

Parshat Re'eh
A Blessing – Give or Take
Simon Wolf

One of the major themes of Sefer Devarim is the introduction of a practical national framework for the establishment of a nation of God in the land of Israel. This guidance includes a potpourri of both institutional and individual religious, civil and criminal obligations that facilitate Am Yisrael's transition from nomadic refugees into a resident nation. The major section of Mitzvot that comprise this goal begins in earnest in Parshat Re'eh and continues through a number of the subsequent Parshiyot until Parshat Ki Tavo. Amongst this nation building guidance is found one of the significant innovations of the Torah which is the creation of religious obligations that establish protections and a support system for those that are less fortunate. While the Torah does provide certain guiding mantras for institutions, the main mechanism for this welfare system is individual responsibility. In that vein, in the middle of the week's Parsha, sandwiched between the laws of Kosher animals and the three pilgrimage festivals (שלוש רגלים), is a series of Mitzvot that deal with the creation of a communal social safety net.

The first of those Mitzvot is the obligation to tithe (עֲשֵׂר תַעֲשֶׂר – מעשר שני), transport it to the place where God's presence is manifest and joyfully consume it there along with one's family before God.¹ This process the Torah explains will teach you to always fear God (לִמְעַן), presumably, (תִּלְמַד לִירְאָה אֶת־יְהוָה אֱלֹהֶיךָ כָּל־הַיָּמִים), because of the humbling experience of having to dedicate and transport ten percent of one's production towards a thanksgiving meal as an expression of gratitude to God for the bounty with which He has blessed the individual. The description of this Mitzva of Ma'aser Sheni seems to be a personal religious obligation governing the individual's relationship with God (הכרת הטוב), but that is somewhat upended with the closing verse which states "do not neglect or leave behind the Levi who lives in your community since unlike you

he has no portion or inheritance in the land (וְהַלְוִי (אֲשֶׁר־בְּשַׁעְרֶיךָ לֹא תַעֲזֹבֶנּוּ כִּי אֵין לוֹ חֵלֶק וְנַחְלָה עִמָּךְ."

This is followed by the need to disgorge all tithes accumulated over the three-year mini-cycle of the seven year Shemitta cycle.² In addition, there is a special tithe for the poor (מעשר עני) in the third year of this mini-cycle which in that year replaces the previously mentioned Ma'aser Sheni that is normally given. This tithe is dedicated to the "...Levi who has no portion or inheritance in the land, the convert, the orphan and the widow who live amongst you... (וְבֵא הַלְוִי כִּי אֵין־לוֹ חֵלֶק וְנַחְלָה עִמָּךְ) (וְהַגֵּר וְהַיְתוּם וְהָאֵלְמָנָה אֲשֶׁר בְּשַׁעְרֶיךָ וְאָכְלוּ וְשִׂבְעוּ."

After that, there is a requirement to release all outstanding loans in the Shemitta year.³ Based on the subsequent Parshiya, it would seem that these loans were extended as life-sustaining credit to poor people who were unable to afford basic life staples. The Shemitta year triggers a permanent debt collection moratorium on all these outstanding borrowings and essentially converts the loan into charity. This frees the poor person from the constant pressure of foreclosure, allows them to make a fresh start and experience a much needed economic reset. If the poor person undergoes a financial revival in the future, the suspended debt payment can be reinstated in order to repay and thank the person who so generously extended a helping hand when the situation was dire.⁴

Almost as a corollary to the Parshiya of debt forgiveness, the Torah then enjoins one to extend credit to those in need.⁵ "For there will never cease to be needy ones in your land, which is why I command you: open your hand to the poor and needy kinsman in your land." It continues by instructing one to not let the prospect of the upcoming debt waiver during the Shemitta dissuade the individual from making loans to those in need. The fact that the Torah advocates initiating the loan in the face of unlikely repayment suggests that it is encouraging one to take the perspective that this is a gentler form of charity; it is more palatable to the recipient because it is

¹ עֲשֵׂר תַעֲשֶׂר אֶת כָּל־תְּבוּאֹת זְרַעְךָ הַיֵּצֵא הַשָּׂדֶה שְׁנֵה שָׁנָה: וְאָכַלְתָּ לִפְנֵי יְהוָה אֱלֹהֶיךָ בְּמִקְוֹם אֲשֶׁר־יִבְחַר לְשֵׁכן שְׁמוֹ שֵׁשׁ מַעֲשֵׂר דֶגָןךָ תִירִשְׁךָ וְיִצְהָרְךָ וּבִכְרֵת בָּקָרְךָ וְצֹאנֶיךָ לְמַעַן תִּלְמַד לִירְאָה אֶת־יְהוָה אֱלֹהֶיךָ כָּל־הַיָּמִים: וְכִי־יִרְבֶּה מִמֶּךָ הָדָרְךָ כִּי לֹא תוּכַל שְׂאתוֹ כִּי־יִרְחַק מִמֶּךָ הַמִּקְוֹם אֲשֶׁר יִבְחַר יְהוָה אֱלֹהֶיךָ לְשׁוּם שְׁמוֹ שָׁם כִּי יִבְרַכְךָ יְהוָה אֱלֹהֶיךָ: וְנִתְּתָה בַבֶּסֶף וְצִרְתָּ הַכֶּסֶף בְּיָדְךָ וְהִלַּכְתָּ אֶל־הַמִּקְוֹם אֲשֶׁר יִבְחַר יְהוָה אֱלֹהֶיךָ בּוֹ: וְנִתְּתָה הַכֶּסֶף כָּל־אֲשֶׁר־תֵּאָוָה נִפְשֶׁךָ בְּבִקְרָה וּבְצִאֲנוּ וּבִיָּיִן וּבִשְׂכָר וּבְכֹל אֲשֶׁר תִּשְׁאָלֶנּוּ נִפְשֶׁךָ וְאָכַלְתָּ שָׁם לִפְנֵי יְהוָה אֱלֹהֶיךָ וְשִׂמַחְתָּ אִתָּהּ וּבֵיתְךָ: וְהַלְוִי אֲשֶׁר־בְּשַׁעְרֶיךָ לֹא תַעֲזֹבֶנּוּ כִּי אֵין לוֹ חֵלֶק וְנַחְלָה עִמָּךְ: (דברים יד, כב-כז)

