

Congregation Or Zarua

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"Righteousness Like a Mighty Stream":

Social Justice as Divine Imperative

Session 2: Amplification of First Principles

Marc D. Ashley

Source Sheet by Marc Ashley

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1. Deuteronomy 21:10-14

(10) When you take the field against your enemies, and the LORD your God delivers them into your power and you take some of them captive, (11) and you see among the captives a beautiful woman and you desire her and would take her to wife, (12) you shall bring her into your house, and she shall trim her hair, pare her nails, (13) and discard her captive's garb. She shall spend a month's time in your house lamenting her father and mother; after that you may come to her and possess her, and she shall be your wife. (14) Then, should you no longer want her, you must release her outright. You must not sell her for money: since you had your will of her, you must not enslave her.

דברים כ"א:י'-י"ד .א

(י) כִּי־תִצֵּא לְמִלְחָמָה עַל־אֹיְבֶיךָ וַיִּנְתְּנוּ
יְהוָה אֱלֹהֶיךָ בְיָדְךָ וְשָׁבִיתָ שְׁבוּיִם: (יא)
וְרָאִיתָ בַשְּׁבוּיָה אִשָּׁת יְפֹת־תָּאֵר וְחִשְׁקָתָ
כָּה וְלִקַּחְתָּ לָּךְ לְאִשָּׁה: (יב) וְהִבֵּאתָהּ
אֶל־תּוֹךְ בֵּיתְךָ וְגִלְחָהּ אֶת־רֹאשָׁהּ
וְעָשְׂתָה אֶת־צַפְרָנֶיהָ: (יג) וְהִסִּירָהּ
אֶת־שְׂמֹלֶת שְׁבוּיָהּ מֵעַלֶיהָ וַיִּשְׁבֶּהּ בְּבֵיתְךָ
וַיְבַכְתָּה אֶת־אָבִיהָ וְאֶת־אִמָּהּ יָרַח יָמִים
וְאַחַר כֵּן תָּבוֹא אֵלֶיהָ וּבַעֲלֹתָהּ וְהָיְתָה לָּךְ
לְאִשָּׁה: (יד) וְהָיָה אִם־לֹא חָפְצָתָּ בָּהּ
וְשִׁלַּחְתָּהּ לְנַפְשָׁהּ וּמָכַר לֹא־תִמְכְּרָנָהּ
בַּכֶּסֶף לֹא־תִתְעַמְרָר בָּהּ תַּחַת אֲשֶׁר
עָנִיתָהּ:

2. **Rabbi Abraham Joshua Heschel (January 1963)** .ב

Most of us are content to delegate the problem to the courts as if justice were a matter for professionals or specialists. But to do justice is what God demands of every man: it is the supreme commandment, and one that cannot be fulfilled vicariously. Righteousness must dwell not only in the places where justice is judicially administered.

3. **Pirkei Avot 1:2**

(2) Shimon the Righteous was one of the last of the men of the great assembly. He used to say: the world stands upon three things: the Torah, the [Temple] service, and the practice of acts of piety.

משנה אבות א' ב' .ג

(ב) שְׁמַעוֹן הַצַּדִּיק הָיָה מְשִׁירֵי כְּנֻסַת הַגְּדוּלָה. הוּא הָיָה אוֹמֵר, עַל שְׁלֹשָׁה דְבָרִים הָעוֹלָם עוֹמֵד, עַל הַתּוֹרָה וְעַל הָעֲבוֹדָה וְעַל גְּמִילוּת חֲסָדִים:

4. **Shabbat 31a**

There was **another incident involving one gentile who came before Shammai and said to Shammai: Convert me on condition that you teach me the entire Torah while I am standing on one foot. Shammai pushed him away with the builder's cubit in his hand.** This was a common measuring stick and Shammai was a builder by trade. The same gentile **came before Hillel. He converted him and said to him: That which is hateful to you do not do to another; that is the entire Torah, and the rest is its interpretation. Go study.**

שבת ל"א א .ד

שוב מַעֲשֵׂה בְּגוֹי אֶחָד שָׁבָא לְפָנַי שְׁמַאי. אָמַר לוֹ: גִּיּוֹרָנִי עַל מְנַת שְׁתַּלְמָדְנִי כָּל הַתּוֹרָה כּוֹלָה כְּשֶׁאֲנִי עוֹמֵד עַל רֶגֶל אַחַת! דָּחַפוּ בְּאַמַת הַבְּנִיָן שְׁבָדוֹ. בָּא לְפָנַי הִלֵּל, גִּיּוֹרִיָּה. אָמַר לוֹ: דַּעֲלֵךְ סְגִי לַחֲבֵרְךָ לֹא תַעֲבִיד — זֶה הִיא כָּל הַתּוֹרָה כּוֹלָה, וְאִידֵךְ פִּירוּשָׁהּ הוּא, זִיל גְּמוֹר.

