

Parashat Devarim 5777, 2017:

“*Perform Justice for the Orphan, and Plead the Case of the Widow*”

Rabbi David Etengoff

Dedicated to the sacred memories of my mother, Miriam Tovah bat Aharon Hakohen, father-in-law, Levi ben Yitzhak, sister-in-law, Ruchama Rivka Sondra bat Yecheiel, sister, Shulamit bat Menachem, Chaim Mordechai Hakohen ben Natan Yitzchak, Yehonatan Binyamin ben Mordechai Meir Halevi, Avraham Yechezkel ben Yaakov Halevy, Shayna Yehudit bat Avraham Manes and Rivka, the *refuah shlaimah* of Devorah bat Chana, Shoshana Elka bat Etel Dina and Yitzhak Akiva ben Malka, and the safety of our brothers and sisters in Israel and around the world.

This week’s *haftarah* is taken from the first chapter of *Sefer Yeshayahu*. As befitting the Shabbat immediately before *Tisha b’Av*, much of its message is very dark and filled with powerful rebuke:

You [i.e. the Jewish people] shall no longer bring vain meal-offerings, it is smoke of abomination to Me; New Moons and Sabbaths, calling convocations, I cannot [bear] iniquity with assembly. Your New Moons and your appointed seasons My soul hates, they are a burden to Me; I am weary of bearing [them]. And when you spread out your hands, I will hide My eyes from you, even when you pray at length, I do not hear; your hands are full of blood. (13-15, this and all Bible translations, *The Judaica Press Complete Tanach*)

The phrase, “I will hide My eyes from you, even when you pray at length,” is particularly frightening, since it represents a period of *hester panim*, i.e. of Hashem hiding Himself from His people. Sadly, the Torah warned us long before Isaiah’s prophecy that this would be the case if we would serve other gods and forsake Hashem:

And the L-rd said to Moses: Behold, you are [about to] lie with your forefathers, and this nation will rise up and stray after the deities of the nations of the land, into which they are coming. And they will forsake Me and violate My covenant which I made with them. And My fury will rage against them on that day, and I will abandon them and **hide My face from them...And I will hide My face on that day** (*v’anochi hastir astir panai ba’yom hahu*), because of all the evil they have committed, when they turned to other deities. (*Sefer Devarim* 31:16-18)

Clearly, the remedy against the *hester panim* depicted in this passage is to reject every form of *avodah zarah* (idol worship) and live lives based upon heartfelt loyalty to

Hashem and His Torah. Isaiah, however, focuses upon a different approach to ending *hester panim* that is infused with the recognition of the existential plight of the disenfranchised among our nation, and the fundamental elements of social justice: “Learn to do good, seek justice, strengthen the robbed, perform justice for the orphan, and plead the case of the widow.” (1:17)

Isaiah was acutely aware of the manifest vulnerability of orphans and widows, and the continuous psychological dangers they encounter. As such, he focused upon their marked need for justice and protection in, far too often, harsh and uncaring environments. In so doing, Isaiah echoed powerful *pasukim* in *Sefer Shemot* that demand equitable treatment for society’s most endangered members: “You shall not oppress any widow or orphan. If you oppress him, [beware,] for if he cries out to Me, I will surely hear his cry.” (22:21-22)

Job, as well, emphasized the singular import of protecting the Jewish community’s downtrodden, and therefore, proclaims his upright behavior:

For I would deliver the poor who cried out, and the orphan, and one who had no one to help him. The blessing of the lost one would come upon me, and I would make the widow’s heart sing for joy. I put on righteousness and it clothed me; like a coat and a turban was my judgment. (*Sefer Iyov* 29:12-14)

Given the above-cited sources, it is little wonder that the Rambam (Maimonides, 1135-1240) codified our obligations to orphans and widows in his *magnum opus* of Jewish law, the *Mishneh Torah*:

A person is obligated to show great care for orphans and widows because their spirits are very low and their feelings are depressed. This applies even if they are wealthy. We are

commanded to [show this attention] even to a king's widow and his orphans as is [implied by the text] "You shall not oppress any widow or orphan." (*Sefer Shemot* 22:21, *Hilchot De'ot* 6:10, translation, Rabbi Eliyahu Touger)

At this juncture, Maimonides addresses how we should act toward orphans and widows in order to demonstrate the requisite degree of sensitivity:

How should one deal with them? One should only speak to them gently and treat them only with honor. One should not cause pain to their persons with [overbearing] work or aggravate their feelings with harsh words and [one should] show more consideration for their financial interests than for one's own...There is a covenant between them and He who spoke and created the world that whenever they cry out because they have been wronged, they will be answered as [the text] states: "for if he cries out to Me, I will surely hear his cry." (*Sefer Shemot* 22: 22)

As noted by Rashi (1040-1105) in his gloss on *Sefer Shemot* 22:21, the obligation to speak to people in a sensitive manner and treat them with honor and dignity applies to everyone - not just the orphan and widow. If so, he asks, why are these individuals so prominently singled out for exceptionally solicitous treatment? The *Mechilta*, the halachic Midrash to *Sefer Shemot*, informs his answer: "since they [widows and orphans] are weak and [they] are frequently oppressed." In sum, the Torah urges us to be sympathetic to the psychological needs of all people, and, all the more so, those within society who are most likely to suffer at the hands of others.

We are now in a much better position to understand Isaiah's exhortation to "Learn to do good, seek justice, strengthen the robbed, perform justice for the orphan, and plead the case of the widow," and why it is such an apropos verse immediately before *Tisha b'Av*. Isaiah knew that in order for our people to authentically reconcile with the Almighty and create a spiritually infused relationship with Him, we must change our behavior toward the most defenseless members of our nation. No one, proclaimed Isaiah, regardless of

their personal status (i.e. orphans and widows), should ever be marginalized or treated as second-class members of the Jewish people, for, in truth, we are all holy before the Master of the Universe.

With Hashem's help and blessing, may we live lives in accordance with Isaiah's crucial message, and may this be our final *Tisha b'Av* before the imminent arrival of Mashiach and the rebuilding of the *Beit HaMikdash*. *V'chane yihi ratzon*.

Shabbat Shalom

Past *drashot* may be found at my blog-website: <http://reparashathashavuah.org> They may also be found on [YUTorah.org](http://YUTorah.org) using the search criteria of Etengoff and the parasha's name.

The email list, *b'chasdei Hashem*, has expanded to hundreds of people. I am always happy to add more members to the list. If you have family or friends you would like to have added, please do not hesitate to contact me via email <mailto:rdbe718@gmail.com>.

\*\*\* My audio *shiurim* for Women on the topics of *Tefilah* and *Megillat Esther* may be found at: <http://tinyurl.com/8hsdpyd>

\*\*\* I have posted 164 of [Rabbi Soloveitchik's](#) English language audio *shiurim* (MP3)