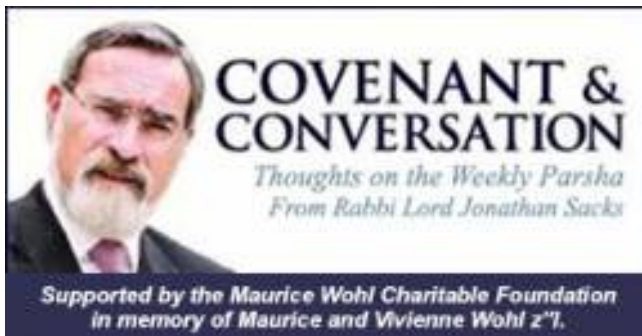


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Vision and Details

Our parsha takes us through a bewildering transition. Until now in Shemot we have been carried along by the sweep and drama of the narrative: the Israelites' enslavement, their hope for freedom, the plagues, Pharaoh's obstinacy, their escape into the desert, the crossing of the Red Sea, the journey to Mount Sinai and the great covenant with God.

Suddenly, now, we find ourselves faced with a different kind of literature altogether: a law code covering a bewildering variety of topics, from responsibility for damages to protection of

property, to laws of justice, to Shabbat and the festivals. Why here? Why not continue the story, leading up to the next great drama, the sin of the golden calf? Why interrupt the flow? And what does this have to do with leadership?

The answer is this: great leaders, be they CEOs or simply parents, have the ability to connect a large vision with highly specific details. Without the vision, the details are merely tiresome. There is a well-known story of three men who are employed cutting blocks of stone. When asked what they are doing, one says, "Cutting stone," the second says, "Earning a living," the third says, "Building a palace." Those who have the larger picture take more pride in their labour, and work harder and better. Great leaders communicate a vision.

But they are also painstaking, even perfectionist, when it comes to the details. Edison famously said, "Genius is one percent inspiration, ninety-nine percent perspiration." It is attention to detail that separates the great artists, poets, composers, film-makers, politicians and heads of corporations from the merely average. Anyone who has read Walter Isaacson's biography of the late Steve Jobs knows that he had an attention to detail bordering on the obsessive. He insisted, for example, that all Apple stores should have glass staircases. When he was told that there was no glass strong enough, he insisted that it be invented, which it was (he held the patent).

The genius of the Torah was to apply this principle to society as a whole. The Israelites had come through a transformative series of events. Moses knew there had been nothing like it before. He also knew, from God, that none of it was

accidental or incidental. The Israelites had experienced slavery to make them cherish freedom. They had suffered, so that they would know what it feels like to be on the wrong side of tyrannical power. At Sinai God, through Moses, had given them a mission statement: to become "a kingdom of priests and a holy nation," under the sovereignty of God alone. They were to create a society built on principles of justice, human dignity and respect for life.

But neither historical events nor abstract ideals - not even the broad principles of the Ten Commandments - are sufficient to sustain a society in the long run. Hence the remarkable project of the Torah: to translate historical experience into detailed legislation, so that the Israelites would live what they had learned on a daily basis, weaving it into the very texture of their social life. In the parsha of Mishpatim, vision becomes detail, and narrative becomes law.

So, for example: "If you buy a Hebrew servant, he is to serve you for six years. But in the seventh year, he shall go free, without paying anything" (Ex. 21:2-3). At a stroke, in this law, slavery is transformed from a condition of birth to a temporary circumstance - from who you are to what, for the time being, you do. Slavery, the bitter experience of the Israelites in Egypt, could not be abolished overnight. It was not abolished even in the United States until the 1860s, and even then, not without a devastating civil war. But this opening law of our parsha is the start of that long journey.

Likewise the law that "Anyone who beats their male or female slave with a rod must be punished

if the slave dies as a direct result" (Ex. 21:20). A slave is not mere property. He or she has a right to life.