5. Bava Batra 10a

בבא בתרא י"א ה.

It is taught in a *baraita*: Rabbi Meir would say: An opponent may bring an argument against you and say to you: If your God loves the poor, for what reason does He not support them Himself? In such a case, say to him: He commands us to act as His agents in sustaining the poor, so that through them we will be credited with the performance of mitzvot and therefore be saved from the judgment of Gehenna. And this is the question that Turnus Rufus the wicked asked Rabbi Akiva: If your God loves the poor, for what reason does He not support them Himself? Rabbi Akiva said to him: He commands us to sustain the poor, so that through them and the charity we give them we will be saved from the judgment of Gehenna. Turnus Rufus said to Rabbi Akiva: On the contrary, it is this charity which condemns you, the Jewish people, to Gehenna because you give it. I will illustrate this to you with a parable. To what is this matter comparable? It is comparable to a king of flesh and blood who was angry with his slave and put him in prison and ordered that he should not be fed or given to drink. And one person went ahead and fed him and gave him to drink. If the king heard about this, would he not be angry with that person? And you, after all, are called slaves, as it is stated: “For the children of Israel are slaves to Me” (Leviticus 25:55). If God decreed that a certain person should be impoverished, one who gives him charity defies the will of God. Rabbi Akiva said to Turnus Rufus: I will illustrate the opposite to you with a different parable. To what is this matter comparable?

It is comparable to a king of flesh and blood who was angry with his son and

תנאי הנה רבי מאיר אומר יש לו לבעל הדין להשיבך ולומר לך אם אלהיכם אוהב עניים הוא מפני מה אינו מפרנסך אמר לו כדי שניצול אנו בהן מדינה של גיהנם וזו שאלה שאל טורנוסרופוס הרשע את רבי עקיבא אם אלהיכם אוהב עניים הוא מפני מה אינו מפרנסך אמר לו כדי שניצול אנו בהן מדינה של גיהנם אמר לו [אדרבה] זו שמחייבתו לגיהנם אמשול לך משל למה הדבר דומה למלך בשר ודם שפצע על עבדו וחקשו בבית האסורין וצנה עליו שלא להאכילו ושלל להשקותו והלך אדם אחד והאכילו והשקהו כששמע המלך לא פועס עליו ואתם קרוין עבדים שנאמר כי לי בני ישראל עבדים אמר לו רבי עקיבא אמשול לך משל למה הדבר דומה למלך בשר ודם שפצע על בנו וחקשו בבית האסורין וצנה עליו שלא להאכילו ושלל להשקותו והלך אדם אחד והאכילו והשקהו כששמע המלך לא דורון משגר לו ונאנו קרוין בנים דכתיב בנים אתם לה' אלהיכם אמר לו אתם קרוים בנים וקרוין עבדים בזמן שאתם עושין רצונו של מקום אתם קרוין בנים ובזמן שאין אתם עושין רצונו של מקום אתם קרוין עבדים ועכשיו אין אתם עושין רצונו של מקום אמר לו הרי הוא אומר הלא פרום לרעב לתמה.

put him in prison and ordered that he should not be fed or given to drink. And one person went ahead and fed him and gave him to drink. If the king heard about this once his anger abated, would he not react by sending that person a gift? And we are called sons, as it is written: “You are sons of the Lord your God” (Deuteronomy 14:1). Turnus Rufus said to him: You are called sons and you are called slaves. When you fulfill the will of the Omnipresent, you are called sons; when you do not fulfill the will of the Omnipresent, you are called slaves. And since now you do not fulfill the will of the Omnipresent, the parable that I offered is more apt. Rabbi Akiva said to him: The verse states: “Is it not to share your bread with the hungry, and that you shall bring the poor that are cast out to your house?” (Isaiah 58:7). When do we bring the poor that are cast out into our houses? Now, when we have to billet the Roman soldiers in our homes; and about that very time, the verse states: “Is it not to share your bread with the hungry?”

