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***Bein Adam Le-chavero*: Ethics of Interpersonal Conduct**

**By Rav Binyamin Zimmerman**

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**Shiur #10: Proper Mindset II — Should One be Tempted Not to be Nice?**

In last week’s lesson, we saw that the sources seem to differ on the proper mindset for fulfilling interpersonal *mitzvot*. Should one be actively cognizant of the divine command during the fulfillment, or should one focus on the benefit to the recipient? Alternatively, should one perhaps strive to make the fulfillment natural, an outgrowth of one’s kind disposition? This question of whether one should fulfill ethical commandments due to an inner calling or due to a divine command seems to relate to the issue discussed in the Rishonim of whether it is preferable to perform divine commandments with or without the temptation to violate them.

**Fulfilling *Mitzvot* amidst Temptation — A Sign of Greatness or Weakness?**

The Rambam, in chapter 6 of his *Eight Chapters* (the introduction to Tractate *Avot*) deals with the issue of the proper attitude for one who fulfills the divine will. Is it better for a person to desire to sin but overcome his desire, or is it better not to even contemplate sinning? He points out that, at first glance, the philosophers and Sages argue over this issue. The philosophers extol the righteous individual who has no desire to do evil, elevating him above the individual who merely practices self-restraint over his desires. After explaining the Prophets ostensibly seem to accept the same outlook, the Rambam indicates that the Sages actually view things differently.

However, when we examine the view of the Sages in this matter, it appeared to be different, for they have said: “The greater the man, the greater his evil inclination” (*Sukka* 52a). This indicates, on the contrary, that the great man is the one whose evil inclination is great but who can control and rule over it.

The Rambam adds that the rabbinic dictum that “One’s reward is commensurate with the amount of suffering” (*Avot* 5:23) seems to indicate that one who has a desire to transgress the word of God but nevertheless fulfills it has a greater reward than one who has no negative inclination.

However, the major proof-text that the Rambam brings to express that the ideal is to overcome one’s desire for the forbidden in order to fulfill the will of God is the Sifra (quoted by, Rashi *Vayikra* 20:26):

One should not say, "I am disgusted by pig's meat; I have no desire to wear clothing containing *shaatnez* (wool-linen blends)." He should rather say, "I would like to do these things, but what can I do? My Heavenly Father has forbidden me from doing them!"

How do we know that this is the proper attitude to adopt? Because it states (*Vayikra* 20:26), "I have separated you from the other nations to be Mine," which implies that our separation from these other nations should be solely for God’s sake. One should refrain from the forbidden act in such a manner that he accepts the yoke of Heaven upon himself.

From this text, the Rambam deduces that man ought to have a desire to transgress which he conquers in order to fulfill the word of God. The Rambam continues by arguing that, in fact, there is no contradiction between the philosophers and Sages; indeed, both are correct, but under different circumstances. The Rambam distinguishes between more rational *mitzvot* (*mishpatim*), which one should have no desire to disobey, and non-rational *mitzvot* (*chukkim;* singular*, chok*), concerning which the ideal is to refrain only because of God’s command. Those unethical acts which the Torah prohibits, such as murder, theft, cheating, etc. are obviously to be rejected and repulsed, as the philosophers have indicated, and we must develop within ourselves a strong aversion to these actions. The individual who craves such things has a deficient soul and a defective character, as all these commandments belong to the category concerning which our Sages have said that had they not been written in the Torah, they would still be worthwhile.

For those Torah prohibitions which are non-rational -- i.e., they have no independent logical basis other than the fact that they are the Torah's commands, such as the dietary restrictions, not wearing *shaatnez*, etc. -- we are told that we should not condition ourselves to despise these acts, but rather we should refrain from them solely for the sake of Heaven. It is here that our Sages stress the attitude that despite the fact that one might want to violate, he should restrain himself based on the word of God.

