

## **COMMUNITY SERVICE THE TORAH WAY**

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The following anecdote was recently related by a guest at my Shabbos table.

A young man was driving on a motorway somewhere in the south of Israel, accompanied by a friend, when he noticed that the accelerator was not functioning as it should. After some time, depressing the gas pedal did nothing more than rev the engine. Helpless, the car came to a standstill on the hard shoulder. Try though he would, the driver was unable to get the car to budge.

After putting the blinkers on, the pair of travellers paused to reflect on their predicament. Neither were members of tow companies, and calling a company as a non-member would involve great expense. Family, in this case, was also not much to count on. Nobody they could think of was a mechanic, or even semi-expert in car matters. It did not look like adding water or oil would fix the problem. For lack of a good working alternative, the two decided to wait a little.

After a short time, a car pulled over and offered assistance, but a short conversation was enough to persuade the volunteer that there was little he could do. He would have been happy to charge a flat battery, but this kind of problem was quite beyond his means. He wished them luck, and advised them to call a towing company.

They were about to follow the advice when another vehicle, a small truck, joined them on the hard shoulder. After exchanging a few words, the new arrival, a man who seemed quite competent in car mechanics, was already making trips between the opened bonnet, the underside of the car, and his own truck. After some twenty minutes, a worn belt and a throttle piece had been replaced, and the car was ready to get back on the road.

The *hashgachah* of having a mechanic with spare parts handy pull over was quite impressive. But the most remarkable aspect of the episode was the man's refusal to accept any payment for his service. Not only would he take no money for his work—he even refused to be reimbursed for the cost of the spare parts!

Sensing the bewilderment of the travelling pair, the benevolent saviour explained his motivation. Before taking on religious practice, he had been a successful car mechanic in a south-Israeli city. Knowing that his proficiency was attracting good custom, he had knowingly overcharged his customers, correctly assuming that the large majority would never know the difference. He had never been caught.

After becoming *frum*, the mechanic realised the gravity of his misdeeds, and consulted with his rabbi over how he might rectify the damage. The rabbi recommended that he give the money back to *tzorchei tzibbur*. Twice a week he would make a voluntary foray into the streets of Israel, looking for anyone who had broken down. Upon finding an unfortunate driver, he would offer free assistance, thereby “returning” the overcharged payments to the communal pocket.

The stranded travellers had had the fortune of making his acquaintance in their hour of need.

Apart from being a good story, this anecdote is particularly pertinent as we approach Yom Kippur. Unlike *aveiros bein odom la-Mokom*, one cannot procure atonement for monetary transgressions by means of *teshuvoh* alone. A prerequisite to *kaporoh* is paying back the money to the damaged party. What, however, is a person to do when the damaged party is a community? Is there a way of mending financial wrongs in which the victim is unidentifiable?

Concerning shepherds (whose animals were allowed to graze on private property) and tax collectors (who did not collect justly) the *Shulchan Aruch* does make a suggestion: to use the stolen money for communal needs (*Choshen Mishpat* 366:2). The same suggestion is made for a shopkeeper who made use of imprecise weights and measures (*CM* 231:19).

What is defined as communal needs? Concerning somebody who stole money, but cannot recall who he stole from, the Gemara (*Beitzah* 29a) recommends investing the money in public wells. *Ahavas Chesed*, quoting from the *Shelah*, adds that one may also use the money to buy *sefarim* for the local *shul*.

Today, the latter would be a more practical option than trying to pay for road repairs—although the story mentioned above demonstrates that there is room for innovation in this field. It is important to note that the contribution should be made to as broad a communal need as possible. Giving the money to charity, whereby only the poor will benefit, is not an acceptable alternative (see *Pischei Choshen, Geneivah* Chap. 4, note 20). Upon donating the money or performing the service, one should beware of receiving undue honour on account of the contribution (*Iggros Moshe, CM* 88).

We should note that the list of individuals who might be required to make some form of communal contribution is not short. It would certainly include shopkeepers who discover that weights and measures were not calibrated, *gabbaim* who made miscalculations or improper rounding-ups, government and municipality clerks who might have somehow slipped up, and any similar instance of involvement with the general public. It would also apply to anyone who borrowed or damaged an item (such as a pen, a stamp, eggs, and so on) and cannot remember who the owner was.

For all such cases, the solution prescribed by *halachah* is to donate the money, or monetary equivalent, to a communal cause. Yet, although this is often the only alternative, it does not mend the transgression as completely as returning the money to the true owner (see *Semah* 231:34). If an individual victim can be identified, a full obligation remains (where applicable) to return his money (see Meiri, *Chibur Ha-Teshuvah* 1:11).

To conclude on a positive note, *Aruch Hashulchan* explains that there is more to public service than simply doing good deeds with an ill-gotten gain. Because a person sincerely wishes to repent, *Hashem* assists him in his *teshuvoh*, and arranges for the original victim, or one of the victim's inheritors, to benefit from the service. In this way, the transgression is entirely rectified.