

Don't be a jackass; what donkeys can teach us about being better people

Parashat Mishpatim

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This is one of those Shabbatot when I wake up, look out the window and wonder, will anyone come to shul today? It's cold, it's snowy. And it's Maryland, where people tend to be really freaked out about those two things! So I want to share a short word of Torah with you...Just in case someone showed up today or logged onto the Livestream, I thought I should say something! This parasha contains a staggering number of mitzvot! 53 mitzvot in parashat Mishpatim. And they are about every aspect of life...it's literally about everything: straying oxen, hazardous open pits, crop fires, property damage, indentured servitude, violence, kidnapping, insults, theft, injury, seduction, sorcery, and also caring for the widow, the orphan, the stranger...in no particular order. So much of the debates and discussions in the Talmud trace their origins to this parasha and its miscellaneous mitzvot. But I want to focus on one detail that is easy to overlook, or to not think too much about, mostly because Jews nowadays don't tend to own donkeys. There's a lot of discussion about donkeys in parashat Mishpatim. *Ki ro'eh chamor sonecha rovetz tachat masa'o*, if you see your enemy's donkey toppled over by the weight of its load, *azov ta'azov imo*...though you might think twice about it because it's your enemy's donkey, you still must help the animal up. (Exodus 23:5)

Seems pretty straightforward, right? A collapsed donkey has to be given aid even though it belongs to your most despised enemy. Fine. But the commentators use this as a test case for all kinds of competing values.

Imagine, they say, you are walking down the street. On one side of the street someone's donkey collapsed under its load, and everything spilled all over the place, and the owner already lifted the donkey and is now scrambling to reloading all the spilled the cargo.

On the other side of the street someone else is still struggling to lift his donkey that collapsed under the weight of its load.

Who do you help first?

According to the Talmud, the mitzvah of *tza'ar ba'alei chayim*, showing sensitivity to the suffering of animals would dictate that you help the person who is still trying to get his animal up on its feet. It would be nice to help the other guy pick up all his cargo that spilled everywhere. But the donkey's suffering has to be alleviated first.

But you know the rabbis like to test these things even more.

What if, they imagined, the guy who needs help lifting his poor, exhausted donkey is your best friend, and the guy who needs help picking up all his spilled merchandise from all over the street is your worst enemy.

You would think that since we just said that on account of alleviating the suffering of animals, *tza'ar ba'alei chayim*, you would help your friend lift up his poor suffering animal and leave your enemy to run around picking up his spilled olives or dates or whatever he was transporting. But the Talmud says there is something even more important than the concern for suffering animals. Something that outweighs that, overrules it!

And that is avoiding the stoking of hatred between people. You see there is also a mitzvah, you can find it in Lev. 19:17, *Lo tisna et achicha bilvavecha...* you must not hate another person in your heart. It is a sin to hate another Jew, another human being. So even though your friend's donkey may be in pain, struggling, unable to lift itself up; even though your friend needs help getting this animal back on its feet, you must first go and help your enemy collect his spilled merchandise in an attempt to ameliorate the bad feelings you have for him, and that he probably has for you. By helping him, instead of ignoring him, you begin to see him as a human being, with feelings, with needs, with frailties. Ignoring him would just fuel your *yetzer hara*! Ignoring him might give you a feeling of satisfaction. He deserves it! He's such a *schmendrick*! I hope he never finds all his spilled olives and dates. And that's exactly why the Gemara says, you have to help him first.

You know our rabbis, of blessed memory, didn't have Wordl, so they exercised their minds by imagining more and more complex scenarios and then trying to work them out.

Let's try this scenario, they say.

What if the guy is not just my enemy, but he's an *avaryan*. A real sinner. A real transgressor. A delinquent! And you've seen him with your own eyes committing these terrible sins, these transgressions...it's not a rumor, or hearsay...he's actually a *rasha*, an evildoer. Last night we chanted in Kabbalat Shabba: *Ohavei Hashem sinu ra*, Lovers of God hate evil. That's from Psalm 97. Proverbs 8:13 defines the fear of God as the hatred of evil: *Yirat Hashem s'not ra*. It seems like there are two contradictory *mitzvot*...

Do not hate your neighbor in your heart, but certainly hate that which is evil; it's a mitzvah to hate evil! So do I help the guy who is not only my enemy, but also someone who is really wretched and steeped in evil? I heard a lecture by Rabbi Assaf Bednarsh who was in a fellowship program with me when we were both in rabbinical school. Rabbi Bednarsh teaches that we still must help the wretched sinner before we help the owner of the poor animal. Why? Because no one is really a thoroughly wretched sinner. Everyone has *kedusha*, holiness in their hearts. You can hate the husk, the exterior, the negative aspects, the transgressions, but that doesn't get you off the hook for attempting to love the *neschama* on the inside. The Jewish way is not to capitulate to our *yetzer hara*, the inclination that would just have us write-off or ignore the needs of someone we find detestable. Rather we have to try even harder with those people, to peel back that husk and to see even that enemy as a human being who has a measure of goodness and redemptive qualities in their hearts. So the rabbis teach us, you have to push yourself out of your comfort zone and help that *avaryan* to lift up his donkey. And maybe, once you've extended to him that small act of *chesed*, that consideration and help, the negativity and disdain will be replaced by care and concern. Maybe by responding to a person like that with kindness, you will help him find the kindness within him. Help amplify it, and bring it out. And even if that doesn't happen, you haven't let the toxic spirit of disdain, of contempt, of aversion, of your own hate rule over you. It isn't easy to help your enemy before your friend, or to help an evil person when you'd just assume let them suffer. But in the end it might make him a better person, and it will definitely help you overcome your own *yetzer ha'ra*.

Shabbat Shalom