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Hatred and Rebuke

Introduction

Perhaps the most difficult Halachos pertaining to interpersonal relationships are those that define how one should relate to a Jew who sins. This is a complex subject, and will be discussed at length throughout the following eleven chapters. But before starting to learn this complicated and elusive material, it is imperative to learn and digest certain concepts that are indispensable to the proper understanding and application of the many pertinent Halachos and ethical guidelines.

Halachah uses terminology in a very precise way. Many terms have Halachic definitions that are exclusive to a particular Halachah. This is especially apparent in the Halachos that pertain to interpersonal relationships. There are terms like “your brother,” “your people,” “your fellow,” and “*rasha*” that have very specific definitions in the context of the Halachos that are going to be discussed.

One of the most potentially troubling terms is the word “*rasha*.” Many people feel that only a truly terrible person is a *rasha*, but not the average person who allows himself to commit a minor sin now and then. However, we recite in our davening several times a day, “Forgive us...and we have willfully sinned...” Many of us say *viduy*, confession, every day. We say, “We have become guilty, we have betrayed... we

have caused wickedness, we have sinned willfully...we have scorned, we have rebelled..." We recite an entire list of appallingly sinful behavior, which makes a person into a *rasha* many times over. When the month of *Elul* comes, and through Yom Kippur, we pay even more attention to what we are saying, and we are very serious about our various confessions of sin. Nonetheless, it is hard to find a person who would not be strongly offended if somebody were to call him a *rasha*, even though he calls himself a *rasha* several times a day.

It is important to understand things in their correct proportions. The word *rasha* has a number of different meanings based on its application. With regard to the judgment on Rosh Hashanah, the Halachah is that one who has more merit than sin is called a complete *tzaddik*, one who has an equal amount of both is "average," and one who has more sin than merit is a complete *rasha*.¹

At the same time, a person is called a *rasha* if he does only one sin. In Egypt, when Moshe Rabbeinu saw one Jew raise his hand against another, he called him a *rasha*. *Chazal* learn from there that even if one raises his hand to strike his fellow but did not yet hit him, he is a *rasha*. Moshe Rabbeinu called him a *rasha* because of that one thing that he did, even though overall that Jew could have had more merit than sin and in that sense he could be considered a *tzaddik*. So, one can actually be both a *tzaddik* and a *rasha* at the same time.

In reality, many of us are a combination of *rasha* and *tzaddik*, and different Halachos are applicable accordingly.

Another difficult term is the word "*apikores*." It is commonly used to describe a wide range of sinful people. The

1. See *Kiddushin* 39b; *Rosh Hashanah* 16b and *Tosafos*; Rambam, *Hilchos Teshuvah* 3:1.

Rambam² says the term *apikores* includes three types of sinners: (1) one who denies the existence of prophecy (2) one who rejects the prophecy of Moshe Rabbeinu (3) one who denies that God knows the deeds of people. One who denies that the entire Torah was given by God is called a *kofer* by the Rambam. In this *sefer*, the word *apikores* refers to all four of these.³ (The Gemara says that even someone who has the audacity to embarrass another in the presence of a *talmid chacham* is an *apikores*.⁴ But the term *apikores* as used in this *sefer* does not refer to that type of person.)

In general, the Halachah is intolerant of those who do not observe Torah and mitzvos. In earlier times, the Halachah prescribed that idolaters and those who sinned out of spite were heretics and should be executed by the *Sanhedrin* (Jewish high court). If for some technical reason the *Sanhedrin* was unable to execute them, every person was urged to dispose of them

2. *Hilchos Teshuvah* 3:8.

3. Even if he denies only one verse in the entire Torah he is called a *kofer*. Even so, with regard to bringing the *korban Pesach* (Paschal lamb) the *Avnei Nezer, Even HaEzer* ch. 223 says he is not considered a heretic and he may partake of the sacrifice. This is a good example of the specificity of the Halachic applications of this terminology.