6. **Siddur Ashkenaz, Weekday, Shacharit, Concluding Prayers, Alenu**

(2) We therefore put our hope in You, God our Lord, to soon behold the glory of Your might in banishing idolatry from the earth, and the false gods will be utterly exterminated **to perfect/establish the world as the kingdom of Shaddai**. And all mankind will invoke Your Name, to turn back to You, all the wicked of the earth. They will realize and know, all the inhabitants of the world, that to You every knee must bend, every tongue must swear [allegiance to You].

א. **סידור אשכנז, ימי חול, תפילת שחרית, סיום תפילה, עלינו**

(ב) עַל כֵּן נִקְוָה לָךְ יְהוָה אֱלֹהֵינוּ לְרֹאוֹת מְהֵרָה בְּתַפְאֵרַת עֲזֻךְ לְהַעֲבִיר גְּלוּלִים מִן הָאָרֶץ וְהָאֱלִילִים כְּרוֹת יִפְרֹתוֹן לְתַקּוֹן עוֹלָם בְּמַלְכוּת שְׁדֵי וְכָל בְּנֵי בָשָׂר יִקְרְאוּ בְשִׁמְךָ, לְהַפְנוֹת אֵלֶיךָ כָּל רִשְׁעֵי אָרֶץ, יִפְרִיּוּ וַיִּדְעוּ כָּל יוֹשְׁבֵי תְּבֵל כִּי לָךְ תִּכְרַע כָּל בָּרָךְ תִּשָּׁבַע כָּל לְשׁוֹן.

7. **Leviticus 19:9-10**

9) When you reap the harvest of your land, you shall not reap all the way to the edges of your field, or gather the gleanings of your harvest. (10) You shall not pick your vineyard bare, or gather the fallen fruit of your vineyard; you shall leave them for the poor and the stranger: I the LORD am your God.

א. **ויקרא י"ט:ט-י**

(ט) וּבְקַצְרְכֶם אֶת־קִצִּיר אַרְצְכֶם לֹא תִכְלֶה פֶּאֶת שְׂדֵךְ לְקַצֵּר וּלְקַט קִצִּירֶךָ לֹא תִלְקֹט: (י) וְכִרְמֶךָ לֹא תַעֲזוֹלֵל וּפְרֹט כִּרְמֶךָ לֹא תִלְקֹט לְעַנִּי וְלַגֵּר תַּעֲזוֹב אֹתָם אֲנִי יְהוָה אֱלֹהֵיכֶם:

8. **Mishnah Peah 7:3**

(3) What is peret? [Grapes] which fall down during the harvesting [to which the poor are entitled]. . . . One who places a basket under the vine when he is harvesting [the grapes], behold he is a robber of the poor. Concerning him it is said: "Do not remove the landmark of those that come up (olim)" (Proverbs 22:28).

ה. **משנה פאה ז':ג**

(ג) אֵיזֶהוּ פְּרֵט, הַנוֹשֵׁר בְּשַׁעַת הַבְּצִירָה. הִנֵּה בּוֹצֵר, עָקָץ אֶת הָאֲשֻׁכּוֹל, הַסֹּבֵף בְּעֵלִים, נָפַל מִיָּדוֹ לְאָרֶץ וּנְפֹרֵט, הָרִי הוּא שָׁל בַּעַל הַבַּיִת. הַמְנִיחַ אֶת הַכֹּלְכֹלָה תַּחַת הַגֶּפֶן בְּשַׁעַת שְׂהוּא בּוֹצֵר, הָרִי זֶה גּוֹזֵל אֶת הָעֲנִיִּים, עַל זֶה נֶאֱמַר (מְשָׁלִי כב) אַל תִּסַּג גְּבוּל עוֹלָיִם:

9. **Tosefta Peah 4:9**

If one resided in the city 30 days then one is regarded as a citizen of the city for [assessments to support] the communal charity fund (*kupah*). For the clothing fund, the residence is six months. For municipal taxes for services, 12 months residence.

תוספתא פאה ד' ט'

(ט) אם שהה שם שלשים יום הרי הוא כאנשי העיר לקופה ולכיסוי ששה חדשים לעניי העיר שנים עשר חודש.