² מִקְצָהוּ שְׁלֹשׁ שָׁנִים תּוֹצִיא אֶת־כָּל־מַעֲשֵׂר תְּבוּאָתְךָ בְּשָׁנָה הַהִוא וְהִנַּחְתָּ בְּשַׁעְרֶיךָ: וְבֵא הַלְוִי כִּי אֵין־לוֹ חֵלֶק וְנַחְלָה עִמָּךְ הַגֵּר וְהַיְתוּם וְהָאֵלְמָנָה אֲשֶׁר בְּשַׁעְרֶיךָ וְאָכְלוּ וְשִׂבְעוּ לְמַעַן יִבְרַכְךָ יְהוָה אֱלֹהֶיךָ בְּכָל־מַעֲשֶׂה יְדֶךָ אֲשֶׁר תַּעֲשֶׂה: (דברים יד, כח-כט)

³ מִקְצָע שְׁבַע־שָׁנִים תַּעֲשֶׂה שְׁמִטָּה: זֶה דְבַר הַשְּׁמִטָּה שְׁמוֹת כָּל־בְּעַל מִשָּׁה יָדוּ אֲשֶׁר יִשֶׁה בְּרַעְיוֹ: לֹא יִגֵּשׁ אֶת־רַעְיוֹ וְאֶת־אֲחִיו כִּי־יִקְרָא שְׁמִטָּה לִיקְוֹ: אֶת־הַנִּקְרִי תִגַּשׁ וְאֲשֶׁר יִהְיֶה לָךְ אֶת־אֲחִיךָ תִשְׁמַט יְדֶךָ: אָפֶס כִּי לֹא יִהְיֶה־בְּךָ אֲבוֹיִן כִּי־בְּרַךְ יְהוָה בְּאַרְצְךָ אֲשֶׁר

יְהוָה אֱלֹהֶיךָ נִתְּנָה לְךָ נַחְלָה לְרַשְׁתָּהּ: רַק אִם־שָׁמוּעַ תִּשְׁמָע בְּקוֹל יְהוָה אֱלֹהֶיךָ לְשַׁמֵּר לַעֲשׂוֹת אֶת־כָּל־הַמְצוּוֹת הַזֹּאת אֲשֶׁר אֲנִי מְצַוֶּה הַיּוֹם: כִּי־יִקְוֶה אֱלֹהֶיךָ בְּרַכְךָ כַּאֲשֶׁר דִּבַּרְתָּ לְךָ וְהַעֲבַטְתָּ גּוֹיִם רַבִּים וְאֶתְּהָ לֹא תַעֲבֹט וְנִשְׁלַחַת בְּגוֹיִם רַבִּים וּבָךְ לֹא יִמְשָׁלוּ: (דברים טו, א-ו)

⁴ הַמַּחְזִיר חוֹב בְּשִׁבְעִית יֵאמַר לוֹ מִשְׁמַט אֲנִי אֵמַר לוֹ אַף עַל פִּי כִן יִקְבַל מִמֶּנּוּ שְׁנֵי דְבָרִים (טו, ז) וְזֶה דְבַר הַשְּׁמִטָּה...הַמַּחְזִיר חוֹב בְּשִׁבְעִית רוּחַ חֲכָמִים נוֹחַ מִמֶּנּוּ... (משנה שביעית טו, ח-ט)

⁵ כִּי־יִהְיֶה בְּךָ אֲבוֹיִן מֵאֲחִיךָ אֲחִיךָ בְּאֶרֶץ שַׁעְרֶיךָ בְּאַרְצְךָ אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נִתְּנָה לָךְ לֹא תִאֲמָץ אֶת־לִבְבְךָ וְלֹא תִקְפֹּץ אֶת־יְדֶךָ מֵאֲחִיךָ הָאֲבוֹיִן: כִּי־פִתַח תִּפְתַּח אֶת־יְדֶךָ לוֹ וְהַעֲבַט תַּעֲבִיטֶנּוּ דִי מַחְסוֹ אֲשֶׁר יִחְסַר לוֹ: הַשְּׁמֵר לָךְ פִּי־יְהוָה דְבַר עַם־לְבָבְךָ בְּלִיעַל לֵאמֹר קָרַבָה שְׁנַת־הַשְּׁבַע שְׁנַת הַשְּׁמִטָּה וְרַעַה עֵינֶךָ בְּאֲחִיךָ הָאֲבוֹיִן וְלֹא תִתֵּן לוֹ וְקָרָא עֲלֶיךָ אֶל־יְהוָה וְהָיָה בְּךָ חֲטָא: נִתּוֹן תִּתֵּן לוֹ וְלֹא־יִרַע לְבַבְךָ בְּתַתֶּךָ לוֹ כִּי בְגַלְלוּ הַדְּבָר הַזֶּה בְּרַכְךָ יְהוָה אֱלֹהֶיךָ בְּכָל־מַעֲשֶׂךָ וּבְכָל־מַשְׁלַח יְדֶךָ: כִּי לֹא־יִחַדֵּל אֲבוֹיִן מִקְרֹב הָאָרֶץ עַל־פְּנֵי אֲנִי מְצוּוֹת לֵאמֹר פִּתַח תִּפְתַּח אֶת־יְדֶךָ לְאֲחִיךָ לַעֲשֶׂר וְלֹא־יִבְיֶנָה בְּאַרְצְךָ: (דברים טו, ז-יא)

couched as a loan and the grantor is aware upfront that it is likely a charitable donation.

