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BETWEEN LOVE AND REBUKE

For whom the Lord loves, he rebukes, as a father the son whom he favors.
(Prov. 3:12)

I have been asked by a chief rabbi of one of Israel's major cities to offer an opinion regarding the propriety of demonstrations by observant Jews against public Sabbath desecrations in the State of Israel—protests which have resulted in invective, physical blows, and danger to life. Shall those concerned for the word of God remain silent in order to avoid the occasional unfortunate results of demonstrations, or are they obligated to rebuke no matter what the consequences? Some believe that rebuke is inappropriate, claiming that the so-called secular Jew is often an heretic, and that no benefit will arise from challenging him. Moreover, the demonstrations lead to desecration of the Sabbath by the police and by others.

I shall attempt to cast some light on the various complex issues involved, limiting myself to a theoretical analysis without entering the realm of practical *pesak halakha*.

The precept to “repeatedly rebuke your companion (*hokheakh tokhiakh et amitekha*)” (Lev. 19:17) is found alongside the *mitsva* to “love your comrade as yourself” (v. 18) and the prohibition to “not hate your brother in your heart” (v. 17). This specific juxtaposition of “brother” with hatred, “colleague” with rebuke, and “comrade” with love requires elucidation, for the noun-verb combinations are certainly not accidental.

Ahikha, “your brother,” refers to anyone who is either a descendant of Abraham, Isaac, and Jacob, or a proselyte (who is also considered a son of Abraham). Yet, not all brothers are equal. Some brothers are also “comrades” (*rei'im*), or at least “colleagues” (*amitekha*). They are comrades in observance of the Torah and colleagues who are able to accept rebuke. Those who are far removed from an observant life are disassociated from the concept of “comrade” and cannot even be considered “colleagues” who readily accept reproof. Nevertheless, inner hatred toward them is forbidden. Perhaps we are obligated to behave outwardly toward them with actions which can be construed as unfriendly and even hateful, in keeping with King David's dictum: “Do I not hate, O Lord, those who hate You, and do I not strive with those who rise up against You?” (Ps. 139:22; Cf. *Pesahim* 113b). But actual inner hatred towards them is forbidden.

This distinction is apparently derived from *Sifra Kedoshim* (II 4:8):

"Perhaps the verse 'Do not hate your brother' means not to strike him, not to slap him, or not to curse him? The verse says, 'in your heart'; it refers to hatred in the heart." The commentators explain that the plain meaning of the verse deals with our attitude toward transgressors. Employ all the means at your disposal to prevent them from sinning, as long as your actions are not motivated by hatred suppressed within your heart. "Do not hate your brother," for he is your brother and you are obliged to treat him as one.

Maimonides (*Hil. Avel* 17:1) writes that "it is a positive rabbinic precept to visit the sick . . . and [this is among] the physical acts of lovingkindness whose measure is unlimited. Although these are all rabbinic precepts, they are included in 'Love your comrade as yourself.'" The comrade is also a brother and companion in Torah and *mitsvot*, otherwise he is a brother and not a comrade. But in apparent contrast to this, Maimonides writes (*Hil. De'ot* 6:3): "Everyone is required to love each and every Jew as he loves himself," to which *Hagahot Maimoniot* adds that "this applies only to one who is your comrade in Torah and *mitsvot*; but one is obligated to hate a wicked person who does not accept rebuke, as it says, 'Do I not hate . . .' (cf. *Pesahim* 113b)." In his Introduction to *Perek Helek*, Maimonides himself makes this distinction at the end of the thirteenth principle:

When a person believes in all of these [thirteen] principles, he is part of the community of Israel. One is required to love and pity him, and to treat him with all the love and brotherhood that God has commanded, even if he has transgressed due to personal passions. . . . But when a person does not believe in one of these principles, he has departed from the community . . . and concerning him it says, "Do I not hate. . . ."

A different formulation by Maimonides is found in *Hil. Rotse'ah* (13:14): "One who saw another transgress in private and warned him, but he did not listen, is required to hate him until he repents."

A full understanding of Maimonides's statements is contingent upon the definition of "comrade," which Rashi, Ramban, and other Rishonim discuss at length. In my *Hikrei Halakha* (Jerusalem, 5753, pp. 165-172), I have clarified the opinions of Rav Kook and the Hazon Ish, both of whom are of the opinion that no one in our generation comes under the rubric of one who is to be rebuked, and that, moreover, there is no one today who is qualified to give rebuke, as will be explained below.