10. **Sanhedrin 17b**

And it is taught in a *baraita*: **A Torah scholar is not permitted to reside in any city that does not have these ten things: A court that** has the authority to **flog and punish** transgressors; **and a charity fund** for which monies **are collected by two people and distributed by three**, as required by *halakha*; **and a synagogue; and a bathhouse; and a public bathroom; a doctor; and a bloodletter; and a scribe** to write sacred scrolls and necessary documents; **and a ritual slaughterer; and a teacher of young children.**

סנהדרין י"ז ב

ותניא כל עיר שאין בה עשרה דברים הללו אין תלמיד חכם רשאי לדור בתוכה בית דין מכין ועונשין וקופה של צדקה נגבית בשנים ומתחלקת בשלשה ובית הכנסת ובית המרחץ וביהכ"ס רופא ואומן ולבלר ומלמד תינוקות.

11. **Mishneh Torah, Gifts to the Poor 9:3**

(3) Never have we seen or heard of a Jewish community that does not have a *kupah* [communal fund] for charity, but as for a *tamchui* [communal food kitchen], there are places whose custom it is to have it and places that do not. The widespread custom today is that the collectors of the *kupah* make their rounds each day [to collect the *tzedakah*], and they distribute it on each Sabbath eve.

משנה תורה, הלכות מתנות עניים**ט"ג'**

(ג) מעולם לא ראינו ולא שמענו בקהל מישראל שאין להו קפה של צדקה. אבל תמחוי יש מקומות שנהגו בו ויש מקומות שלא נהגו בו. והמנהג הפשוט היום שיהיו גבאי הקפה מחזירין בכל יום ומחלקין מערב שבת לערב שבת:

12. **Mishneh Torah, Gifts to the Poor 10:1-2**

(1) We must be especially careful to observe the *mitzvah* of *tzedakah*, more so than any other positive *mitzvah*, for *tzedakah* is a sign of the righteous lineage of Abraham, our father, as it is said (Genesis 18:19): *For I have singled him out, that he may instruct his children and his posterity [to keep the way of the LORD] by doing what is just [tzedakah].*

(2) And if someone is cruel and without compassion, then his lineage is suspect, for cruelty is only found among the idolatrous nations, as it is said (Jer. 50:42): *They are cruel, they show no mercy. . . .* And if a brother does not show compassion for another brother, then who will have compassion for him? And to whom can the poor of Israel look? To the idolatrous nations that hate them and pursue them? They can only look to rely upon their brothers.

משנה תורה, הלכות מתנות עניים

י"א-ב'

(א) חִיבִין אָנוּ לְהִזְהָר בְּמִצְוֹת צְדָקָה יוֹתֵר מִכָּל מִצְוֹת עֲשֵׂה. וְשֶׁהַצְּדָקָה סִימָן לְצַדִּיק זָרַע אֲבָרָהֶם אֲבִינוּ שְׁנֵאָמַר (בראשית יח יט) "כִּי יִדְעֶתְיוּ לְמַעַן אֲשֶׁר יִצְוֶה אֶת בְּנָיו" (בראשית יח יט) "לְעֲשׂוֹת צְדָקָה".

(ב) וְכָל מִי שֶׁהוּא אֲכֹזֵרִי וְאִינוּ מְרַחֵם יֵשׁ לְחֹשֶׁשׁ לְיַחֲסוֹ. שְׂאִין הָאֲכֹזֵרִיּוֹת מְצוּיָה אֶלָּא בְּעַכּוּ"ם שְׁנֵאָמַר (ירמיה נ מב) "אֲכֹזֵרִי הִמָּה וְלֹא יִרְחַמוּ". . . .

וְאִם לֹא יִרְחַם הָאִחׁ עַל הָאִחׁ מִי יִרְחַם עָלָיו? וְלִמִּי עֲנִיִּי יִשְׂרָאֵל נוֹשָׂאִין עֵינֵיהֶן? הֲלְעַכּוּ"ם שְׁשׂוֹנְאִין אוֹתָן וְרוֹדְפִים אֲחֵרֵיהֶן? הֵא אִין עֵינֵיהֶן תְּלוּיּוֹת אֶלָּא לְאַחֵיהֶן:

13. **Mishneh Torah, Gifts to the Poor 7:7**

(7) They provide for and clothe the poor of Gentiles along with the poor of Israel for the sake of peaceful relations.

משנה תורה, הלכות מתנות עניים ז'ז'

(ז) מְפָרְנִסִין וּמְכַסִּין עֲנִיִּי עַכּוּ"ם עִם עֲנִיִּי יִשְׂרָאֵל מִפְּנֵי דְרָכֵי שְׁלוֹם.

