

Rabbi Gewirtz's D'var Torah for Parshat Mishpatim

Gemilut Chesed, loving kindness, is considered to be one of the foundations of a Divinely guided society and one of the ways that human beings can emulate G-d. Many of the Torah's mitzvot are opportunities to fulfill this prime ethic. But what about personal responsibility? Does the Torah direct us to try to provide for ourselves without relying on others?

This week's parsha, Mishpatim, contains a Mitzvah which speaks about the balance between the obligation to help those in need, and the responsibility to be as self-sufficient as possible and not merely rely on the *chesed* of others.

"כִּי־תִרְאֶה חֲמֹר שִׁנְאָה רֹבֵץ תַּחַת מְשָׂאוֹ וְהִדַּלְתָּ מֵעֲזָב לּוֹ עֲזָב תִּעְזָב עִמּוֹ:"

"If you see your enemy's donkey lying under its burden, would you refrain from helping him? You shall surely help along with him."

The Talmud in Tractate Bava Metzia 32a comments on the last three words in the verse:

"הלך וישב לו ואמר הואיל ועליך מצוה אם רצונך לפרוק פרוק פטור שנאמר עמו אם היה זקן או חולה חייב"

"If the owner went, and sat, and said to a passerby: Since there is a mitzvah incumbent upon you to unload the burden, if it is your wish to unload the burden, unload it, in such a case the passerby is exempt, as it is stated: "You shall release it along with him," with the owner of the animal. If the failure of the owner to participate in unloading the burden was due to the fact he was old or infirm, the passerby is obligated to unload the burden alone."

Rabbi Shlomo Ephraim Luntschitz, Chief Rabbi of Prague in the early 17th century, makes the following comment in his popular Torah commentary, Kli Yakar:

"ומכאן תשובה על מקצת עניים בני עמינו המטילים את עצמם על הצבור ואינן רוצים לעשות בשום מלאכה אף אם בידם לעשות באיזו מלאכה או איזו דבר אחר אשר בו יכולין להביא שבר רעבון ביתם, וקוראים תגר אם אין נותנים להם די מחסורם כי דבר זה לא צוה ה' כי אם עזוב תעזוב עמו הקם תקים עמו כי העני יעשה כל אשר ימצא בכחו לעשות ואם בכל זה לא תשיג ידו, אז חייב כל איש מישראל לסעדו ולחזקו וליתן לו די מחסורו אשר יחסר לו"

"This is a response to some of our people's needy individuals, who refuse to work although they are capable of bringing in some income and rely on the community for total support. Just as the Torah requires the owner of the donkey to participate together with the helper in the unloading of the donkey, similarly needy individuals must earn all they can while the Jewish community will contribute the remainder."

Implementing this balance between *chesed* and personal responsibility is no easy task. Helping the individual find suitable employment and motivating him in a loving and respectful manner to do his share are certainly required. Every person must be treated as the "*tzelem Elokim*" (Divine Image) that s/he is according to the principle "*V'Ahavta l'ray'cha kamocho*" (Love the other as oneself).