YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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

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**Dedicated in memory of
Joseph Y. Nadler, z”l, Yosef ben Yechezkel Tzvi**

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**Shiur #20: *Arevut* and *Tokhacha***

As we saw last week, one of the greatest expressions of love is to help those who have transgressed to repent. The Torah explicitly requires that one who notices another’s improper behavior must rebuke the sinner. This obligation is found in the Torah immediately after the prohibition to hate another Jew. In addition, it is followed by a cryptic statement. The verse states:

You shall certainly rebuke your comrade, and you shall not bear sin on his account. (*Vayikra* 19:17)

The Talmud in *Arakhin* 16b interprets this in the following way:

From where do we know that one who sees in his neighbor something unseemly is obligated to rebuke him? It is stated: "You shall certainly rebuke."

Before explaining the ramifications and the halakhic distinctions regarding the obligation to rebuke others, known as *tokhacha*, we must understand the nature of the responsibility. In last week's lesson we identified an essential part of loving one's fellow: the willingness to perform the uncomfortable task of helping someone realize his or her mistakes. More than a mere act of love, rebuking a fellow Jew who is straying from the path is characterized by the Rambam as a natural extension of the Torah's mandate to care for one's fellow Jew. The Rambam sharply criticizes one who lacks concern about what is happening in society, focusing only on his own spiritual needs (*Sefer Ha-mitzvot*, Positive 205):

He has commanded us to rebuke the sinner or one who wishes to sin and to prevent him from doing so through speech and reproach. It is unfitting to say: "I will not sin. If someone else wishes to sin, what does it have to do with me? His issue is with God." This is *the opposite of the Torah*.We are commanded not to transgress and not to allow other members of our people to transgress, and if someone tries to transgress, we are obligated to rebuke him and bring him to repent.

The Rambam thus sets out that one's concern for the Jewish people's spiritual wellbeing is paramount, which creates uncomfortable situations and questions. At what point must one waive personal needs and object to others’ actions despite the awkwardness?

First, let us return to the verse which serves as the source for rebuke. In lesson #14, we saw a disagreement as to whether the individual to be rebuked is one who has personally wronged the rebuker or one who has been seen violating a biblical commandment. Defining the subject and object of the verse will clearly shape our understanding of the final clause, “And you shall not bear sin on his account.”

As indicated in lesson #14, a simple approach is to apply this clause to one who ignores his obligation to prevent another from abusing a third party: either one rebukes or one bears sin. Under these circumstances, one’s responsibility is clear. As the injured party continues to act as if nothing is wrong, the offender continues with his or her behavior, unaware of its ill effects.

The commentators who follow this approach understand the verse as teaching us that one who fails to reprove another will be held accountable for the sin. Onkelos, the Targum Yerushalmi and the Ibn Ezra all interpret it as follows:

You must surely rebuke, or else you will be held accountable for your comrade's sin.

To what degree a person will be held accountable must be analyzed, but the bottom line is that they understand the verse to explicitly state that one can be punished for another’s sin if one fails to provide rebuke.

Rabbeinu Yona (*Shaarei Teshuva* 3:59; see also 72, 196) goes one step further by listing “And you shall not bear sin on his account” as an additional prohibition, violated by one who fails to confront sinners with reproof.

Rav Elchanan Wasserman (*Kovetz He'arot, Yevamot* 48:10), explaining the view of the Tosafists, states that one who enables another to perform a sin is not viewed merely as a passive accessory, but rather as an active partner in the sin.

Indeed, the Talmud is replete with examples of cases where one who stands idly by and doesn't rebuke another is viewed as having personally sinned. *Shabbat* 55b states as much regarding Chofni and Pinechas, the notorious children of the High Priest Eli.

How can the failure to rebuke a sinner be viewed as harshly as actually committing the crime?

This verse, which speaks of the responsibility to rebuke a sinner, becomes more profound in light of another verse towards the end of *Vayikra,* in Chapter 26, a unit itself often called the *Tokhacha* (as is the corresponding passage in *Devarim* 28). This unit details the various curses which will befall the Jewish people if they fail to adhere to God's commandments. *Vayikra* 26:37 states:

They will stumble each man over his brother, as if before the sword, even when there is no pursuer.

The simple understanding of the verse, as Rashi points out, would indicate that when trying to escape, they will fall over each other while running in confusion. However, the Talmud (*Shevuot* 39a) learns from this verse a concept similar to the one seen above. It expounds this verse as follows:

"They will stumble each man over his brother” — due to his brother's sin. This teaches that all Jews (*kol Yisrael*) **are guarantors** *(arevim)*for one another (*zeh ba-zeh*).

