

MISHPATIM- RACHMANUS IN OUR TOTAL BEINGS
[FROM THE AHAVAS SHOLOM OF KOSSOV]

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Shemos 22:20-23 discusses the prohibition of causing any type of pain to widows and orphans. While it is forbidden to cause pain whether physical or emotional to anyone, the Torah underscores strangers, widows and orphans more often because such individuals are more downtrodden and are hurt more easily. So we have to be exceedingly careful with how we deal all downtrodden individuals. However, it is striking how the Torah states that if you torment widows and orphans, Hashem will punish us with the sword and make own wives widows and orphans, *Chas veshalom*. Is this really *midah keneged midah*? After all, the ones affected did not do the tormenting. Moreover, the Torah specifically tells us in Devarim 24:16 that sons shall not be put to death for father's sins and fathers for the son's sins.

Perhaps the verses can be understood a little differently. The actual punishment is that Hashem will kill us with the sword. Chazal saw all types of pains, both physical and emotional as a form of death. So if we give pain to widows and orphans who are more sensitive it is like killing them, *chas veshalom*, in a lower form. So by sending the sword, Hashem is actually paying back the offenders *midah keneged midah*. The wives being widows and children being orphans is just a natural end result.

In general, these mitzvos teach us to be more sensitive and that is part of the total personality that the Torah trains us to build up within ourselves. At the end of the Laws of Slaves, the Rambam codifies that while there are many things that we can technically do to our Canaanite slaves that are cruel, nevertheless, we should not do them. This is because cruelty is found only among primitive people who worship idols. We are the children of Avraham Avinu to whom Hashem gave the Torah. We, as children of Avraham, are supposed to exhibit only warmth and compassion to all. We are to emulate our creator. Just as he is Compassionate, so should we be. Indeed, the entire purpose of our Torah is not just to make us into machines that obey orders but to be integrating Hashem's ways of warmth and kindness into our total personalities.

The Ahavas Sholom of Kossov points out the statement of Chazal that tells us if there are poor from one's own family they take priority over helping poor who are not relatives. Similarly, if there are poor in one's own community, they take priority over helping the poor of another community. While the needs of the entire poor community are legitimate, the Torah recognizes that there are often limited funds and a system of priorities needs to be in place. The Ahavas Sholom also points out that the word used for taking priority is *kodmin*. The root of *kodmin* is *kadam* which means to come before. The frequently word used for the opening chapter in a Torah work is *hakdama*. This *hakdama* is the gateway to understanding the thought process of the work head. Often reading the introduction helps us to comprehend the difficult concepts further on in the sefer. Similarly, Hashem knew that giving tzedaka would be difficult for many people. Human nature is such that when a person has money, he/she tends to be hesitant to give it away to one who is truly less fortunate. So Hashem made it so that one should first give to relatives who truly need so that the giving of the tzedaka would seem more natural. Similarly, one feels a closer affinity to those from one's community and would be more ready and willing to them. While we argue that this should not be, nevertheless this is human nature. However, the Ahavas Sholom states that when one is accustomed to giving tzedakah, he/she becomes more open to give more and to do away with the selfishness and the feeling, "I worked for the money so it is mine." The giving of tzedakah to one's relatives and one's own community is the *hakdama* to giving tzedakah in general. By being habituated to giving, one develops the sense that the money that one has is Hashem's gift and a portion must go to the poor. Once this is ingrained into one's personality, giving in greater amounts and to other poor becomes second nature and incorporates extra *rachmnus* into our beings.