

The Eternal Guarantor

אם כִּסֵּף תִּלְוֶה אֶת עַמִּי אֶת הָעֲנִי עִמָּךְ לֹא תִהְיֶה לוֹ כְּנֹשֶׁה

"When you will lend money to a pauper in my nation, the pauper amongst you, do not act as an oppressor towards him." (22:24)

The Midrash relates this Possuk to a Possuk in Mishlei. There, the Possuk states, "The loan of Hashem; He is gracious to the downtrodden, He will repay them their due." The Dubno Maggid explains that this Midrash is teaching a lender the correct means of lending, specifically, that he will benefit more by not pressing a pauper for repayment of a loan than he would by doing so. The Maggid uses the following Moshul to explain this point.

Reuven approached Shimon and asked him for a loan. Reuven was known as a poor person, one of the downtrodden masses, and as such, Shimon was quite nervous about lending him money, fearing that he would never see it again. He insisted that Reuven provide two guarantors to the loan, which Reuven dutifully did. He came back to Shimon with two friends, one of whom was exceptionally rich and known as a man of honour and righteousness, whilst the other was a pauper of the same calibre of Reuven, also known as a good person. Both of them co-signed the loan and became responsible for repayment if Reuven failed to do so. The Maggid explains that if Shimon is wise he will realise that while both of these people are officially the guarantors, it is futile to chase after Reuven's poor friend if the circumstances require approaching the guarantors. Rather, if he holds out hope of recouping his losses, he would be wise to only approach the rich friend and ask him to fulfil his pledge. Furthermore, by ignoring the poor friend and not even mentioning the loan to him, Shimon is sending a signal to the rich friend that he is relying on him. He is illustrating that he recognises that his hope of repayment will only come from the rich man and not the pauper. In contrast, if Shimon spends his time chasing the pauper, the rich man will scorn him and refuse to help. He will argue that if Shimon wishes to waste his time chasing someone without any money, that is Shimon's business, but he will insist on being left alone after that.

This same idea, writes the Maggid, can be used to understand the mechanism behind a loan between people. On every loan, he continues, there are really two signatories, the borrower and Hashem. Hashem, through the creation of an explicit Mitzvoh to lend poor people money, has (as it were) co-signed on the loan, meaning He has promised that no fiduciary loss will be incurred through the loan. As such, the Possuk, as quoted above, appears to offer a tip to the lender, namely that it would actually be to his benefit not to oppress the borrower by chasing him for repayment or even mentioning it to him. It is this point that the Midrash seeks to explain. The Midrash is explaining that one who chases a poor borrower would be like Shimon in the story, were Shimon to choose to pursue the poor guarantor. Not only would it be futile, it would be a sign to the rich guarantor that Shimon has chosen not to rely on him, allowing him to deny all future responsibility. Similarly, one who pursues the pauper to whom one has lent money, instead of relying on Hashem to repay the loan that He commanded, is placing his faith in the poor man and releasing the rich man, in this case, Hashem, from His obligations. Rather, one should rely on the true "rich man," Hashem, and He will repay our faith, as the Possuk in Mishlei says; "He will repay them their due."

Goring!

סְקוּל יִסְקַל הַשּׂוֹר

"The ox shall surely be stoned." (21:28)

The Ramban writes that the stoning of an ox which has killed three times is not a judgement on the ox; rather it is a punishment for the owner that he loses his ox.

However, Rabbeinu Bachya offers a different explanation. He writes that any animal, or fowl, that kills a person, has connected itself to the snake that caused the original sin, which brought death and destruction to the world. This is seen, through Chazal defining pestilence (the death and destruction of animals) based on the Halocho of a goring ox; if three animals die on one day that is not considered pestilence, however, if one animal dies on each of three consecutive days that is pestilence. This is learnt from an ox, which must gore on three consecutive days (not one day) to be considered a goring ox and deserving of the death penalty. As such, concludes Rabbeinu Bachya, we see that an ox which gores is inherently linked to destruction and therefore must be put down.

Food Base...

וְאִנְשֵׁי קֹדֶשׁ תִּהְיוּ לִי

"Holy people you shall be to me." (22:30)

The Ramban asks why Hashem only mentioned being a holy people half way through the Parsha. He answers that the previous Mitzvos had all been to forbid things that by nature disgust a human being. In contrast, this Possuk is the prelude to the Mitzvos related to food, and most foods do not physically disgust or harm a person. Rather, the Mitzvos of eating Kosher foodstuffs are Mitzvos of Kedushoh relating to the base and degraded spiritual nature that eating non-Kosher instils within a person. Therefore, Hashem prefaced these commandments with a generic commandment of being holy; to explain that the Jewish people can achieve the requisite holiness to cleave to Hashem through sanctifying ourselves through food we do, or more importantly do not, eat.