Similarly the law of Shabbat that states: "Six days do your work, but on the seventh day do not work, so that your ox and your donkey may rest, and so that the slave born in your household and the foreigner living among you may be refreshed" (Ex. 23:12). One day in seven slaves were to breathe the air of freedom. All three laws prepared the way for the abolition of slavery, even though it would take more than three thousand years.

There are two laws that have to do with the Israelites' experience of being an oppressed minority: "Do not mistreat or oppress a stranger, for you were strangers in Egypt" (Ex. 22:21) and "Do not oppress a stranger; you yourselves know how it feels to be foreigners, because you were foreigners in Egypt. (Ex. 23:9).

And there are laws that evoke other aspects of the people's experience in Egypt, such as, "Do not take advantage of the widow or the fatherless. If you do and they cry out to me, I will certainly hear their cry" (Ex. 22:21-22). This recalls the episode at the beginning of the Exodus, "The Israelites groaned in their slavery and cried out, and their cry for help because of their slavery went up to God. God heard their groaning and he remembered his covenant with Abraham, with Isaac and with Jacob. So God looked on the Israelites and was concerned about them. (Ex. 2:23-25).

In a famous article written in the 1980s, Yale law professor Robert Cover wrote about "Nomos and

Narrative." By this he meant that beneath the laws of any given society is a *nomos*, that is, a vision of an ideal social order that the law is intended to create. And behind every *nomos* is a narrative, that is, a story about why the shapers and visionaries of that society or group came to have that specific vision of the ideal order they sought to build.

Cover's examples are largely taken from the Torah, and the truth is that his analysis sounds less like a description of law as such than a description of that unique phenomenon we know as *Torah*. The word "Torah" is untranslatable because it means several different things that only appear together in the book that bears that name.

Torah means "law." But it also means "teaching, instruction, guidance," or more generally, "direction." It is also the generic name for the five books, from Genesis to Deuteronomy, that comprise both narrative and law.

In general, law and narrative are two distinct literary genres that have very little overlap. Most books of law do not contain narratives, and most narratives do not contain law. Besides which, as Cover himself notes, even if people in Britain or America today know the history behind a given law, there is no canonical text that brings the two together. In any case in most societies there are many different ways of telling the story. Besides which, most laws are enacted without a statement of why they came to be, what they were intended to achieve, and what historical experience led to their enactment.

So the Torah is a unique combination of *nomos* and narrative, history and law, the formative

experiences of a nation and the way that nation sought to live its collective life so as never to forget the lessons it learned along the way. It brings together vision and detail in a way that has never been surpassed.

That is how we must lead if we want people to come with us, giving of their best. There must be a vision to inspire us, telling us why we should do what we are asked to do. There must be a narrative: this is what happened, this is who we are and this is why the vision is so important to us. Then there must be the law, the code, the fastidious attention to detail, that allow us to translate vision into reality and turn the pain of the past into the blessings of the future. That extraordinary combination, to be found in almost no other law code, is what gives Torah its enduring power. It is a model for all who seek to lead people to greatness.

1. Robert Cover, 'Nomos and Narrative,' Foreword to the Supreme Court 1982 Term (1983), Yale Faculty Scholarship Series, Paper 2705; http://digitalcommons.law.yale.edu/fss_papers/2705.



Upwardly Mobile

Every society seems to have its "desirables" and "undesirables," mainstreamers versus outliers. Sometimes it is the "haves" and the "have-nots;"

rich as opposed to poor; upper class, working class, or criminal class; natives as opposed to newcomers or strangers. For most of history, people were labeled at birth; more often than not, you were born into a particular social stratum, and you left this world in much the same condition as you arrived. Mobility between classes and castes was rare, if not impossible.

One of the interesting themes in Parashat Mishpatim is the treatment of the "other." The opening verses of the parashah (Shmot 21:1-6) introduce the concept of the Jewish slave. Later in the parashah (Shmot 22:2), we are told that a thief who is unable to make restitution to his victims is to be sold, in order to generate funds for restitution to the victims. Rashi (Shmot 21:2) explains the former case - of a Jewish slave - by connecting it to the latter case: A person becomes a slave as a result of his own crimes. He is sold into slavery in order to repay the victims.

