

To Favor the Poor **Rabbi Zev-Hayyim Feyer**

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Parshat Mishpatim

Do not show favoritism to your poor person in his lawsuit. (Exodus 23:6)

Clearly, the Torah is telling us not to favor a poor person in court, that we must treat all litigants equally, whether rich or poor. But, as we well know, the plain-text (*p'shat*) meaning of a verse from the Torah is only the beginning, not the end. What does the Jewish tradition do with this verse?

We notice the final word of the verse (the final three words in English). We may not favor the poor person בריבו, *b'rivo*, in his lawsuit. The tradition notes that the verse could stand perfectly well without that word – Do not show favoritism toward the poor – so that final word is extraneous; it is unnecessary. But there are, we are taught, no unnecessary words in the Torah, and so that word must be there in order to teach us something. Our sages interpret that final word as limiting the instruction of the verse – only in a court case are we forbidden to favor the poor. There, and only there, should both parties be treated equally. There, and only there, shall you show no favoritism, not to the rich and not to the poor. But everywhere else, you shall favor the poor. Everywhere else, you shall show the poor every kindness, every concern, every bit of care.

And we can go beyond what our sages said, drawing on the form of that final word. Again, it could stand perfectly well if the word were בריב, *b'riv*, in a lawsuit, but it is more specific – בריבו, *b'rivo*, in *his* lawsuit. Only when the poor person institutes a lawsuit, and only within the lawsuit that s/he has brought, must we refrain from favoritism toward the poor. In all other circumstances – including a lawsuit brought against the poor! – we have an absolute obligation to favor the poor, the needy, the weak. We are obligated to treat beggars with kindness – even those who present themselves badly or offensively. We are obligated to assure that the needy are favored by our tax codes. We are obligated to provide housing, medical care, and other needs to the poor – even when they abuse our Biblically mandated generosity!

When will our society catch up to the sensitivity of the Torah?

Shabbat Shalom.