Commenting on the verse, "You shall repeatedly rebuke," our Sages apparently insist that one's "companion" is like his "comrade." You might think that if you know that he does not hate you, rebuke him, and if not, do not rebuke him. But the verse says, '*hokcakh tokhiakh*,' You shall repeatedly rebuke your neighbor [at all times].'" Yet another opinion is cited there: "Your companion"—one who is with you in [the performance of] *mitsvot*—must be rebuked, but not a wicked one, for he will hate you, as it says, 'He who corrects a scorner brings shame upon himself' (Prov. 9:7); i.e., he him-

self is blemished" (*Tanna De'bei Eliyahu*, cited in *Yalkut Shimoni*, *Kedoshim* 613).

The Sages of the Midrash and the Talmud, and, in their wake, the Rishonim and Aharonim, disagree as to who is included in the definition of the "companion" whom one is required to rebuke. Maimonides (*Hil. De'ot* 6:7) writes: "One who sees his friend sin . . . must rebuke him until the sinner strikes him and tells him, 'I will not listen.' " Maimonides rules here like Rav in the Talmud who said that one must continue to rebuke until he is struck (by the one rebuked). Let us simply note that *Hagahot Maimoniot* cites a disagreement among the early authorities as to whether one is exempt from rebuking a person who he is certain will not accept reproof.

Biur Halakhah (*Orah Hayyim* 608:2) cites the well known words of *Birkei Yosef*: "When we are unable to prevent them from sinning, there is no obligation to rebuke, for he knows that they will not accept it." An analysis of *Birkei Yosef's* ruling reveals, in my opinion, that two precepts are involved here: the precept of rebuke; and that of preventing others from sinning—*l'afrushei me'isura*—either by protest or rebuke. Thus, even when the obligation to rebuke does not apply, the duty to prevent others from sinning remains.

In the issue at hand, we might be able to prevent Shabbat violaters from sinning, if not by demonstrating, then perhaps through various avenues of political pressure. If this is impossible, it seems obvious that one must refrain from rebuke and from any actions which result in the desecration of His Name. Thus *Biur Halakha* concludes:

Know, that which Rema (Moshe Isserles) ruled—that one must protest against that which is explicitly stated in the Torah—applies only when [the transgression] is occasional. But those who have cast off the yoke (of heaven) altogether—such as one who publicly desecrates the Sabbath or eats animals which were not ritually slaughtered in order to anger God—are not considered "your companion," and one is exempt from rebuking them.

Arukh HaShulhan (*ibid.*, par. 7) rules similarly:

Know, all this applies to a believing Jew whose evil inclination overpowered him to act, and rebuke is potentially of some value. But rebuke is inappropriate respecting those who rebel against the words of our Sages, for they are infidels and heretics (*minim v'apikorsim*), and one should not debate with them.

He also writes (*Orah Hayyim* 156:9): "And certainly today when, due to our many sins, heresy is rampant, rebuke is inappropriate and one should not debate with a heretical Jew." Thus, both *Mishnah Berura* and *Arukh HaShulhan* rule that infidels and heretics are excluded from the precept of rebuke.

However, the question as to whether contemporary irreligious Jews are to be defined as legal *apikorsim*, infidels and heretics, God forbid, requires careful study and deep reflection. Hazon Ish explicitly writes that their status is doubtful and that perhaps they are to be legally considered "*tinokot shenishbu*, infants captured by gentiles," (*Yoreh Deah, Shehitah* III:16) because they were never exposed to Torah and the Jewish heritage. Much thought must be invested before arriving at a practical decision. The judgment of the local rabbi who knows best if rebuke will be beneficial or detrimental seems to be the crucial factor (Cf. *Ts'its Eliezer*, 8, 18: 7; and 19-20).

It seems to me that a new perspective may be derived from Alfasi's formulation of this issue in *Bava Metsia*, 17a (Defus Vilna) s.v. *garsinan*. He cites the *beraita* in *Arakhin* 16b:

R. Tarfon said, "I wonder if there is anyone in this generation who knows how to accept rebuke. If he says to him, remove the toothpick from between your teeth, he will reply, remove the beam from between your eyes." R. Elazar ben Azariah said, "I wonder if there is anyone in this generation who knows how to rebuke." R. Akiva said, "I wonder if there is anyone in this generation who knows how to rebuke." [R. Akiva's words are quoted by Alfasi from the Talmud and are found in the *Sifrei* but are not found in our version of the Talmud. Apparently this was the Talmudic text which Alfasi had before him].