This is the simple understanding of the Rambam, who appears to address our quandary. Yet, while the Rambam stresses that observing *chukkim* should be characterized by self-restraint, his position regarding *mishpatim* is not agreed upon by all. Rav Yaakov Emden, the Yabetz, in his commentary on the Rambam’s *Eight Chapters*, points out that while the Rambam’s position is logical, he cannot accept it. After asking forgiveness of the Rambam for disagreeing with his position, he writes:

Consider the opinion in the Talmud (*Berakhot* 34b) that states “In the place where penitents stand, even completely righteous individuals cannot stand”… We must say that when the soul desires to violate even logical *mitzvot,* but the individual takes hold of himself and withstands the temptation, one is deemed greater than the righteous individual who has no desire to sin. The dictum “One’s reward is commensurate with the amount of suffering” is stated without restriction or distinction, and it certainly applies to the logical *mitzvot*, which one has tremendous desire [to violate], such as stealing or forbidden relationships, though they are logical *mitzvot*.

The Yabetz continues to explain at length that in essence, man will always desire to violate God’s commandments, and the one who garners strength to fulfill the will of God is always to be preferred to the one who follows His laws without qualms. In conclusion, he writes:

In fact, the opinion of the philosophers [quoted by the Rambam] is not the way of the Torah, for the one who does the just and the good by performing obviously righteous acts for the reason that they are good for the world and rationally obligatory will not find favor in the eyes of God, nor will he receive a reward for “the just and the good in the eyes of God,” though he will be rewarded for his actions. In any case, the one who overcomes his desires in order to fulfill the word of God is certainly greater.

Rav Emden’s position seems to be that though one will be compensated for all righteous actions that he performs, the highest reward goes to the one who performs them amidst temptation to sin. Therefore, performing them because one feels they are proper and righteous will be rewarded to a lesser extent. At first glance, this approach of the Yabetz seems to be stressing the element of commandment even regarding obviously logical *mitzvot*. This approach would seem to be reinforced by the principle of “*Gadol ha-metzuveh ve-oseh,*” as discussed in the previous lesson.

The idea of the Yabetz seems to find expression in an extreme manner in *Sanhedrin* 76b and Rashi’s comments there. The Talmud states that God takes a harsh view of a Jew who returns the lost object of a non-Jew, and Rashi (s.v. “*Ve-hamachazir*”) explains:

He equates and associates the non-Jew with the Jew, and he shows that he himself does not believe that returning lost objects is a commandment of the Creator, for he returns objects even to non-Jews, concerning whom he has no such commandment.

This statement of Rashi finds further expression in *Siddur Rashi* (348). There, the students of Rashi express their teacher’s disgust over those who give the special Purim gifts to the poor to non-Jews along with Jews (although general charity must be shared with both). At length, they describe the severity with which Rashi views this act, concluding that Rashi sees this not as giving charity for the sake of Heaven, but rather as a foolish act of wasting money.

Though providing for the poor is clearly necessary, Rashi wants us to realize that we must do so according to divine principles, for otherwise it reflects a humanistic outlook, detached from God.

**Should the Logical *Mitzvot* be Natural?**

The proper attitude for the performance of rational *mitzvot* may in fact be at the heart of the dispute of two great sages about the Jewish people accepting the Torah at Mount Sinai. The Ten Commandments are introduced with the verse (*Shemot* 20:1): “And God spoke all these words, saying (*lemor*).” The sages note that the word “*lemor*” is generally used to mean “to be repeated,” and implies that the Jewish people required verbal acceptance of the commandments, which would have to be confirmed by Moshe and the Jewish people. However, the sages (*Mekhileta ad loc.*) argue about the exact wording of this acceptance:

*“Lemor*” — they said “Yea” for each positive commandment, and they said “Nay” for each negative commandment; this is the opinion of Rabbi Yishmael.

Rabbi Akiva says: for both positive and negative commandments, they responded in the affirmative, “Yea”.

At first glance it seems as if this dispute focuses on a minor point; however, Rav Soloveitchik expounds on its significance and explains that the two Sages are presenting their opinions on the proper motivation for performing *mitzvot*. When one accepts the message and heeds the call of another, they can do so in obedient acquiescence, saying “yea”, or with an inner urge to act in harmony with moral and religious norms, saying “nay”.

