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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**Shiur** **#21:** ***Tokhacha*** **I**

***Tokhacha*** ***(*Rebuke)** **in** **Modern** **Times**

In last week's lesson we discussed the concept of *"kol* *Yisrael* *arevim* *zeh* *ba-zeh,"* the mutual responsibility of each Jew for every other. In fact, this principle is a clear expression of the Torah's outlook, which defines *chesed* not only as performing acts of kindness on behalf of others but also as taking interest in others and not living a self-centered life (as we explained in Lesson 1). However, this concern for others can put one in difficult situations, particularly when one sees others acting improperly. The knee-jerk reaction is often to pretend that one does not see, to shirk the duty of reproving the perpetrator. Nevertheless, the call of *chesed* requires one to take action, though this action may take different forms under different circumstances.

The first question to ask is this: who is the victim of this improper act? Actions which are performed against the onlooker personally or which may negatively affect the onlooker may sometimes be treated differently than actions which are unrelated to the witness.

Certainly in the situations where one is not directly affected, the easiest thing to do would often be to let it go, to pretend that one has not seen anything. This would help one avoid the uncomfortable situations of confronting others. However, the Torah guides us towards a life of *chesed*, taking interest in others’ actions. This idea may require the proffering of constructive criticism as an act of love.

The concept of a mitzva to reprove, rebuke or constructively criticize is often hard to comprehend in the modern milieu. Today, "Am I my brother's keeper?" (*Bereishit* 4:9) the feeble response of Kayin to God after slaying his brother, is often viewed by modern man as a model code of conduct. The current attitude of "Live and let live" dovetails with the view that the only limit to be placed on anyone’s actions is to the extent that they negatively affect others.

The Talmud (*Tamid* 28a) propounds a contrary outlook:

Rabbi taught: “What is the straight path that a person should travel? He should love rebuke, for at times when there is rebuke in the world, pleasantness comes to the world, goodness and blessing come to the world…”

To appreciate the concept of *tokhacha* in the contemporary climate, we must understand its nature. Modern attitudes not only make it more difficult to give rebuke, they also make it more difficult to accept rebuke. The fountain of love from which rebuke is supposed to spring is utterly foreign to contemporary culture, and so we must analyze the mitzva from the beginning.

In truth, close to two millennia ago, in Talmudic times, there was already a feeling that the two sides necessary for making *tokhacha* effective were no longer to be found (see later), but the mitzva still applied, despite the difficulty. The fact that *tokhacha* may not be appreciated by the recipient should not be the cause for its abandonment; instead, we must seek to explain why the Torah in fact views it as so good and necessary.

**The** **Basic** **Questions**

In order to gain a better understanding of the mitzva of *tokhacha* and its implications in our modern milieu, we will have to investigate the mitzva from its sources. A number of important questions will help guide us through the process.

Firstly, what is the nature of the mitzva of rebuking others, and under what conditions is it required? Is rebuke restricted to one who violates an explicit commandment, or does it extend to other cases, such as one who has a bad attitude or character?

Secondly, is rebuke required even if one is mostly or even one-hundred percent certain that the potential recipient will fail to listen? What are the implications for understanding the nature of this mitzva? Can rebuking someone who won't listen be indicative of another aspect of the mitzva, beyond returning a transgressor from the mistaken path? If so, what could that aspect be?

Thirdly, what attitude should the rebuker have while rebuking another? What attitude should he have to those who fail to listen to the rebuke or who even come to hate the rebuker in the process?

Fourthly, in general, can one forgo the obligation to rebuke if one feels it will undermine the aim of returning the sinner to the proper path in an alternative way? If so, will this have modern-day ramifications in a rebuke-intolerant society?

**The** **Source**

As usual, we will start from the beginning and trace the halakhic process in order to arrive at a means of understanding. Some of the issues related to the verses have been discussed at greater length in previous lessons, and we will therefore reference them here succinctly. In *Parashat* *Kedoshim*, in the section of the Torah delineating the *mitzvot* that lead to a life of holiness, the Torah states (*Vayikra* 19:17-18):

Do not hate your brother in your heart. You shall certainly rebuke your comrade, and you shall not bear sin on his account. You shall not take vengeance or bear a grudge against your countrymen, and you shall love your fellow as yourself. I am God.

The verse is written in the context of how to deal with one's fellow Jew. As we saw earlier (see Lesson 14 and Lesson 20), there is a difference of opinion among the commentators as to who is eligible for rebuke: is it only one who has personally offended the rebuker or violated a commandment? This question has implications for understanding the second half of the verse, which advises one to “not bear sin.” This concluding clause may be understood in one of two ways, depending partly upon the previous question. It may be the reason that one must notify another who has wronged him or her, for otherwise the sinner will not know to change the behavior; alternatively, it may be a warning: one who fails to rebuke another will be held personally culpable for the latter’s violations.