This series of Mitzvot concludes with a seemingly unlikely set of laws that relate to the Eved Ivri.⁶ "If your 'brother,' an Ivri or Ivri'a, is sold to you as a slave, they shall service you for six years after which you shall set them free." Why is this Parshiya mentioned in this context and how does it relate to the theme of obligations to provide a social safety net? It is possible that the focus is on the timely release of such a slave which cannot be taken for granted. As can be seen from Yirmiyahu HaNavi, the owners of such slaves were reluctant to release their bonded workers.⁷ The Torah might be emphasizing the need to treat such weaker members of society fairly; it is demanding that individuals not impinge on the God given right of these enslaved workers to be set free in a timely fashion.

It also could be that this person being sold into slavery was a last resort. The Torah is providing a mechanism so that people do not starve or perish from economic hardship. When left with no choice, the Torah creates an institutional safety net which the unfortunate individual can possibly take advantage of in order to get back on his feet. God encourages those that have the means to take care of such individuals through an extended labor agreement which can provide them with the much needed relief and respite that they require. In addition, it provides them with the opportunity to stabilize themselves and in due time to become self-sufficient.

Another possibility is that according to Chazal, a thief (גנב), who is caught and cannot make restitution for that which he stole, can be sold as an Eved Ivri in order to repay his indebtedness.⁸ In that context, the Parshiya of Eved Ivri could be viewed as a form of rehabilitation. The wayward

individual is "apprenticed" to a functional well-adjusted family in order to break the cycle of theft and teach him how to become a productive member of society. Whether the person mistakenly stole because their desires got the better of them and they temporarily lost their moral bearings or, more grievously, they sank into a life and world of crime, the ability to create a pause and gainfully provide for themselves is a welcome change. The Torah is enjoining those that have the ability to offer such a place of refuge and remediation to give those that have failed a second chance and the opportunity to once again become independent productive members of society.

Rashi notes that the Parshiya of Eved Ivri was already discussed twice previously in the Torah, once in Parshat Mishpatim and once in Parshat Behar.⁹ Given those prior citations, why does the Torah need to reiterate these laws a third time? Rashi explains, it is repeated again to add the laws that were not previously discussed (בשביל דבר) (שנתחדש בה). One of those added enactments is the need to provide the Eved Ivri with Ha'anaka (הענקה), a basket of furnishings, upon his release.¹⁰ The Torah demands that you not terminate your relationship with this individual on the basis of your quid pro quo having previously provided him with food and shelter in exchange for his work, but rather you must pay him a bonus and furnish him with the means to return to "normal" life and stand on his own two feet. God couches this requirement in the fact that He provided you a similar "gift" when He freed you from slavery in Egypt.¹¹ You did not leave empty-handed, but rather laden with goods that gave you the opportunity to begin life anew and to be independent.¹² This demand is essential to complete the rehabilitation of the individual who either fell on hard economic times or had stolen. It is the antidote to recidivism. Without the Ha'anaka (הענקה), the person will likely return to the same

⁶ יימכר לך אחיך העברי או העבריה ועבדך שש שנים ובשנה השביעית תשלחנו חפשי מעמך: וְיִתְּשַׁלְּחֶנּוּ חֲפְשֵׁי מַעֲמָךְ לֹא תִשְׁלַחֵנּוּ רִיקִים: הַעֲבִיק תַּעֲבִיק לוֹ מִצֵּאֲנֶךָ וּמִגֵּרְתֶךָ וּמִיִּקְרָב אֲשֶׁר בְּרַקָּךְ יִקְוֶה אֲלֶיךָ תִּתֵּן לוֹ: וְזָכַרְתָּ כִּי עֶבֶד הָיִיתָ בְּאֶרֶץ מִצְרַיִם וְיִפְדֶּךָ יִקְוֶה אֲלֶיךָ עַל-פָּנָי אֲנִי מִצֹּרֶךְ אֶת-הַדְּבָר הַזֶּה הַיּוֹם: וְהָיָה כִּי-יֵאמֵר אֵלֶיךָ לֹא אֶצַּא מֵעֲמָךְ כִּי אֲהַבְּךָ וְאֶת-בֵּיתְךָ כִּי-טוֹב לוֹ עִמָּךְ: וְלִקְחָתָ אֶת-הַמְרָצֵעַ וְנִתְּתָהּ בְּאֲזְנוֹ וּבִדְלֹת וְהָיָה לְךָ עֶבֶד עוֹלָם וְאֶף לֹא-מִתְּךָ תַּעֲשֶׂה-כֵּן: לֹא-יִקְשֶׁה כְּעֵינְךָ בְּשַׁלְּחַךְ אֹתוֹ חֲפְשֵׁי מַעֲמָךְ כִּי מִשְׁנֵה שֹׂכֵר שֹׁכֵר עֶבְדְּךָ שֵׁשׁ שָׁנִים וּבְרַקָּךְ יִקְוֶה אֲלֶיךָ בְּכָל אֲשֶׁר תַּעֲשֶׂה: (דברים טו, יב-יח)