In the modern legal systems with which we are more familiar, convicted thieves are incarcerated. As a prisoner, he loses certain personal freedoms; he is supported by the state, and spends his time in the company of other unsavory characters. While the prospect of imprisonment may well serve as a deterrent, it often lacks the capacity to rehabilitate, and incarceration does nothing to redress the wrong which the victim has suffered. In contrast, in the penal system described in the Torah, the victim is compensated with the funds generated by the sale of the perpetrator, who is placed in a functional, normative environment, where, it is hoped, he can learn new methods of problem-solving and new modes of interpersonal behavior. This system offers hope for real change.

Rather than sentencing him to a cell where he runs a high risk of becoming a hardened criminal, the offender may be rehabilitated as he works off his debt.

The parashah goes on to present another situation involving slavery - one that is even more foreign to our modern sensibilities: A father sells his daughter into slavery. Needless to say, the entire concept is outrageous to us - but let us set aside our outrage for a moment as we try to understand the scenario and its implications.

Rashi (Shmot 21:8) reiterates the opinion recorded in the Talmud that the money which changes hands in this scenario is in lieu of a ring; the "transaction" in this case creates a marriage. In fact, the Torah stresses that this young girl is intended for marriage - either to the man who made the "purchase," or to his son. What the Torah is describing is what we would call an "arranged marriage."

The subtleties of this situation are often overlooked: The father who makes this sort of arrangement for his daughter is clearly in a less-than-optimal financial situation. On the other hand, the man who pays the dowry is clearly a person of greater means. Thus, in this "arranged marriage," the daughter of a poor family is catapulted out of poverty and into a wealthy family. The rigid lines between the socio-economic strata are crossed in a single leap - with no need for subterfuge, pretense, or social climbing. In so many societies, the only future for a girl born to a poor family was a life of servitude, but the Torah seems to create a process through which members of the wealthy class can become

acquainted with women who might otherwise have been considered "below their station." In the Torah's scenario, the result of this acquaintance can and should be marriage. If the intended groom chooses not to marry this woman, the Torah considers it a "betrayal" (Shmot 21:8). Should the "transaction" of an arranged marriage fail to result in actual matrimony, both the prospective groom and the girl's father are guilty of betraying their responsibility to this unfortunate, vulnerable young woman (see Rashi, *ibid.*).

Modern readers have a hard time getting past the word "slavery;" if they manage to suspend judgement momentarily, they soon bump up against the concept of arranged marriage. Perhaps, though, the best way to read this parashah is to look beyond the particular case and take a moment to appreciate how these laws result in the redistribution of wealth and the possibility of social mobility.

Parashat Mishpatim also has something to say about the non-Jewish slave, a person best described as an outsider both in cultural and economic terms. Even in this case, the Torah sees slavery as a process, not as a goal. The non-Jewish slave is on a fast track to conversion; from the process of slavery he emerges as a full-fledged Jew, with full rights and privileges. Moreover, the "master" may not physically mistreat the non-Jewish slave. Should he strike the slave and cause physical damage, the slave is granted not only freedom, but full recognition as a Jew. (Shmot 21:20-27) This person, who had been at the very bottom of the social order, is transformed into a convert - and thereby merits

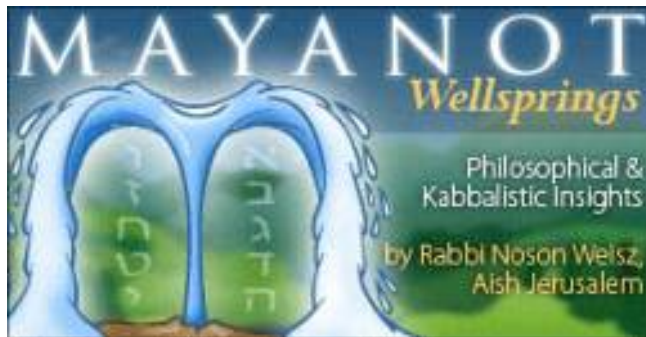
the very special status afforded to "Jews by choice" outlined in this parashah:

You shall not oppress a stranger, for you know the feelings of the stranger, having yourselves been strangers in the land of Egypt. (Shmot 23:9)

Over and over, the Torah calls upon us to empathize with the strangers in our midst - but that is only the tip of the iceberg. Rabbi Moshe Alshech understood this teaching somewhat differently: We were strangers in Egypt; more than that, we were idolaters. Culturally, religiously, economically and socially, we were the type of people that our present-day selves would find reprehensible. Remembering that we were slaves, strangers, untouchables, enables us to appreciate that people have the capacity to change, to rise above the misery of their present situation, station, or circumstance, and become something else. If we are able to look past the strangeness of Parashat Mishpatim's social order, we are able to see this very contemporary subtext: People can change. The social order is not preordained or immutable.

Viewed through a different lens, perhaps Parashat Mishpatim contains the raw material for a Jewish version of a fairytale ending: A poor girl from an impoverished family can become a princess. Desperate criminals can be rehabilitated, and can become productive members of society. The stranger can become "one of us." Having been slaves who become free people, having been poor and then finding wealth, having been idolaters who became Jews, we know that this is not a fairytale. This is the story of the Jewish People

who were liberated from Egypt. It is the story we are commanded to internalize and to teach our children.



Dale Carnegie With a Jewish Slant

We have already devoted a previous essay to the issue of the need for Torah Mishpatim – see [Clearing Up The Confusion](#). Mishpatim are laws that are devoted to civil relationships. They define personal liabilities and obligations regarding civil matters such as theft, personal injury, financial and marital obligations, labor employee relationships, contracts – in short, areas of law that are covered by the legal codes of all human civilizations.

Superficially, the sorts of laws and solutions that are proposed to deal with such situations are all equally valid. The important consideration behind such laws is not their specific contents, but their capacity to encompass the broadest possible range of problematic situations and to offer fair solutions that resolve the conflicts they engender. As long as they are comprehensive and

reasonable, any system would appear to be the equal of any other.

The Prominent Place Occupied By Mishpatim

Yet, Mishpatim occupy a prominent place in the pantheon of Torah laws. To emphasize their importance, many of them are listed in our parsha, which immediately follows the acceptance of the Torah on Mt. Sinai. Nachmonides (Exodus 21:1), points out that the Divine editorial decision to place them in such close propinquity to the Ten Commandments reflects God's attitude regarding the importance of their observance; the spiritual level of Israel in God's eyes is directly correlated with the dedication to their observance. We propose to explore some of the aspects of this dependency in this essay.

Let us begin with the thesis that Nachmonides himself presents. Mishpatim are important as they spell out in detail the requirements of the proper observance of the Tenth commandment, *You shall not covet your fellow's house. You shall not covet your fellow's wife, his manservant, his maidservant, his ox, his donkey, nor anything that belongs to your fellow.* (Ibid., 20:14) Explains Nachmonides: the observation of this commandment requires a clear demarcation of what belongs to a fellow Jew in all these areas; it must be clear that this is his house, his wife etc.

The Tenth Commandment As An Expression Of The First

Rabbi Chaim Vital, the student of the Ari, expands this explanation: spiritual matters are

arranged in groups of ten reflecting the ten *Sefirot* – in all such arrangements the first nine levels always find their clearest outward expression in the tenth. Thus, the level of his observance of the tenth commandment faithfully reflects the degree of a Jew's acceptance of the first commandment, which obligates him to conduct his life in a way that reflects his belief in an all-powerful God.

If he believes in an all knowing, all-powerful God, he will regard the division of assets in the world as divinely ordained. The things that belong to his friend were designated by God to be his friend's rather than his. To actively covet someone else's possessions is tantamount to questioning God's judgments, and demonstrates a lack in the acceptance of the first commandment.