14. **Mishneh Torah, Gifts to the Poor 10:7-14**

- (7) There are eight levels of *tzedakah*, each one greater than the other.
- (i) The greatest level, higher than all the rest, is to fortify a fellow Jew and give him a gift, a loan, form with him a partnership, or find work for him, until he is strong enough so that he does not need to ask others [for sustenance].
- (8) (ii) One level lower than this is one who gives *tzedakah* to the poor and does not know to whom he gives, and the poor person does not know from whom he receives. . . . Very close to this is one who gives to the *kupah* of *tzedakah*, but one should not contribute to the *kupah* of *tzedakah* unless one is certain that the one who counts it is trustworthy and wise and behaves competently. . . .
- (9) (iii) One level lower is one who gives *tzedakah* and the giver knows to whom he gives but the poor person does not know from whom he takes. . . .
- (10) (iv) One level lower is when the poor person knows from whom he takes but the giver does not know to whom he gives. . . .
- (11) (v) One level lower is to give to him with one's own hand before he can ask.
- (12) (vi) One level lower is to give to him after he has asked.
- (13) (vii) One level lower is to give him less than one should but with kindness.
- (14) (viii) One level lower is to give to him begrudgingly.

מִשְׁנֵה תּוֹרָה, הַלְכוֹת מִתְּנוּת עֲנִיִּים .ד.

י"ז-י"ד

- (ז) שְׁמוֹנֵה מַעְלוֹת יֵשׁ בְּצַדָּקָה זוֹ לְמַעְלָה מִזוֹ.
- (י) מַעְלָה גְדוֹלָה שְׂאִין לְמַעְלָה מִמֶּנּוּ זֶה הַמַּחְזִיק בְּיַד יִשְׂרָאֵל שְׂמֶךְ וְנוֹתֵן לוֹ מִתְּנָה אוֹ הַלְוָאָה אוֹ עוֹשֶׂה עִמּוֹ שְׁתִּיפוֹת אוֹ מִמְצִיא לוֹ מְלָאכָה כְּדִי לְחַזֵּק אֶת יָדוֹ עַד שֶׁלֹּא יִצְטָרֵף לְבָרִיּוֹת לְשָׂאֵל.
- (ח) (ii) פְּחוֹת מִזֶּה הַנוֹתֵן צַדָּקָה לְעֲנִיִּים וְלֹא יָדַע לְמִי נָתַן וְלֹא יָדַע הָעֲנִי מִמִּי לָקַח. . . . וְקָרוֹב לְזֶה הַנוֹתֵן לְתוֹךְ קָפָה שֶׁל צַדָּקָה. וְלֹא יִתֵּן אָדָם לְתוֹךְ קָפָה שֶׁל צַדָּקָה אֲלֵא אִם כֵּן יוֹדַע שֶׁהַמְּמַנֶּה נֶאֱמָן וְחָכָם וְיוֹדַע לְהַנְהִיג כְּשׂוֹרָה. . . .
- (ט) (iii) פְּחוֹת מִזֶּה שֶׁיָּדַע הַנוֹתֵן לְמִי יִתֵּן וְלֹא יָדַע הָעֲנִי מִמִּי לָקַח. . . .
- (י) (iv) פְּחוֹת מִזֶּה שֶׁיָּדַע הָעֲנִי מִמִּי נָטַל וְלֹא יָדַע הַנוֹתֵן. . . .
- (יא) (v) פְּחוֹת מִזֶּה שֶׁיִּתֵּן לוֹ בְּיָדוֹ קֶדֶם שֶׁיִּשְׂאֵל.
- (יב) (vi) פְּחוֹת מִזֶּה שֶׁיִּתֵּן לוֹ אַחֵר שֶׁיִּשְׂאֵל.
- (יג) (vii) פְּחוֹת מִזֶּה שֶׁיִּתֵּן לוֹ פְּחוֹת מִן הָרְאוּי בְּסִכָּר פְּנִים יְפוֹת.
- (יד) (viii) פְּחוֹת מִזֶּה שֶׁיִּתֵּן לוֹ בְּעֶצֶב:

15. **Responsum of Rabbi Solomon ibn Aderet (Rashba) (Spain 13th century)** .ט.

Question: May the court obligate the community to do *zedakah* as a tax or [only] as a voluntary gift (*nedava*) as it says [regarding donations for building the Tabernacle]: ". . . as one's heart volunteers" (Exodus 25:2)?