Rabbi Yishmael’s view of the response of the Jewish people is quite understandable based upon the sources we have presented. When it comes to the not easily understood *chukkim*, the focus of our fulfillment is the command, the essence of being a *metzuveh* *ve-oseh*, a commanded being. However, with logical *mishpatim*, such as interpersonal *mitzvot,* which contain an easily understood rationale, “their implementation is motivated not by normative coercion but by existential need of lonely man created in the image of the Infinite to do *mitzvot*. By practicing morality, man senses his drawing nearer to his Creator.” (*Derashot* *Harav,* p. 234)

For this reason, according to Rabbi Yishmael, the negative commands, those which forbid us to murder or steal etc., require a response in the negative, “No, we will listen,” — we accept the message dutifully and wholeheartedly. For instance, the people respond to “You shall not murder,” with “No, we reject murder on our own, for we hate to extinguish life.”

However, Rabbi Akiva understands this differently and maintains that the Jewish people respond affirmatively to all of God’s pronouncements, even the negative ones, implying that all precepts require commitment and surrender to God, even the logical ones. They accepted all *mitzvot* as a command, essentially saying, “Yes, we surrender to Your will; we accept the norm; we shall comply with it.”

Rabbi Akiva maintained that morality is not based on man’s cognitive abilities, even in regard to *mishpatim*, rational *mitzvot*, since certain aspects are inaccessible to human moral exploration and illumination… One must teach the people how to surrender their intellectual pride and arrogance, and commit themselves to the Almighty, even when we are unable to comprehend the moral necessity and practical utility of the *chok*. Secular ethics have failed because the concept of *chok* is not acceptable to secular man. If the integrity of the moral law is to be preserved, then one must accept the *chukkim*, to abstain from acts that seem to hold great promise, and conversely, to act in ways that may seem illogical and even painful. (*Derashot Harav*, *ibid*.)

This understanding seems to assert the importance of the divine command, even for logical *mitzvot*. Rav Soloveitchik comments that though this disagreement is not one of Halakha, he is still tempted to apply the principle “The law accords with Rabbi Akiva when he argues with one disputant” here. In other words, Rav Soloveitchik is taken by the idea of the importance of accepting the divine command even in the ethical realm.

However, inculcating this idea seems rather difficult. Should we really be walking around saying to ourselves, “I would love to kill this individual who just fell, but what can I do? God has said ‘You shall not murder,’ and on top of that, He requires us to be kind to others, so instead of killing him, I will help him up!” Is that what Rabbi Akiva and the Yabetz mean to imply?

**Why We Must Honor Our Parents**

A short analysis of the mitzva will hopefully make this a little more clear. On the simplest level, honoring one’s father and mother is a direct outgrowth of the logical norm of showing gratitude. As the Chinnukh (Mitzva 33) writes:

At the root of this mitzva lies the thought that it is fitting for a man to acknowledge and treat with loving-kindness the person who has treated him with goodness, and he should not be a scoundrel, an ingrate who turns a cold shoulder — for this is an evil quality, utterly vile before God and mankind. It is incumbent upon a person to realize that his father and mother are the cause of his being in the world; hence, in the truest sense, it is proper for him to give them every honor and benefit that he can, since they brought him into the world and then, too, labored through many troubles over him in his early years.

The Chinnukh goes on to indicate that while there are uniquely Jewish elements to honoring one’s parents, the base mitzva is clearly logical and equally applicable to all nations. In fact, the Talmud (*Kiddushin* 31a) relates a fascinating story of the extent that a non-Jew went to honor his parents.

They asked of Rabbi Eliezer: “How far does the mitzva of honoring one’s father and mother extend?”

He answered them: “Go and see what one idolater in Ashkelon did for his father! His name was Dama son of Netina, and it once happened that the sages wanted to stones for the Ephod from him, for a profit of six hundred thousand [gold dinars] — Rav Kahana says: eight hundred thousand — but the key was under his father’s head, and he did not disturb his father.

The Talmud uses a non-Jew as the model for honoring one’s parents, even to the extent of losing a great business deal in order not to wake one’s father. But if the Talmud can prove from a non-Jew the extent of the mitzva, is there anything unique about a Jew’s obligation?

**The Approach of the Netziv: Dual Nature of Interpersonal Obligations**

The Netziv, in his approbation to the Chafetz Chayim’s work *Ahavat* *Chesed*, goes to great lengths to try to explain the delicate balance of recognizing the necessity of *chesed* without a divine imperative, while at the same time appreciating the command.