How Human Lives Are Arranged By Providence

We can further expand our understanding of this idea with the help of Rabbi Moshe Chaim Luzatto's exposition on the workings of Divine Providence. (Derech Hashem Ch. 2:3) God sends us all down to this world to work on our characters and thus correct our spiritual defects. Every individual is placed in the particular life situation by Divine Providence that will compel him to contend with the very defects in character that he was sent down here to correct.

Someone who was born to correct the traits of cruelty and haughtiness will either be born with a silver spoon in his mouth or acquire wealth. Rich people are constantly bombarded by pleas for their assistance and have to struggle with their instinct not to be bothered and not to give. In

addition, as people who need to apply to their generosity tend to flatter and praise them, they are also forced to battle with the natural human tendency towards pride and haughtiness.

On the other hand, others were sent to the world to contend with the tendency to self-pity and bitterness. They are born poor or become so, and have to maintain a cheerful attitude in the face of the vicissitudes of their lives, and accept their lot as God given and not blame it on other people or the injustice of society.

Isn't The Observance of Mitzvot the Purpose of Life?

But doesn't this contradict the idea that our purpose in life is to observe Torah? The answer, of course, is that there is no contradiction at all. We work on our characters by observing the laws of the Torah. The rich man is not obligated under Torah law to share all his wealth. He is obligated to give away ten percent to charity. It is commendable of him if he gives twenty. That is his Torah obligation; the Mitzvah of *Tzedaka* is the guide to the proper level of generosity the Torah deems appropriate in the human character.

As the rich man's obligation to perform his Mitzvah encompasses within it the need to perform it cheerfully and with a smile, he can take pride in his acts of generosity only as much as anyone takes pride in the proper observance of their duties and obligations. Everyone has duties and obligations which correspond to the situation in which they were placed by the decisions of Providence. Each person must fulfill his situation related Torah obligations cheerfully and with a

smile. There is nothing special in the rich man's situation in this regard, and therefore there is no room for the development of haughtiness. Giving *Tzedaka* is his obligation.

On the other hand, the poor man is forbidden to speak badly of his more advantaged fellow by the laws of *lashon hora*. He cannot sink into the morass of self-pity as he must go on about his life despite the difficulties of his situation carrying out his other Torah obligations to the letter. If he has a job, he is commanded to carry it out to the best of his ability, giving full, honest return for the compensation offered. The Torah does not allow him to undermine his firm out of a sense of bitterness or exploit his employer by taking time off or malingering on the job or by indulging in petty theft [private phone calls on the office line etc.] even if such practices are commonly accepted by the culture of his workplace.

Mishpatim As Character Builders

In fact, it is in this area, the molding and shaping of the human character, that we must look to discover the significance of Mishpatim. It is only the existence of Mishpatim that makes the sculpting of the human character a free will exercise.

To appreciate how this must be so, let us place ourselves in the situation of the secular person who doesn't enjoy the privilege of having been issued with Torah Mishpatim which he is obligated to obey.

Secular Tzedaka

John is a wealthy man who is always being approached by people for various causes. John is a nice man, who really wants to help, but he is at a disadvantage when it comes to positive character transformations. He has no absolute standard to guide him. Thus when he is faced with having to make choices in those areas where his generosity is tested, he only has his feelings to follow. When he feels like responding and offering a helping hand he does, and when he doesn't feel like it he doesn't. The very idea of surmounting his feelings is a non-starter. Why would he? What standard could guide him to such conduct?

Human feelings are the final results of a combination of complex inputs: John's sense of right and wrong, which were instilled by the moral education provided by his parents and society, his level of cynicism concerning the motivations his fellow human beings who are after his money which are largely based on his experiences to date, how he is feeling that day and how the market is doing. These are only some of the inputs that determine the feelings that any petition calling for a demonstration of his generosity will generate. Moreover the contribution of any of these factors will vary from individual to individual.