Response: Not all communities are alike on this question. Some collect voluntary gifts and some exact a tax. It is still an [unsettled] halakhic debate. But the law is to my mind that each and everyone must give according to their ability, for all are obligated to support the poor and that obligation is in accordance with one's wealth from which we support the poor.

16. **Shulchan Arukh, Yoreh De'ah 247:1**

יורה דעה רמ"ז:א' .טז.

(1) It is a positive biblical command to give charity according to one's means. There are numerous positive commands as to charity; and also a negative command not to close one's eyes to charity, for it is written (Deut. 15:7): "Thou shalt not harden thy heart nor shut thy hand [from thy poor brother]." And he who closes his eyes to it is called "wicked" and is regarded as if he worships idols. One should take great heed in giving alms that he be not the cause of bloodshed, for the poor man in need may die before help reaches him if it is not offered quickly.

(א) מצות עשה ליתן צדקה כפי השגת יד וכמה פעמים נצטוינו בה במצות עשה ויש לא תעשה במעלים עיניו ממנה שנאמר לא תאמץ את לבבך ולא תקפוץ את ירך וכל המעלים עיניו ממנה נקרא בליעל וכאילו עובד אלילים ומאד יש לזוהר בה כי אפשר שיבא לידי שפיכות דמים שימות העני המבקש אם לא יתן לו מיד.

17. **Rabbi Samson Raphael Hirsch, Horeb: Essays on the Duties of the Jewish People in the Diaspora #570 (1838)** .יז.

Why should God give you more than you need unless He intended to make you the administrator of this blessing for the benefit of others, the treasurer of His treasures? Every penny you can spare is not yours, but should become a tool for bringing blessings to others - and would you close your hand on something that is not yours? That is why our Sages prefer to give the beautiful name of *zedakah* to this act of charity by means of material goods. For *zedakah* is the justice which gives to every creature that which God allots to it; and if *zedakah*, as practiced by God, means His tender justice which metes out to each human being not what he deserves but what he is capable of bearing, then for the human being it is that tender justice, God's love, and not another man's right against you, which entitles him to his claim on you.

18. **Leviticus 19:13**

(13) You shall not defraud your fellow. You shall not commit robbery. The wages of a laborer shall not remain with you until morning.

ויקרא י"ט:י"ג

.יה.

(יג) לֹא־תַעֲשֶׂק אֶת־רֵעֶךָ וְלֹא תִגְזֹל
לֹא־תִלְוֶינָה פְּעֻלַּת שְׂכִיר אֶתְּךָ עַד־בֹּקֶר:

19. **Deuteronomy 24:14-15**

(14) You shall not abuse a needy and destitute laborer, whether a fellow countryman or a stranger in one of the communities of your land. (15) You must pay him his wages on the same day, before the sun sets, for he is needy and urgently depends on it; else he will cry to the LORD against you and you will incur guilt.

דברים כ"ד:י"ד-ט"ו

.יט.

(יד) לֹא־תַעֲשֶׂק שְׂכִיר עָנִי וְאֶבְיֹן מֵאַחֶיךָ
אוֹ מִגֵּרְךָ אֲשֶׁר בְּאַרְצְךָ בְּשַׁעְרֶיךָ: (טו)
בְּיוֹמוֹ תִּתֶּן שְׂכָרוֹ וְלֹא־תָבוֹא עָלָיו
הַשֶּׁמֶשׁ כִּי עָנִי הוּא וְאֵלָיו הוּא נֹשֵׂא
אֶת־נַפְשׁוֹ וְלֹא־יִקְרָא עָלֶיךָ אֶל־יְהוָה
וְהָיָה בְּךָ חַטָּא:

20. **Bava Kamma 116b**

Rav says: A laborer may retract his commitment to his employer even in the middle of the day. The Gemara explains: **As long as he did not retract his commitment, he is considered to be under the jurisdiction of the employer,** so that anything he saves automatically belongs to the employer. **And when he retracts his commitment, it is for a different reason** that he is able to do so, **as it is written: “For unto Me the children of Israel are servants”** (Leviticus 25:55), indicating that Jews are servants of God, **but not servants of servants, i.e., of other Jews.** Consequently, it is permitted for a laborer to conclude his term of employment whenever he wants.

בבא קמא קט"ז ב

.כ.

אמר רב פועל יכול לחזור בו אפילו
בחצי היום וכמה דלא הדר ביה
כברשותיה דבעל הבית דמי וכי הדר
ביה טעמא אחרינא הוא דכתיב (ויקרא
כה, נה) כי לי בני ישראל עבדים ולא
עבדים לעבדים.

