

ח' כסלו ה'תשע"ט
TO INFINITY... AND BEYOND?
הייתי ביום אכלני חרב וקרח בלילה ותדר שנתי מעיני¹

Motivation is the force in life that keeps us going. It is the reason we wake up in the morning, work through the day, and sleep through the night. Different people have different goals they're motivated towards accomplishing. Some people work out day and night with hopes of one day winning a championship. Others may train themselves to win a competitive eating contest. As Jews, we are motivated towards accomplishing something better than worldly fame and fortune. Our ultimate goal is to achieve דביקות בהקב"ה in this world, to bring with us to עולם הבא after 120 productive years.

To accomplish this goal, we do the מצוות that הקב"ה has commanded us. Sometimes, we even go above and beyond the call of duty, and this is called לפנים משורת הדין. We see in our פרשה that יעקב took this approach towards working for לבן, to the point that he was considered to be on the stringent level of a חזי מתנא or a town watchman.² He was so honest in his work, that he wouldn't trust anyone else with the sheep, and lost sleep over their well-being.³

While acting לפנים משורת הדין seems like a nice "bonus", there are sources^{4,5} that seem to indicate that it is actually a מצוה מן התורה! This is a very obvious סתירה to the very nature of לפנים משורת הדין, as it can't be a law to go beyond what the law requires. That just makes the concept of "beyond the letter of the law" counterintuitive. However, this isn't an all-around consensus, as some say that it is good in Hashem's eyes to go לפנים משורת הדין, more so than doing the מצוות.⁶

The גמרא⁷ tells us the story of the workers of בר בר חנן. While transporting barrels of wine, the workers were being negligent in some fashion, and the barrels cracked. As payment for the loss of the barrels, רבה took their coats. רבא told him that he is required by הלכה to give back the coats, as well as pay them for their work, based on the פסוק of "שמר" "למען תלך בדרך טובים וארחות צדיקים תשמר", "to walk in the way of the good, and to guard the paths of the righteous".⁸ רש"י in the גמרא says this refers to going לפנים משורת הדין. Being that the גמרא we saw earlier brought the source from שמות, what is רבא doing quoting a פסוק in נ"ך? This isn't my question, but that of the תוספות.⁹ It would seem that רש"י unequivocally, across the board, holds that לפנים משורת הדין is a מצוה מדאורייתא, and that רבא bringing a source from נ"ך shows that in this case, it's not the same level of the מצוה. The ר"י, brought down in תוספות, says that לפנים משורת הדין only applies when everyone else is חייב, and you're פטור.¹⁰ However, תוספות disproves the ר"י based on an earlier case in the גמרא, and draws the חילוק based on the circumstances one is in. Therefore, having a different source of a lesser stature in the case of the wine barrels isn't contradictory to the earlier גמרא we brought down. Additionally, I believe the law of "going beyond the letter of the law" isn't counterintuitive, as it seems from תוספות that it may not even be a מצוה, but the רבנן use the פסוק in שמות as an אסמכתא, or a support to an idea. There really is no מצוה per se, but the תורה is giving us a good way to go about life.

¹ בראשית לא.מ

² בבא מציעא צג:

³ רד"ק בראשית לא.מ

⁴ שמות יח.ב

⁵ בבא מציעא ל:

⁶ רמב"ן דברים ו.יח

⁷ בבא מציעא פג.

⁸ משלי ב.ב

⁹ תוספות בבא קמא ק. ד"ה "לפנים"

¹⁰ Unless there are situations where פטור actually means אסור. In that case, one would not be allowed to go לפנים משורת הדין.

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The ¹¹ brings down an אגדתא where the non-Jews complained that if הקב"ה forced us to accept the תורה, why didn't He force them? The response was that they failed to keep the מצוות בני נח, so they weren't worthy of getting the תורה. If that was so, where do we see that the Jews kept the תורה? We see הקב"ה offers up many witnesses, but are disqualified from testimony based on various הלכות of עדות. Eventually, הקב"ה offers up the non-Jews to testify that the Jews kept the מצוות. He calls upon the likes of נבוכדנצר, אשת פוטיפר, לבן, נמרוד, and others to testify that in pressing situations, the Jews stepped up to the plate, and prevailed. The brings proof for this, saying ¹² "they will bring witnesses to justify". If the גוים will testify for us when we do what we're supposed to, על אחת כמה וכמה when we go above and beyond. No matter what the nature of משורת הדין is, it is important that we recognize the value in doing the הקב"ה, even if it may not be required of us. The tells us that if we make His will our will, He will make our will ¹³ like His will. אם ירצה השם, we should all be זוכה to reach this exalted level.

¹¹ עבודה זרה ג.

¹² ישעיה מג.ט

¹³ אבות ב.ד