



Likkutei Sichos

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You Dropped Something

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1.

DIFFERENCES BETWEEN RASHI AND MECHILTA

On the passage,¹ “If you see the donkey of someone you hate lying under its burden, will you refrain from helping him? You shall surely help along with him,” *Mechilta* comments, “Sometimes you refrain, sometimes you help.” *Mechilta* goes on to describe two situations when “you refrain”:

1. “(If the donkey belongs to a Jew and the burden to a non-Jew, then you must help him.) If the donkey belongs to a non-Jew and the burden to a Jew, **you refrain from helping him.**”
2. “If it is among graves, he must not defile himself”—when the animal is located “among graves” [e.g., in a cemetery], a *kohen* is not allowed to defile himself for this [purpose of helping].

In his commentary on the Torah, Rashi also cites the above interpretation—after first explaining the plain meaning of the verse:

“**Perhaps**² you will see his donkey lying under its burden—will you refrain from helping him?” The sentence is read as a question.³ “You shall surely help along with him.”⁴ (Rashi cites another verse to illustrate:⁵ “Perhaps you will say in your heart, ‘These nations are more numerous than I am’ ... ‘You shall not fear them.’”).

Rashi continues:

“Its midrashic interpretation, as expounded by our Rabbis, is as follows: **When** you shall see ... you shall refrain; there are times that you may refrain [from helping], and there are times that you [must] help.⁶ How is this to be applied? If he is an elder and it is beneath his dignity [to unload a donkey, the Torah tells him]—**You may refrain.** Or

¹ *Ex.* 23:5.

² [In the Hebrew original, “*ki*,” which may have one of four meanings depending on context. In our verse, Rashi says the word should be interpreted as *perhaps*.]

³ [Not as a declarative statement.]

⁴ This appears to be one single statement (not as in our editions, in which the words, “You shall surely help along with him,” appear in large letters). The continuation of Rashi’s commentary, “Similar to this...,” also proves that the phrase, “You shall surely help...” was not intended to be a separate caption.

⁵ *Deut.* 7:17-18.

⁶ *Mechilta* uses the verb, “leave,” consistent with the actual verb employed in the verse—*azov*. Rashi, however, changes it to “help”—*ozar*, consistent with his earlier explanation, that in our verse, the term *azivah* (to leave) connotes *azarah* (to help).

if he sees the animal of a non-Jew and it is carrying the load of a Jew, the Torah tells him—**You may refrain.**”

There are a number of differences, though, between Rashi’s commentary and *Mechilta*’s interpretation that need explanation. Instead of citing the case of “(a *kohen*) [when the animal] is located among graves,” which is brought in *Mechilta*, Rashi cites the case of “an elder and it is beneath his dignity.”

Although the case of “an elder and it is beneath his dignity” is brought in *Sifri* (and in the Talmud⁷), the case is brought in reference to the verse,⁸ “You shall not see your brother's ox... and ignore them” — “Sometimes you *may* ignore ... a *kohen*, and it [the animal] is in a cemetery, or an elder and it is beneath his dignity ... he is exempt.” So why, in his commentary, does Rashi omit the case (of a *kohen*, and the animal is in a cemetery) presented in *Mechilta* on this verse, and instead include a case (an elder and it is beneath his dignity) that the sages presented on a different verse!?

Also, we need to clarify:

1. In *Mechilta*, the case where “the donkey belongs to a non-Jew and the burden to a Jew” is given *first*—but Rashi changes the order and brings this case **second**. Why?
2. Why does Rashi also mention (like *Mechilta*) that “there are times that you must help”?

For *Mechilta* to say this makes sense, as it fits in well with the continuation there which discusses both scenarios—when the donkey belongs to a Jew and the burden to a non-Jew, and when the donkey belongs to a non-Jew and the burden belongs to a Jew. Therefore, “there are situations ... and situations in which you must help.” But since Rashi only discusses situations in which you **may refrain** from helping, why does he mention that “there are situations that you **must help**,” if he doesn’t elaborate on these in his commentary?

⁷ *Bava Metziah* 30a.

⁸ *Deut.* 22:1.

(And if Rashi's intent is to inform us of the general obligation to help—it's unnecessary, since the obligation is already documented explicitly in the verse, "You shall surely help." Moreover, {if this is Rashi's intent} using the phrase "**there are times** that you must help" to communicate a **general** obligation is not terribly effective!)

2.