There Are No Secular Character Choices

Without a Divine standard, there are no real choices. None of us can program ourselves how to feel about situations or people in the short run,

and we have no meaningful alternative to acting upon the feelings we experience. We are therefore effectively unable to change our characters through making our own independent free will choices. That is not to say that our characters remain static. We are all transformed by what we do – our actions transform us and they automatically become a part of the pool of our experiences that shape our characters and our feelings.

All human actions are taken in response to life situations that arise spontaneously. Because our feeling responses to these situations are the results of our prior programming as explained above, and because the responses we make automatically reshape our characters, it is life that forms and shapes our character in the final analysis. It is not we who shape ourselves.

Mitzvot Add The Free Will Dimension To Character Formation

But now let us contrast this with the situation of the Torah observant Jew who is obligated to observe Mishpatim by looking at the way the same sort of situation that confronted John will affect Reuben. Reuben is also a nice man, who has feelings based on the same sort of phenomena that shaped John's. But Reuben also has Mishpatim. When someone approaches Reuben for help, he is faced with a genuine choice. On the one hand, he has a feeling about how to respond. But on the other hand, there is an objective Torah law written by God Himself that applies to his

particular situation which indicates how to respond to the situation in the Torah way.

Reuben is therefore confronted with the following choice. Should he follow his own feelings in choosing his response, or should he follow the Torah response? When he faces this choice, Reuben is also armed with the information that he was sent into the world to reshape his character according to the standards set forth by the Torah. If Reuben takes this task to heart, he will ignore or suppress his own feelings and carry out the Torah directed response. As all actions shape character, his action will transform his character in the direction approved by God. Thus, through making a choice between the two alternative guides to behavior – his feelings on the one hand, and Mishpatim on the other – Reuben is in a position to transform his character through the exercise of free will.

If he chooses to follow his own feelings, he transforms his character in a negative way from a Torah standpoint, whereas if he elects to follow the Torah response, he is carrying out his mission in the world and correcting his character in line with the Torah's dictates. Unlike John, Reuben will be held to account on judgment day for the shape of his character. In contrast to John, God offered Reuben free will choices in the area of character formation. He gave him Mishpatim.

The Secular Cannot Be Held Accountable For Character

But John, having been given no absolute standard to follow, has no meaningful choices to make in this area. In the absence of meaningful

alternatives, it is a given that he will act on his feelings, and therefore he will never be held to account for the shape of his character. This makes it clear that the formation of character cannot be the purpose of John's life. You cannot ask anyone to do any job for which you do not supply him with the tools to accomplish. It is little wonder that many secular thinkers maintain that character is destiny and find the concept of free will difficult to accept. If you have no standard by which to reshape your character you are inevitably compelled to follow the lead of your feelings, and these are the products of your experiences rather than your choices.

But there are deeper ramifications to these ideas. As the secular person follows man-made laws in the civil areas of life that were fashioned to solve social problems, he naturally does not regard the civil law as a guidepost to proper human behavior. The legal system is there to organize society and to settle disputes, and was never designed to serve as a guide to proper moral behavior. As such, it is totally unrelated to issues of character and there is little point to studying it or knowing it. The secular person only turns to the law when he needs to settle a dispute with his fellow, and then only if no compromise solution can be arrived at.

The Need To Study Mishpatim

But the Torah observant Jew must learn and know the Mishpatim of the Torah. While Torah Mishpatim are also employed to settle disputes, that is not their main function or purpose. The Torah Jew studies Mishpatim to know how to observe the Tenth commandment properly. He

needs to know the demarcation line between what is clearly his and what is clearly his friend's, and to define the middle zone where he is morally allowed to compete with his friend over the acquisition of assets.

Jews study Mishpatim because it is only through the vehicle of Mishpatim that they can reshape their characters in line with God's prescription. Inasmuch as correcting one's character defects is the primary purpose of human life, the study and knowledge of Mishpatim is an absolute essential of leading a meaningful and productive life.

