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We all make mistakes, but we must be honest in admitting them

by rabbi judah dardik

Mishpatim 5767

Exodus 21:1-24:18

Jeremiah 34:8-34:22, 33:25-33:26

And now — back to everyday life. Until this point, the narrative was gripping: oppression, struggle, plagues upon plagues, splitting seas, desert travel and pyrotechnics. The entire people experience hearing directly from HaShem at Mt. Sinai, and Moses returns with the Ten Commandments. Fantastic. That was last week.

This week, Mishpatim, is a Torah reading of civil law. What happens if one person hurts another? What if I ask you to guard something and it gets damaged? And so on. The high of Mt. Sinai is followed by the mundane matters of everyday life.

Why the sharp transition from earth shaking and life-changing experiences to fine details of daily affairs?

I believe that one approach may be garnered from looking at the point of transition itself, the opening of the Torah portion. The first topic discussed is an unsettling and delicate subject, the laws of servitude — though Jewish servitude is a far cry from the slavery to which we are accustomed from American and world history. It has a maximum length of six years, at which time a person is freed and given material gifts to help them get started in an independent life.

Furthermore, the Torah and the Talmud (first chapter Kiddushin) describe the servant's rights at length. Physical abuse forfeits the right to their services and sets them free, and one could only ask a servant to do what one does oneself. Provision for their physical comfort is a requirement.

But how does one end up in the situation of becoming a servant in the first place? At the beginning of chapter 22, the Torah describes a case in which a person goes out to steal in secret. If they are caught and have neither the merchandise nor the funds to repay the victim, a third party pays for their servitude to repay the debt.

Rav Samson Raphael Hirsch explains this as a system of rehabilitation. Jewish law does not embrace long-term imprisonment. Rather, thieves are sent to work in repayment of a debt while living in a family setting. They remain with the family and learn the value of gainful employment. Then they are set free, to rejoin society as productive individuals.

Still, why is the law of thieves and their rehabilitation the first in Mishpatim, following the high of Mt. Sinai?

The Ohr Gedalyahu connects the ideals of Mt. Sinai to the root of so many of our mistakes, which are symbolized by theft. A person steals in secret, believing that no one is watching and/or that it doesn't really matter. But that is an error — they themselves know and HaShem knows.

And that behavior has an impact on the individual as well as society. We do what we do, whether it be lying, gossiping or resistance to engage a Jewish aspect of our lives, in denial of the greater effects. We lie to ourselves to ease the way.

There is an alternative means to deal with our own fallibility: self-honesty. We are people, not angels. Jewish tradition ascribes the greatness of humans to the fact that we do make mistakes, but rise to try again and ultimately to overcome.

But if we excuse them by saying "no one will know and it doesn't matter," then we close the door to self-improvement. If it doesn't matter, then we'll never bother to fix it. If we admit the truth instead, and say that we made a mistake and hope to fix it in time, then we stand a chance to make amends one day. And this may be why this rarely practiced but personally significant message comes after the pyrotechnics of Mt. Sinai. At Mt. Sinai, we accepted the Torah with fanfare and excitement. But what happens when we try to live it?

We make mistakes. This is normal. So the Torah followed up with the message of secret theft and its rehabilitation, to tell us that when we err, we should be honest with ourselves about it. It's OK. But if we can find it in ourselves to just be self-honest, then we can ultimately become the people that we want to be.

Rabbi Judah Dardik is the spiritual leader at Oakland's Beth Jacob. He can be reached at rabbi@bethjacoboakland.org.