A POSSIBLE SOLUTION

The explanation as to why Rashi does not bring the case (of *Mechilta*) where "it is among graves," at first glance, might be as follows:

The reason a *kohen* may not defile himself, even in order to observe the positive commandment of "You shall surely help," is because a *kohen* is enjoined by both a negative *and* a positive commandment not to become unclean. Consequently, it is self-understood that this obligation to safeguard his ritual purity is not overridden by the positive commandment (of "you shall surely help"), and so Rashi does not bring this case {to illustrate a situation in which the directive 'not to help' applies}, since we don't require the interpretation of (the apparently redundant phrase in our verse) "will you refrain?" to teach us this law.

[Similar to what the Talmud says about the teaching derived from the verse "ignore" {i.e., the verse,⁸ "You shall not see your brother's ox or sheep straying, and **ignore** them"}—"Sometimes you may ignore." The Talmud explains that this teaching is necessary to exclude **only** a case of "an elder and it is beneath his dignity," but it is not required to exclude a case of "a *kohen* and the animal is in a cemetery. (Likewise, it is not required to exclude a case where "his work was more valuable than his fellow's {loss if the animal was not returned}.")]

But in any event we cannot posit that Rashi maintains that the exemption (in both cases) is derived from our verse "refrain" (and that's why he doesn't cite the case where "it was located among the graves")—because according to this logic, we are faced with the difficulty of explaining [not only why Rashi cites the case of "an elder and it is beneath his dignity," which is not mentioned in *Mechilta*, but also]: How is it possible to derive from a **single** redundant expression ("and

refrain...”) **two distinct** laws (exemptions)? Namely, 1) “an elder and it is beneath his dignity”—the obligation to help “unload the burden” does not override the respect due to a person; 2) “the animal belongs to a non-Jew ... and you may refrain”—the obligation to help unload the burden is not related to a concern to alleviate the animal’s suffering (for if this were the case, it would make no difference who owned the animal)?

Consequently, we must say that although the teaching derived from the verse “refrain” is not the basis of the exemption in both situations, nonetheless, Rashi cites both cases because ultimately they both illustrate the rule that “sometimes you may refrain.” If so, we return to the original question: Why does Rashi not cite the case mentioned in *Mechilta* viz., “it [the lost animal] is located among graves”?

3.

THE PURPOSE OF SPECIFICS

The solution to these difficulties will be understood by prefacing with an explanation as to why Rashi brings any examples of situations in which a person is allowed to “refrain” from helping—especially considering that in his commentary on the verse {in *Devarim* } “ignore,” Rashi simply says, “Our Rabbis taught that in some situations a person is permitted to ignore, etc.,” and does not specify what these situations are, satisfying himself instead by writing “etcetera.”

[And it is highly implausible that in *Devarim* , *parshat Teitzei*, {which speaks about returning lost objects} Rashi doesn’t give specific cases, because he relied on the cases that he cited in our *parsha*, in *Exodus*! Especially, since: 1) here, the obligation to unload is discussed, while there, the obligation to return a lost object is discussed; 2) the second case that Rashi cites here—“the animal belongs to a non-Jew and the burden is owned by a Jew”—doesn’t fit in with the context of returning a lost object (because if the burden belongs to a Jew, one may not ignore it).]

We must say that since the purpose of Rashi’s commentary is simply to clarify the meaning of a passage—not to teach us (specific) laws—therefore, Rashi there

cites only *the* part of exegesis of the sages that is germane to the *interpretation* of the verse (“Do not see and ignore—sometimes you may ignore”). Accordingly, since here Rashi does specify the cases in which one may refrain from assisting, this proves that Rashi’s specification is relevant to, and adds to our understanding of, the simple meaning of the verse.

4.

WHAT GOOD IS A WARNING?

The explanation is as follows:

The principal difficulty in the simple meaning of the verse, “If you see ... will you refrain ...,” is not just the **syntax** of the verse. (According to the interpretation that the verse is asking a rhetorical question, the word *ki* (which “is used as **perhaps**”) doesn’t qualify the clause that **immediately follows it**, “you see the donkey of someone you hate lying under its burden,” but qualifies a **later** clause, “will you refrain?”) Rather the verse’s primary difficulty arises from its **content**:

The obvious reason why the verse negates the possibility of refraining to help is because it is “the donkey of someone you hate.” The question thus arises: In the preceding verse a similar directive is given—“If you come upon your **enemy’s** bull ... straying,” and yet the verse does **not** forewarn us not to refrain from returning it. This is perplexing from either view you adopt:

If it is necessary for the Torah to caution us regarding a foe or enemy, then the Torah should have done so the first time this situation was discussed {i.e., in the previous verse}. And if no such warning is necessary—for what purpose does such a warning serve? None of the other mitzvot is accompanied with a warning that one shouldn’t entertain the possibility of not complying—so why does our verse include such a warning?