The stereotype of the Talmud student who spends his time passionately arguing over subtle nuances of Torah law begins to assume some coherence. To fully appreciate him and his activities we must explore yet another area of life that is transformed by the existence of Mishpatim.

Mishpatim Transform Human Contacts

We human beings spend a lot of time in each other's company. Because we are intelligent communicators, in effect this means we spend a lot of time talking to each other. But we often do not have much to talk about. No one can begin to discuss deep personal issues that reach to the depth of his soul with a relative stranger. First of all, revelation makes one vulnerable, and even more importantly, no one is particularly interested in gazing deeply into the soul of relative strangers.

Consequently, much light conversation concerns politics, sports or the weather, or tends to center around job conditions and co-workers. This may

be boring but allows civilized contact to continue. When it is not boring it often borders on *lashon hora*, gossip. Almost inevitably, casual acquaintances begin playing human geography. They discuss bosses, co-workers, teachers or fellow students, and the discussion often descends to gossip, or *lashon hora*.

We Jews share this need for human contact with the rest of humanity. But God gave us a better solution to solve the problem of casual conversation. If we all had the benefit of a basic Torah education, we would all be quite familiar with the basic Talmud tractates which focus on Mishpatim. The traditional wisdom of the ages has assured that it is this area of the Torah that we focus on during the basic education period.

Theoretically, in a properly arranged Jewish world, instead of discussing sports or the weather, or playing Jewish geography, we Jews would debate concepts in Mishpatim. Instead of having to conduct boring conversations, we would be in the enviable position of being able to engage in heated discussions about deep ideas affecting the human character with relative strangers. Instead of gossip, the air would be filled with the sounds of heated debate over basic human issues. If we were fortunate, we might someday be in a position to resurrect that much-ridiculed stereotype of the Talmudic scholar.



The Problem Is In The Ear

Six years is more than enough for a Jew to be an *eved Ivri*, an indentured servant to another Jew. But what if he likes the comfort and security of a life of servitude? Can he stay? The Torah describes a process by which this can be accomplished. The owner drills his ear near the doorpost, and then he can remain with him in perpetuity until the *Yoveil* year interrupts his servitude.

Why is his ear drilled? The Talmud explains (Kiddushin 22b) that this is the ear that heard Hashem say on Mount Sinai, "*Avadai heim*. They are My servants." Therefore, if he chooses to remain in servitude, his ear is pierced.

The Sfas Emes is puzzled. Why is the *ear* pierced? Why not the brain? Why not the heart? After all, the brain and the heart make all the decisions. The ear is but one of their tools, their receptors of information. Why does the ear take on such disproportionate importance here?

The problem, explains the Sfas Emes, really is in the ear, because Hashem's message never reached the brain; it remained in the ear. This man may have heard Hashem state on Mount Sinai, "They are My servants." But the import of the words

never penetrated to his brain and heart. He never really gave them much consideration. He never viewed himself as Hashem's servant, and therefore, he saw no conflict in becoming the servant of another man.

Rabbi Michel Twerski of Milwaukee, a practicing rabbi and psychologist, pointed out to me that patients in therapy can often discuss a problem and see the solution but they just cannot implement it. They hear what needs to be done, but it does not penetrate to their brain. They cannot translate it into a personal reality. Rabbi Twerski believes that we have become a spectator society. People are conditioned by movies and television to become spectators to the point that they view even their own lives as soap operas. They see the problems, they even see the solutions, but they have no real control. They cannot act to improve their lives and change what is going on in their lives any more than they can change what is happening on the screen. The problem is in the ear.

WIDOWS AND ORPHANS

No one ever heard the Chafetz Chaim say, "That person is talking *lashon hara*. He is going to get it!" No one ever heard him say, "Look at that person desecrating the Sabbath. He is going to be punished." But when it came to widows and orphans, it was an altogether different story.

During the years when the Cantonist decrees were in force in Czarist Russia, Jewish children were conscripted into the Russian army for twenty-five-year terms. A good many of them did not survive the rigors at all, and among those who did

manage to survive, only a handful remained loyal, observant Jews; it was next to impossible to remain observant in the Russian army for one year, let alone twenty-five.