The continuation of the passage limits the responsibility to a case where one could have protested and perhaps prevented another from sinning but did not do so. Nevertheless, this derivation teaches us the obligation and its philosophical underpinnings: each Jew is an *arev,* bearing *arevut*, mutual responsibility, for the actions of all fellow Jews.

In fact, the term *arevut* has great significance. An *arev,* a guarantor, promises to pay back another’s loan if the other fails to do so. Using the term in the context of one Jew's obligation for another's sin would seem to indicate that all Jews are guarantors for the obligations of other Jews.

Before dealing with the specifics of the obligation to rebuke, we will analyze the Torah's outlook regarding one's responsibility and *arevut* for fellow Jews. What is the source of this responsibility and what are its ramifications?

This concept of *arevut* has both positive and negative ramifications. Regarding the negative ramifications, we have seen that one can be responsible for another's sins; however, there is also a positive side of the coin. This concept is also used as the source that each Jew has a responsibility to be concerned about other Jews' observance of *mitzvot*. Thus, we find in *Rosh Hashana* (29a) that a person can make a blessing on behalf of another individual, even though the former has already fulfilled the obligation.

**The Source of the Responsibility**

There are a number of texts which discuss the source of this responsibility, which may reflect differences of opinion as to its nature. Alternatively, one may understand that there are different levels of *arevut* which came into existence at different points in history.

The *Mekhilta* explains that this *arevut* began with the preparations for the giving of the Torah, as "Israel encamped opposite the mountain" (*Shemot* 19:2). The *Mekhilta* comments on the singular phrasing used in this clause, which is unusual, indicating that “They united themselves here with one heart,” without the *machaloket*, the disagreement, disputes and discord, of other encampments. The *Mekhilta* then uses the same phrase, citing Rabbi, in the next chapter (20:2):

This tells the praise of Israel: standing at Mount Sinai to receive the Torah, they united themselves here with one heart to accept upon themselves the Kingship of Heaven joyously. Furthermore, they committed themselves to mutual responsibility.

The term used, *mashkon*, literally refers to security put down for another when one serves as the guarantor of a loan. The *Mekhilta* continues by defining the nature of this mutual responsibility.

God revealed Himself to them to make a covenant not only about the revealed things, but about the hidden things as well, as it says (*Devarim* 29:28), “The hidden things belong to Lord our God, but the revealed things apply to us and to our children forever: that we must fulfill all the words of this Torah.” But they said to Him, “We are only willing to make a covenant concerning the revealed things, not the hidden things. Otherwise, an individual may sin privately, and the whole community will be held responsible!”

In fact, the Talmud (*Sanhedrin* 43b-44a) analyzes *arevut* in terms of the covenant of Mount Gerizim and Mount Eval, upon entering the land of Israel. The Torah (*Devarim* 11 and 27) describes a covenant of mutuality to be made upon these two mountains, involving the pronouncement of blessings and curses regarding the respective fulfillment or violation of various commandments. Moshe goes on (*Devarim* 29) to explain that the covenant is one binding upon future generations, concluding (v. 28):

The hidden things belong to Lord our God, but the revealed things apply to us and to our children forever: that we must fulfill all the words of this Torah.

The Talmud expounds thusly:

This point is disputed by Tannaim: “The hidden things belong to Lord our God, but the revealed things apply to us and to our children forever: that we must fulfill all the words of this Torah.”  Why are the words “to us and to our children” and the first letter in “forever” dotted?  To teach that God did not punish for hidden things, until the Israelites had crossed the Jordan — this is the view of Rabbi Yehuda. Rabbi Nechemya said to him: “Did God ever punish for hidden things; does not the Torah say, ‘forever’? Rather, just as God did not punish them for hidden things [ever], so too He did not punish them for revealed transgressions until they had crossed the Jordan.”

Rabbi Yehuda explains that after the crossing of the Jordan and entering into the covenant at Mount Gerizim and Mount Eval, there was mutual responsibility for hidden sins. The dots that are found in the Torah over certain letters indicate an exception. In this context, we see that there is a distinction between the period prior to crossing the Jordan and the period afterwards.

Let us set aside the various ramifications of this responsibility for the moment. It is clear that our sources indicate that "the revealed things apply to us and to our children forever." Thus, the Jewish people share mutual responsibility for one another's actions. It is also interesting to note that there are at least two moments in Jewish history which witnessed this new acceptance of *arevut*: the Giving of the Torah and the entrance into the Land of Israel. (For a more in-depth picture of the halakhic ramifications of this *arevut,* see Rav Baruch Gigi's article at: [www.vbm-torah.org/archive/halak57/12halak.htm](http://www.vbm-torah.org/archive/halak57/12halak.htm).)