The Talmud also offers another explanation for the conclusion of the verse (which we dealt with at length in Lesson 10), referring to the manner in which one should fulfill this mitzva, not addressing one's failure to do so. The Talmud (*Arakhin* 16b) learns from the above verse the obligation of *tokhacha* as well as the prohibition to do so in a way that will embarrass another.

From where do we derive that one who sees something reproachable about his companion should rebuke him? It is said, “You shall certainly rebuke” (*hokheiach* *tokhiach*). How do we know that if one rebukes him and he does not accept, one must rebuke him again? It says “*tokhiach*” — nevertheless. One might think that the obligation of rebuke applies even if the other’s face pales; the Torah therefore states, "You shall not bear sin on his account.”

The Talmud derives the repeated obligation from the double language of the verse, “*hokheiach* *tokhiach*,” which literally means: “rebuke, you shall rebuke.” The obligation might then be seen as infinite, which is why the Talmud then explains that there is a limit: “if the other’s face pales.” The prohibition to embarrass someone during rebuke is certainly understandable, but it also begs a question. In order for the constructive criticism to succeed, it must be done with sensitivity. Embarrassing another in the process would be self-defeating. However, there is also a tremendous innovation in the Talmud's understanding that this verse also acts as the source that it is forbidden to embarrass others. Despite the fact that one is performing an obligation, returning a sinner to the proper path, doing so is prohibited when done in a manner that will cause embarrassment — not only because it will probably be less successful, but because there is no warrant to embarrass another in the process.

In fact, the Alshikh (*ad* *loc*.) explains “and you shall not bear sin on his account” as the logical link between rebuke in v. 17 and the issues of love and revenge in v. 18:

Offer rebuke in a way which will be acceptable rather than enraging. Should he get mad, do not take revenge regardless; however, if you succeed, you shall love him as your fellow.

The Keli Yakar offers a similar explanation:

The Torah places the mitzva of *tokhacha* within the verse "Do not hate your brother in your heart," for when love is found amongst fellow Jews, and people are honestly concerned with the needs and wellbeing of their neighbors, they will rebuke their fellows so as not to allow them to fall into sin. However, at a time when Jews hate each other, one will not rebuke the other; instead, one will do the opposite: flattering the other, saying "You did right," "You have done nothing wrong", while one’s true sinister intent is to allow the other to ultimately fail to live up to his potential. Doing so is an expression of hatred, of one who desires the downfall of his fellow Jew.

Unfortunately, this bad trait has become widespread amongst us since the days of the destruction of the Second Temple due to *sinat* *chinnam*, and it has not left us… Hopefully God will remove our heart of stone from amongst us (cf. *Yechezkel* 36:26).

As the Keli Yakar indicates, rebuke is not a sign of negativity but a sign of love, showing that one is really concerned about another. The prohibition of embarrassing another in the process is an expression of the desired outcome: changing the behavior of the recipient and developing the concern of the rebuker.

**"*Hokheiach*** ***Tokhiach*”**

Let us return to the original verse and its double formulation, "*hokheiach* *tokhiach* *et* *amitekha.*" Understanding this term will help us grasp the positive elements of this mitzva.

The Malbim (*ad loc.*) differentiates between *tokhacha* and the similar concept of *musar*, which appears in *Devarim* 11:2 and elsewhere in *Tanakh*. He explains that *musar* is moral counsel, offered by one who is greater and specifically focused on improving the other's future behavior. *Tokhacha* is the opposite. It is privately bringing to the other's attention via proofs, *hokhachot,* that the latter’s behavior in the past has not been perfect. (Even in English, the terms “prove” and “reprove” are related.)

Thus, in the Malbim’s view, *tokhacha* is not focusing on how one's behavior can be changed; it is helping one to realize the faults in his or her actions.

In *Ha-ketav* *Ve-hakabbala,* Rabbi Yaakov Tzvi Mecklenburg quotes the Zohar (*Kedoshim*, p. 86), which states that the rebuke is threefold: "*hokheiach,*" the imperative, tells us that the original rebuke must be in private; "*tokhiach,*" the second person future, tells us that intermediate stage is among friends; as a last resort, we find “*et* *amitekha,*" public rebuke.

Furthermore, Rav Mecklenburg maintains, the fact that the Torah uses this terminology indicates that one must take into account the other's feelings when performing rebuking. For this reason, indirect *tokhacha* is best.