Because of this quandary, Rashi infers that the warning, “will you refrain?” is intended to teach a law that is germane only to our verse. For this reason, Rashi does not suffice in just remarking, “Its midrashic interpretation ... there are times that you do refrain,” but also specifies the cases when “you refrain.” This

(second) scenario, in which “the animal belongs to a non-Jew and the burden belongs to a Jew,” is **only** feasible in our verse, and not (in the previous verse) in the context of returning a lost object. Consequently, the clause, “Will you refrain...?” (from which we derive that “there are times that you do refrain”) is incorporated specifically into our passage.

The difficulty remains, however (as discussed in section 1)—Why does Rashi (also) cite the case of “an elder and it is beneath his dignity”?

5.

A SINGLE INTERPRETATION

The explanation of the matter is as follows:

By quoting the midrashic exposition of the verse, Rashi does not mean to introduce a second interpretation; he intends only to elucidate his initial explanation (by resolving a **secondary** difficulty) in *pshat*.

[Accordingly, we will understand why Rashi uses an unusually verbose preamble: “Its midrashic interpretation, **as expounded by our Rabbis**”—instead of saying more succinctly (as he typically does), “Its midrashic interpretation is....” Rashi wishes to underscore that the midrashic interpretation, in and of itself, is far from being the plain meaning of the verse (it is not an exposition close to *pshat*): it is distinctly exegetic—“it’s a *midrashic* interpretation, as **expounded**”—and it remains in the realm of the exegetic.

We just have to supplement the *pshat* of the verse with the “midrashic interpretation.” That is, with the phrase “will you refrain,” the verse **also** means to **allude** to the fact that “sometimes you refrain.”]

Put another way: By paraphrasing the Midrash that “sometimes you refrain,” Rashi resolves the question above—why specifically here must the Torah forestall the possibility of a person not doing the right thing? Because since there are times when refraining to help is permitted, a person might mistakenly think (or rationalize) that it would not be so terrible if he refrained from helping in **his**

own situation⁹ (as will be explained further). Therefore the verse negates this possibility here by asking the rhetorical question, “and you will refrain...? Rather, “You shall surely help along with him.”

6.

A PRETEXT TO RATIONALIZE

In order to clarify why one should worry that the when it is permissible to refrain might cause a person to rationalize and refrain improperly on other occasions, Rashi specifies what those permissible situations are:

- a) “an elder and it is beneath his dignity”—the obligation is suspended even for considerations of a person’s dignity (and how much more so if a person lacks the strength);
- b) “the animal of a non-Jew and it is carrying the load of a Jew”—from which we see that the intention of this mitzvah is not the alleviation of the animal’s suffering.

And that’s why Rashi prefaces with the statement, “there are times that you [may] refrain [from helping], and there are times that you [must] help”: The meaning of the verse is not that in general, in the majority of cases, there is an obligation to assist, and the dispensation to refrain is applicable only rarely—rather to start with, the scope of the obligation to assist in unloading is circumscribed and limited, “there are times that you [may] refrain [from helping], and there are times that you [must] help”—implying that the **times** to refrain are as frequent as the **times** to help.

As such, understandably, a person can readily find an excuse not to fulfill the command; therefore, the Torah explicitly forestalls such a premise—“Will you refrain from helping him!? You shall surely help along with him.”

In view of the above, we can now understand why Rashi first cites the case of “an elder and it is beneath his dignity”—because the main basis for a person to rationalize that the dispensation applies in his own situation is derived from the case of “an elder and it is beneath his dignity.” In contrast, the dispensation in

⁹ See *Malbim* and *Torah Temimah*, who offer a similar explanation.

the case of “the animal of a non-Jew and it is carrying the load of a Jew,” supplies a person with only secondary grounds to rationalize that the obligation (in general) is not so stringent.

And now we can readily understand why Rashi doesn’t cite the case of a cemetery. From this case, no general leniency in the obligation to assist in unloading could possibly be deduced, because: (a) it is a bizarre occurrence (that a loaded animal should be found in a cemetery, and found by a *kohen*); (b) this is the main reason: the basis for the dispensation here is due to the **gravity** of a *kohen* becoming defiled, and not because of an inherent **leniency** in the obligation to assist in **unloading**.