The points in history of accepting mutual responsibility are at Sinai and at Gerizim and Eval. The Torah and the Land of Israel, we may thus see, are legacies which tie the Jewish people to each other.

**The Nature of this *Arevut***

This *arevut* carries with it a number of halakhic ramifications, but it also helps us develop a new philosophical outlook on the connections between Jews. Being responsible for another means that one can help the other fulfill his or her obligations because “*kol Yisrael arevim zeh ba-zeh.”*

This idea is stated in an extreme form by RavDavid Teveleb*.* Moses Rubin (1794-1861), best known for his magnum opus on Jewish civil law, *Nachalat David*. In his collection of sermons, *Beit David* (ch. 6), he writes:

Division and disunity among the Jewish people is absolute heresy… The fact of the Unity of God obligates the entire holy Jewish nation to be unified in love and brotherhood, to be bound together, conjoined as one man, without any disunity, just as the Creator is one… So too, the Jewish people, whose collective soul emanates from this source of unity, must unite and cleave one to another, in a degree of unity beyond that of the body, which is made up of numerous independent organs. The unity of the holy Jewish nation testifies to His blessed Unity. For this reason, the sin of causing discord is clearly understood to be absolute idolatry… One who does so testifies that he has no portion in the God of Israel.

Similarly, the Rambam (*Hilkhot Teshuva* 3:11) rules:

A person may separate himself from the community even though he has not transgressed any sins. A person who separates himself from the congregation of Israel and does not fulfill commandments together with them, who does not take part in their hardships or join in their fasts, but rather goes on his own individual path as if he is from another nation and not this one, does not have a portion in the World to Come.

One who disconnects himself from the Jewish people essentially disconnects himself from God.

**Accepting Differences**

 The proper understanding of *achdut* (unity) and *arevut* is vitally important; these concepts, if misunderstood, may actually lead to the opposite result. In fact, sometimes our desire to create "unity" in its most extreme forms actually breeds divisiveness. While *achdut* means unity, a very similar word, *achidut,* means uniformity. If the call for *achdut* becomes a call for uniformity, it often leads to disunity. The need for a unified national front does not mean that there should be no differences among people. To this end, sometimes our desire to live in a certain way actually leads to accusations against those who conduct themselves otherwise.

 What is the genuine Jewish outlook? Different strokes for different folks are fine as long as there is a united cause. The Jewish people are made up of twelve tribes which together form one nation. This complexity is part of the wonderful makeup of the Jewish nation.

A nice expression of this idea is expressed by Rav Yaakov Kamenetsky, author of *Emet Le-Yaakov* and *Iyunim Ba-Mikra.* *Chumash Ateret Rashi* (*Bamidbar* 2:2) cites him as questioning the chronology of the tribal banners. Why are these mentioned only at the beginning of *Bamidbar*? Why wait until after the lengthy descriptions of the building of the *Mishkan* (Tabernacle)?

He explains that each banner represents the uniqueness of each tribe. Breeding uniqueness and tribal spirit is very important, but only if a preexisting, unifying cause binds everyone together. Only after the *Mishkan* has been finished and all the tribes are encamped together around the unified goals and messages embodied in the *Mishkan* can there start to be a development of tribal unity, fostering distinctive strengths. Individuality is important, but only if there is a higher cause and goal allowing a place for unity.

By the same token, as long as the overall unifying goal and mission are maintained, sometimes separation may actually be the greatest expression of *achdut*. In their biography, *Reb Yaakov: The Life and Times of HaGaon Rabbi Yaakov Kamenetsky* (Mesorah Publications, 1993), [Yonason Rosenblum](http://www.worldcat.org/search?q=au%3ARosenblum%2C+Yonason.&qt=hot_author) and [Noson Kamenetsky](http://www.worldcat.org/search?q=au%3AKamenetsky%2C+Noson.&qt=hot_author) cite Rav Yaakov’s support for splitting congregations: certain synagogues fraught with dispute should divide, he suggested, rather than attempt to stay together in unfeasible circumstances. This division may create a healthier communal relationship, enabling those with different outlooks on public prayer, all under the rubric of Halakha, to live together in peace and harmony. This is actually a greater fulfillment of *achdut*, because unity is accomplished by recognizing the different strands among the wonderful tapestry of tribes which make up the Jewish people. As long as a common *Mishkan* is created, this unity is inviolable.

