

If you take your fellow's garment as security, until sunset shall you return it to him. For it alone is his clothing, it is his garment for his skin – in what should he lie down? So it will be that if he cries out to Me, I shall listen, for I am compassionate. (22:25,26)

Rarely do we find the Torah explaining the reason behind a *mitzvah* so thoroughly as it does in this case. Theoretically, the Torah is presenting an argument for returning the borrower's garment before nightfall. Indeed, the Torah goes so far as to give three reasons for returning the garment: it is his only garment; "it covers his skin"; "in what shall he lie down?" One would expect the *rav* who was making an appeal on behalf of the less fortunate members of his community to emphasize these points. This, however, is not the Torah's way. It presents the law without embellishment – and that is it!

A similar *pasuk*, in an abridged version, is to be found in *Parashas Ki Seitzei* (*Devarim* 24:13), "You shall return the security to him when the sun sets, and he will sleep in his garment and bless you. And for you it will be an act of righteousness before Hashem, your G-d." Here Moshe *Rabbeinu* reviews the *halachah* mentioned in *Parashas Mishpatim*, but in a condensed version. The presentation in *Sefer Devarim* is more consistent with the manner used by the Torah in presenting its other *mitzvos*. Indeed, the entire idea concerning returning the security at nightfall almost defeats the purpose of taking a security. What good is a security if one must return it every night? The whole purpose of a security is exactly that – to reassure the lender that he will get his loan back. This method does not seem very encouraging.

Horav Yechiel Yaakov Weinberg, zl, explains that, concerning this *halachah*, the Torah goes beyond the norm of simple logic. The law regarding returning a security to the borrower defies logic; it is contradictory to the normal thought process. In fact, the *pasuk* in its unexpurgated form is informing us why Hashem commanded us to do something that challenges logic. It is as if Hashem is standing there explaining Himself to us, so that we will learn how we should act under similar circumstances.

Hashem says: "True, if you return the garment at night, you impugn your leverage for collecting the loan. But – this is the man's only garment, which he needs to cover his skin. "In what will he sleep?" You are correct in all of your complaints. How will you ever collect your money? But how will you respond to *Bameh yishkav*: "In what will he sleep?" How can you allow another Jew to lose sleep because of you? Your money? There is something more important than money – *rachmanus*! Compassion. The *halachah* is illogical. But what about *rachmanus*? That defies logic."

Hashem continues, "If you will challenge the *halachah* with your logic, and thus keep the garment, thereby depriving the poor man of his sleep, he will cry out to Me. I will listen, Do you know why? –

Because *chanun Ani*, I am compassionate!"

In other words, the Torah is teaching us a very important principle: Not everything makes sense, nor does it have to be rational. The lender may be justified, but compassion for another Jew supersedes and transcends justification. Rav Weinberg concludes with a poignant thought. Clearly, the lender has a *taaneh*, legitimate claim. He lent this poor man money, and now he has no leverage for collecting his money. The poor man is crying out that he is freezing because the lender has his blanket. Now, when both "cries" ascend to Heaven – the lender's cry of "Foul, I need my money," and the poor man's cry of, "I am freezing" – whose cry will make a greater impression in Heaven?

I recently read a story that places the idea of compassion in the simple perspective, sort of a "no ands, ifs or buts" approach: this is who we are, and this is how we live. The story took place in a *cheder* classroom in Russia. A small group of five-year old boys were learning Torah. There either were no ballpoint pens in those days, or they were unobtainable. Each boy would bring an ink bottle to *cheder* in which he would dip his fountain pen when needed. It happened that one little boy did the "usual"; he forgot his ink bottle at home. The "normal" thing is to ask the boy next to him, "Can I dip my pen in your ink?" The "normal" response should be, "Yes." This time, however, the reply was a big, negative, "No. I do not have enough ink for myself. You should have brought your own ink." The subject was closed. The boy was forced to go to another classmate and ask for ink.

The *rebbe* took this all in, but said nothing. He was waiting for the right time when he could gently impart an important lesson concerning compassion and empathy to the little boy who had refused to share his ink. A half hour later, the *rebbe* turned toward the second boy who had refused to share his ink, and asked if he could show the class an *aleph*, a *bais* and a *gimmel*, which are the first three letters of the Hebrew alphabet.

"Certainly," answered the boy, as he proceeded to point out the three letters in his book. The boy then stood there smiling, feeling good about himself.

"You are wrong," the *rebbe* said. "This is not what I want."

"But, *rebbe*, this is what you have taught us for the last two years. This is what we have been reading."

"No," said the teacher, "you are wrong."

"*Aleph* is: When your friend asks you for ink – you give it to him."

"*Bais* is: When your friend asks you for ink – you give it to him."

“*Gimmel* is: When your friend asks you for ink – you give it to him.”

The *rebbe* was teaching his young charges a critical principle of Judaism: Compassion for a fellow Jew is a critical Jewish ideal. One who thinks only of himself, or only of what is “black and white,” is refusing to acknowledge that compassion extends beyond the parameters of law. At times, Hashem says: *Bameh yishkav*, “With what will he sleep?” The black and white thinker does not represent the finest characteristics of Judaism and does not reflect Hashem’s *middah* of compassion.