

Thou Shalt Be a Mensch: One of the Ten Commandments?

Shabbat Nachamu, Parashat Va'etchanan 5778

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This week, the Ashkenazic “Chief Rabbi” of Israel, Rabbi Meir Lau, held a conference. The hot topic? “The Chief Rabbinate’s power to make statements based on [Jewish law] is being challenged and undermined.”ⁱ Rabbi Avidan Freedman rose to ask a question. Freedman is an Israeli Orthodox rabbi, ordained at a progressive yeshiva and therefore not recognized as a rabbi by the “Chief Rabbinate.” He wondered whether the “Chief Rabbi’s” religious rulings might be more respected if he employed Jewish law to issue injunctions on ethical matters, specifically “Israel’s arms sales to countries that violate human rights.”ⁱⁱ In response, a group of young men, supporters of that “Chief Rabbi,” surrounded Rabbi Freedman, angrily confronting him, one them forcefully placing his hand over Rabbi Freedman’s mouth to silence him.

Progressive Orthodox Jews aren’t the only victims of incivility at the hands of Israel’s ultra-Orthodox establishment. Every month, women gather at the Kotel, the western retaining wall of Jerusalem’s Temple Mount, to offer prayers for the new moon. Two weeks ago, Emanuel Chayyim Colon went to the Kotel to support those women and their struggle for gender equality. “While there,” he wrote, “we experienced harassment by Haredim (Ultra-Orthodox Jews), who shouted curses at us and disturbed our prayers with their yelling, whistles, and pushing. Haredi boys even burnt a Woman of the Wall *siddur* (prayer book). ... [Later, on our way out,] a group of about 50 Haredim stared following us through the streets. Quickly, things turned violent. The group began to insult us, chase us, and throw water on us. They pushed us, scratched us, spit on us, tripped us, rammed bicycles against us, and even threw rocks at us. One Ultra-Orthodox man pulled the hair of one of the women of our group, then elbowed her hard in the neck; she later needed medical attention.”ⁱⁱⁱ

In both cases, the attackers are ultra-Orthodox Jews, supposedly punctiliously observers of God’s commandments. In one case the victim was Orthodox; in the other, Reform. For good measure, I’ll add a Conservative target: Last week, Rabbi Dov Hayun, a Conservative rabbi in Haifa, was arrested for the “crime” of officiating Jewish weddings which the Chief Rabbinate, and therefore the State of Israel itself, does not recognize. Imagine my being arrested here in Arkansas for officiating at same-sex weddings before they were legally

recognized. Thankfully, the Israeli Attorney General, who happens to be Orthodox, quickly ordered police to release Rabbi Hayun and not even to question him. However, the damage was done: Israel's Orthodox establishment had caused a rabbi to be rudely awakened at 5am and taken into police custody for doing what rabbis routinely do.

The ultra-Orthodox perpetrators of these evils would argue that they are enforcing Jewish law, correctly interpreted. Adherence to God's word takes precedence over any other ethics, or morals. After all, the Ten Commandments, which we heard read tonight, do not include, "Thou Shalt Be a Mensch."

Our ancient rabbis, though, beg to differ. In the third century, Rabban Gamliel taught in *Pirkei Avot*, the Sayings of the Sages: "Ultimately, all Torah study that is not accompanied with *derech erez* [-- that is, proper behavior --] is destined to cease and to cause sin."^{iv}

To illustrate the point, a story is told in the Jerusalem Talmud: "[Rabbi] Shimon ben Shetach traded in cotton. His students said to him: 'Master, allow us to buy you a donkey so that you will not have to labor so much!' They went and bought him a donkey from a certain Syriac and found upon it a precious stone. They came and told [the rabbi]: 'Now you need not labor ever again[,] and went on to tell the rabbi about the happy accident. "[The rabbi] asked: 'But does the [seller] know of it?' [The students] replied: 'No.'" He told them, 'Go and return it.'" The students protested, citing Jewish law that permits appropriating property that "a heathen" has lost. "'What do you think,'" the rabbi asked. "'[T]hat [I] am a barbarian?' Shimon ben Shetach preferred hearing 'Blessed be the God of the Jews' to all the riches of this world."^v

Not to be outdone, the Babylonian Talmud teaches: "[I]f someone studies Scripture and Mishnah, attends on the disciples of the wise, but is dishonest in business, and discourteous in his relations with people, what do people say about him? Woe until him who studied the Torah, ... woe unto his teacher who taught him Torah! This man studied the Torah: Look, how corrupt are his deeds, how ugly his ways."^{vi}

Rabbi Donniel Hartman, who taught these texts when I was in Jerusalem earlier this month, admonishes us not to imagine that discussion of *derech erez*, of proper behavior, being a mensch, is about other people's behavior. Every one of us has failures of *menschlichkeit* – of common decency, of kindness – in our lives.^{vii} Let none of us imagine that religious hypocrisy is a sin that lies only with

ultra-Orthodox Jews, or with the fundamentalist “Taliban” of every religion. Those examples are easy, even self-satisfying, for us. What of our own missteps?

