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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This week’s shiurim are dedicated by Mr Emanuel Abrams
in memory of Rabbi Abba and Eleanor Abrams

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**Shiur 01:**

**The Centrality of *Mitzvot Bein Adam Le-chavero***

In this series, I aim to analyze the Torah’s interpersonal directives and develop the ethical principles that Judaism attempts to instill within us. Before we begin, let me try to put things in proper perspective. How significant is this study? At first glance, the uniqueness of Judaism lies in its distinct set of laws, primarily focusing on one’s relationship with God. Though there are certainly obligations one has to one’s fellow Jew, they seemingly pale in comparison to developing a true understanding of one’s responsibilities to the Almighty. Should we really invest so much time and effort analyzing interpersonal imperatives instead of focusing on ritual requirements between man and the Creator?

We have to be mindful of the fact that the entire spectrum of *mitzvot* is important, and therefore all *mitzvot* deserve study, even those which seem to be less significant. As the Mishna (Avot 2:1) teaches, “One should be as scrupulous in performing a minor mitzva as a major one, for one does not know the respective reward given for *mitzvot.*” All *mitzvot* are divinely ordained and therefore important. They combine to refine each individual and perfect one’s personality. The Zohar (I, 170b) explains that the 248 positive commandments and 365 negative commandments in the Torah correlate to the 248 limbs and 365 sinews of the human body. Every *mitzva* relates to an essential aspect of the human body, and therefore all are necessary. One cannot choose favorites or which *mitzvot* to keep and which to forgo.

Nevertheless, in a number of places the Sages clearly give precedence to certain *mitzvot,* which would seem to further amplify the need to study these commandments. Interpersonal commandments (*mitzvot bein adam le-chavero*) seem to fall in this category. Because they are sometimes overlooked and are sometimes thought of as social graces, we often forget their centrality. A careful investigation into the *mitzvot* that have been given primacy in rabbinical teachings clearly indicates the elevated status of interpersonal *mitzvot*. However, many people fail to view them as essential and relegate their significance to the realm of the admirable or that of extra credit. For these reasons, we will examine the concepts associated with interpersonal conduct and analyze the importance of this category of commandments.

**The Range of Interpersonal *Mitzvot***

The halakhic system, with its numerous directives focusing on rituals and man’s obligations towards God (*mitzvot bein adam la-Makom*), does not overlook the individual’s responsibilities towards his or her neighbors. The Torah provides detailed guidelines and rules regarding almost every aspect of social interactions. In fact, most aspects of interpersonal conduct are dictated by halakhic norms. Halakhicguidelines constitute interpersonal directives ranging from what is permissible to speak about at one’s table to what one can believe in the newspapers. These directives are known collectively as *mitzvot bein adam le-chavero,* as they concern the required behavior towards one’s friend or fellow (*chaver*). Unfortunately, we often overlook the degree to which these laws are a pivotal element of the Jewish outlook.

Piety and spirituality are often measured by one’s careful attention to ritual, while interpersonal conduct is often viewed as a significant but secondary consideration. It is not uncommon for one to hear, “He is a scholarly, devout individual — and by the way, he is also a nice guy.” Regrettably, the two do not always go hand in hand.

Interpersonal directives also serve a utilitarian role, by helping to promote a peaceful, successful society. Certainly, Judaism recognizes the utilitarian role of these commandments; the Mishna even praises “fear of authority” and praying for the welfare of the government (Avot 3:2), but the essence of the Torah is that one must strive for excellence in interpersonal behavior as a spiritual mission. An ethical and moral society is essential for growth and success, but it is also a religious ideal for any Jew. We must also be mindful of the fact that *mitzvot bein adam le-chavero* are not only utilitarian; they are also Divine directives.

**Why the Need for So Many *Mitzvot Bein Adam Le-Chavero*?**

In the absence of the Holy Temple, an inordinate percentage of the biblical *mitzvot* applicable in our day are in fact *mitzvot* *bein adam le-chavero*. The question is: what can be learned from the fact that Godchose to dictate right and wrong regarding our relationships with other people? What further compounds our difficulty in finding the answer to this question is the sheer number of commandments and the exacting detail of their requirements. We can ask: why does Judaism place so much stress on something seemingly applicable to people from all walks of life? Additionally, isn’t much of the prescribed behavior obvious to most people who participate in mainstream society? Furthermore, how essential are these *mitzvot*, and do these numerous directives provide a glimpse of the overall nature of Judaism?

One might downplay the significance of the volume of interpersonal *mitzvot* and offer a technical explanation for the phenomenon. After all, the halakhic system covers all facets of living. As a universal system of laws, it must deal with all aspects of interactions between human beings. In essence, this approach would claim that although the halakhic system really cherishes *mitzvot bein adam la-Makom*, one could not create a legal system without including interpersonal directives, despite their paling in comparison to ritual law.