The Netziv explains that from the dawn of mankind, the Torah refers to people as “brothers” (see *Bereishit* 4:2) , for “part of the framework of man, who was created differently than all other creatures and animals, is the brotherhood which is supposed to exist amongst humans.” This is reflected in the makeup of the earth as a world of kindness (*Tehillim* 89:2), which obligates all human beings to be kind to each other.

The Jewish people, though, are endowed with an ingrown disposition toward *chesed* (based on *Yevamot* 79a; see our third lesson); therefore, God requires of the Jews higher standards of ethical behavior. Nevertheless, explains the Netziv, the Torah repeatedly seeks to clarify its position: even though being part of humanity requires ethical standards of behavior, God commands the Jewish people specifically to maintain these values and requires that the Jews remain cognizant of these commands. Essentially, beside the general interpersonal requirement to be nice to one’s friend, one also must be beneficent due to a divine imperative.

The Netziv explains that the idea interpersonal *mitzvot* being divinely commanded reflects itself in the standards of the law as well as its reward. As a divine imperative, the parameters of the law are defined by God, not by one’s inner feelings of kindness. While providing a loan with low interest might be considered kind, God’s command determines a different level of *chesed,* requiring lending one’s fellow money at no interest at all. The second ramification of the divinely ordained elements of the mitzva is reflected in the reward one receives for fulfilling the mitzva. Any mitzva which is commanded has an extra reward for being fulfilled in the land of Israel, while any obligation which is purely rational would be treated equally everywhere in the world.

The Netziv continues and illustrates his position using the mitzva of honoring one’s father and mother. The basic obligation is rational and logical, for one must show gratitude to one’s parents, as expressed in the explanation of the Chinnukh. This rational element makes the mitzva incumbent even upon non-Jews, as the Talmud cites regarding Dama Ben Netina’s exemplary act of honoring his father. However, the Netziv writes that the Torah goes out of its way to indicate that the Jew’s fulfillment of honoring one’s parents is unique, in that the Godly command gives it its special system of laws as well as a exceptional reward. It is for this reason that in the Ten Commandments (*Shemot* 20:11), the Torah stresses the land of Israel in connection to the reward for honoring one’s parents, for the divine imperative is always rewarded more extensively in the land of Israel, even if the mitzva is logical as well.

**Honoring Parents and the Red Heifer:**

With this in mind, let us return to the Talmudic passage for the conclusion of Dama Ben Netina’s story, in which we discover something astonishing. What is most surprising regarding Dama’s tale is his reward. The Talmud details that after losing the opportunity to sell his stone for the Ephod due to his unwillingness to wake his father, he is blessed the next year with a cow that could make him much more wealthy: a *para adumma* (red heifer), which is extremely rare and worth a fortune. The ashes of the *para adumma* are needed for purifying one who has come into contact with a corpse.

The next year, the Holy One blessed be He, gave Dama his reward, and a *para adumma* was born in his herd. The Sages went to him to purchase the heifer. Dama said to them “I know that if I would ask of you all the money in the world, you would give it to me. However, I ask you only for the amount of money that I lost as a result of honoring my father.”

Rabbi Chanina said: “Now, if this is true of one who is not commanded, all the more so for one who is commanded,” for Rabbi Chanina said, “A person who does something being commanded is superior to one who does it without being commanded.”

What is the message of the Talmud? Is it to be viewed as mere coincidence that after honoring his father dutifully, of all the ways to earn a fortune, Dama is blessed with a red heifer? It has been noted that one would be hard-pressed to find two *mitzvot* discussed in the Talmud which are more in opposition: honoring one’s parents is one of the most logical *mitzvot*, while the purifying power of the *para adumma* is one of the most difficult to understand, the prototypical *chok*.

Dama’s reward for honoring his father, in the form of the inscrutable *para adumma*, is a lesson for the Jewish sages who are prepared to pay top dollar for his cow: the two requirements are, in fact, not so different. For the Jews, unlike the non-Jew Dama, honoring one’s parents is not merely logical but divine, and it has special parameters, similar to the *para adumma*. In fact, in a future lesson on honoring one’s parents, we will investigate whether Dama acts properly by not waking his father under these circumstances.