7.

WHAT LEADS TO LAXITY?

On this basis, we can better understand why the Torah includes its cautionary remark, “will you refrain...?” specifically in our verse and not in the earlier verse about returning a lost object (even though there, too, legitimate exceptions exist, as explained above):

When dealing with the requirement to return lost objects, it’s unreasonable to think that the few exceptions might lead a person to rationalize a general laxness in observing this mitzvah—because in the majority of cases, returning a lost object entails no great effort, etc. Scripture speaks about encountering a person’s lost “**ox...** or his **donkey...**,”¹⁰ i.e., about animals that move themselves. And although Devarim¹¹ speaks about returning “his garment... all lost articles of your brother,” this, too, doesn’t require a lot of exertion.

But our case speaks about the need to assist in unloading a burden, an activity that always requires exertion. And since in the situation of “an elder and it is beneath his dignity,” the elder is exempt, the exemption might lead a person to be lax about the whole mitzvah, as explained above.

¹⁰ Ex. 23:4.

¹¹ 22:3.

8.

Rashi's commentary alludes to the “wondrous”¹² deeper dimensions of Torah:

The Baal Shem Tov remarks¹³ that the word “donkey” [חמור] in our verse alludes to the physical body (“your corporeality”—חומר), and that the injunction to “help along with him,” implies that one may not (adopt an approach that will) break one's body through fasting and self-mortification. Instead, one must purify and refine the body.

On this basis, we can explain why Rashi cites these two particular cases to illustrate when a person is excused from helping to unload [—the case of (1) “an elder and it is beneath his dignity”; (2) “the animal of a non-Jew and it is carrying the load of a Jew”]. For these two cases allude to two sets of circumstances in which a person **is** permitted to fast (as mentioned in the Alter Rebbe's *Shulchan Aruch*¹⁴)—(1) when he fasts as an act of penitence; (2) when he fasts in order to cleanse his soul before Hashem. And possibly these two situations correspond to the two kinds of fasting spoken about in *Iggeres HaTeshuva*, 1) at the end of chapter one, and 2) at the beginning of chapter two.

The fasting accompanying repentance is a form of penance (or its final stage) for **sins**. Rashi hints at this sort of fast in the case where the animal belongs to a non-Jew and it is carrying the load of a Jew. When a Jew transgresses—Heaven forbid—his body and his animalistic soul are torn away from holiness, and they fall, temporarily, under the rule of *kelipah* (the animal belongs to a non-Jew). However, since even the transgressors¹⁵ among Israel are filled with *mitzvot* like a pomegranate, the load (of mitzvot) the donkey carries, belongs to a Jew. Especially since the soul of a Jew “stays faithful to Hashem even while the sin is being committed,”¹⁶ the Jewish soul remains intact.

¹² The term used by the *Shlah* in his *Mesechta Shavuot* (p. 181a).

¹³ *HaYom Yom*, the entry for *Shevat* 28; *Keter Shem Tov* (Kehot), Appendix, sec. 16.

¹⁴ *Choshen Mishpat*, “*Hilchot Nizkei Haguf*,” par. 4.

¹⁵ *Eruvin* 19a; *Chagigah*, at the end.

¹⁶ *Tanya*, end of ch. 24.

In contrast, fasts that “polish the soul clean before Hashem”¹⁷ are undertaken by a person after he has already repented fully (as it says there in the beginning of chapter two) [or by a person who doesn’t need to repent because he hasn’t sinned], because he wishes to reach [a loftier state, and] to “polish the soul clean before Hashem,” to find favor before Him, etc. And the way to {go about achieving} this is by focusing {not on the soul, but} on its antithesis {i.e., the body}: When a person is preoccupied with rarified and spiritual pursuits, and is therefore not (too) concerned with edifying and purifying his body, his body can retain a certain degree of its physicality and coarseness, which in turn, can coarsen, or, at least, can interfere with completely cleansing, the soul. To that end, a person must fast in order to cleanse and refine both body and soul.

And this is what Rashi alludes to with the case of “an elder and it is beneath his dignity”: These are the fasts of a person who is “an elder”—a person who has acquired wisdom.¹⁸ That’s why involvement in purifying and refining his body (“donkey”) is beneath his dignity; it is a demotion relative to his dignity (and his (spiritual) stature). So fasting, in order to cleanse his soul, completes the purification of his body, which he has [until now] lacked.