Not every Jewish child was forced to go to the army. There was a quota of Jewish conscripts, and when it was filled the recruiters left, not to return until the following year. Parents would do anything to protect their children from the draft. Heavy bribes often exchanged hands before a child was exempt. A good proportion of the conscripted children were, therefore, orphans who had no one to fight or offer bribes on their behalf.

One time, a wealthy Jewish butcher bribed an army officer to take an orphan rather than his son. When the Chafetz Chaim heard this story, he said, "Wait and see. This man will be punished severely. He will pay a heavy price for what he has done." Thirty years later, the butcher's son came down with cholera and died. The *Chevrah Kaddisha* was afraid to touch the contaminated body for fear of the contagious disease. The butcher had to dig the grave and bury his son with his own hands.

Why was the Chafetz Chaim so emphatic about the retribution of the butcher who had tormented an orphan when he was never so emphatic regarding other serious sins?

The answer is explicit in the Torah (22:21-23). "Do not torment any widow or orphan. If you surely afflict him, then if he surely cries out to Me, I will surely hear his outcry. Then My anger will flare, and I will slay you by the sword, then your wives will be widows and your children orphans."

The Rambam writes (*Yad, Hilchos De'os* 6), "One must be heedful of orphans and widows ... because punishment is spelled out in the Torah ... Hashem made a special covenant with widows and orphans that He will respond to them whenever they are tormented and cry out."

The Kotzker observes that all the verbs in the verse appear in the emphatic double form. "If you surely afflict (*aneh se'aneh*) him, then if he surely cries out (*tza'ok yitz'ak*) to Me, I will surely hear (*shamoa eshma*) his outcry." This indicates that tormenting widows and orphans inflicts twice the normal pain. Every taunt, every jibe not only inflicts humiliation, it also reminds them of their earlier loss, that there is no one to come to their defense. The orphan can think, perhaps if I had a father I would not be treated like this. The widow can think, perhaps this would not be happening to me if my husband were alive. Hashem hears both levels of the torment, and He responds with an appropriate punishment to the tormentor.

Rav Chaim Ozer Grodzinski was the Rav of Vilna and author of the classic *Achiezer*. He was also the active leader of Lithuanian Jewry the world over. "For years, I thought my entry to the World to Come would be my *Achiezer*," he used to say when he was an old man. "However, now I believe it is the money I raised for widows and orphans throughout Europe that will get me into the World to Come."

Rav Yechezkel Abramsky, the brilliant author of *Chazon Yechezkel* and head of the London rabbinical court, spoke about this topic when he eulogized Rav Chaim Soloveitchik, the Rav of Brisk. "Rav Chaim was a very humble man," said

Rav Abramsky. "He always referred to himself as simply Chaim Soloveitchik when he introduced himself or when he signed letters, never as the Rav of Brisk. Except for one occasion. He once heard that a certain widow in Brisk was depressed, and he decided to pay her a visit to cheer her up. When he was still a block away from the widow's house, he sent his attendant ahead with instructions to tell the widow that 'Rav Chaim Soloveitchik, the Brisker Rav, the Chief Justice of Brisk is coming.' To make a widow feel important, Rav Chaim was willing to forgo his natural modesty and use his full title. Otherwise, never."

Rav Abramsky himself was also outstanding in his treatment of widows and orphans. In the last year of his life, when he was already in his frail 90's, he was at his table on Friday night when a widow came to visit his *rebbezin*. Rav Abramsky rose from his chair, walked over to the widow and said, "Good Shabbos." He then got a coat from the closet and showed it to the widow, "They just bought me this coat. What do you think? Is it a nice coat?" Amazing! Did Rav Abramsky, a man in his 90's, one of the great men of the generation, care very much about his new coat? All he wanted was to find something kind to say to a widow, something that would make her feel recognized and important.

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