However, in many places, from verses in Tanakh to statements in the Talmud, the opposite seems to be true. One gets the impression that kindness and righteousness are not just footnotes to a halakhicsystem rooted in ritual; rather, they play a pivotal, essential role in our religion. In numerous places, the prophets stress the importance of fulfilling interpersonal *mitzvot* and explain how often Jewish suffering and national calamity come about because of infractions in the social realm. The number of interpersonal directives is an expression of the Torah goal of not only guiding behavior, but shaping our approach to life based upon it.

Let us take a look at the sources in order to answer the question of how essential these commandments in fact are.

If one would want to identify the concepts which are the building blocks of Judaism, a good place to start is in the Talmud, at the end of Tractate Makkot. The Talmud relates that though there are 613 commandments in the Torah, a number of prophets, starting with King David, developed shorter lists of categories of *mitzvot*, focusing on the most important elements.

The Rivan (Makkot 24a, *s.v. Ve-he’emidan*) remarks that in the earlier generations, people were adept at performing all the *mitzvot* while being properly mindful of their significance, but as the generations went on, the level of fulfillment waned. King David stressed these categories of *mitzvot* to underscore the fundamental elements of the Torah’s tradition, and to clarify what is needed for one to be able to merit a portion in the World to Come.

The recurring concepts which appear in almost every prophetic list include kindness (*chesed*) and proper interpersonal conduct. King David’s list (Tehillim 15) is essentially a detailing of eleven ethical requirements which serve as the basis for the fulfillment of all six hundred thirteen commandments. He was followed by Yeshayahu, who found it necessary to establish an even smaller number of basic requirements, the mastering of which would enable one to fulfill the totality of *mitzvot*. Again, all of Yeshayahu’s examples are in the realm of interpersonal behavior: righteousness, speaking with fairness, distancing oneself from bribery and the like. Later prophets reduced the number even further. The prophet Mikha, a contemporary of Yeshayahu, listed three, after which Yeshayahu further reduced his list to two. Later, Chavakkuk summed up the entire Torah in one requirement. As the Gemara (24a) explains:

The prophet Mikha came and established them [i.e., the fulfillment of the six hundred thirteen commandments] upon three [ethical requirements], as it is written: “He has told you what is good and what God demands of you: only [1] to do justice, [2] to love kindness (*ahavat chesed*), [3] and to walk humbly with your God” (Mikha 6:8)…

Yeshayahu came again and established [the *mitzvot*] upon two, as it says, “So said God: [1] Guard justice and [2] perform righteousness” (Yeshayahu 56:1)…

[Later the prophet] Chavakkuk came and established [the *mitzvot*] upon one [foundation], as it says, “A righteous person (*tzaddik*) will live because of his faith” (Chavakkuk 2:4).

This Gemara is at first glance surprising, and after further study it becomes downright shocking. The great prophets focus their attention on ethical behavior in order to express the basic underpinnings of *mitzva* observance. For some reason, they seem to underscore the importance of interpersonal conduct as the basis of the Torah. Loving-kindness, justice, righteousness — these are the basis of the Torah!

In fact, the concise formulation of Chavakkuk, the righteous living by their faith, seems to connect the two aspects of the equation. Righteous behavior is rooted in a life guided by one’s faith and one’s relationship with God. That, says Chavakkuk, is the basis of the Torah.

But how could it be? With all the unique *mitzvot*, how do these interpersonal directives play such a fundamental role in the Torah’s tradition?

**“Torah Jew” = A Kind Jew**

Before we are able to answer why the sphere of *bein adam le-chavero* is so essential to Judaism, we must further prove its importance. The Torah views proper behavior as characteristic of the Jewish people, as described so beautifully by Tzefanya (3:13): “The remnant of Israel — they will not perform iniquity nor speak falsehood, and one will not find in their mouths falsehood or deceit.”

This idea is expressed in Tanakh, repeated in statements of the Sages and clarified by the later commentators: interpersonal *mitzvot* are an integral part of our religion.

The prophet Yirmiyahu (9:22-23) declares:

Thus says God:

Let not the wise man glory in his wisdom,

Neither let the mighty man glory in his might,

Let not the rich man glory in his riches;

But let him that glories glory in this — that he understands and knows Me,

That I am God, who exercises mercy,

Justice and righteousness on earth;

For in these things I delight,

Says God.

In addition to the verses cited from the Talmud earlier, the prophetic message here is clear: God delights in mercy, justice and righteousness, which He exercises on Earth, and so should we.

This prophetic message is further stressed in the Oral Tradition. One of the primary focuses of Tractate Avot is proper conduct. In the first chapter of Avot, we are told twice that there are three things that uphold the world. These sources include *chesed* and *shalom* (peace) as part of the triad.