The status of a Sadducee is also unclear. The Rambam, *Hilchos Avodah Zarah* 10:1 calls them *apikorsim*, but in *Hilchos Teshuvah* 3:8 the Rambam calls them *kofrim*. More astounding, the Rambam (*Hilchos Shechitah* 4:16) rules that their ritual slaughter is kosher if a religious Jew watches over them. That would mean that they are not *apikorsim*. Ritual slaughter performed by an *apikores* is not kosher even if a religious Jew watches over him. The *Acharonim* discuss this question, and we only cite it here as a further example of the uncertainties and lack of clarity with regard to the usage and application of these terms.

4. *Sanhedrin* 99b. Rabbi Yochanan and Rabbi Yehoshua ben Levi say this. Rav and Rabbi Chanina say an *apikores* is one who disgraces a *talmid chacham*.

in any way possible.⁵ Some say that one was only allowed to cause their death indirectly, but not to kill them outright.⁶ In our times, when Divine Providence is largely hidden, this would be viewed as an illegal and unjustified act of violence, and is not practiced.

Although this Halachah is not practiced, the fact that this is actually the Halachah is shocking to many people. The truth is that, unfortunately, we are very desensitized to the true values of the Torah and we have been strongly influenced by other value systems to which we have been exposed throughout the millennia. The Torah prescribes the death sentence for no less than thirty-six sins. Aside from the death sentence for murder, the death sentence for the other thirty-five sins would likely shock and disturb many people, as would the methods of execution. Likewise, flogging with thirty-nine lashes as a punishment for no less than one hundred and sixty-eight sins might be shocking and disturbing to many people. Nonetheless, this is what the Torah prescribes.

One is allowed to hate a sinful Jew and, as shall be discussed at length, most Poskim consider this a mitzvah. In the coming eleven chapters, the differing approaches to the many classifications of sinful people will be cited and discussed. There is much debate, uncertainty, and lack of definition regarding some of these broad issues, and there are vastly differing opinions.

Clearly, the Torah wants people to be intolerant of sinful behavior. One who tolerates sin is much closer to sinning than one who does not tolerate it. The Torah relates to sin with

5. See *Avodah Zarah* 26a; Rambam, *Hilchos Rotzeach* 4:10–12; *Tur, Shulchan Aruch, Choshen Mishpat* 425:5.

6. *Ya'avetz*.

“zero tolerance,” although obviously intolerance of a minor transgression is not expressed in the same way as intolerance of a major transgression. At the same time, with all the intolerance, the Torah wants us to be kind, loving and peaceful. The perfect balance of these seemingly opposing attitudes is the subject of much debate. It is incumbent on us to try to clarify the pure Halachah with total disregard for our personal prejudices regarding these matters.

Most of us have been taught to live peacefully with even the most sinful Jews, and to attempt to bring them closer to Torah if we are able.⁷ As shall be defined further, one’s scope of activity in this area is restricted by Halachic guidelines that are intended to ensure that one’s own observance of Torah and mitzvos will not be eroded in the process. Proper application of these and all Halachos requires both mastery of the Halachah and a clear and sensible understanding of the circumstances prevailing at the time and in the place in which one lives. Many factors enter the equation and that is why it is impossible to get the true picture until one has learned the broader issues that must be factored in.

To begin with, let us look at the very basic Halachah regarding hatred toward one who sins, and then let us look at a few restrictions that significantly limit the application of this Halachah.

The Mitzvah to Hate the Sinner

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It is written in the Torah, “Do not hate your brother in your heart” (*Vayikra* 19:17). Some Poskim say that the Torah

7. See *Chazon Ish*, *Yoreh Deah* 2:16.

specifies not to hate “your brother” in order to exclude one who sins. One who sins is not considered “your brother” and you are allowed to hate him. However, if you are a sinner like he is, he is considered “your brother,” and you are forbidden to hate him. (This concept is discussed at length in the footnotes to this chapter.) If you never sin knowingly, you may hate those who sin knowingly. The meaning of this hatred will be discussed further.