

# SMALL FAVORS

*by Rabbi Yissocher Frand*

## Parshas Devarim

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I instructed your judges at that time, saying, "Listen among your brethren and judge righteously between a man and his brother or his litigant. You shall not show favoritism in judgment, small and great alike shall you hear..." (1:16)

Moshe Rabbeinu recounts how he warned the then-newly appointed judges not to show any favoritism that might corrupt the results of a case over which they are presiding.

A recurring theme in the Torah is that personal considerations, especially in the form of bribes, will cause a judge to view one party more favorably than the other.

The Talmud (Kesubos 105b) teaches that bribes don't necessarily have to come in the form of money. Even seemingly minor exchanges can affect the way a person sees things. The Talmud explains, for instance, that even saying nice things to a judge may be a form of bribery that will cloud his judgment.

The Talmud goes on to list several Amoraim who recused themselves from a case after accepting favors that we would hardly consider bribery.

The Amora Shmuel was having difficulty crossing a rickety footbridge. Someone reached out and helped him cross the bridge. Shmuel asked this man what had brought him to the bridge, and the man answered that he had a case scheduled in Shmuel's beis din. Shmuel disqualified himself from judging the case out of concern that the favor he had received from this man would cause him to subconsciously want to see this man win the case and inadvertently skew the proceedings to make that happen.

Similarly, Ameimar was sitting in beis din, and a feather flew onto his head. A fellow came over and removed the feather. When he told Ameimar that he was there to have his case heard, Ameimar disqualified himself from hearing the case.

Mar Ukva had an instance in which someone spat in front of him, and another person came and covered up the saliva. The second person had a case scheduled in which Mar Ukva was to be the judge, and Mar Ukva disqualified himself.

The final case listed in the Talmud is with Rav Shmuel bar Yose's sharecropper, who would normally deliver Rav Shmuel bar Yose's share of the produce every Friday. One week, the sharecropper had to be in town on Thursday for a monetary case, so he decided to deliver the produce a day early. Rav Shmuel bar Yose recused himself from adjudicating the case of the sharecropper lest he be affected by the favor of having his produce a day early.

Rav Pam wonders: Were these Amoraim so fickle that the slightest favor could influence their judgment? Can you imagine a dayan misjudging a case because someone helped him across the street or cleaned his hat? Shouldn't an Amora give himself more credit than to assume that he would be biased for such trivial reasons?

Rav Pam answers that this Gemara is not so much about judicial integrity or the corrosive nature of bribes as it is about the extent of hakaras hatov (gratitude) we should have for those who do us favors.

These Amoraim weren't fickle; they took people's favors more seriously than we do. To us, such favors might be so insignificant that they don't even register on our radar screens. But people who have worked on appreciating what others do for them consider these "minor" kindnesses worthy of so much gratitude that it might skew their judgment.

Rav Pam goes on to show how many of the problems in society today stem from a lack of hakaras hatov.

Husbands take the daily "small" favors that wives do for them for granted, and wives take their husband's favors for granted. Everyone expects the other party to do the chores and errands they usually do because "it's his (or her) job."

If each spouse would take favors as seriously as these Amoraim did, said Rav Pam, we would have many more happy, stable marriages, in which everyone would feel that they are appreciated for all they do.

The same holds true for employer-employee relationships, and virtually all other relationships as well. If people would look at what the other party does for them instead of considering it a God-given right, they would get along much better.

Perhaps the most compelling example Rav Pam offers is the attitude people display toward

yeshivos, Bais Yaakovs, and day schools. If alumni and parents would have the proper hakaras hatov toward the institutions that educated them or their children, they would give generous, ongoing gifts to those schools, and our mosdos wouldn't be in the sorry state of financial collapse they are in. But all too often, the attitude is, "I paid my tuition. I did my job. You did your job. Don't bother me anymore!"

And people who are truly makir tov don't appreciate only the good things that people do for them; they even feel a debt of gratitude to those who hurt them in a way that ultimately ended up helping them.

When Rav Kook was still in Europe, he would spend his summers on the Baltic seacoast in Latvia, along with many other European rabbanim.

The resort had a room set aside for davening. One evening, Rav Reuven Zelig Bengis had yahrtzeit, but there were only nine people in the improvised shul. One of the nine went outside to look for a tenth man, and found one nearby. Little did he realize that another man who had yahrtzeit had gathered exactly ten people just outside their room, and that the man whom he had summoned into Rav Bengis's minyan was needed for the other minyan.

The person who organized the minyan outside stormed into the room and started yelling at Rav Bengis, heaping insults upon him.

Rav Kook was well known for his great love for every Jew, but this action was beyond the pale, even for Rav Kook. He walked over to the person who was berating Rav Bengis and slapped him across his face for insulting a talmid chacham.

This man grew so furious at Rav Kook that he decided to sue him in a secular court for assault. A commotion ensued. Several people asked Rav Kook to apologize so the matter would not go any further, but Rav Kook refused. "If it was for my own honor, I would apologize," he explained. "But Rav Bengis was shamed. I am not sorry that I slapped a person in order to defend the honor of a talmid chacham. Let him take me to court!"

A few days later, the fellow had a change of heart. He came into Rav Kook, apologized, and told him he was not going to take him to court.

For many years, it seemed that that was the end of the story.

Years later, however, Rav Kook visited the United States. He was approached by the very person whom he had slapped years earlier at the resort.

"I owe the Rav a great debt of gratitude," the man exclaimed, removing a gold watch from his pocket and presenting it to Rav Kook.

He explained that after Rav Kook had slapped him, life in Europe became unbearable for him. He became infamous for being the one who yelled at Rav Bengis and got slapped by Rav Kook. When

he could no longer bear the shame, he decided to leave Europe and go to America where no one knew him. He struck it rich in America, eventually becoming a millionaire. He felt his good fortune was all the result of the slap from Rav Kook, and he wanted to give the Rav a gift to express his gratitude.

It is hard to feel gratitude for a slap in the face, be it literal or proverbial. But the least we can do is learn to be as appreciative as the Amoraim were toward those who do us favors.

And that level of hakaras hatov wasn't limited to the generation of the Talmud. The Chofetz Chaim, who lived less than a century ago, was a Kohen and could not attend funerals. But when a woman who had once donated a window to his yeshivah in Radin passed away — and we are not talking about a designer stained-glass window — he followed the casket from a distance all the way to the cemetery in appreciation for her donation.

If we would appreciate the favors others do for us — however small they are — the world would be a far better place!

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