⁷ וְהָיָה דְבַר-יִקְוֶה אֵל-יִרְמְיָהוּ מֵאֵת יִקְוֶה לֵאמֹר: כֹּה-אָמַר יְהוָה אֱלֹהֵי יִשְׂרָאֵל אֲנִי כְּרַתִּי בְרִית אֶת-אֲבוֹתֵיכֶם בַּיּוֹם הַזֶּה וְאֲנִי אוֹתָם מֵאֶרֶץ מִצְרַיִם מִבְּיַת עֶבְדִּים לֵאמֹר: מִקֵּץ שִׁבְעֵי שָׁנִים תִּשְׁלַחֻוּ אִישׁ אֶת-אָחִיו הָעֶבְרִי אֲשֶׁר-יִמְכַר לָךְ וְעֶבְדְּךָ שֵׁשׁ שָׁנִים וְשִׁלַּחְתוּ חֲפְשֵׁי מַעֲמָךְ לֹא-שָׁמְעוּ אֲבוֹתֵיכֶם אֵלַי וְלֹא הִטּוּ אֶת-אָזְנָם: וְתִשְׁלְבוּ אֹתָם הַיּוֹם וְתַעֲשׂוּ אֶת-הַיִּשָּׁר כְּעֵינֵי לִקְרֹא דְרוֹר אִישׁ לְרַעְיוֹ וְתִכְרַתּוּ בְרִית לִפְנֵי בְּרִית אֲשֶׁר-יִקְרָא שְׁמִי עָלָיו: וְתִשְׁבְּלוּ וְתִחַלְלוּ אֶת-שְׁמִי וְתִשְׁבְּבוּ אִישׁ אֶת-עַבְדּוֹ וְאִישׁ אֶת-שִׁפְחֹתוֹ אֲשֶׁר-שִׁלַּחְתֶּם חֲפְשֵׁים לְנַפְשָׁם וְתִכְבְּשׁוּ אֹתָם: לְהִיּוֹת לָכֵן לְעֶבְדִּים וְלִשְׁפָחוֹת: (ירמיהו לד, יב-טז)

⁸ כִּי תִקְנֶה עֶבֶד עֵבֵרִי. בְּנִמְכַר בְּבֵית דִּין עַל גְּנִיבְתוֹ הַכְּתוּב מְדַבֵּר, שִׁיָּה עוֹבְדוֹ וְעוֹבַד אֹת הַבֵּן. או אִינוּ מְדַבֵּר אֲלֵא בְּמוֹכֵר עֲצָמוֹ, כִּשְׁהוּא אוֹמֵר (ויקרא כה לט) וְכִי יוֹרֵךְ אַחִיךָ עִמָּךְ וּנְמַכְר לָךְ, הָרִי מוֹכֵר עֲצָמוֹ אִמּוֹר, הֵיא מַה תִּלְמוּד לומר כִּי תִקְנֶה עֶבֶד עֵבֵרִי, בְּנִמְכַר בְּבֵית דִּין עַל גְּנִיבְתוֹ הַכְּתוּב מְדַבֵּר, שִׁיָּה עוֹבְדוֹ וְעוֹבַד אֹת הַבֵּן. (מכילתא דרבי שמעאל משפטים - מסכתא דנזיקין פרשה א) || כִּי יִמְכַר לָךְ, מִיָּן כִּשְׁאֵתָה קוֹנֶה לֹא תִהְיֶה קוֹנֶה אֲלֵא עֶבֶד עֵבֵרִי תִלְמוּד לומר (שמות כא ב) כִּי תִקְנֶה עֶבֶד עֵבֵרִי מִיָּן כִּשְׁהוּא נִמְכַר אִינוּ נִמְכַר אֲלֵא לָךְ תִּלְמוּד לומר (ויקרא כה לט) וְנִמְכַר לָךְ מִיָּן כְּשִׁבְתִּי דִּין מוֹכְרִים אוֹתוֹ אִין

מוֹכְרִים אוֹתוֹ אֲלֵא לָךְ תִּלְמוּד לומר כִּי יִמְכַר לָךְ. (ספרי דברים פרשת ראה פסקא קיח) || כִּי יִמְכַר לָךְ - עַל יְדֵי אַחֵרִים, שִׁמְכַרוּהוּ בֵּית דִּין בְּגִנְבְּתוֹ הַכְּתוּב מְדַבֵּר... (רש"י דברים טו, יב)

⁹ ...וְהָיָה כִּבְר נִאֲמַר (שמות כא, ב) כִּי תִקְנֶה עֶבֶד עֵבֵרִי, וּבְמִכְרוֹהוּ בֵּית דִּין הַכְּתוּב מְדַבֵּר. אֲלֵא מִפְּנֵי שְׁנֵי דְבָרִים שֶׁנִּתְחַדְּשׁוּ כֵּאֵן. אֶחָד שֶׁכְּתוּב אוֹ הָעֵבֵרִי, אִף הָיָה תִצַּא בְּשֵׁשׁ. וְלֹא שִׁמְכַרוּהוּ בֵּית דִּין, שְׁאִין הָאִשָּׁה נִמְכַרְתָּ בְּגִנְבְּתָהּ, שֶׁנִּאֲמַר בְּגִנְבְּתוֹ וְלֹא בְּגִנְבְּתָהּ, אֲלֵא בְּקִטְנָה שִׁמְכַרָה אֲבִיהָ, וְלִמַּד כֵּאֵן שֶׁאִם יֵצֵאוּ שֵׁשׁ שָׁנִים קוֹדֵם שֶׁתִּבְּיֵא סִימְנִין תִּצַּא...¹⁰ וְעוֹד חִדְּשׁ כֵּאֵן (פסוק יד) הַעֲבִיק תַּעֲבִיק: (רש"י דברים טו, יב)