Each of us is a “fundamentalist,” if you will, about one “religion” or another. Reform Jews are happy to be known for placing *Tikkun Olam*, repairing the world, above all other priorities. The cause is noble and deeply rooted in Judaism. Still, we risk bad behavior in the pursuit of goodness.

This summer, Reform Jews along with millions of other Americans, including a wide variety of religious groups, have mobilized on behalf of immigrants detained at our southern border. We have raised our voices in protest, particularly when children were ripped away from their parents, and parents from their children, unprecedented in cases of immigrants charged with no crime other than misdemeanor illegal entrance to this “Land of Opportunity.” We objected to an un-American violation of human rights, carried out in our name by our government.

Millions of Americans objected appropriately. We signed petitions, contacted our elected representatives, and donated to causes that aid immigrants and advocate on their behalf. Some of us gave speeches, while others went to the border to bear witness to evil in person. We were effective. The policy was reversed, though some children have still not been reunited with their parents, and victims of that injustice will bear scars for a lifetime.

For some, the injustice was so grave that they were no longer bound by common decency. They harassed public officials and their families when they went out to dinner, insisting that the Secretary of Homeland Security or White House Press Secretary, for example, didn’t deserve to enjoy dinner in peace with their families as long as they were enforcing a policy that deprived other human beings of that same privilege. Yes, the Torah commands, 36 times, “Remember the stranger, for you were strangers in the land of Egypt.” Advocacy for mistreated immigrants was and remains a religious imperative. At the same time, we would do well to remember: *Pirkei Avot* admonishes us: “If there is no Torah, there is no *derech erez*[, no proper behavior]; if there is no *derech erez*, there is no Torah.”^{viii} Every single one of us, no matter what our moral high ground, must be a mensch, even to those whose actions violate our Torah.

Are some people’s actions so repugnant that we don’t owe them common human decency? At the extremes, the answer must be “yes;” but that’s a subject

for another day. In fact, it's a subject that was also addressed at Shalom Hartman Institute this summer and one that I plan to discuss with you on another occasion.

This Shabbat is known as *Shabbat Nachamu*, the Sabbath of Comfort after *Tisha B'Av*, the annual commemoration of the destructions of Jerusalem's Temples. We are taught that the Second Temple was destroyed because of "limitless hatred," specifically a gross violation of common decency as a result of personal enmity. We live in an era when the State of Israel and the Jewish people globally threaten to be torn apart by the despicable behavior of supposedly Torah-true Jews, supported by the Netanyahu government. We live in an age when our own United States of America risks irreparable division with ugly partisan rancor, people's passionate sense of what is right taking precedence over civility. After destruction, the prophet urges the people not to despair, for Jerusalem of peace will be restored. Let us pray, and let us commit ourselves to hard work, to avoid destruction, lest we too be forced to seek comfort among the ruins of Israel, the Jewish people, or the United States of America.

Amen.

ⁱ Facebook comment by Rabbi Avidan Freedman, July 26, 2018.

ⁱⁱ Facebook post by Rabbi Seth Winberg, July 26, 2018.

ⁱⁱⁱ Emanuel Chayyim Colon, "My Friends and I Were Attacked at the Kotel, reformjudaism.org, July 18, 2018.

^{iv} *Pirkei Avot* 2:2, translation provided by Rabbi Donniel Hartman.

^v Jerusalem Talmud, Baba Metzia 8a, translation provided by Rabbi Donniel Hartman.

^{vi} Babylonian Talmud, Yoma 86a, translation provided by Rabbi Donniel Hartman.

^{vii} Lecture by Rabbi Donniel Hartman, Rabbinic Torah Seminar, Shalom Hartman Institute, Jerusalem, July 3, 2018.

^{viii} *Pirkei Avot* 3:17.