**Conclusion**

Where does this leave us? What seems to be one contradiction after another may in fact be complementary. The element of command is essential, as Rabbi Akiva maintains and as is later stressed by the Yabetz and the Netziv; it is this command that gives properties of the inscrutable *para adumma* to the ‘obvious’ mitzva of honoring of one’s parents. As Rav Moshe Feinstein explains (see our previous last lesson) it is specifically by logical *mitzvot* that recognizing the divine command is essential for insuring that the act performed is a mitzva, and not just a nice gesture. Nevertheless, while this acknowledgment is an essential element of recognizing the word of God and the divine framework, allowing the command to remain like the inscrutable *para adumma* is almost criminal.

It is on the basis of this that the Rambam states his opinion in his introduction to *Avot*. The objective of the ethical command in not mere action, but a mindset as well. Its goal is not just doing *chesed*, but *ahavat chesed*, loving kindness, a personality defined by an affinity for performing acts of kindness. The divine imperative seeks to impart an attitude, instructing us to internalize the religious guidelines, while at the same time focusing on the Godly ideals transmitted. Even the Rambam may agree to the Yabetz that praiseworthy is the one who fulfills even the most basic of commandments with desire not to, but only at the beginning. After seeing the divine command in the ethical area, one is supposed to undergo an attitude adjustment; one must inculcate the norm into one’s personality, developing an aversion to the forbidden and a love for the required ideal.

The disputes we have seen may be partly based on different stages of the same outlook. As the Netziv maintains, the bottom line is that all *mitzvot* are commands, but there is also a logical element. The command provides the framework and guidelines for the rational mitzva. One is called upon to act not only in accordance with one’s instincts and intuitions, but to identify with what God wants. Initially, one’s understanding may not be in sync with God’s, but one’s spiritual existence cannot be realized through inner tension and struggle, but rather only through inculcated appreciation. “*Gadol ha-metzuveh ve-oseh mi-mi she-eino metzuveh ve-oseh*,” “A person who does something being commanded is superior to one who does it without being commanded.”

A person indeed should enjoy his *Avodat Hashem* and feel fulfilled by it—but not because these were initially his own desires and intuitions. These started as being God’s will, which you are commanded to fulfill. But you have molded yourself in such a way that you find joy in responding to command; your self-fulfillment comes from living the life of one who is called, rather than the life of one who is guided solely by his own inner feelings. (*By His Light*, p. 58)

In other words, a mitzva always begins as *bein adam la-Makom*, between man and God. Whether one is actively cognizant of the command during his actions depends upon his stage of development. When one is still learning to comprehend and appreciate the various aspects of the mitzva, the command is essential, “*gadol ha-metzuveh*.” One is obligated, one is not merely quieting the conscience but in fact fulfilling the will of the Almighty, who leaves one no other option. The only choice is to be nice and considerate. At this stage, one is also bidden to remove humanistic inclinations, as Rashi stresses, and to try to focus on the mitzva itself.

After further study, one comes to appreciate the benefits one’s fellow can experience, specifically based upon the divine guidelines with their unique element of *bein adam le-chavero,* aimed at providing for others in the most effectively kind way. As long as one has begun with the divine calling, one can focus now not on the obligation as much as the internalized caring for one’s neighbor.

Nevertheless, the ultimate goal is developing the personality of which the Rambam speaks. Though one is not expected to develop this overnight, the goal is to form an attitude in which one is completely in sync with the command, to the point that one does not even feel it. One who has reached this level is kind to others because this is the person one has become. In being honest to oneself, *bein adam le-atzmo*, one is simultaneously honest to God’s vision of what man can and should become.

The individual described at the end of last week’s lesson, who gave charity twice, may have done the right thing, because he indicated that he was only at the beginning of his moral development. Providing charity to silence one’s conscience is nice, but if one is unaware of the charitable obligation and does so merely because one is embarrassed to see a pauper, then one is not fulfilling the mitzva, and it makes sense to give charity once again, the right way. However, if one develops one’s personality to the point of recognizing the Godly mandate of caring and providing for the unfortunate, then the initial giving of *tzedaka* need not be “because God commanded this action,” but rather, “because I have developed the personality of living a life of inculcated commands.”