If the party who needs to be rebuked is very shy or easily insulted, the rebuke should not be addressed to him confrontationally. Rather, the subject should be discusses in his presence and that of others, without his being addressed at all directly. In the course of such a conversation, it may be pointed out that anyone who acts in such a manner would be regarded as sinful. God is considerate of a person's dignity and self-esteem, even when he has committed a sin.

Essentially, beyond the prohibition at the end of the verse, the language of the Torah stresses the outlook one must have while rebuking another. The next element of the verse stresses a similar idea.

**"*Et*** ***Amitekha*"**

A number of commentators note the interesting formulation, “*hokheiach* *tokhiach* ***et*** *amitekha.*" This turns the recipient into the direct object of the action, rather than the indirect object, *le-amitekha*. The verse thus is translated “You shall certainly rebuke your comrade,” rather than: You shall certainly give rebuke to your comrade. Rav S. R. Hirsch (*ad* *loc.*) explains:

In the vast majority of cases where it appears in Scripture, the word “*hokheiach”* refers to bringing someone to the recognition of an unpleasant fact about himself, to explain to him that he has committed an intellectual error or that he has strayed morally… “*Hokheiach…* *et”* means to bring someone to an awareness of himself, to bring him to self-awareness.

Rav Mecklenburg also notes this distinction, building off an alternative definition of “*et*,” with:

It is noteworthy that the Torah is most sensitive to the feelings of the rebuked party. This may be inferred from the use of the word "*et*" in front of the word "*amitekha,*" indicating that the rebuked person views himself as if engaging in a dialogue with himself… By writing the word "*et,*" the Torah alludes to the effect that a properly administered rebuke has on the party concerned, i.e., that he will confront his alter ego and derive the benefit of what he has been told. By implying that at the time of the rebuke, the rebuker is including himself with the recipient in some manner, he is likely to achieve the desired effect. By not making it apparent that one is convinced of the wrongdoing of the recipient, the chances of one's words of rebuke having the desired effects are enhanced. By presenting the fault one criticizes as an inexcusable act, one would achieve the opposite of what one intends to achieve, i.e., one would embarrass the party and anger him, put him on the defensive, even encourage him to deflect attention to the rebuker’s own faults, which appear to him as greater than that which one criticizes in him.

He continues with some practical suggestions to increase the odds of the inquiry being successful, summing up:

Only by approaching the whole subject of rebuke with the utmost sensitivity may one hope to accomplish what one sets out to do.

The Torah is not only calling upon us to get involved in others' actions; it is advising us as to how to do so successfully.

***“Amitekha”***

The Meshekh Chokhma (*ad* *loc*.) offers the following:

One is not to rebuke someone for failing to uphold standards that are meritorious but not required, as one may then be considered supercilious, raising oneself above others. Therefore, regarding matters of strict law, one may not rely on the excuse of avoiding superciliousness; rather, one must ensure that the others repent.

The Or Ha-chayim offers an interesting explanation as to why the Torah uses the term "*amitekha*" (your comrade) rather than "*achikha*" (your brother). His words also provide insight into how misguided rebuke can actually backfire.

By rebuking the average Israelite, you will prevent him from hating you, so that the righteous will not be punished for his share in the guilt of the wicked. Failure to rebuke, however, will make the individual who is Torah-observant an accomplice in the guilt of the sinners who have not been rebuked. We have proof of this in *Yechezkel* 33:9, where the prophet is told that because he has warned the people, he himself will be saved and not share their fate.

The rebuker should not insinuate that his or her behavior is impeccable; quite the contrary, the rebuker should demonstrate that his or her intentions are primarily to show the recipient the proper path.

Both the Keli Yakar and Rav Hirsch view the terminology of the verse as referring to the aforementioned rationale for concerning oneself with another's actions and being willing to comment.

The Keli Yakar says that the verse limits *tokhacha* to *amitekha*, those who might accept it, and he continues to delineate three groups (the wicked, the fools, and the mockers) concerning whom there is no obligation, as they despise rebuke and will not accept it. The Keli Yakar adds that this dovetails with the concluding clause, "and you shall not bear sin on his account."

The language of *“*and you shall not bear sin on his account” implies that failure to rebuke will result in the sin being borne by you, for “*kol* *Yisrael* *arevim* *zeh* *ba-zeh*.” One who acts as a guarantor for a loan and sees that the borrower is wasting money fears being held responsible due to his guarantee, and he will therefore rebuke the borrower; so too, the *arevut* for a fellow Jew should motivate in rebuking a sinner. After the rebuke, one can no longer be held responsible for his fellow's transgression, as the strict code of justice will not allow one to suffer for his fellow’s actions. Only when one has the ability to protest and fails to do so will he be held responsible. A parable often cited in this context is that of a passenger on a ship drilling a hole under his seat. The fellow passengers yell at him: "We are going to sink!” The driller's response, "No, water will only enter into my area," will not be accepted. The whole ship will sink together.