¹¹ וְיִתְּשַׁלְּחֶנּוּ חֲפְשֵׁי מַעֲמָךְ לֹא תִשְׁלַחֵנּוּ רִיקִים: הַעֲבִיק תַּעֲבִיק לוֹ מִצֵּאֲנֶךָ וּמִגֵּרְתֶךָ וּמִיִּקְרָב אֲשֶׁר בְּרַקָּךְ יִקְוֶה אֲלֶיךָ תִּתֵּן לוֹ: (דברים טו, יג-יד)

¹² וְזָכַרְתָּ כִּי עֶבֶד הָיִיתָ בְּאֶרֶץ מִצְרַיִם וְיִפְדֶּךָ יִקְוֶה אֲלֶיךָ עַל-פָּנָי אֲנִי מִצֹּרֶךְ אֶת-הַדְּבָר הַזֶּה הַיּוֹם: (דברים טו, טו)

¹³ וְנִתְּתָהּ אֶת-חֶן הָעַם-הַזֶּה בְּעֵינֵי מִצְרַיִם וְהָיָה כִּי תִלְכּוּן לֹא תִלְכּוּ רִיקִים: וְשִׁאֲלָה אִשָּׁה מִשְׁכַּנְתָּהּ וּמִגֵּרְתָּ בֵּיתָהּ כְּלִי-כֶסֶף וְכִלֵּי זָהָב וְשִׁמְלֹת וְשִׁמְתָם עַל-בְּנֵיכֶם וְעַל-בְּנֵיכֶם וְנִצַּלְתֶּם אֶת-מִצְרַיִם: (שמות ג, כא-כב) || וְיִאֲמַר יִקְוֶה אֶל-מִשָּׁה עוֹד גָּגַע אֶחָד אֲבִיָּא עַל-פְּרָעָה וְעַל-מִצְרַיִם אֲחֵרִיכֹן יִשְׁלַח אֲתֶכֶם מִזֶּה קְשָׁלְחוֹ קְלָה גְרַשׁ יִגְרַשׁ אֲתֶכֶם מִזֶּה: דְּבָר גַּא בְּאֲזֵנֵי הָעָם וְשִׁאֲלוּ אִישׁוֹ מֵאֵת רַעְיוֹ וְאִשָּׁה מֵאֵת רַעְיוֹתָהּ כְּלִי-כֶסֶף וְכִלֵּי זָהָב: וְיִתֵּן יִקְוֶה אֶת-חֶן הָעָם בְּעֵינֵי מִצְרַיִם גַּם הָאִישׁ מִשָּׁה גְדוֹל מֵאֵד בְּאֶרֶץ מִצְרַיִם בְּעֵינֵי עֶבְדֵי כְּלִי-כֶסֶף וְכִלֵּי זָהָב: (שמות יא, א-ג) || וְכִי-יִשְׁרָאֵל עֲשׂוֹ כְּדָבָר מִשָּׁה וְיִשְׁאֲלוּ מִמִּצְרַיִם כְּלִי-כֶסֶף וְכִלֵּי זָהָב וְשִׁמְלֹת: וְיִקְוֶה נָתַן אֶת-חֶן הָעָם בְּעֵינֵי מִצְרַיִם וְיִשְׁאֲלוּם וְיִנְצְלוּם אֶת-מִצְרַיִם: (שמות יב, לה-לו)

place and difficulties that they had faced before and be "compelled" to once again engage in a life of crime. Only with this package can they make a clean break, turn over a new leaf and begin a productive life. It is the means to free them from having to depend on others and to continue leaning on the social safety net.

The Mitzvot discussed above (social safety net) form an identifiable unit in the Torah because they share a similar refrain, "in order that God the Lord bless you (לְמַעַן יְבָרְכֶךָ יְיָ אֱלֹהֶיךָ)"¹³ With slight variations, each of the Mitzvot makes mention of this Godly blessing. In essence, God is incentivizing people to provide this essential social safety net. One might have thought that providing for others is a zero-sum game and therefore if one gives to the less fortunate, it will come at their expense. It will mean less for them. God dispels this mistaken notion by indicating that those that engage in assisting, backstopping and supporting others will be blessed; not only will they not lose, but, counterintuitively, they will profit from doing that which is God's way and will – helping others, especially those that are less fortunate.¹⁴ This is the simple understanding of these blessings that they are very utilitarian, a quid pro quo for doing that which is right.

At least one of the phrases that includes God's blessing does not necessarily fit this mold. With regards to the necessity to provide the Eved Ivri with a parting package of goods, the Torah stipulates that you should provide him from "your flock, your threshing floor and your wine vats; from that which God, your Lord, has blessed you, you shall give him (תִּתְּנוּ-לוֹ)"¹⁵ It seemingly is opposite of the other instances. As noted above, by each of the Mitzvot, God blesses the individual as a result of their generosity and benevolence towards others; they are the recipient of the blessing. In this case, the beneficiary of the blessing is the freed slave. Of course, in this case too, the master is the recipient of God's blessing, but its purpose is not as a reward for his behavior, but rather as a means to facilitate his bestowing

that goodness upon the Eved Ivri that he is releasing. One could argue that the blessing from God, in this instance as well, is implicitly the result of the person's housing and caring for such an individual. The Torah then demands that one share that blessing with him because he was the "facilitator" of that blessing and bounty received by the master.