Shimon the Righteous… used to say: “The world stands on three things: the Torah, serving God, and acts of kindness (*gemilut chasadim*).” (Avot 1:2)

Rabban Shimon ben Gamliel said: “By virtue of three things does the world endure: truth, justice, and peace, as it is said (Zekharya 8:16): ‘You shall administer truth and the justice of peace in your gates.’” (Avot 1:18)

The Chafetz Chayim, in his introduction to his monumental work on interpersonal *mitzvot*, *Ahavat Chesed* (the title of which is taken from the verse in Mikha quoted above), explains this. God, Who is good, does good and bestows His *chesed* upon all His creatures, tells us to follow Him, be merciful like Him and model our conduct after Him. The Chafetz Chayim adds, “The entire Torah is permeated by this concept,” as seen from the verse in Mikha. The Chafetz Chayim continues to list the many benefits accorded to one who engages in *chesed* and the punishments meted out to one who eschews its practice. *Chesed* secures atonement, lengthens life, promotes peace and ensures a just society.

Certain *mitzvot* *bein adam le-chavero* are also stressed to reiterate their unique significance. The Rambam emphasizes the importance of the mitzva of giving charity as follows:

We are required to be more careful about the *mitzva* of giving charity than about any other positive *mitzva*. For charity is the sign of the righteous descendants of Avraham Avinu…

The throne of Israel is not established, nor does true faith stand, except through charity…

And Israel will only be redeemed through charity… (*Hilkhot Mattenot Aniyim* 10:1)

The Gemara in Kiddushin(40a) adds that *mitzvot* *bein adam le-chavero* are essential for becoming a true *tzaddik*:

Rava said: “Rav Idi explained to me [the following verse], ‘Say about the *tzaddik* who is good that he will enjoy the fruits of his good deeds’ (Yeshayahu3:10). Is there a *tzaddik* who is good and a *tzaddik* who is not good? Rather, he who is good to Heaven and good to man, that is a *tzaddik* who is good; good to Heaven but not good to man, that is a *tzaddik* who is not good.”

At the beginning of his commentary to tractate *Pe’a,* Rabbenu Asher ben Yechiel (the Rosh) learns from this the following:

For the Holy One, blessed be He, has greater desire for those *mitzvot* by which one also pleases other people than for the *mitzvot* between man and his Maker.

The Rosh seems to be rather clear on this point. Contrary to people’s tendency to be more concerned about their relationship with God than their relationships with their fellow human beings, it is the interpersonal *mitzvot* which have greater value in God’s eyes.

**Torah Study and *Chesed***

In a number of places, *chesed* and Torah study appear as the two necessary aspects of a healthy religious life. The Talmud relates the importance of *chesed* in the pre-messianic era:

Rabbi Elazar was asked by his students, “What must a person do to be spared the birth-pangs of the Messiah?”

[He replied:] “Let him engage in Torah study and *gemilut chasadim*.” (*Sanhedrin* 98b)

Moreover, numerous interpersonal *mitzvot* appear in the well-known list of *mitzvot* of which one “eats their fruits in this world, but the principal is saved for reward in the next world” (Pe’a 1:1).The list concludes with the phrase, “And Torah study is equal to them all.” Torah study alone, with all of its significance and weight, is only part of the equation, though a very big part. Throughout the Talmud, we are told of the advantages of one who is involved in study and *chesed*, as opposed to one whose sole focus is Torah study.

Indeed, regarding the curse that all male descendants of the house of the High Priest Eli would die young, the Talmud (*Rosh* *Hashana* 18a) records a dispute between Rava and Abbayei about what would be necessary to rescind the decree. Rava maintains that constant Torah study would stave off death, while Abbayei feels Torah study coupled with *gemilut chasadim* would be necessary. Who is correct? The Talmud notes that Rava and Abbayei were both descended from the House of Eli. Rava, who engaged in Torah study, lived forty years; Abbayei, who engaged in both Torah study and acts of kindness, lived sixty years.

Interestingly, the Talmud relates elsewhere (Kiddushin 52a et al.) that, save for six instances, we always side with Rava in his disputes with Abbayei. Rava, in fact, dedicated his life to Torah study, and he may have been a greater scholar. However, it is Abbayei, with his added focus on *chesed*, who is seemingly viewed as more precious. The Talmud (Taanit 21b-22a) states that a heavenly voice would greet Abbayei once a week and Rava only once a year, and it notes that a certain saintly doctor received a heavenly voice daily. While the passage relates that Rava was distressed over this and was told that he should be satisfied with the fact that his merit protected the city, it does seem to indicate some preference for Abbayei.