The Keli Yakar adds that “and you shall not bear sin on his account” means that all the Jewish people will lose due to each one’s sins; therefore, *tokhacha* is a sign of love and affection, rather than wishing for another’s downfall.

Rav Hirsch similarly remarks that the Torah's concern for another who is taking spiritual missteps expresses its communal outlook.

The mitzva of *tokhacha* is based on *arevut*, the principle that all Jews are responsible for one another as regards the fulfillment of *mitzvot*. If this mitzva were to be realized in practice, it would transform the moral aspect of the entire world. However, it cannot be realized in full unless moral awareness has spread throughout all layers of society. This is an exalted level, one which our Sages lamented centuries ago had not been attained. The fulfillment of the mitzva depends upon the readiness to accept reproof. If each is obligated to reprove the other, each must also be ready to accept reproof from the other….

Indeed, the person to be reproved is called by Scripture "*amitekha.*" This teaches us that, in reproving him, we should not show the slightest trace of superiority. He should be made to feel that we regard him as our comrade, our equal in everything. After all, he has the same right to reprove us. Duty alone — the mitzva — compels us to reprove him.

The various commentaries seem to clearly indicate the dual nature of *tokhacha*. On the one hand, it is meant to be an effective means of conveying one’s dismay at another's transgressions. On the other hand, it must be done in a way that shows brotherhood and expresses common concern.

**Accepting** ***Tokhacha***

The goal of *tokhacha* is to create a means of communication between one who has committed a wrongdoing and one who has experienced it or witnessed it. A society in which one is overly interested in others' behavior is not healthy or desired, but one in which people are willing to help others who have difficulties expresses the unique Jewish call of *chesed.* This also will allow for situations in which one who is confronted may explain the behavior and remove misunderstandings. A society which also calls for one to be *dan* *le-kaf* *zekhut* (judge others favorably) requires that the observer not automatically conclude that there has been wrongdoing. Therefore, the communication afterwards can be a two-way street.

While the Torah urges the rebuker to be cautious not to hurt the recipient's feelings, successful *tokhacha* also requires the willingness of the other side to listen. The Malbim explains that one of the conditions necessary in order to give rebuke is the ability, in turn, to receive rebuke. Rebuke optimally will create a dialogue regarding improving behavior, creating a flow of ideas between the participants. Only one willing to listen to the comments of others is able to initiate the dialogue. The ideal *tokhacha* will create a chain reaction of talking and listening, expressing care and concern, predicated on the willingness to improve.

For this reason, the mitzva of *tokhacha* is mirrored by the mitzva to accept it wholeheartedly. On the practical side of things, developing an attitude or reputation that one is not interested in *tokhacha* may remove the obligation from others and simultaneously act as a practical impediment, preventing others from pointing out one’s faults before they become completely engrained.

Some view accepting *tokhacha* willingly as the fulfillment of a biblical mandate. In *Parashat* *Ekev* (*Devarim* 10:16), the Torah states:

You shall cut away the barrier of your heart, and you shall no longer stiffen your neck.

The Ramban (*ad loc.*) explains:

Your hearts should be open to know the truth, not as you have done until this day…

Others, among them the Semak (9) and the Bahag (Negative 176), explain that one who fails to listen to *tokhacha* violates the concluding phrase of the verse, "and you shall no longer stiffen your neck.”

Most amazingly, Rabbeinu Yona (*Shaarei* *Teshuva* 2:12) explains a halakhic ruling of the Talmud (*Bava Kamma* 85b) in light of the importance of *tokhacha*: if one blinds his fellow, he must pay only for the eye; if one deafens his fellow, he must make full restitution, as if he had killed the victim. Why? Rabbeinu Yona explains that this is because the ear is the most important body part, as it enables one to hear rebuke from others and perfect one’s behavior. He goes so far as to say (*ibid*. 10) that at the point that one accepts another's rebuke and decides to reform, the sinner is immediately transformed into a new individual.

Listen well, surrender yourself, and return in repentance when you are admonished by sages and those who criticize you. Take each word of criticism to heart without exception. By doing that, you will go from darkness to great light in an instant. For if you listen and internalize… repent and take the words of those who criticize you to heart… your repentance will take effect, and you will become an entirely different person. In fact, the very moment you accept these words in such a way in your mind and take them to heart, you will earn the merit and reward of all the *mitzvot* and admonishments.

So search hard for those who would offer you criticism from that day on and learn from whoever will teach you…

In next week's lesson, we aim to answer the questions we began with, taking our newfound appreciation of the mitzva of *tokhacha* into the modern milieu.