21. **Mishneh Torah, Hiring 9:4**

A worker may quit his work even in the middle of the day. This is derived from *Leviticus 25:55*: "The children of Israel are servants to Me" - *i.e.*, to Me alone. They are not servants to servants. . . . When does the above apply? With regard to work that does not involve an immediate loss. If, however, the work involves an immediate loss - *e.g.*, he hired the workers to remove flax from the vat, or he hired a donkey to bring flutes for a funeral or for a wedding or the like - neither a worker nor a contractor may retract unless he is held back by forces beyond his control - *e.g.*, he became ill or a close relative died.

משנה תורה, הלכות שכירות ט':ד'

.כא

אם התחיל הפועל במלאכה וחזר בו אפלו בחצי היום חזר שנאמר (ויקרא כה נה) "פי לי בני ישראל עבדים" ולא עבדים לעבדים. . . . במה דברים אמורים? בדבר שאינו אבוד אכל בדבר האבוד כגון פשתנו להעלות מן המשרה או ששכר חמור להביא חלילין למת או לכלה וכיוצא בהן אחד פועל ואחד קבלן אינו יכול לחזר בו אלא אם כן נאנס כגון שחלה או שמע שמת לו מת.

22. **Mishneh Torah, Hiring 13:7**

(7) Just as the employer is warned against robbing the wage of the poor workman, and against delaying it, so is the poor workman warned against robbing the employer by idling away his time on the job, a little here and a little there, thus wasting the entire day deceitfully. He must be scrupulous throughout the time of work. For this reason, the rabbis specified that workers do not need to recite the fourth blessing of Birkat HaMazon [grace after meals]. Similarly, he is required to work to the best of his ability, as Jacob the righteous one said: "I have served your father with all my strength" (Genesis 31:6). For this reason, Jacob was rewarded even in this world, as it is written: "The man became exceedingly rich" (Genesis 30:43).

משנה תורה, הלכות שכירות י"ג:ז'

.כב

(ז) פדורו שמזוהר בעל הבית שלא יגזל שכר עני ולא יעכבנו כף העני מזוהר שלא יגזל מלאכת בעל הבית ויבטל מעט בכאן ומעט בכאן ומוציא כל היום במרמה אלא חייב לדקדק על עצמו בזמן שהרי הקפידו על ברכה רביעית של ברכת המזון שלא יברך אותה. וכן חייב לעבד בכל כחו שהרי יעקב הצדיק אמר כי בכל כחי עבדתי את אביכן. לפיכך נטל שכר זאת אף בעולם הזה שנאמר (בראשית ל מג) "ויפרץ האיש מאד מאד":

23. **Deuteronomy 6:18**

(18) Do what is right and good in the sight of the LORD, that it may go well with you and that you may be able to possess the good land that the LORD your God promised on oath to your fathers.

דברים ו':י"ח כג.

(יח) וְעָשִׂיתָ הַיָּשָׁר וְהַטּוֹב בְּעֵינֵי יְהוָה לְמַעַן יֵיטֵב לָךְ וְיָבִאתָ וְיָרְשָׁתָּ אֶת-הָאָרֶץ הַטֹּבָה אֲשֶׁר-נִשְׁבַּע יְהוָה לְאַבְתָּיִךְ:

24. **Ramban on Deuteronomy 6:18**

(1) AND THOU SHALT DO THAT WHICH IS RIGHT AND GOOD IN THE SIGHT OF THE ETERNAL. Our Rabbis have said: “[*That which is right and good*] refers to a compromise and **going beyond the requirements of the letter of the law.**” Now this is a great principle, for it is impossible to mention in the Torah all aspects of man’s conduct with his neighbors and friends, and all his various transactions, and the ordinances of all societies and countries. But since God mentioned many of them, . . . He reverted to state in a general way that, in all matters, one should do what is good and right, including even compromise and going beyond the requirements of the law. Thus [a person must seek to refine his behavior] in every form of activity, until he is worthy of being called “good and upright.”

רמב"ן על דברים ו':י"ח כד.

