

## D'var Torah on Parshat Mishpatim

By Erin Brodsky, 7<sup>th</sup> Grade

This week's Parsha, Mishpatim, contains many of the Torah's civil laws. These are laws that help people live peacefully with each other and create a civil society. I'd like to focus on the laws that apply when an animal kills a human being. What is the responsibility of the owner and what penalty does he receive? The Torah says:

"וְכִי יִגַּח שׁוֹר אֶת אִישׁ אוֹ אֶת אִשָּׁה וַיָּמָת סָקוֹל יִסָּקֵל הַשׁוֹר וְלֹא יֵאָכַל אֶת בְּשָׂרוֹ וּבַעַל הַשׁוֹר נָקִי":

*"If a bull gores a man or a woman who dies, the bull shall surely be stoned, and its flesh shall not be eaten, and the owner of the bull is clear."*

The Torah here is discussing a domesticated animal, like a cow or a sheep. The Talmud explains that these animals are usually calm and do not attack. For this reason the owner is not responsible. He was not negligent when he did not lock up his animal. However, if an aggressive animal attacked a person, the owner would be responsible.

The other part of the law is that the usually calm animal who killed a person is killed. It is hard to understand why the animal is killed. It was just acting like an animal. Right? It didn't do anything evil!

Perhaps, this is to prevent the animal from killing more people. Ramban (Nachmanides) explains that this will deter animal owners from being negligent with their animals and fewer animals will kill.

The most profound explanation, I think, is offered by Ibn Ezra and Rabbi S.R. Hirsch. The Torah makes it clear that human life is more important than animal life. Human beings have "Nefesh Chaya", a living soul, and "Neshama", a breath of Godliness. Animals have "Nefesh Chaya" but do not have "Neshama". Some people think that animal life is just as important as human life. But, the Torah teaches that animals are for our humane use. An animal that killed a human being is killed because it is inappropriate for the animal to continue to exist if it so extremely violated its purpose for existence. Also, this law sends a message about the sanctity of human life. If an animal kills a human being, it does not deserve to live on Earth.

The takeaway message from this law is how important our lives are. We should not waste our lives. The Mitzvot in the Torah are the best way to live our lives to the fullest.