As pointed out above, the necessity to provide for the freed slave is the nuanced addition to this set of laws regarding the Eved Ivri that made it necessary to repeat it a third time. Putting this together with the fact that the blessing with regards to this directive seems to deviate from the model found by the other Mitzvot, it is possible that this commandment might be instrumental in gaining a deeper understanding of the series of Mitzvot that are found in this grouping (social safety net) in the Torah. This is based on invoking Rabbi Ishma'el's principle that "anything that was part of a general grouping and has deviated from the general principle, it did not do so simply to teach about itself, but rather to shed light on the entire group (כל דבר שהיה בכלל ויצא מן הכלל ללמד לא ללמד) (על עצמו יצא אלא ללמד על הכלל כולו יצא)"¹⁶ Maybe this oddity is key to interpreting this Parsha?!

The Pasuk in Parshat Mishpatim beings, "if you shall lend money to my nation, to the poor amongst you... אַם-כִּסְפוֹ תַלְוֶה אֶת-עַמִּי אֶת-הָעֵיִר (עִמְךָ)"¹⁷ Rabbi Yishma'el in the Mechilta points out that the usage of the word "Im (אם)" in this case does not carry its traditional meaning of "if," but rather it should be understood as "when."¹⁸ It is incumbent upon one to lend money to those that are in need. It is not, "if", optional to lend him, but rather a directive as to how to lend him money "when" you provide such a loan. Therefore, the verse should read, "when you lend money to the poor...you should not pressure the borrower or charge him interest." The Or HaChayim queries as to why did the Torah utilize the term "Im" in this instance, which traditionally means "if" (ספק), if it actually wanted to say "when" (ודאי). Homiletically, he suggests that maybe the Torah is attempting to

¹³ וְכִי-יִרְבֶּה מִמֶּךָ הַדָּרָךְ כִּי לֹא תוּכַל שְׂאֵתוֹ כִּי-יִרְחַק מִמֶּךָ הַמְּלוּם אֲשֶׁר יִבְחַר יְיָ אֱלֹהֶיךָ לְשֵׁם שְׁמוֹ שֶׁשׁ כִּי יְבָרְכֶךָ יְיָ אֱלֹהֶיךָ: (דברים יד, כד) || וְבֹא הַלֵּוֹי כִּי אֵין-לוֹ חֵלֶק וְנִחְלָה עִמָּךְ וְהָגַר וְהֵיטוּם וְהָאֲלֻמְנָה אֲשֶׁר בְּשַׁעֲרֶיךָ וְאֶקְלוֹ וְשִׁבְעוּ לְמַעַן יְבָרְכֶךָ יְיָ אֱלֹהֶיךָ בְּכָל-מְעֵשֶׂה יָדְךָ אֲשֶׁר תַּעֲשֶׂה: (שם יד, כט) || כִּי-יִקְנֶה אֱלֹהֶיךָ בְּרֹכֶךָ כְּאִשֶׁר דִּבֶּר לְךָ וְהִעֲבַטְתָּ גֹוִים רַבִּים וְאַתָּה לֹא תַעֲבֹט וְמִשְׁלַתָּ בְּגֹוִים רַבִּים וְכֶּה לֹא יִמְשְׁלוּ: (שם טו, ו) || תִּתְּנוּ תִתֵּן לְוֵי-יִרְעֵה לְבִבְךָ בְּתֵתְךָ לֹו כִּי בְּגִלְלוֹ הַדָּבָר הַזֶּה יְבָרְכֶךָ יְיָ אֱלֹהֶיךָ בְּכָל-מְעֵשֶׂה וּבְכָל מִשְׁלַח יָדְךָ: (שם טו, י) || הַעֲנִיק תַעֲנִיק לֹו מִצְאֲנֶךָ וּמִגִּרְנֶךָ וּמִקֶּבֶר אֲשֶׁר בְּרֹכֶךָ יְיָ אֱלֹהֶיךָ תִתְּנוּ-לוֹ: (שם טו, יד) || לֹא יִקְשֶׁה בְּעֵינֶיךָ בְּשַׁלְחֶךָ אֹתוֹ חֲפָזִי מִעִמְךָ כִּי מִשְׁנֵה שְׂכָר שְׂכִיר עֲבָדְךָ שֶׁשׁ שָׂגִים וּבְרֹכֶךָ יְיָ אֱלֹהֶיךָ בְּכָל אֲשֶׁר תַּעֲשֶׂה: (שם טו, יח)