Alfasi proceeds to cite *Ketubot* 105b:

Abaye said, "A Torah scholar is beloved to his townsfolk, not because of his excellence, but because he did not rebuke them in heavenly matters." He then cites *Yevamot* 65b: "R. Ella in the name of R. Yehudah ben R. Shimon said, 'Just as one is obligated to say that which will be heeded, so he is obligated (*mitsva*) to refrain from saying that which will not be heeded.' R. Abba said, 'It is obligatory (*hova*), as it says, "Do not reprove a scorner lest he hate you."' Alfasi concludes his comments on the topic of rebuke by returning to *Arakhin*:

What is the extent of rebuke? Rav said, 'Until he strikes you.' Shemuel said, 'Until he curses you.' R. Yohanan said, 'Until he reprimands you.' This is a disagreement among Tannaim: R. Eliezer said, 'Until he be beaten.' R. Joshua said, 'Until he be cursed.' Ben Azai said, 'Until he be rebuked.' All three expounded the same Scriptural verse (I Sam. 20:30): "Then Saul's anger was kindled against Yehonatan and he said unto him: Thou son of perverse rebellion, do not I know that thou hast chosen the son of Jesse to thine own shame, and unto the shame of thy mother's nakedness?" And it is written (*ibid.* 33): "And Saul cast his spear at him to smite him." The one who said (above) 'Until he be beaten,' said so because it is written: "to smite him"; the other who said 'Until he be cursed,' said so because it is written: "To thine own shame and to the shame of thy mother's nakedness"; the other, who said 'Until he be rebuked,' said so because it is written: "And then Saul's anger

was kindled." But according to him who says, 'Until he be shouted at,' does not Scripture mention 'beating' and 'cursing'? That case is different: Yehonatan sacrificed himself because of his great love for David.

Perhaps Alfasi cites the texts in *Ketubot* and *Yevamot* in addition to *Arakhin* because the exemptions from the precept of rebuke mentioned in *Arakhin* apply to every Jew except for a rabbi leading his congregation. The latter is obligated even in these circumstances to guide his flock according to the dictates of the Torah and to rebuke them. Perhaps our master Alfasi intended to underscore this in his concluding words on this subject: "Yehonatan sacrificed himself because of his great love"; i.e., it is incumbent upon the rabbi, out of love for his congregation, to sacrifice himself.

According to this interpretation, even in circumstances when others would be exempt from rebuking, the rabbi is nevertheless obligated to rebuke his community. The crucial factor is the rabbi's sensitivity and his ability to rebuke. Each rabbi, of course, must choose the appropriate language, and must bear in mind the verse "Her ways are ways of pleasantness and all her paths are peace" (Prov. 3:17), and "that which emanates from the heart enters the heart." (Cf. *Berakhot* 6b: "Every person who has within him the fear of the Lord, his words are heard," which is cited in the *Shirat Yisroel* of R. Moshe Ibn Ezra. p.153 (and which apparently is the basis of the folk expression about words which emanate from the heart).

Most instructive are the words of R. Yehonatan of Prague concerning the statements, "I wonder if there is anyone in this generation who knows how to rebuke" or "... who knows how to accept rebuke." He writes:

Certainly if the rebuker continuously reproves without respite, the words will produce fruit. If water dripping continuously upon a rock can bore through it, how can words not affect the hearts of the faithful in Israel whose origin and foundation is sacred. . . . Reproof must be persistent; he should not become weary nor muzzle his mouth, for perhaps God will be desirous (*Ye'arot Devash* I, p. 56).

In light of all this, it seems to me that a Jew who is not a communal rabbi is not obligated in contemporary times to engage in protests against public Sabbath desecrators. Furthermore, it is quite likely that it is forbidden for him to demonstrate on the Sabbath day itself, for this will inevitably result in mass desecration of the Sabbath by the police, the media, and the public at large. Perhaps a mass demonstration should take place on a weekday if public desecration of the Sabbath continues. In such a case, the demonstrators would thereby fulfill their one time obligation to rebuke, in accordance with the authorities cited above. Afterwards, the rabbi of the city and communal leaders could continue to express their views and employ every legitimate communal means at their disposal.

A distinction must be drawn, it seems, between an individual sinner

who must be rebuked even a hundred times, and the community which transgresses. *Nimukei Yosef* (Yevamot 65b) writes that if one knows that they will not listen, there is an obligation to rebuke them only once. This certainly is the intention of Rema (*Orah Hayyim* 608:2): "If he knows that his words will not be accepted, he should not publicly rebuke them more than once." This also seems to be Maimonides's position in *Hil. De'ot* 6:7.

