the words of the book of this prophecy, Elohim shall take away his part from the Book of Life, from the holy city, and *from* the things which are written in this book. ²⁰ He who testifies to these things says, "Surely I am coming quickly." Amen. Even so, come, Adonai Yeshua! ²¹ The grace of our Adonai, Yeshua the Messiah *be* with you all. Amen.

The final question will be -

Shabbat Shalom!

Ardelle