On this basis, we can understand (on a deeper level) why Rashi doesn’t cite the case of “(a *kohen*,) and it [the animal] is in a cemetery”—because its parallel in the realm of one’s spiritual service is (similar to that of the case of “the animal of a non-Jew carrying the load of a Jew”): the animal is in a “cemetery”—by sinning, the body and animalistic soul descends into “a place of death and defilement”;¹⁹ however, the [Divine] soul of a Jew is symbolized by “(a daughter of) a *kohen*”²⁰—who stands outside of, and higher than, the place of death and defilement, because it ““stays faithful to Hashem even while the sin is being committed,” as explained above.

And Rashi selects specifically the example of “an elder and it is beneath his dignity”—because spiritually, there is **no** real case of truly being “in a cemetery”: the physical body of a Jew is also an **eternal** entity that never really dies or

¹⁷ *Iggeret HaTeshuva*, beginning of ch. 4.

¹⁸ *Kidushin* 32b; *Torat Kohanim*, and Rashi, on *Lev.* 19:32.

¹⁹ *Tanya*, ch. 22 (27b).

²⁰ See *Zohar*, on our *parsha*, 95a, *et passim*; *Iggeret HaKodesh*, “Epistle 12,” p. 118a.

becomes completely non-existent; it is ‘the handiwork of Hashem in which He glories,’²¹ and since Hashem has chosen it,²² it can never be “lost,” Heaven forbid.

The body may be merely under the control of the non-Jew, but this entails only a change of **domain**, temporarily being placed under the non-Jew’s control. But there is no change in the **essential-character** of the body, because even then, it remains a **Jewish** body. That the essence of the Jewish body should spiritually be found, in fact, in “a cemetery” (experience spiritual death)—is simply not possible!

From the perspective of Jewish law²³—although the Torah (also) confirms the reality that a Jew can be sold to a non-Jew, nonetheless, even then the Torah declares “**For the children of Israel are servants to Me**²⁴—My contract with them takes precedence.”²⁵

9.

OFF THE FAST-TRACK

And this is also the deeper explanation of the two interpretations that Rashi offers on our verse:

According to the plain sense of the verse, the clause, “will you refrain from helping him” expresses a question of astonishment: A Jew is expected to conduct himself properly—along the lines of the verse,²⁶ “Hashem made man straight”—and to serve Hashem according to the Torah’s prescribed system. Of such a Jew, the verse asks incredulously, “Will you refrain from helping him!?” There should be **no** self-mortification or fasting, to break the body. Rather, one ought to work **with** the body, in order to purify and to refine it, as the Baal Shem Tov taught.

²¹ See the *Mishna* in *Sanhedrin* 90a, “Every Jew... in the World to Come... My handiwork in which I glory” (referring to the era of the Resurrection, which concerns the physical body).

²² *Tanya*, ch. 49. For elaboration, see *Likkutei Sichot*, vol.6, p. 84.

²³ Rambam, “*Hilchot Sichirut*,” ch.9, par. 4; *Shulchan Aruch*, “*Choshen Mishpat*,” sec. 333, par. 3.

²⁴ *Lev.* 25:55.

²⁵ Rashi, *ad loc.*

²⁶ *Eccles.* 7:29.

Then comes the midrashic interpretation, anticipating the predicament of those individuals who have sinned and stained themselves thereby, or who have in some way deviated from the straight-forward path. Under such circumstances, there can be times when one must “refrain from helping him” [i.e., from working in a positive way with the body].

Nonetheless, regardless of what was explained above—that as part of repentance, one is allowed to fast, “**even a person for whom fasting is difficult**”²⁷—the Alter Rebbe, in *Iggeres HaTeshuvah*,²⁸ delivers a clear directive that “in our generation,” a person should not undertake numerous fasts, even for purposes of repentance. Instead, one should redeem such fasts with *tzedakah*.

And since the weakness of the generation is not a matter of choice, but is a result of how the Almighty created our generation, certainly then by serving Hashem in the manner shown to us by the Baal Shem Tov and by the Alter Rebbe, one will lack nothing, Heaven forbid, in the rectification of the deficiency that one would have achieved through fasting and self-mortification.

In this generation of ours, we were given the ability to make amends for undesirable matters, without pain and without worry—doing so, instead, with joy and gladness of heart.

From a talk delivered on *Shabbos Parshas Mishpatim*, 5726

²⁷ In his *Shulchan Aruch*, “*Hilchos Nizkei Haguf*,” *ibid*.

²⁸ Chapter 3.