That which is gained by the demonstrations and violent protests is frequently offset by a loss: an intensified resentment against Judaism and observant Jews. However, rabbis and communal leaders are obligated to protest and to employ every legitimate means of public influence to mend the breach and close the door before sinners. But their motivation should not be to "fulfill the obligation to rebuke," but to discharge the continual obligation incumbent upon them to mend the breaches to the best of their ability.

Throughout all this, it must be stressed that we certainly are under an obligation to awaken others and ourselves to reassess our relationships to God and Torah. No Jew should be considered a lost cause; we must believe that God will eventually return all Jews to the fold. We must rebuke others as best we can, informing them of our sorrow and disappointment resulting from our love for them, and making it clear that we do not, God forbid, despise them, but are fighting against their transgressions. Perhaps if we speak out of love and peace their hearts will melt, for "we are obligated to rebuke them with bonds of love and peace to the best of our ability," as the *Hazon Ish* writes. He defines them as "infants captured by gentiles," as indicated above—which is the status of the vast majority of "irreligious Jewry" today. Most Jews are simply included in Maimonides's definition of compulsion in his discussion of the Karaites in *Hil. Mamrim* 3:3: "Their children and students are considered to be acting under compulsion." When they attend the synagogue we must draw them near, treating them as "an infant captured by gentiles who offered a sacrifice for unintentional violation of the Sabbath" (cf. *Shabbat* 68a), and not as rebels (*mumarim*). The *Hazon Ish* writes that "we are obligated to sustain them and even desecrate the Sabbath to save their lives . . . as long as there is doubt regarding [the efficacy of] rebuke." He also cites the Hafetz Haim's *Ahavat Hesed* which quotes R. Ya'akov Moellin: "It is a mitsva to love the wicked for this reason"; and he cites the responsa of Maharam of Lublin; "He is considered as pre-rebuke (i.e., before the stage of rebuke—and thus there is no obligation to hate him but rather to love him. *Sh.Y.C*) for we do not know how to rebuke."

Even when we are exempt from rebuking, we are still obligated by the precept of love for Jews to draw them near and to return them to the Torah. The great leader of Habad hasidut, R. Shneur Zalman of Liadi, writes in the *Tanya*:

Even those who are removed from God's Torah and His service and are therefore classified simply as 'creatures,' (*beriot*) must be drawn close and attracted with "strong bonds of love," [the same phrase used by the above-

cited Hazon Ish] perchance one might succeed in drawing them near to the Torah and divine service. If one fails, one has not forfeited the merit of the precept of neighborly love. Even with regard to those who are close to him, and whom he has rebuked, yet they had not repented of their sins, when he is enjoined to hate them there still remains the duty to love them also, and both are right: hatred, because of the wickedness in them; and love, on account of the aspect of the hidden good in them, which is the divine spark in them, and animates their divine soul (*Likutei Amarim*, ch. 33.).

In conclusion, I quote an excerpt from a letter of Rav Kook (reprinted in *Ma'amarei HaRe'iyah* (pp. 89-93):

Those who have forsaken the ways of the community today are not to be considered totally as such (forsakers of the community). The behavior of this era of assimilation has affected them. . . . The youth enraptured with the nation and desirous of its renewal are unintentional sinners, and we should not judge the unintentional as intentional. Those who forsook the ways of the community in previous generations wished to destroy the nation through their deeds and thoughts. He who forsakes the ways of the community is depicted by Maimonides as one who 'did not necessarily sin,' but as "someone who is totally separated from the congregation of Israel and does not perform the precepts in their midst. He does not partake of their sorrow nor fast with them, but goes his own way like a gentile, as if he is not one of them" (*Hil. Teshuva* 3:11). Obviously, we cannot ignore that aspect of their having forsaken the ways of the community—'he does not perform precepts in their midst nor fast with them.' But at the same time we possess a grain of consolation, for although our children have strayed very far spiritually, they share in the sorrow of the community. The sorrow of the nation penetrates the innermost chords of their heart and they would never consider themselves 'not one of them.'

Let us now return to the question regarding the extent of the contemporary obligation to rebuke. It seems to me that, after one attempt at rebuke, additional chastisement is absolutely undesirable. Rebuke is appropriate towards those who see themselves as having accepted the "yoke of the heavenly reign and the yoke of Torah and *mitsvot*." Those who were raised in homes far removed from a Torah way of life, and especially their descendants—and those who have cast off any obligations that once had concerned them—cannot be reached by coercion or threat, but only by wise and thoughtful words spoken pleasantly, patiently, and with genuine love. This is the only way to open the hearts and to quench the thirst of those who are not even aware that they are thirsty.