Furthermore, the Talmud (Megilla 28a) lists numerous scholars who attributed their long life not to their diligence in the study of Torah, but rather to their interpersonal behavior, which was marked by extreme care in their dealings with others. This, in fact, echoes a psalm of King David:

Who is the one that wants long life, who loves days to see good?

Guard your lips from speaking evil…

Turn away from evil and do good; seek out peace and run after it. (*Tehillim* 34:13-15)

We are told numerous times that the study of Torah is insufficient if it is not accompanied by acts of *chesed*. The Talmud (Avoda Zara 17b) relates the story of Rabbi Chanina Ben Teradyon and Rabbi Elazar ben Parta, who were arrested by the Roman authorities at the same time. Rabbi Chanina tells his cellmate that although Rabbi Elazar was being held on account of five counts of anti-Roman activity and Rabbi Chanina was arrested on one, Rabbi Elazar was the one who would be saved because he had involved himself in both Torah and *chesed*, unlike Rabbi Chanina, who had engaged only in Torah. The Talmud goes on to explain that, in fact, Rabbi Chanina was the *gabbai* *tzedaka*, the one in charge of charitable funds and thus heavily involved in feeding the poor and needy; nevertheless, he did not do *chesed* to the degree expected of a man of his stature, and he was therefore held accountable.

Even the greatest scholars can be punished if they are remiss in their interpersonal duties. In more than one place in the Talmud and Midrash, those who advocate exceptional adherence to ritual and even the study of Torah are taken to task for failing to live up to the standards of interpersonal behavior incumbent upon spiritual exemplars. The most famous instance of this is the death of the 24,000 students of Rabbi Akiva who failed to treat each other with due respect (Yevamot 51b).

**“The Essence of the Torah”**

From all of the above, we learn that while the importance of adherence to ritual and that of dedication to Torah study are not to be overlooked, exemplary interpersonal conduct is essential for a proper, righteous life. The goal of this series is to study this aspect of the Torah.

In fact, one need not search too long to prove the fundamental significance of this area of Halakha. The Talmud (Shabbat 31a) tells us of the individual who asked to be converted to Judaism on the condition that the whole Torah could be explained to him while standing on one foot. The scholar Shammai rejected him out of hand, but when Hillel was approached, he responded, “That which you don’t like, don’t do to your friend. That is the essence of the entire Torah; the rest, go and study.” The simple understanding of Hillel’s statement (though Rashi offers a different explanation) is that the Torah is essentially concerned with one’s not acting toward others as one would not want to be treated.

I hope to further demonstrate how these *mitzvot* reflect the essence of the Torah. We will come to understand the parameters of these interpersonal directives, as well as how we are supposed to model our attitudes and behavior.

**The Challenges of This Analysis**

Before embarking on the journey to acquire a new appreciation of the interpersonal *mitzvot*, we must be aware of the challenge involved in studying them. There are at least three difficulties to overcome before we can hope that mastering these laws will lead to their internalization.

*1) The lack of appreciation of their importance*

We have cited many sources to emphasize the significance of these laws, for the simple reason that many often believe otherwise. Numerous commentators have remarked on the common assumption that one can be a good Jew if one carefully adheres to the *mitzvot bein adam la-Makom*, even if one is remiss in fulfilling *mitzvot bein adam le-chavero.* The Chatam Sofer, for example, writes:

We have found righteous and upstanding individuals who will readily sacrifice themselves for the slightest detail and nuance of *mitzvot bein adam la-Makom*, but when it comes to interpersonal relationships they are extremely lenient, for not everyone is capable of foregoing [what they feel is] their full share. (*Derashot*, p. 245)

Many fail to realize that one who is negligent in his or her interpersonal *mitzvot* has not only violated *mitzvot* of the Torah, but has also shown a basic misunderstanding of the totality of the Torah. It is the Torah itself that elevates *mitzvot bein adam le-chavero* to an essential part of our existence. A “Torah Jew” is a Jew committed to God and to the way the Torah tells us to deal with our fellow man; it is the Torah itself that stresses these *mitzvot*.

*2) The sheer difficulty involved in these laws*

Many find the ritual laws much easier to adhere to than the ones that involve other human beings. It is often far easier to cede to God than to view oneself as ceding to one’s fellow.

*3) The need for mastery in this area*

The need to be meticulous in the fulfillment of these *mitzvot* adds to their difficulty. As we shall see, more than specific overarching commands, this area of Halakha is marked by principles, and their fulfillment is very situational; different circumstances carry different requirements. Mastery of these laws requires a firm understanding of human nature and the ability to apply the principles to the various predicaments that arise.

In this series, we will analyze the sources of the interpersonal commands and their basic details, with an eye towards understanding the actions incumbent upon us, as well as the emotions and outlooks these *mitzvot* are designed to help us internalize. By doing so, I hope that we may develop a Godly personality in understanding, feeling and deed.