¹⁴ כִּי יְיָ אֱלֹהֶיךָ הוּא אֱלֹהֵי הָאֲלֻקִּים וְאֲדֹנֵי הָאֲדָנִים הַקֵּל הַגָּדֹל הַגִּבּוֹר וְהַפּוֹרֵא אֲשֶׁר לֹא-יֵשׁא פָנָיִם וְלֹא יִקַּח שֹׁחַד: עֲשֵׂה מִשְׁפָּט יְיָ וְאֲלֻמְנָה וְאֶהָב גֵּר לֵתֵת לֹו לֶחֶם וְשִׁמְלָה הוּא אֲתָה מוֹצֵא אֲבִימִם תַּעֲשֶׂה לִי, חוֹבָה, אֲתָה אֹמֵר חוֹבָה, אוֹ אֵינוֹ אֵלָא רְשׁוּת, כִּשְׁהוּא אֹמֵר אֲבִימִם שְׁלֵמוֹת תִּבְנֶה, חוֹבָה וְלֹא רְשׁוּת; אִף כֵּאֵן אֲתָה אֹמֵר אִם כִּסְף תַּלְוֶה, חוֹבָה וְלֹא רְשׁוּת, אֲתָה אֹמֵר חוֹבָה, אוֹ אֵינוֹ אֵלָא רְשׁוּת, כִּשְׁהוּא אֹמֵר דְּבָרִים טוֹחַ, הֵעֲבַט תַּעֲבִיטוּ, חוֹבָה וְלֹא רְשׁוּת. (מכילתא דרבי ישמעאל משפטים - מסכתא דכספא פרשה יט)

דָּא וּשְׁפַל רוּחַ. מְשׁוּלַשׁ בְּכַתּוּבִים דְּכַתִּיב סָלוּ לְרַכַּב בְּעֵרְבוֹת בֵּיה שְׁמוּ, וְכַתִּיב בְּתַרְיָה אֲבִי יִתּוּמִים וְדִין אֲלֻמְנוֹת. (מגילה לא.)
¹⁵ הַעֲנִיק תַעֲנִיק לֹו מִצְאֲנֶךָ וּמִגִּרְנֶךָ וּמִקֶּבֶר אֲשֶׁר בְּרֹכֶךָ יְיָ אֱלֹהֶיךָ תִתְּנוּ-לוֹ: (שם טו, יד)
¹⁶ רַבִּי יִשְׁמַעְאֵל אֹמֵר בְּשֵׁלֶשׁ עֶשְׂרֵה מִדּוֹת הַתּוֹרָה נִדְרָשׁתָּ... כֹּל דְּבַר שֶׁהִיָּה בְּכֹלל וְיֵצֵא מִן הַכֹּלל לְלַמַּד לֹא לְלַמַּד עַל עֲצֻמוֹ יֵצֵא אֵלָא לְלַמַּד עַל הַכֹּלל כֹּלל יֵצֵא (הַקְדָּמָה לְסַפְרָא בְּרִייתָא דְרַבִּי יִשְׁמַעְאֵל שְׁלוֹשׁ עֶשְׂרֵה מִידּוֹת)
¹⁷ אַם-כִּסְפוֹ תַלְוֶה אֶת-עַמִּי אֶת-הָעֵיִר עִמְךָ לֹא-תִתְּיָה לֹו כְּנֶשֶׁה לֹא-תִשְׁמִיּוֹן עָלָיו וְנָשָׂה: (שמות כב, ד)
¹⁸ אִם כִּסְף תַּלְוֶה אֶת עַמִּי. רַבִּי יִשְׁמַעְאֵל אֹמֵר כֹּל אִם וְאִם שְׁבַתּוּרָה רְשׁוּת, חוּץ מִזֶּה וְעוֹד שְׁנַיִם וְיִקְרָא בִּיד וְאִם תִּקְרִיב מִנְחַת בְּכוֹרִים, חוֹבָה, אֲתָה אֹמֵר חוֹבָה, אוֹ אֵינוֹ אֵלָא רְשׁוּת, תַּלְמוּד לְוֹמֵר תִּקְרִיב אֶת מִנְחַת בְּכוֹרֶיךָ, חוֹבָה וְלֹא רְשׁוּת; כִּיּוֹצֵא בּוּ +שְׁמוֹת כ כָּבָּ וְאִם מִזְבַּח אֲבִימִם תַּעֲשֶׂה לִי, חוֹבָה, אֲתָה אֹמֵר חוֹבָה, אוֹ אֵינוֹ אֵלָא רְשׁוּת, כִּשְׁהוּא אֹמֵר אֲבִימִם שְׁלֵמוֹת תִּבְנֶה, חוֹבָה וְלֹא רְשׁוּת; אִף כֵּאֵן אֲתָה אֹמֵר אִם כִּסְף תַּלְוֶה, חוֹבָה וְלֹא רְשׁוּת, אֲתָה אֹמֵר חוֹבָה, אוֹ אֵינוֹ אֵלָא רְשׁוּת, כִּשְׁהוּא אֹמֵר דְּבָרִים טוֹחַ, הֵעֲבַט תַּעֲבִיטוּ, חוֹבָה וְלֹא רְשׁוּת. (מכילתא דרבי ישמעאל משפטים - מסכתא דכספא פרשה יט)

preemptively answer a fundamental question that might arise from the requirement of this verse (to lend to the poor) as to why some people have tremendous wealth while others do not even have sufficient means to make ends meet.¹⁹

He proposes that the default standard is that God provides each individual with that which they need – their basic needs – similar to Yaakov Avinu's request of God that he provide him with food to eat and clothing to wear (וַיִּתֵּן-לִי לֶחֶם לֶאֱכֹל וְבִגְדֵי לְבָשׁ).²⁰ Therefore, one could possibly understand that the rationale for why an individual would not have sufficient means even for their basic needs is because it might be a punishment for their misdeeds or what God, for whatever reason, deems appropriate for them. On the other hand, it is inexplicable why God would bestow upon an individual endless wealth for which he has no need. In order to reconcile this disparity, he therefore suggests that there is a fixed and finite wealth that God provides the world, an amount sufficient for each individual's basic needs, but the distribution of that wealth might not be equitable. When God reduces the amount that should have been allocated to a particular person, he grants it to another party who becomes the guardian of this wealth on behalf of those that are missing their minimum basic income. For that reason, when a person sees that they have more wealth than they "need," they should be keenly aware that it is because they have received monies that do not belong to them. Consequently, that person now has an obligation to lend money to the poor, to engage in Tzedaka and to return that "excess" wealth to its true owner. Based on this Or HaChayim, one would conclude that Tzedaka is an obligation, not a matter of "if," but "when." Accordingly, Tzedaka is often mistranslated as "charity" when in truth it derives from the word Tzedek (צדק), which means that which "right and just." That means that Tzedaka is actually the returning of the monies to their "rightful owner" – an obligation, not a matter of generosity.