This may help us understand why *arevut* is invoked particularly at the moments of accepting the Torah and coming into the Land of Israel. As long as the Jews have a common goal and a common mission, they can embrace unity and mutual responsibility, even as they set out for different communities and alternate paths. The values which bind the Jewish people together outweigh the geographic distance, and understanding this allows for a truer form of *achdut*, in which everyone raises his or her own unique flag, while surrounding the same *Mishkan* housing the same tablets from Sinai.

Similarly, Rav A.Y. Kook expounds a statement of the Zohar (*Mishpatim* 98a) decrying that which “begins with unification and ends with separation” in a manner that is rather unique considering his inclusive worldview. Rav Kook advances a separatist approach in order to create unity, explaining that attempts at social integration between sectors with completely different languages and religious aspirations would be spiritually and socially harmful. However, as he explains, separatism is merely a means of achieving true *achdut*:

This is the inheritance of God in all matters of holiness – separation for the sake of unification, the opposite of crude generalization, which speaks nobly about uniting everything into one package, and thus loses all spiritual glory and majesty. In the end, the darkening of life dims the light of clear thought, and the crude, unique love of every creation becomes stronger and poisonous, to the point that everything separates and the entire world moves like a drunk weighed down by sin. The “other side” begins with unification and ends with separation; the side of holiness starts with separation and ends with unification. (*Orot Ha-kodesh* 2:439)

Rav Kook illustrates his view with a number of analogies, including the separation between Israel and other nations and the distinctions between a *kohen* and an average Jew. (Rav Tamir Granot, in his “Letters of Rav Kook” series for the VBM, has a lengthy and fascinating exposition of Rav Kook's ideas on this topic <http://vbm-torah.org/archive/igrot/26b-igrot.htm>.)

In short, while it is true that *kol Yisrael arevim zeh ba-zeh* and the Jewish people must be unified, we must recognize the differences among Jews and not force everyone to walk the same walk or live in the same place.

**Different Perspectives**

In fact, as we saw in lesson #17, part of the beauty of the Torah-true community is that it leaves room for well-intentioned disagreements a real *machaloket le-shem shamayim.* (However, see there about the need to be careful that one's true intentions are righteous.) This might also be part of the basis for the Talmudic statement (see there) that even though we may clearly accept one rabbinic opinion as binding, "these and those are the words of the living God."

This idea is stated beautifully in the Arukh Ha-shulchan’s introduction to *Choshen Mishpat*. He is explaining why the Torah is referred to (*Devarim* 31:19) as *shira* (song).

The debates of Tannaim and Amoraim and Geonim in fact represent the truth of the living God. All of their views have merit from a halakhic perspective. In fact, this diversity and range constitute the beauty and splendor of our holy Torah. The entire Torah is called a song, the beauty of which derives from the interactive diversity of its voices and instruments. One who immerses himself in the sea of Talmud will experience the joy that results from such rich variety.

The Torah is a harmonious symphony enriched by the diversity of its instruments and variations as long as it bears the singular message of the word of God. As long as the Jewish people remain united in their ideals, they can express their ideas differently.

In truth, there is a fear that room for diversity will become an ideal in its own right and replace the desire for a genuine connection to the Torah. However, the opposite approach, which paints all of the Torah in simple white and black, leaves no room for a *machaloket le-shem shamayim* and erases the symphonic nature of the Torah.

This idea of the beauty in the multiple outlooks of Torah is explained by Rav A.Y. Kook as the deep meaning of a statement that is part of our prayers but is sometimes hard to comprehend.

The Talmud (*Berakhot* 64a) states:

Torah scholars increase *shalom* (peace) in the world.

Some wags have commented that this line is evidence for a Talmudic sense of humor, as scholarly fights are numerous and harsh.

Rav Kook, however, sees this statement of the Sages as entirely sincere:

There are those who mistakenly think that world peace cannot be built except by forming one universal model of opinions and character traits. With this understanding, when they see that the scholarly search for truth naturally leads to diverse opinions on matters, they conclude that scholars are actually causing dissension, the opposite of peace. However, the truth is not so: genuine *shalom* cannot come to the world except through the catalyst of increasing peace. This is to say that specifically when scholars present their various views and outlooks, one can see these diverse opinions coalesce into a more complex and complete expression of the whole picture… (*Ein Aya, Berakhot* 361)

Thus, *shalom* may be achieved only when we have an outlook that is *shalem*, complete and comprehensive. Recognizing the various viewpoints together can bring us to a Godly outlook that is broader than that which any single scholar can independently discern. The Jewish outlook recognizes that unified does not need to be, and indeed should not be, uniform. We truly are an indivisible whole, full of individual strengths and views that together produce the symphony of the Torah's *shira.*