

## CHAPTER 6, LAW 10(A) - SEEING BENEATH THE SURFACE

*by Rabbi Dovid Rosenfeld*

***A person is obligated to be careful [in dealing] with orphans and widows since their souls are very lowly and their spirits are down -- even if they are wealthy. We are cautioned even regarding the widow and orphans of a king, as it is stated, 'Every widow and orphan you shall not afflict' (Exodus 22:21).***

***How must one accustom himself with them? He should speak with them only gently, he should treat them only respectfully, and he should not pain their bodies through labor nor their hearts with [harsh] words. He should be sensitive / sparing ('chas') towards their property more so than his own property.***

***Anyone who provokes them, angers them, pains them, puts them down, or causes them a loss of property transgresses a negative prohibition (ibid.), certainly one who hits or curses them. Even though one does not receive lashes for [transgressing] this prohibition, its punishment is explicit in the Torah: 'And My wrath will be kindled and I will kill you by sword [and your wives will be widows and your children orphans]' (ibid. v. 23).***

***The Creator (lit., 'the One who spoke and the world was') forged a covenant with them that whenever they cry out on account of extortion they are answered, as it is stated, '...for if he cries out to me, I will certainly hear his cry' (ibid. v. 22).***

The Rambam this week discusses the prohibition against oppressing widows and orphans. The Torah in fact often enjoins us to show extra care and concern with unfortunates, providing them their full due of legal, financial and emotional support.

One interesting observation is the fact that no exceptions are made to this law. As the Rambam notes, even the members of the royal family are considered bereaved if the king dies young. One reason for this may simply be because the Torah generally does not allow for exceptions, leaving its laws open to dangerous misinterpretation.

As a simple example, it is equally forbidden by Torah law to kill an ailing 99 year old as a strapping 20 year old -- and in either case the murderer is put to death. Certainly the Torah makes no distinctions in terminating another's life, regardless of life expectancy: we're **all** going to die sooner or later anyway, whether in 15 minutes or 100 years. Once any exception is made to such a law, the proverbial Pandora's Box is opened: What about two years' life expectancy, what about any senior, any person of such poor health he is only a burden to society, an unwanted pregnancy, anyone

whose quality of life is not up to snuff etc. Recall that the first victims of the Nazi executions were not Jews but retarded Germans.

(Actually, there is one exception to the above, namely if a person has certain physical defects which make his body incapable of supporting life (for very long), known as a "tereifa" in Jewish law. It is of course forbidden to kill such a person, yet the punishment is not the death sentence.)

Another reason no exceptions are made to this law is possibly because no matter how prominent and well-established the deceased's widow and orphans are, quite likely they still feel a lack. A widow will feel disadvantaged and vulnerable in a male-dominated society (which existed in Talmudic times and to be honest, still exists today) -- even if she lacks for nothing and has 50 servants waiting on her. She and her children have no one watching out for them. And regardless of wealth, reputation and personal clout, such people may be keenly aware that they're just different from the rest and undefended in society at large.

A final important observation is that the Sages extend this principle to mistreating all unfortunates. States the Midrash (Mechilta 18) on the above-quoted verses that it is forbidden to afflict anyone; widows and orphans are just particularly vulnerable to abuse and so warranted special mention.

In other words, widows and orphans are just typical examples, but we must be careful regarding anyone who is disadvantaged and very likely sensitive about it -- even if he or she appears cool, collected and confident. We all know many such people, perhaps an aging single, a childless couple, a child of a single-parent home, someone unemployed, overweight, undersized etc. There are no shortage of shortcomings which can make us self-conscious. True, a strong person can overcome his sense of inferiority. And it's certainly true and correct to carry with oneself the attitude that I'm just as worthy, G-d loves me just as much, anyone I'd consider worthy of my friendship would be mature enough to see beyond my handicap, etc. Yet let's face it. Many of us are keenly aware of our flaws (much more so than our good qualities), and they play a considerable role in defining our self-image and self-confidence.

Years ago, a young woman who was blessed with two children but far below the norm in her Orthodox neighborhood confided in me that she could bear the lack in itself, but could not at all bear the sense of feeling different from her neighbors -- watching "everyone" else going through the ordinary motions of child rearing, while she was not. Do they look at her funny? Do they feel bad for her? How could so and so have said something so insensitive? etc. And as we all know, people who are hypersensitive perceive snubs and insults when they weren't there to begin with. (She has since been blessed with several more children, I'm happy to report.)

We all know ourselves how awkward it is to approach someone who has suffered a loss -- such as visiting a shiva house (house of mourning) -- or dealing with anyone who is just a little different -- say a childless couple. Do you never talk about your children to them -- or is that too obviously treating them differently? Do you treat them as normal -- or will the inevitable mention of your own kids be

too painful for them? I've heard second hand from a young Orthodox husband who was childless for a number of years that you basically can't win with someone like that. There's no sure way of avoiding hurt. It just depends which side of the bed they got up on that morning. But then the final and easiest tactic -- most often taken -- is to avoid such people altogether -- naturally making them feel even more left out.

So again, this is not an issue easy to solve. Yet the Torah offers one basic guideline: Be exceptionally gentle. Even if everything appears normal and the family seems to be long over the loss, go easy on them -- be it in legal issues, disciplining them in school, or in ordinary conversation. We all put on a brave face when suffering and attempt to project confidence and composure, yet no one truly knows how "different" and fragile such people may feel within. True, there are no hard and fast rules the Torah can spell out for us. Every situation is different and no two people are alike. Yet the one very simple rule of thumb the Torah does offer us goes a long way towards positively relating to all of G-d's creations.

---

Text Copyright © 2015 by Rabbi Dovid Rosenfeld and **Torah.org**