This week's parashah, *Mishpatim*, follows the ecstasy of the thunder and lightening at Mt. Sinai with the particulars of what holy community requires long-term: rules, boundaries, norms. Some of these are very concrete: how to fairly treat servants, the correct restitution for accidental and deliberate civil damages, laid out in great specificity over Chapter 21 and 22 of Exodus.

In Chapter 23, the text changes from discussing specific rules and consequences to discussing more general principles, including the prohibition of oppressing the stranger that I wrote about in This Week at TBI. The first verse of the chapter has the line, "You shall not carry false rumors." And a few verses later, verse 7 commands, "keep far away from a false matter."

The difficulty discerning truth from falsehood; the difficulty of staying on the side of truth predates our era of "alternative facts." The human propensity to lie is even imagined to have been foreseen prior to the creation of humans. There is a whimsical midrash in Genesis Rabbah, Chapter 8, section 5, that imagines God consulting with the angels about whether or not to create humans at all. The angels argue about whether it will be worth it: The angel of Loving-kindness says, "Create them – they will do deeds of lovingkindness," while the angel of truth objects – do not create them – they will be nothing but falsehood!"

Even as the midrash imagines that we are basically incapable of truth, we are commanded nonetheless to make the effort. And that commandment is intensified in both negative and positive forms. The opening verse of this chapter, "Do not carry false rumors," is not enough. We are commanded to positively, proactively, "keep far away from any falsehood."

This would make it seem that truth in the sense of verifiable fact is the highest value, but it is not. The prohibitions against Lashon Hara – evil gossip or slander – apply to speaking unkind truths as well as falsehoods. There are falsehoods that can do good, what we would refer to as "white lies," and truths that are better left unspoken. Our text in this parashah, adamant as it is, does not directly define what it means by "falsehood."

We must look a little more closely at the context of these verses in order to understand the Torah's intention. Both the negative commandment in verse 1 – "do not carry false rumors" and the positive commandment in verse 7 – "distance yourself from falsehoods" go on to describe a context of testimony in the justice system, with a prohibition on bearing false witness that would lead to sentencing the innocent to death. Verse 8 explicitly prohibits accepting bribes, and verse 9 is the prohibition against oppressing the stranger.

So we see that Torah is particularly concerned with the kind of falsehood that could cause lasting harm to an innocent person. The first verse prohibits speaking it, and the second version exhorts us to do everything possible not to be complicit in it. This prohibition extends even to situations where someone might technically be speaking fact, but presenting it in a way that will lead to false conclusions.

On Wednesday, I sent to the community an article by our own member Paul Slovic who illustrates an unfortunately perfect example of this problem. In his article, "The Psychological Trick Behind Trump's Misleading Terror Statistics," he acknowledges: "we can be confident that an individual convicted of terrorism-related charges in a U.S. federal court is foreign born (a probability of about 75 percent)."

But he points out that that statistic is rationally meaningless, because, with 41 million foreign-born people in the US, and 549 acts of international terrorism over 15 years, “if an individual is foreign born, the likelihood that the person has engaged in terrorism-related activities is nearly zero.”

He adds, “Even though the numbers are vastly different, people often treat these two types of statements about probability as though they are equally valid. Psychologists call this an inverse fallacy. It arises from natural human tendencies in responding to risk.

One issue is that inverted probability statements sound the same. The “likelihood of a terrorist being an immigrant” uses almost the same words as the “likelihood of an immigrant being a terrorist.” Without carefully reflecting on the validity of such claims, people might not appreciate the difference between phonetically similar phrases.”

Slovic uses the phrase, “Statistical lie,” to refer to the assertion that 3 in 4 terrorist attacks are perpetrated by immigrants – while technically true, it doesn’t actually communicate risk in a meaningful way, and only serves to stoke fear against a large group of vulnerable people.

Reading Slovic’s article made me realize that the proximity of the verses prohibiting falsehood with the verse warning us against oppressing the stranger is not coincidental. Rabbi Shai Held teaches: “By *ger*, stranger, the Torah means one who is an alien in the place where he lives—that is, one who is not a member of the ruling tribe or family, who is not a citizen, and who is therefore vulnerable to social and economic exploitation.”

The “ger,” in any context, is especially susceptible to the consequences of false testimony in a system that is already set up to mistrust those who are different. And in the case of the discourse against immigrants, the acceptance of falsehoods does truly condemn innocents to death – as refugees and asylum seekers are denied safe harbor, and undocumented individuals are torn from their families and sent away with no regard for the safety of their destinations. There is currently an initiative petition to get a measure on the ballot next year to repeal Oregon’s sanctuary law, and it’s proponents are using statistical lies about the dangers of the immigrant community in Oregon to drum up support.

Torah at its best exists to elevate the best in human nature and to provide a counterweight to the worst impulses in our nature. By demanding that we keep far from falsehoods, and placing that demand in proximity with the prohibition not to oppress the stranger Parashat Mishpatim reminds us that even though “not oppressing the stranger,” sounds like a fairly simple negative commandment, it is one which we are called actively to pursue. We pursue it by rejecting falsehoods about the “other,” vocally and firmly, whenever they crop up in the discourse or in our own minds – whether they are outright lies, or the perhaps more insidious statistical lies that Slovic describes.

We have had multiple meetings at this synagogue over the past few months to discuss anti-Semitism. The tropes of the evil Jewish conspiracies are arguably some of the oldest and most widespread international falsehoods, and we will continue to discuss in this community how we can vigilantly work against them. But we must be just as vigilant to speak truth in defense of other vulnerable populations – Torah commands it, and justice commands it.