Based on this insight, we can now understand the Torah's explanation for why it is incumbent upon the master to furnish the slave with an exit package "from all that God has blessed him" when

he releases him. God blessed the master with his needs and additionally with that which rightfully belonged to the Eved Ivri. Upon the slave's release, the master must "return" to the slave that which God deposited with him. The master, therefore, should not feel reticent to provide this Ha'anaka (הענקה) to the exiting slave because he feels as if he is giving away of his own possessions to the Eved Ivri, but rather he should view it as though he is restoring that which God gave to him on behalf of the slave. The master and slave are partners in the master's wealth, which is that which God has blessed him with.

With this in mind and utilizing Rabbi Ishma'el's principle,¹⁶ we can now apply this understanding to all the blessings mentioned by these Mitzvot. The blessing is not a reward for that which one has done, but rather the capacity and obligation to carry out the Mitzvot that comprise the Torah's social safety net. It is just the opposite of what one would have thought. The blessing is not a result of one's helping others, a quid pro quo for accomplishing God's will, but rather the blessing is a demand upon the individual to continue to help others. The truth is that the blessing might be both an obligation and a reward. If one is a proper steward for those monies of others that were deposited with them, then God will once again "bless" that person with more deposits to distribute ("return").

In an age of growing wealth disparity, those that are blessed to be amongst those that "have," recipients of God's generosity, must work hard, not at indulging themselves, but rather at "returning" that which belongs to the "have-nots." With privilege always comes responsibility. Blessings of wealth come with a tremendous obligation to do that which is right (צדקה) and foremost amongst those duties is to restore the dignity to those that are less fortunate. It is a demand to share that wealth with your "partners" (וְבָא הַלְוִיָּהּ בְּיָדְךָ וְהָיָה לְךָ חֵלֶק) and by doing so trigger the virtuous cycle of "God blessing you in all that you do (וְיִבְרַכְךָ אֱלֹהֵיךָ בְּכָל-מַעֲשֶׂה יְדֶיךָ אֲשֶׁר תַּעֲשֶׂה)".²¹

Shabbat Shalom and Chodesh Tov

¹⁹ אם כסף. במכילתא רבי ישמעאל אומר כל אם שבמקרא רשות חוץ מזו וכו'. וצריך לדעת למה ידבר ה' בדרך ספק במקום ודאי. ואולי כי בא הכתוב להודיע ולהשיב גם כן לאשר ישאל השואל בראותו כי ירבה כבוד אדם בזבה לרוב ואוצרותיו מלאים הוון עתק ללא צורך בו ויאמר אדם מה הנה אוצרות זהב לאדם ללא דבר למה לא הספיק ה' לתת לו מזונותיו הצריכין ולא יהיה זה גדול מיעקב אבינו אשר שאל (בראשית כח כ) לחם לאכול ובגד ללבוש, הן אמת כי מה שיחסר לאדם מכדי צורכו יש טעם בדבר לסיירו על עונו מה שאין כן אוצרות הון למה לאיש אין לו צורך בהם, לזה הודיע הכתוב כי הוטב דבר הוא אותם שאינם ראויים לקבל חקם לצד מעשיהם כי ה' בחסדו נותן שפע הצריך בריחו לכל איש ואיש די מחסורו והיה כי יחטא אדם ואינו ראוי לקבל פרנסתו בכבוד מאל הכבוד החלק המגיע לא יטלנו עליון אלא הרי הוא מתקבץ אל מקום אחר ותהיה פרנסת הלז עם אדם אחר הבא לו דרך שם פרנסתו ויתפרנס בפחיתות ובביזוי כאשר גזר הגוזר

בצדק. ויעשה ה' בדרך זה לב' מדות טובות הא' להשתלם אדם בעולם הזה פעלו הרע, והב' כדי שיזכה הנותן באמצעות נתינת צדקה וחסד לרעהו. וזה הוא אומרו אם כסף תלוה את עמי פירושו אם ראית שהיה לך כסף יתר על מה שאתה צריך לעצמך שאתה מלוה לעמי תדע לך שאין זה חלק המגיעך אלא חלק אחרים שהוא העני עמך, ובזה רמז כי צריך לפתוח לו משלו. ואולי כי רמז לו גם כן שלא יתנשא ויתגדל על העני בראותו כי הוא הנותן לו, והוא אומרו לא תהיה לו כנושה לשון נשיאות ומעלה כי משלו הוא נותן לו. וחזר לומר כנגד ההלואה לא תשימון עליו וגו' (אור החיים שמות כב, כד)

²⁰ וַיִּתֵּן-לִי לֶחֶם לֶאֱכֹל וְבִגְדֵי לְבָשׁ: (בראשית כח, כ)

²¹ דברים יד, כט