(א) ועשית הישר והטוב בעיני ה' אמרו זו פשרה ולפנים משורת הדין. וזה ענין גדול לפי שאי אפשר להזכיר בתורה כל הנהגות האדם עם שכניו ורעיו וכל משאו ומתנו ותקוני הישוב והמדינות כולם אבל אחרי שהזכיר מהם הרבה . . . חזר לומר בדרך כלל שיעשה הטוב הישר בכל דבר עד שיכנס בזה הפשרה ולפנים משורת הדין עד שיקרא בכל ענין תם וישר:

25. **Bava Metzia 24b**

Rav Yehuda was moving along behind Mar Shmuel in the market where **pounded grain** was sold. Rav Yehuda **said to Shmuel**: If **one found a purse here, what is the halakha?** Shmuel **said to him** that the *halakha* is as the mishna states: **These belong to him**. Rav Yehuda asked him: If **a Jew came and provided a distinguishing mark** to describe it, **what is the halakha?** Shmuel **said to him**: The finder is **obligated to return** it. Rav Yehuda asked: These are **two** contradictory rulings. Shmuel **said to him**: By law, it belongs to him. When I said the finder is obligated to return it if he learns the identity of the owner, that was **beyond the letter of the law**.

בבא מציעא כ"ד ב .כה

רב יהודה הוה שקיל ואזיל בתריה דמר שמואל בשוקא דבי דיסא א"ל מצא כאן ארנקי מהו אמר ליה הרי אלו שלו בא ישראל ונתן בה סימן מהו א"ל חייב להחזיר תרתי אמר ליה לפני משורת הדין.

26. **Bava Metzia 30b**

Rabbi Yohanan said: Jerusalem was destroyed only for the fact that they adjudicated cases purely on the basis of **Torah law**. The Gemara asks: **Rather**, what else should they have done? **Should they rather have adjudicated** cases on the basis of **arbitrary decisions?** Rather, say: That they established their rulings strictly on the basis of **Torah law and did not go beyond the letter of the law**.

בבא מציעא ל"ב .כו

אמר ר' יוחנן לא חרבה ירושלים אלא על שדנו בה דין תורה אלא דיני דמגיזתא לדיינו אלא אימא שהעמידו דיניהם על דין תורה ולא עבדו לפני משורת הדין.

27. **Ramban on Leviticus 19:2**

[Commenting on "*You shall be holy*"]: The Torah has admonished us against immorality and forbidden foods, but permitted sexual intercourse between man and his wife, and the eating of [certain] meat and wine. If so, a man of desire could consider this to be a permission to be passionately addicted to sexual intercourse with his wife or many wives, and be *among winebibbers, among gluttonous eaters of flesh* (Proverbs 23:20) and speak freely all profanities, since this prohibition has not been [expressly] mentioned in the Torah, and thus he will become **a scoundrel within the permissible bounds of the Torah!** Therefore, after having listed the matters which He prohibited altogether, Scripture followed them up by a general command that we practice moderation even in matters which are permitted.

.כז. **רמב"ן על ויקרא י"ט:ב'**

התורה הזהירה בעריות ובמאכלים האסורים והתירה הביאה איש באשתו ואכילת הבשר והיין א"כ ימצא בעל התאוה מקום להיות שטוף בזמת אשתו או נשיו הרבות ולהיות בסובאי יין בזוללי בשר למו וידבר כרצונו בכל הנבלות שלא הוזכר איסור זה בתורה והנה יהיה **נבל ברשות התורה.** לפיכך בא הכתוב אחרי שפרט האיסורים שאסר אותם לגמרי וצוה דבר כללי שנהיה פרושים מן המותרות.

28. **Pirkei Avot 2:16**

(16) He [Rabbi Tarfon] used to say: It is not your duty to finish the work, but neither are you at liberty to neglect it; If you have studied much Torah, you shall be given much reward. Faithful is your employer to pay you the reward of your labor; And know that the grant of reward unto the righteous is in the age to come.

.כח. **משנה אבות ב':ט"ז**

(טז) הוא הָיָה אוֹמֵר, לֹא עָלֶיךָ הַמְלָאכָה לְגַמֵּר, וְלֹא אַתָּה בֶן חוֹרִין לְבָטֵל מִמְּנָה. אִם לְמַדְתָּ תוֹרָה הִרְבֵּה, נוֹתְנִים לְךָ שְׂכָר הִרְבֵּה. וְנֶאֱמָן הוּא בְעַל מְלֶאכֶתְךָ שְׂשִׁיטְלָם לְךָ שְׂכָר פְּעֻלָּתְךָ. וְדַע מִתֵּן שְׂכָרְךָ שֶׁל צְדִיקִים לְעֵתִיד לְבָא:

