

# Laws of Character Traits (Hilkhot De'ot), Chapter 6 (Auto Translated)

English

Auto Translated

## Shiur Overview

### Rambam, Hilchos De'os Chapter 6 — Complete Summary

#### Introduction to the Chapter

The Rambam transitions from the matter of the individual — how a person alone should be a complete person (chapters 1–5) — to the matter of a person in society: with which people one should associate, and how.

**Novel insight:** This chapter is not merely "laws between man and his fellow" in the simple sense. It goes deeper — it is the **concept of "another person,"** the foundational principle that a human being is by the very nature of his creation a being that exists with others. The Rambam wants first to explain the foundational principle that there is such a thing as other people and how that works, and **upon that** he then builds the mitzvos that pertain to de'os (character traits).

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#### Halacha 1 — Derech Beri'aso Shel Adam: A Person Is Drawn After His Environment

##### The Rambam's Words

**"Derech beri'aso shel adam lihyos nimshach b'de'osav u'v'ma'asav acharei re'av v'chaveirav, v'noheig k'minhag anshei medinaso."** ("It is the nature of man's creation to be drawn in his opinions and actions after his friends and companions, and to conduct himself according to the custom of the people of his city.")

##### Plain Meaning

The nature of a person is that he is drawn in his opinions and actions after his friends, and he conducts himself according to the custom of the people in his city.

##### Novel Insights and Explanations

1. **"Derech beri'aso" is not a failing, but a nature:** The Rambam does not mean that it is a weakness or a "failing" of a person that he is influenced by others. On the contrary — **this is how a person is built.** A person is "medini b'tiv'o" (a social being by nature, as the Rambam says elsewhere), a "social being" who cannot have a normal life alone. This accords with the verse "Lo tov heyos ha'adam levado" ("It is not good for man to be alone"). One should not say "the Rambam says a person gets influenced" as if it's a complaint — rather, this is how a person was created.

2. **Two levels of influence — friends and the city:** The Rambam includes two circles of influence: (a) "re'av v'chaveirav" — close friends, and (b) "minhag anshei medinaso" — the broader society, the city where he lives. Even if a person has good close friends, he can still be influenced by the larger environment.

3. **"Medinah" in halacha means a city/town, not a country:** "Medinah" in Chazal and halacha (as in Choshen Mishpat, "minhag ha'medinah") means your local city — Lakewood, Boro Park — not an entire nation like the United States. The influence comes from the society where one lives.

[Digression: Today, where all Charedi Jews have influence on one another, one could say that "Charedi culture" functions like a "medinah" — all heimish Jews have influence on all heimish Jews.]

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#### Halacha 1 (continued) — Therefore: One Must Associate with Righteous People

##### The Rambam's Words

**"Lefichach tzarich adam l'hischaber la'tzaddikim v'leishev eitzel ha'chachamim tamid, kedei she'yilmad mi'ma'aseihem. V'yisrachek min ha'resha'im ha'holchim ba'choshech, kedei she'lo yilmad mi'ma'aseihem."** ("Therefore a person must associate with the righteous and sit with the wise constantly, in order to learn from their deeds. And he should distance himself from the wicked who walk in darkness, so that he not learn from their deeds.")

##### Plain Meaning

Because a person is drawn after his environment, he must associate with the righteous and sit with the wise in order to learn from their deeds, and distance himself from the wicked who walk in darkness.

##### Novel Insights and Explanations

1. **"She'yilmad mi'ma'aseihem" — first understand, then become accustomed:** There was a distinction made in the interpretation of "yilmad." Someone answered that "yilmad" means he should **become accustomed** (automatically adapted). But the correct meaning is: first he should **study** — understand what the wise person does, **think about** what he does — and then he will **accustom himself** to go in those ways. "Limud" (learning) here means an active intellectual process, not merely passive absorption.

2. **"Holchim ba'choshech" — the wicked don't think:** The Rambam has already said several times that the wicked walk "in darkness." The novel insight: a **wise person thinks** about what he does — therefore you should **also think** about what he does ("she'yilmad mi'ma'aseihem"). But a **wicked person doesn't think** about what he does — he "walks in darkness" — therefore his deeds are **not from learning**, they don't come from a conscious process. "In light" one can see where one is going; "in darkness" one doesn't even look. If one lets nature carry him along without thinking, one becomes wicked.

3. **Precision in "mi'ma'aseihem":** A precision was noted that regarding the righteous it says "she'yilmad mi'ma'aseihem" (from their deeds — all their deeds), but regarding the wicked it says "she'lo yilmad mi'ma'aseihem" — which could mean that even a portion of their deeds (even if a wicked person has some good deeds) one should not learn from. But this was set aside as a weak inference — in practice it means the same thing.

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## Halacha 1 (continued) — Verses: "He Who Walks with the Wise Shall Become Wise"

### The Rambam's Words

"Hu she'Shlomo omer: 'Holeich es chachamim yechkam, v'ro'eh kesilim yeiro'a' (Mishlei 13:20)." ("This is what Solomon says: 'He who walks with the wise shall become wise, and the companion of fools shall suffer harm.'")

### Plain Meaning

King Solomon already states this principle: whoever walks with the wise becomes wise, whoever associates with fools becomes bad.

### Novel Insights

1. **Kesilim ≠ resha'im, but in Mishlei = bad people:** "Kesilim" (fools) doesn't necessarily mean wicked people — it means people who **don't think**. But in the book of Mishlei (Proverbs) generally, the "good people" = the wise, and the "bad" = fools. It doesn't say so much "righteous and wicked" in Mishlei, but rather "wise and foolish" — **because it is wise to go in the good path**. Righteousness is not a matter of piety alone, but rather **a matter of wisdom**.

2. **The Rambam is a "chassid" of King Solomon:** The Rambam brings in all these chapters very many verses from Mishlei, and many times says "amar b'chochmaso" (he said in his wisdom) (even though it doesn't say that exactly in the verse). This is interesting because the Rambam usually brings verses to cite a mitzvah — not just to "collect" verses. He wants to show that **all these foundations are already stated in the verses** — not only in the Mishnah, but already in Tanach itself.

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## Halacha 1 (continued) — "Ashrei Ha'ish": The Seat of the Wicked

### The Rambam's Words

"V'omer: 'Ashrei ha'ish asher lo halach ba'atzas resha'im, u'v'derech chata'im lo amad, u'v'moshav leitzim lo yashav' (Tehillim 1:1)." ("And it says: 'Fortunate is the man who did not walk in the counsel of the wicked, and in the path of sinners did not stand, and in the seat of scoffers did not sit.'")

### Plain Meaning

The verse describes a person who does not associate with the wicked, sinners, and scoffers.

### Novel Insights

1. **"Atzas resha'im" doesn't mean a specific piece of advice, but a "council" — a gathering:** "Eitzah" here means **"mo'atzah"** — like people sitting together. "Atzas resha'im" = **in a gathering of the wicked**. This alone — the mere sitting together with the wicked — is already "atzas resha'im," because when one sits with the wicked, one will begin to behave like the wicked.

2. **A person doesn't realize how strongly he is influenced:** This is a **very important halacha** because a person is not always aware of how strongly he is influenced — "knowingly and unknowingly." Which shul one enters, who the people around you are — this will have a great effect.

3. **The Baal HaSulam (R' Ashlag) — Free choice is in choosing one's friends:** The Baal HaSulam says that a person is influenced **so strongly** by the people around him that he has almost **not as much free choice** in his daily

actions — because so much he does "unknowingly" according to what his friends do. **Where then is the primary free choice? — To choose with whom to be.** Choosing good friends is the great choice.

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## Halacha 1 (continued) — If the City Has Bad Customs: One Must Leave

### The Rambam's Words

"V'chein im haysah medinah she'minhagoseha ra'im v'ein ansheha holchim b'derech yesharah, yeileich l'makom she'ansheha tzaddikim v'nohagim b'derech tovah." ("And similarly, if the city has bad customs and its people do not walk in the straight path, he should go to a place where the people are righteous and conduct themselves in a good way.")

### Plain Meaning

If the city where one lives has bad customs and the people don't walk in the straight path, one should move to a place where the people are righteous.

### Novel Insights

1. **Good friends aren't enough if the city is bad:** The Rambam addresses **two levels**: first — make sure your close friends are righteous. But second — if the **entire city** is bad, it doesn't help that you have a few good friends, because you won't be able to **protect yourself** from the larger society. Therefore one must leave.

2. **"Minhagoseha ra'im" — not just sins, but systemic coercion:** "Its customs are bad" doesn't only mean that people commit sins that one can avoid. It means that **the custom of the city forces a person to do bad things** — because that's how the system works. For example: in a city where one cannot do business without lying — because everyone advertises with falsehood, and an advertisement with only truth doesn't work — **the custom of the city is to be a liar**. One who wants to be "omer al hen hen v'al lav lav" (says yes for yes and no for no, from chapter 5) **must leave**. It's not just that one will **learn** from them (passive influence), but one will **have to** conduct oneself like them — because the system doesn't allow otherwise. Clothing, shidduchim (matchmaking), business — in certain cities one has **no choice** if one wants to function.

3. **The Rambam doesn't specifically speak about Jews:** The Rambam doesn't say "go live among Jews" — he says "go where people are righteous." Perhaps this is because in his time (Spain/Egypt) Jews lived in an environment that wasn't so bad — it was a "Golden Age" (or close to it). But perhaps he means that Jews are good, so naturally go live among Jews.

[Digression: The Rambam's approach points to a deeper point — that in exile, without a Beis HaMikdash (Temple), this is not a "pleasure of exile" — one must understand that the ideal stands in the Torah with a Beis HaMikdash and all its matters.]

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## Halacha 1 (continued) — "And If All the Cities... Conduct Themselves in a Bad Way, Like in Our Times"

### The Rambam's Words

"V'im hayu kol ha'medinos she'yodei'a v'shomei'a shmu'asan nohagim b'derech lo tovah k'mo zmanenu... o she'eino yachol leleich li'medinos

**she'minhagoseihem tovim mipnei ha'geyasos o mipnei ha'choli — yeishev l'vado yechidi... v'im hayu ra'im v'chata'im she'ein manichin oso leishev ba'medinah ela im kein nis'arev imahen v'nahag b'minhagam ha'ra — yeitzei la'me'aros v'la'chochim v'la'midbaros, v'al yinhag atzmo b'derech chata'im... she'ne'emar 'Mi yitneni ba'midbar melon orchim'.**" ("And if all the cities that he knows of or hears about conduct themselves in a bad way, like in our times... or if he cannot go to cities with good customs because of armies or illness — he should sit alone by himself... And if they are wicked and sinful and don't let him stay in the city unless he mingles with them and follows their bad customs — he should go out to caves, thorns, and deserts, and not conduct himself in the way of sinners... as it says, 'Who would give me in the desert a lodging place for travelers.'")

#### Plain Meaning

The Rambam sets up an order of advice when one finds oneself in a bad environment: (1) leave to a better city; (2) if one can't (wars, illness) — sit alone; (3) if even sitting alone is impossible because one is forced to participate — go out to the desert.

#### Novel Insights and Explanations

1. **The Rambam's own time:** The Rambam says "k'mo zmanenu" (like our times) — he describes his own era as a time when all cities conduct themselves badly. This is noteworthy, because the Rambam lived in a period that wasn't the worst — he lived among Jews, in a Torah environment. The "Golden Age" was indeed a bit before the Rambam, but his time too wasn't so bad. Nevertheless, the Rambam understood it this way.

2. **The connection to exile and destruction:** The Rambam perhaps means "in the days of exile" — that this is the reality of exile. The ideal — a Jewish king, a beis din (court), a Beis HaMikdash — that is the purpose of the Torah, how to build a good society. Without that, it's not possible. This accords with what was learned earlier that one must live in a city where there is a "beis din that punishes for sin" — but in exile, "the whole world is a city" without such a beis din.

3. **"Yeishev l'vado" — alone in the city:** "He should sit alone by himself" means he stays in the city, but conducts himself well in his own home. Only afterward does the Rambam speak of leaving the city (to caves, thorns, and deserts). These are two separate stages.

[Digression: "And if the members of his household guide him in the service of God" — a great tzaddik said, even if the whole world will be religious, he points to the service of God — the main thing is what's happening in your own home.]

4. **"Mah ya'aseh" — when one is forced:** The Rambam describes a situation like Sodom — where the wicked force everyone to participate ("bring them out"). In such a situation there is no other advice — "he should go to caves, thorns, and deserts." **Chochim** means thorns — places where people don't live.

5. **The verse "Mi yitneni ba'midbar melon orchim":** "Melon orchim" means a place where only travelers (orchim) pass through — people who belong somewhere else, but lodge in the desert. He should be like a traveler in a tent in the desert.

6. **The parable of the Exodus from Egypt:** Just as the Jews could not remain in Egypt (a place of idolatry), they were taken out to the desert, and there they received the Torah until they received the Land of Israel. This is the model for "going out to the desert."

7. **Jeremiah's lament vs. practical halacha:** In the plain sense, Jeremiah doesn't literally mean one should leave — he's complaining, "I wish I could leave here, it's all wicked people." But the Rambam derives from this a practical halacha: yes, indeed, this is what one must do — one must go to the desert.

8. **Question: Why didn't the Rambam himself go to the desert?** Presumably he held that he could indeed be "alone" — he was able to sit alone in his home without being influenced by bad customs, therefore he stayed.

9. **The story of the Satmar Rebbe and the Chazon Ish:** The Satmar Rebbe asked about the Chazon Ish: How can one live in a place of wicked people (the Land of Israel under the State)? The Chazon Ish answered: **The yeshivos are deserts** — if one finds a way that within the building one lives and is minimally influenced from outside, that is a "desert." But for a Jew this isn't entirely correct — there are many things one is influenced by that one cannot avoid.

10. **"And if he is ill and cannot go to the desert"** — if one can't go to the desert (it's not realistic), what does the Rambam say then? It's not clear what the practical halacha is in such a situation.

11. **Shemonah Perakim:** In Shemonah Perakim the Rambam says that the pious ones who went to seclude themselves in the desert — that was about this matter. Perhaps he means that sometimes there is a person who actually goes to a desert, to a monastery, to a yeshiva.

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#### Halacha 2 — A Positive Commandment to Cleave to the Wise and Their Students

##### The Rambam's Words

**"Mitzvas asef l'hidbak ba'chachamim v'salmideihem kedei lilmod mi'ma'aseihem, she'ne'emar 'u'vo sidbak'. V'chi efshar l'adam l'hidbak ba'Shechinah? Ela kach amru chachamim b'feirush mitzvah zo: hidbak ba'chachamim v'salmideihem. Lefichach tzarich adam l'hishtadel she'yisa bas talmid chacham, v'yasi'a bito l'talmid chacham, v'le'echol v'lishtos im talmidei chachamim, v'la'asos prakmati'a l'talmidei chachamim, u'l'hischaber lahem b'chol minei chibur, she'ne'emar 'u'l'dovkah bo'. V'chein tzivu chachamim v'amru: 'V'hevei mis'abek ba'afar ragleihem, v'hevei shoseh b'tzama es divreihem'."**

("It is a positive commandment to cleave to the wise and their students in order to learn from their deeds, as it says 'and to Him you shall cleave.' But is it possible for a person to cleave to the Divine Presence? Rather, the Sages explained this mitzvah thus: Cleave to the wise and their students. Therefore a person should endeavor to marry the daughter of a Torah scholar, marry his daughter to a Torah scholar, eat and drink with Torah scholars, do business for Torah scholars, and connect with them in every manner of connection, as it says 'and to cleave to Him.' And the Sages also commanded and said: 'Be covered in the dust of their feet, and drink their words with thirst.'")

#### Plain Meaning

It's not just good advice to associate with the righteous — it is a positive commandment from the Torah. The verse "u'vo sidbak" (and to Him you shall cleave) is interpreted by Chazal to mean one should cleave to the wise. The Rambam lists practical ways: marry the daughter of a Torah scholar, eat with Torah scholars, do business for them, connect with them in every possible way.

### Novel Insights and Explanations

1. **From common sense to mitzvah:** The progression is: until now the Rambam demonstrated that common sense says one should associate with the righteous. Now he says: it's not just good advice — it's a **positive commandment** "to cleave to the wise and their students."

2. **"Shechinah" — what does it mean here?** It was asked whether this is the first time the Rambam uses the word "Shechinah" in Hilchos De'os. In Hilchos Nevi'im (Laws of Prophets) the term "Shechinah" already appeared — meaning God, the intellect (the Divine intellect).

3. **"V'chi efsar l'hidbak ba'Shechinah" — the meaning of the question:** The question perhaps means: How can a person achieve perfection? How can one even walk in the ways of being gracious and merciful? The answer is: associate with the righteous and you will learn from them. This accords with what was learned earlier in Hilchos De'os — that "the way of God" is "the good way, the middle way, the way of the wise." That is "u'vo sidbak."

4. **"Chachamim" vs. "talmidei chachamim" — why the difference in terminology:** Regarding the mitzvah it says "to cleave to the wise and their students," but regarding the practical instructions (marriage, eating, business) it says "talmidei chachamim" (Torah scholars). Several explanations:

- (a) The wise man doesn't have so many daughters — if one can't get a wise man, one goes to a talmid chacham, the closest one can get.

- (b) When a person gets married he is usually a young man (15, 16, 20) — he's not yet a chacham, he's a talmid chacham.

- (c) The source in the Sifrei on "u'vo sidbak" is "chachamim v'salmideihem" — that is indeed the term "talmidei chachamim."

- (d) The talmid chacham is the one who cleaves to the chacham — by definition, because "he learns from his deeds and becomes a talmid chacham." The chacham can influence a large public, and one takes one of his students and marries his daughter — this is how it circulates within the group.

5. **"U'l'dovkah bo" vs. "u'vo sidbak" — two verses:** From "u'vo sidbak" one learns the advice/mitzvah (cleave to the wise), and from "u'l'dovkah bo" one learns "every manner of connection." Perhaps Rabbeinu Yonah means that "u'l'dovkah bo" is an expansion — one should always find new ways to cleave to Torah scholars.

6. **"L'hischaber lahem b'chol minei chibur" — the concept:** The point is **not** to give honor to the Torah scholar — the point is **so that you should be with him as much as possible, so that you should have his influence.** This is the source for going to the Rebbe's tisch (table) — he doesn't come to you, you come to him, and then you learn how to be a person.

7. **"V'hevei mis'abek ba'afar ragleihem":** This means you should go so close to them that you become dusty from their

feet. Also, it used to be that the wise sat up high (on a platform), and one sat below — literally at the dust of their feet.

8. [Digression: **The wise person's obligation to be accessible:**] A question: The wise person also wants to cleave to another wise person — so instead of letting common people have access, he wants to go to his own rebbe. Perhaps there is a mitzvah for a wise person to be accommodating — just as was learned earlier that a wise person should let other people have access to him. At some point, when a wise person knows he is already a great enough scholar, he should stop running to the greater scholars and instead devote himself to the talmidei chachamim. In practice this is not clear.

9. [Digression: **Meishiv Davar — a Torah scholar with an ignoramus:**] If there is a concept of "meishiv davar" (a Torah scholar also wants to have a companion who is a Torah scholar or wise person), who fulfills the mitzvah — the wealthy or other Torah scholars? For a Torah scholar to befriend an ignoramus is stated very negatively — it's not even a pious mitzvah. It's not clear, and in different generations the problem is different.

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### Halacha 3 — A Mitzvah Upon Every Person to Love Every Individual Jew as Himself

#### The Rambam's Words

**"Mitzvah al kol adam le'ehov es kol echad v'echad mi'Yisrael k'gufo, she'ne'emar 'V'ahavta l'rei'acha kamocho'. Lefichach tzarich l'saper b'shivcho v'lachos al mamono, k'mo she'hu chas al mamon atzmo v'rotzeh b'chevod atzmo."** ("It is a mitzvah upon every person to love every individual Jew as his own body, as it says 'Love your fellow as yourself.' Therefore one must speak his praise and care for his money, just as he cares for his own money and desires his own honor.")

#### Plain Meaning

Every Jew is obligated to love every Jew as himself. This means practically: speak well of him, protect his money, respect his honor — just as one protects one's own.

#### Novel Insights

1. **The order in the Rambam: First** — cleave to Torah scholars (the most important companion); **then** — a general mitzvah of ahavas Yisrael (love of fellow Jews) for all Jews. The Torah scholar is the companion whom one need not treat as an equal — one should help him, do business for him, associate with him. But also every Jew one must love.

2. **General love even for weak Jews:** The mitzvah of ahavas Yisrael applies even to a Jew who has bad customs, from whom one may not learn — but one must still love him. The limit is only with a **mumar l'hach'is** (one who sins to spite God) or a **complete rasha** — those are the ones from whom one is exempt from love.

3. **"Kamocho" — the Rambam's simple interpretation:** Just as you want things to go well for you, want things to go well for him. Just as you protect your money, protect his money. Just as you want honor, pay attention to his honor.

4. **"Ha'miskabeid b'klon chaveiro ein lo chelek l'olam haba"** ("One who gains honor through his fellow's disgrace has no share in the World to Come"): One who gains honor through another's shame — he becomes important by showing

how foolish the other is, he wants to be "the smart one of the group" — has no share in the World to Come. **Why so harsh?** It's "only" a positive commandment (love your fellow as yourself), and yet "he has no share in the World to Come"? **Hilchos Teshuvah chapter 3, halacha 14** explains that there are things that aren't truly "no share," but since it's difficult to do teshuvah for them — one must look at the commentaries there for the precise definition.

5. **"Miskabeid b'klon chaveiro" — a deep human weakness:** This is a very "innate" thing that people have. One measures oneself against one's fellow, one compares, one shows the contrast — when the other says something foolish and one calls out something cleverer than him, **that is literally gaining honor through another's disgrace.** This is the simplest sign that your honor is more important to you than his — you are ready to elevate your honor by stepping on his honor. This is the opposite of "love your fellow as yourself."

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#### Halacha 4 — Love of the Convert

##### The Rambam's Words

"Ahavas ha'ger she'ba v'nichnas tachas kanfei ha'Shechinah, shteit mitzvos aseih: achas mipnei she'hu bichlal rei'im, v'achas mipnei she'hu ger, v'ha'Torah amrah 'va'ahavtem es ha'ger'. Tzivah al ahavas ha'ger k'mo she'tzivah al ahavas Shmo, she'ne'emar 'v'ahavta es Hashem Elokecha', v'chein ne'emar 'va'ahavtem es ha'ger'. Ha'Kadosh Baruch Hu atzmo ohev gerim, she'ne'emar 'v'ohev ger lases lo lechem v'simlah'."

("The love of the convert who came and entered under the wings of the Divine Presence — there are two positive commandments: one because he is included among 'fellows,' and one because he is a convert, and the Torah said 'you shall love the convert.' He commanded regarding the love of the convert just as He commanded regarding the love of His Name, as it says 'you shall love Hashem your God,' and it says 'you shall love the convert.' The Holy One, blessed be He, Himself loves converts, as it says 'and He loves the convert, to give him bread and clothing.'")

##### Plain Meaning

A righteous convert (ger tzedek) has **two positive commandments:** (1) he is "included among fellows" — "love your fellow as yourself," (2) he is a convert — "you shall love the convert." God Himself loves converts, therefore we must too.

##### Novel Insights

1. **"Tachas kanfei ha'Shechinah" — what does "kanaf" mean?** Is "kanaf" a wing like a bird's (as in "k'neshet ya'ir kino" — "as an eagle stirs its nest"), or does it mean "kanaf beged" — under the Shechinah's garment/cloak? "Under a wing" doesn't make sense with a bird — one flies on a wing, one doesn't go under it. "Tachas k'nafecha" (as with Ruth and Boaz) means under his protection. But "kanfei ha'Shechinah" is also a common expression.

2. **Ger toshav vs. ger tzedek:** The Rambam speaks here of a **ger tzedek** (a fully converted person). But even a **ger toshav** (a non-Jew who doesn't serve idolatry, isn't a murderer) has certain laws — one may not deceive him (ona'ah), not cause him suffering, not disgrace him. When one lives in a non-

Jewish neighborhood, one should consider that the non-Jewish neighbors have a status like a ger toshav regarding ona'ah.

3. **The Sefer HaChinuch's broad interpretation of "ger":** The **Sefer HaChinuch** says that the plain meaning of the text, "ger" doesn't necessarily mean a convert — also a **Jew who arrives in a new city** and doesn't know anyone, he is vulnerable, falls into the category of "ger, orphan, and widow." A broader principle: **every person who is vulnerable** — a Jew from another city, another chassidus, another side — falls under the concept of ger, orphan, and widow.

4. **"V'ahavta l'" vs. "v'ahavtem es" — is there a difference?** With "v'ahavta l'rei'acha kamocho" it says "l'" (to), and with "va'ahavtem

es ha'ger" it says "es" (the direct object). It was suggested that "l'" means practical things — speaking his praise, protecting his money, and "es" means a deeper love in the heart. **But the plain meaning in the Rambam doesn't accord with this distinction** — the Rambam simply says the same thing, just with an additional mitzvah.

5. **Why does God especially love converts?** Because his Jewishness came to him through **mesirus nefesh** (self-sacrifice) — he left behind his nation and his birthplace. Therefore God has a special love for converts, and "b'darko" — in His way — we must too.

6. **A possible distinction in the essence of the two loves:** It could be that "v'ahavta l'rei'acha kamocho" means **not causing pain, watching his honor** (practical), and "va'ahavtem es ha'ger" means **looking up at his mesirus nefesh**, having a certain **admiration** for his courage to become a Jew.

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#### Halacha 5 — "Do Not Hate Your Brother in Your Heart"

##### The Rambam's Words

"Kol ha'sonei echad mi'Yisrael b'libo over b'lo sa'aseh, she'ne'emar 'lo sisnah es achicha bilvavecha'. V'ein lokin al lav zeh l'fi she'ein bo ma'aseh. V'lo hizhirah Torah ela al sin'ah she'ba'lev. Aval ha'makeh es chaveiro v'ha'mecharef es chaveiro, af al pi she'eino rashai, eino over mishum 'lo sisnah'."

("Anyone who hates a fellow Jew in his heart violates a negative commandment, as it says 'Do not hate your brother in your heart.' One does not receive lashes for this prohibition because it involves no action. The Torah only warned about hatred that is in the heart. But one who strikes his fellow or insults his fellow, even though he is not permitted to do so, does not violate 'do not hate.'")

##### Plain Meaning

The Torah forbids hatred **in the heart** — when one harbors enmity inside but says nothing. One who strikes or insults another, even though it is certainly forbidden, does not violate "do not hate" — because that prohibition specifically addresses hatred **in the heart**.

##### Novel Insights

1. **The prohibition applies only to "in the heart":** "Bilvavecha" (in your heart) is not merely a description, but **that is the definition of the prohibition** — it applies only to hatred that remains inside. When one strikes or insults, one

violates other prohibitions, but not "lo sisnah." The Rambam **did not count** the prohibition of "lo sisnah" with regard to striking — it is an **extra prohibition** that doesn't go together.

2. **One might have thought:** That one who strikes also has hatred in his heart — plus he struck him. The Rambam says: no, "bilvavecha" means **only** in the heart. When it comes out in action, it is already a different category.

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### Halacha 6 — "Hochei'ach Tochi'ach Es Amisecha" (Between Man and His Fellow)

#### The Rambam's Words

"Ki yecheta ish l'ish, lo yistmenu v'yishtok, k'mo she'ne'emar ba'resha'im v'lo diber Avshalom im Amnon l'meira v'ad tov ki sanei Avshalom es Amnon'. Ela mitzvah alav l'hodi'o v'lomar lo 'lamah asisa li kach v'chach? V'lamah chatasa li b'davar ploni?' She'ne'emar 'hochei'ach tochi'ach es amisecha'."

"V'im chazar u'vikeish mimenu limchol, tzarich limchol lo, v'lo y'hei ha'mochel achzari, she'ne'emar 'vayispalel Avraham el ha'Elokim'."

("When one person wrongs another, he should not hate him and remain silent, as it says regarding the wicked: 'And Avshalom did not speak with Amnon, neither bad nor good, for Avshalom hated Amnon.' Rather, it is a mitzvah upon him to inform him and say to him: 'Why did you do such and such to me? Why did you wrong me in this matter?' As it says: 'You shall surely rebuke your fellow.'")

("And if he repented and asked him to forgive, he must forgive him, and the forgiver should not be cruel, as it says: 'And Avraham prayed to God.'")

#### Plain Meaning

When someone wrongs you, you should not remain silent and hold hatred in your heart. You must tell him: "Why did you do this to me?" — this is the mitzvah of "hochei'ach tochi'ach." When he asks for forgiveness, one must forgive him.

#### Novel Insights

1. **"Hochei'ach tochi'ach" — the primary meaning is not "giving mussar":** The Rambam's primary interpretation of "hochei'ach tochi'ach" is **not** rebuking someone about a mitzvah he's not performing properly. **The simple concept is: bringing out what is in the heart** — having what we call today "normal communication skills," being able to talk to a person, being able to say what hurts. This is **much more** than just "communication skills" — it is a mitzvah from the Torah.

2. **The Sefer HaMitzvos's language:** "She'tzivanu l'hodi'a sin'aseinu l'mi she'sna'anu, ad she'n'saper lo mah she'sna'anuhu alav" ("That He commanded us to inform of our hatred to the one who wronged us, until we tell him what we hold against him") — one is obligated to inform him of the hatred, to tell him why one has something against him.

3. **Avshalom and Amnon — "the wicked":** The Rambam calls Avshalom and Amnon **"wicked."** **Avshalom and Amnon, wicked?** They are children of King David! The explanation: **they conducted themselves with wickedness** — Amnon violated Tamar, Avshalom remained silent and wanted to take revenge. The silence itself — "Avshalom did not speak with Amnon, neither bad nor good"

— is the model of how **hatred in the heart** leads to catastrophe.

4. **Practical application — "He should understand on his own":** This is a very important halacha in practice. **People walk around embittered for years** because they say: "He should understand on his own." **You didn't demand your own honor**, and you want him to understand on his own? In shalom bayis (marital harmony) people can carry around bitterness in their hearts for years because "he should have understood on his own." **If he would break down and say it, his life would be easier.** Maybe the other person doesn't understand? Maybe he wants to understand, he just needs to hear it!

5. **The logical connection to "lo sisnah":** "Hochei'ach tochi'ach" is **the remedy** for "lo sisnah bilvavecha" — if you tell him, you're not violating the prohibition at all. When one speaks it out, the hatred in the heart is dissolved.

6. **"If it's a small thing":** Many times a person says "For such a small thing I should tell him?" The answer: **If it's really a small thing, are you done being his friend?** If it's not a small thing, you need to say it. And if you think he doesn't understand — maybe he would have understood if you had told him in a different way.

7. **The connection between tochachah and wrongdoing:** When the other person commits a wrong against you, he has also committed a sin — he didn't fulfill "love your fellow as yourself" and didn't care about his fellow's honor. Therefore the rebuke about the wrong is also a rebuke about a sin. Both aspects (between man and his fellow and between man and God) come together.

8. **Forgiveness — "v'lo y'hei ha'mochel achzari":** It's interesting that the Rambam calls the person who must forgive "ha'mochel" (the forgiver, not "the offended one"), because that is already his role. **The incident with Avimelech:** The Rambam emphasizes "even though he caused him suffering and sought to kill him" — Avimelech did Avraham a great wrong, and nevertheless, when he asked forgiveness, Avraham prayed for his healing. It was also mentioned that in another place (at the well) it says "va'yochi'ach Avraham es Avimelech" — but that is about a different matter. More laws about forgiveness are dealt with in Hilchos Teshuvah, not here.

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### Halacha 7 — Tochachah for Sins (Between Man and God)

#### The Rambam's Words

"Ha'ro'eh chaveiro she'chata o she'holeich b'derech lo tovah, mitzvah l'hachziro la'mutav u'l'hodi'o she'hu chotei al atzmo b'ma'asav ha'ra'im, she'ne'emar 'hochei'ach tochi'ach es amisecha'."

("One who sees his fellow sinning or going in a bad path, it is a mitzvah to bring him back to the good and to inform him that he is sinning against himself through his bad deeds, as it says: 'You shall surely rebuke your fellow.'")

#### Plain Meaning

Whoever sees his fellow sinning or going in a bad way is obligated to bring him back to the good and inform him that he is doing harm to himself.

#### Novel Insights

1. **The context of tochachah — only in a healthy society:** The Rambam speaks here after having already

established (in halachos 1-2) that one must be among upright people. When you are among the wicked, you don't go around rebuking everyone — it won't work. But when you are in a good society and someone stumbles, then there is an obligation of tochachah.

2. **"Davar she'eino nishma"**: There is a principle that "just as it is a mitzvah to say something that will be heeded, so it is a mitzvah not to say something that will not be heeded." The Rambam didn't bring this here, but earlier regarding tochachah he said that one rebukes only "in matters between him and him." It could be that the same principle applies also regarding interpersonal matters — if one knows he won't be heeded, perhaps there is no mitzvah.

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### Halacha 7 (continued) — The Manner of Tochachah: Gently and with Soft Language

#### The Rambam's Words

**"Ha'mochi'ach es chaveiro, bein b'dvarim she'beino l'veino bein b'dvarim she'beino l'vein ha'Makom, tzarich l'hochi'cho beino l'vein atzmo, vi'daber lo b'nachas u'v'lashon rakah, v'yodi'enu she'eino omer lo ela l'tovaso, l'havi'o l'chayei ha'olam haba."**

("One who rebukes his fellow, whether in matters between them or in matters between him and God, must rebuke him privately, and speak to him gently and with soft language, and inform him that he is only telling him for his own good, to bring him to the life of the World to Come.")

#### Plain Meaning

Whether regarding wrongs between people or sins between man and God, one must rebuke privately, quietly, with soft words, and inform him that it's for his own good.

#### Novel Insights

1. **"L'tovaso l'havi'o l'chayei ha'olam haba" — how does this fit with interpersonal matters?** With interpersonal matters, what does "the World to Come" have to do with it? With interpersonal matters one would say "l'tovaso" — you want me to be your friend? Fix it! That's "life in this world." Two answers:

- (a) "L'tovaso" applies to interpersonal matters, and "l'havi'o l'chayei ha'olam haba" applies specifically to matters between man and God.

- (b) Even regarding matters between man and God, the point is not that God is "police" — rather, one truly wants to help him have a good life. God doesn't need police; one means the person's own good.

2. **He must actually mean it for his good** — only then can he inform him. The tochachah must come from a genuine intention for the other's benefit, not from a feeling of superiority.

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### Halacha 7 (continued) — Until When Must One Rebuke?

#### The Rambam's Words

**"Im kibel mimenu mutav, v'im lav yochi'chenu pa'am shniyah u'shlis, v'chein tamid chayav l'hochi'cho ad she'yakenu ha'chotei v'yomar lo 'eini shomei'a."**

("If he accepted it, good. If not, he should rebuke him a second and third time, and so always he is obligated to rebuke him until the sinner strikes him and says to him 'I won't listen.'")

#### Plain Meaning

If he accepts it — wonderful. If not — one must try again, a second time, a third time, until the sinner strikes him or tells him "I don't want to hear."

#### Novel Insights

1. **Source in the Gemara:** There is a dispute — Rava says "ad hakka'ah" (until he strikes), Shmuel says "ad kelalah" (until he curses). The Rambam rules "until he strikes" but adds "and says to him 'I won't listen'" — perhaps one of the two.

2. **Why does one stop at striking?** Two explanations:

- (a) When he strikes or curses, he violates additional prohibitions (striking/cursing a Jew). The tochachah brings more harm than good — one is causing him to stumble with additional sins.

- (b) **Stronger formulation (from my teacher):** "He struck, meaning 'I don't want'" — until then he is basically still interested, he is only pushing away "initially." When he strikes, he makes clear that he is truly not interested. Until then it's "initially pushing away" — he pushes away on the outside but inside he is still accessible.

3. **"A second and third time" — practical understanding:** This doesn't mean one should torment the person one time after another. Perhaps it means: tell him once, wait a few months, maybe he has become more reflective, maybe he understands better. One must be wise in how one approaches.

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### Halacha 7 (continued) — "And Anyone Who Has the Ability to Protest and Doesn't Protest"

#### The Rambam's Words

**"V'chol she'efshar b'yado limchos v'eino mocheh, hu nitpas ba'avon eilu kulam, she'efshar lo limchos bahem."**

("And anyone who has the ability to protest and doesn't protest is held accountable for the sins of all of them, since he could have protested against them.")

#### Plain Meaning

Whoever can protest and doesn't is held accountable for the sins of all those he could have prevented.

#### Novel Insights

1. **"Mecha'ah" vs. "tochachah" — a sharp critique:** The Rambam calls it here "mocheh" (protesting) instead of "mochi'ach" (rebuking). But **"just protesting into thin air is nothing at all."** The modern Torah concept that makes a distinction between "mitzvas mecha'ah" (just protesting to the world) and "tochachah" (telling the person) — has no source. Mecha'ah means telling the person in a way that can help — that is the same thing as tochachah. The idea that one can fulfill a "mitzvas mecha'ah" by merely stating a position without it accomplishing anything has no source.

2. **Why is he "held accountable"?** Two explanations:

- (a) A person is influenced by his friends (as the Rambam already said in halacha 1). When he doesn't protest, he himself becomes affected by their sins.

- (b) Perhaps mecha'ah is so that one should oneself remember that it's not normal — every time one sees the other committing a sin, one says something, so one shouldn't forget.

**This was rejected:** "That Torah is such a modern Torah, I don't hold of it." Mecha'ah actually means trying to stop the other from his sin.

**3. The Rambam speaks of "anshei beiso"** — people for whom you are responsible (like a father or leader). The Rambam didn't bring here the principle of "kol Yisrael areivim zeh la'zeh" (all of Israel are guarantors for one another), although it is relevant.

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## Halacha 7 (end) / Halacha 8 — The Prohibition of Shaming Someone

### The Rambam's Words

"Ha'mochi'ach es chaveiro techilah, lo y'daber lo kashos ad she'yachlimenu, she'lo yomar lo 'eincha misbayeish mi'ma'asecha' v'chayotzei b'zeh... Af al pi she'ha'machlim es chaveiro eino lokeh, avon gadol hu. Kach amru chachamim: Ha'malbin p'nei chaveiro ba'rabim ein lo chelek l'olam haba."

"Tzarich adam lizaher b'davar zeh she'lo y'vayeish chaveiro ba'rabim, bein katan bein gadol. V'lo yikra lo b'shem she'hu bosh mimenu. V'lo y'saper l'fanav davar she'hu bosh mimenu."

("One who rebukes his fellow, initially should not speak harshly to him until he shames him, that he should not say to him 'Aren't you ashamed of your deeds' and the like... Even though one who shames his fellow does not receive lashes, it is a great sin. The Sages said: One who whitens the face of his fellow in public has no share in the World to Come.")

("A person must be careful in this matter not to shame his fellow in public, whether young or old. He should not call him by a name that he is ashamed of. And he should not tell him something that he is ashamed of.")

### Plain Meaning

When rebuking a fellow, one should not speak harshly and shame him. Shaming a Jew is a great sin — though one doesn't receive lashes, the Sages say that one who shames his fellow in public has no share in the World to Come. One may not call him by a name he's ashamed of, and one may not tell him things he's ashamed of.

### Novel Insights

**1. "Techilah" — what does it mean?** "Techilah" apparently means "at first," the first time. Because later, after one has already tried many times, perhaps it is necessary to speak more sternly. But the Rambam means: don't start with harshness.

**2. How is the prohibition of shaming derived?** The Rambam derives it from the verse "v'lo sisa alav chet" ("and you shall not bear sin because of him") — even regarding someone who deserves to be ashamed (because he sinned), one may not shame him. All the more so one may not simply shame a person.

**3. Why are there no lashes?** Two possibilities:

- (a) It's a "lav she'ein bo ma'aseh" (a prohibition without an action) — because speech is not considered an action.

- (b) The shaming itself (the fact that the other becomes ashamed) is not an action — when a person says something, he doesn't yet know how strongly the other will be shamed.

- **However:** This doesn't make it less severe — it is a "great sin."

**4. "Ba'rabim" — a distinction:** The Sages say specifically "in public, he has no share in the World to Come." This means: in public is worse — that's obvious. But "no share in the World to Come" is specifically in public. The prohibition of shaming exists also in private, but the severity of "no share" is only in public.

**5. "Bein katan bein gadol" — what does "katan" mean?** It was discussed whether "katan" means a young person or a person who is not yet fully observant. Practical relevance: **A melamed (teacher) can stumble into shaming someone 25 times a day** — this is a very real danger in education.

**6. "V'lo yikra lo b'shem she'hu bosh mimenu"** — the concept of "nicknaming a fellow." Even when many people call him by that name, if **you know** that he doesn't like the name and he's ashamed of it — one may not call him that. This is very common with children.

**7. "V'lo y'saper l'fanav davar she'hu bosh mimenu"** — connected to the Gemara in Maseches Arachin (verbal ona'ah/oppression). Even things that are true — if he's ashamed of them, one may not tell them.

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## Halacha 8 (continued) — The Distinction Between "Interpersonal Matters" and "Heavenly Matters"

### The Rambam's Words

"Ba'meh devarim amurim? B'dvarim she'bein adam la'chaveiro. Aval divrei shamayim, im lo chazar bo b'seser — machliminhu ba'rabim, u'mefarsmin chat'o, u'mecharfin oso b'fanav, u'mvazin oso u'mekalelinhu ad she'yachzor la'mutav, k'mo she'asu kol nevi'ei Yisrael."

("When is this said? Regarding matters between man and his fellow. But regarding heavenly matters, if he did not repent in private — one shames him in public, publicizes his sin, insults him to his face, disgraces him and curses him until he returns to the good, as all the prophets of Israel did.")

### Plain Meaning

The rule that one may not shame someone in public applies only to interpersonal matters. But regarding sins against Heaven — when one has already warned him privately and he hasn't repented — one may shame him in public, publicize his sin, insult him, disgrace him, and curse him until he repents, just as all the prophets of Israel did.

### Novel Insights

**1. The fundamental distinction:** Regarding "interpersonal matters" — when I have personal grievances against him — I can **never** shame him in public. I must tell him (tochachah), but only privately. Regarding "heavenly matters" — when he commits a sin against Heaven — and he hasn't repented after private rebuke — only then may one go public.

**2. The distinction between "mecha'ah" and "hochachah":** **Hochachah** (rebuke) means I try to make the person better — one tries first to draw him close, one humbles oneself, "until he returns to the good." **Mecha'ah** (protest) means I protest to the world — the protester doesn't think at all about how he's going to make the other person better, he holds that it's a mitzvah to protest. The Rambam's entire chapter speaks of **hochachah**, not mecha'ah. The order

is: first privately, first with gentleness, first with drawing close — and only when everything hasn't helped does one go public.

3. **With the prophets — almost no personal accusations:** With almost all the prophets, they speak in **general terms** — "shaming Israel" — not about a specific person (perhaps about a king, but not ordinary people). This shows that even the "public" rebuke of the prophets was a general *tochachah*, not a personal shaming.

4. [Digression: **The Baal Shem Tov's critique of "rebukers":**] The Baal Shem Tov sharply criticized the "mochiachim" (rebukers) who traveled around and **made a living from bashing Jews**. He said: whoever speaks only badly about Jews is **arousing the Satan** — he stands on the side of the Satan who bashes Jews. When your sermon is only bashing Jews, that's not *tochachah*, that's prosecution.

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## Halacha 9 — Midas Chassidus: Forgiving Without Tochachah

### The Rambam's Words

"Mi she'chata lo chaveiro, v'lo ratzah l'hochi'cho v'lo l'daber lo klum, l'fi she'ha'chotei hedyot b'yoser o she'da'ato meshubeshes, u'machal lo b'libo, v'lo s'tamo v'lo hochi'cho — harei zu midas chassidus. V'ein ha'Torah makpedes ela al ha'mastema."

("One whose fellow sinned against him, and he did not wish to rebuke him or say anything to him, because the sinner is an utter simpleton or his mind is confused, and he forgave him in his heart and did not hate him or rebuke him — this is a measure of piety. The Torah is only strict about hatred.")

### Plain Meaning

When a fellow has wronged you, but you don't want to rebuke him because he is an utter simpleton or his mind is confused, and you forgive him in your heart without hatred — this is a *midas chassidus* (measure of piety). The Torah is primarily concerned about **hatred** — harboring enmity in the heart.

### Novel Insights

1. **This is the answer to the earlier question:** Earlier it was asked whether one must specifically tell the other person when one has grievances. The Rambam answers: **No** — if you can forgive him in your heart, you may. This is not only permitted, it is a **midas chassidus**. The primary prohibition is only on **hatred in the heart** — because hatred always gets worse until it explodes.

2. **"Hedyot b'yoser" / "da'ato meshubeshes" — a practical tip for how to forgive: One places the person in a category** — he is, poor thing, a simpleton, his mind is confused, he's caught up in something, he's like a "tinok she'nishba" (a child raised in captivity). Through this one can actively forgive — not because one suppresses the anger, but because one understands that he, poor thing, can't do better. "I don't hate him, because I understand that he is, poor thing, caught up."

3. **A question on the "midas chassidus":** To "judge" that the other is "da'ato meshubeshes" — isn't that itself a form of hatred? This wasn't fully resolved, only noted that "one must be precise that this itself is not hatred."

4. **Practical halacha l'ma'aseh question:** With a **good friend** — one calls, talks it out, fixes it. But with a person who **is not your friend** — you have to deal with him but he's not

a friend — what does one do? The verse says one must tell him (so as not to have hatred in the heart). But the Rambam says: if you can forgive him in your heart, without hatred, because you understand he's a simpleton — that is *midas chassidus*.

5. **"V'ein ha'Torah makpedes ela al ha'mastema" — why is this different from sins against Heaven?** When the fellow wronged you, he also violated a prohibition (interpersonal). Why is this treated differently from when he violates a prohibition against Heaven? Seemingly, when you've been wronged, you should have compassion on him that he's sinning. **Perhaps this is why the Rambam includes "hedyot b'yoser"** — to make the distinction understandable: with a simpleton one can forgive because he doesn't know better.

6. [Digression: **R' Shlomo Zalman Auerbach on Erev Yom Kippur:**] R' Shlomo Zalman said to his son: "I've received so many questions — about fasts, about all kinds of halachos — but **no one asked me how to do teshuvah**, how to ask forgiveness from another person." This is a mussar lesson that people ask technical questions but not the essential questions of interpersonal matters.

7. **Connection to the laws of the Ten Days of Repentance — whether one must ask forgiveness when the other doesn't know:** The **Chofetz Chaim** says one must ask forgiveness even if the other doesn't know (for example, if one spoke *lashon hara* about him). But **here in the Rambam** we're talking about the opposite — the one who was wronged should go and speak up. This is a **different point entirely** — in the Rambam the matter is about asking forgiveness when there is hatred, when there is enmity in the heart.

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## Halacha 10 — "A Person Is Obligated to Be Careful with Orphans and Widows"

### The Rambam's Words

"Chayav adam lizaher b'yesomim v'almanos, mipnei she'nafsham shefalah l'me'od, v'da'atan shefalah. Afilu hem ba'alei mammon. Afilu almanaso shel melech vi'yesomav shel melech, muzharin anu aleihem, she'ne'emar 'kol almanah v'yasom lo se'anun'. Keitzad nohagim imahen? Lo y'daber aleihem ela rakos, v'lo yinhag bahem ela minhag kavod, v'lo yach'iv gufam ba'avodah v'lo libam bi'dvarim. V'yachos al mamonom yoser mi'mamono."

("A person is obligated to be careful with orphans and widows, because their spirit is very low and their mind is low. Even if they are wealthy. Even the widow of a king and the orphans of a king, we are warned regarding them, as it says: 'Any widow or orphan you shall not afflict.' How should one conduct oneself with them? One should speak to them only gently, and treat them only with honor, and not cause their bodies pain through labor nor their hearts through words. And one should care for their money more than one's own.")

### Plain Meaning

One must be careful with orphans and widows because their spirit is crushed. Even if they have money, even the widow of a king. One should speak to them gently, treat them with honor, not make them work hard, not cause them pain with words, and protect their money more than one's own.

### Novel Insights

### 1. "Nafsham shefalah" — is this "evyon she'ba'ruach"?

It was discussed whether the expression "nafsham shefalah l'me'od" is the same as "evyon she'ba'ruach" (destitute in spirit, as the Rambam discussed earlier in other halachos) or a different expression. This was noted as interesting but not definitively resolved.

2. **"Even if they are wealthy" — the novel insight: Money doesn't help** — a widow or orphan is internally crushed even with wealth. This accords with the Mishnah in Bava Metzia regarding "lo sachavol beged almanah" (do not take a widow's garment as collateral) — even if she has money. **"Kol almanah"** — the word "kol" (any/every) comes to include even the widow of a king.

3. **The direction of the novel insight:** The novel insight goes in **one direction** — even a wealthy widow is included. **Not** in the other direction — someone whom one clearly sees is crushed is **obviously** included in the mitzvah; that doesn't need to be stated.

4. **The Rambam means broader than just widow and orphan:** In a note the Rambam used the word "umlalim" (wretched), which shows that he means **not specifically** only widow

and orphan, but every person who is unfortunate and vulnerable. The Rambam did not, however, explicitly add this principle — he holds that one understands it on one's own.

5. **"V'lo yach'iv gufam ba'avodah" — this means an employer:** The Rambam speaks here also about a situation where one is an employer of a widow — one should not make her work too hard.

6. **Connection to "hedyot b'yoser":** A nice connection between the previous halacha (midas chassidus — forgiving because he's an utter simpleton) and the halacha about widows and orphans: **Someone who is "hedyot b'yoser" or "da'ato meshubeshes" is also a wretched person** — he doesn't have social skills, everyone picks on him, he gets hurt quickly. Such a person is like a widow and orphan — vulnerable. Through this one will **more quickly forgive him** and not harbor hatred in one's heart toward such a person. This connects the two halachos: the "simpleton" of halacha 9 is the "wretched person" of halacha 10.

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### Halacha 10 (continued) — The Punishment for Afflicting Widows and Orphans

#### The Rambam's Words

"Kol ha'maknit o ha'mach'is o ha'mach'iv liban... o ibeid mamonan... lav zeh, af al pi she'ein lokin alav, harei onsho meforash ba'Torah: 'V'charah api v'haragti eschem be'charev.'" "Bris kerosah lahem she'kol z'man she'tza'akas mei'chamas chamas — hem ne'enanim, she'ne'emar 'ki im tza'ok yitz'ak eilai shamo'a eshma tza'akaso'."

("Anyone who vexes, angers, or pains their hearts... or causes loss to their money... this prohibition, even though one does not receive lashes for it, its punishment is explicit in the Torah: 'And My anger shall burn and I shall kill you by the sword.'") ("A covenant is made with them that whenever they cry out from violence — they are answered, as it says: 'For if he shall cry out to Me, I shall surely hear his cry.'")

#### Plain Meaning

Although one doesn't receive lashes for this prohibition, the punishment is explicit in the Torah — death by Heavenly hand through the sword, measure for measure. The Creator has a covenant with them that when they cry out from violence, they are answered.

#### Novel Insights

1. **The concept of "innui" (affliction) regarding widows and orphans — sensitivity-based:** The concept of "affliction" regarding widows and orphans is relative to the person. Because they are "nefesh shefalah" (sensitive), a small blow to them is like a big blow to someone else. This is the same principle as with a slave whom one may not make work "b'farech" (with crushing labor) — the slave becomes degraded much more quickly, therefore the threshold of "affliction" is lower.

2. **Distinction between maknit, mach'is, mach'iv liban:** **Mach'is** = one makes him upset; **mach'iv liban** = one speaks unkindly and causes him pain; **maknit** = teasing, provoking, shaming — something that one gets used to, but it irritates.

3. **"Ibeid mamonan" — not necessarily intentional:** "Ibeid" (caused loss) doesn't mean he literally destroyed it, but that he wasn't as careful as he should have been — a lack of care with their money (for example, as an employer of a widow).

4. **"V'charah api v'haragti eschem be'charev" — measure for measure:** The punishment is death by Heavenly hand through the sword, measure for measure — just as you mistreated a widow and orphan.

5. **"Mi she'amar v'hayah ha'olam" — the language of the covenant:** The Rambam brings the expression "bris kerosah lahem" — the Creator who created the world with His utterance made a covenant. This is an interesting expression — the source is a language of Chazal.

6. **The verse "ki im tza'ok yitz'ak eilai" — to whom does it apply?** The verse applies only to a widow, or also to an orphan? To a poor person too? Regarding a poor person it's not clear.

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### Halacha 10 (continued) — The Distinction Between Affliction for One's Own Sake and Affliction for the Sake of Education

#### The Rambam's Words

"Ba'meh devarim amurim? K'she'inah osam l'tzorech atzmo. Aval inah osam ha'rav kedei l'lamdam Torah o umnus o l'holicham b'derech yesharah — harei zeh mutar. V'af al pi kein lo yinhag bahem minhag kol adam, ela ya'aseh lahem hefrish, v'yinhalem b'nachas u'v'rachamim gedolim u'v'chavod, ki Hashem yariv rivam."

("When is this said? When he afflicts them for his own sake. But if the teacher afflicts them in order to teach them Torah or a trade or to lead them in the straight path — this is permitted. And even so, he should not treat them like everyone else, but should make a distinction for them, and lead them gently and with great compassion and with honor, for God fights their cause.")

#### Plain Meaning

The prohibition of afflicting widows and orphans is only when one bothers them for one's own interests. But a teacher who teaches them Torah, a trade, or educates them — that is permitted. But even the teacher must make a "distinction" — a positive discrimination (affirmative action) — and conduct himself with them gently, with great compassion, and with honor.

#### Novel Insights

1. **The teacher as a substitute for the father:** The teacher "tries to take over the place of the father" — he teaches them Torah, a trade, and educates them. Therefore he has a right to discipline, but with special care.

2. **"Hefrish" — not letting go, but adapting the style:** "Hefrish" (distinction) does **not** mean that one lets the orphan go and doesn't discipline him. On the contrary — the novel insight is that **your style must adapt according to the person who is receiving.** With a sensitive person, a small word already helps as much as a big slap does with someone else, because he is more sensitive. One may not say "that's my style" — your style must adjust to the recipient. This is the meaning of "meishiv el lev" — one must consider how the other person feels it.

3. **"B'nachas" — a key in Hilchos De'os:** The word "b'nachas" (gently/calmly) appears very often in Hilchos De'os, and it is a "great key" — calmness is a fundamental principle in interpersonal matters.

4. **"Ki Hashem yariv rivam" — God fights their cause:** This is a "difficult thing" in practice, because many times specifically an orphan or a child from a home that's not in order needs much **more** discipline, and it's a difficult test to balance between education and the special caution.

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**Halacha 10 (end) — Definition of an Orphan: "Until When Are They Called Orphans?"**

## Full Transcript

### Laws of Dispositions Chapter 6 — The Person in Society

#### Introduction to the Chapter: From the Individual to the Community

**Speaker 1:** Gentlemen, we are holding at Laws of Dispositions, Chapter 6. Basically, until now we have learned about each person — how he should be a proper person. Now we are going to learn about how a number of people come together, and with which people one should associate, and how, and so forth. Right?

**Speaker 2:** Yes, very good. Laws of interpersonal relations (bein adam la'chaveiro), as one might call it.

**Speaker 1:** Right, but one can call it something deeper — the concept of another person. There are many laws of interpersonal relations. I'll just explain what I said. Until now we discussed how a person on his own is a complete person (adam ha'shalem), up to the ultimate point we reached in Chapter 5 — a wise person (chacham) who is the complete person on his own. Now we are going to learn from the dispositions how a person finds himself together with other people.

#### The Rambam's Words

**"Echad yasom mei'av echad yasom mei'em. Ad masai hen nikra'in yesomim? Ad she'lo yihyu tzrichin l'adam gadol lismoch alav l'annam u'l'afdan u'l'tapel bahem, ela ya'asu kol tzorcheihem l'atzmam k'she'ar kol ha'gedolim."**

("Both an orphan from a father and an orphan from a mother. Until when are they called orphans? Until they no longer need a grown person to rely on to nurse them, care for them, and tend to them, but rather they can do all their needs by themselves like all other adults.")

#### Plain Meaning

An orphan is both one who lost his father and one who lost his mother. One is called an orphan until one becomes independent — when one no longer needs a grown person to rely on, but can do everything on one's own like all other adults.

#### Novel Insights

1. **"Atzas ha'yesomim" — a practical application:** When a new rebbe comes whose father (the previous rebbe) has passed away, he has the status of an orphan.

2. **Until when is one an "orphan" — in today's times:** In today's times this is "generally until marriage" — or, with a smile, "until one turns fifty." **Everything depends on the matter:** in certain matters a person is an orphan at fifteen, in certain matters he's an orphan at fifty. The measure is not age, but independence — "until they no longer need a grown person."

3. **An orphan is "as long as one is a child":** "An orphan is as long as one is a child" — meaning, as long as one is in the role of a dependent, one is an orphan. When one becomes independent, one is already a "father" (autonomous).

So first the Rambam goes on to explain that there is such a thing that there are other people and how it works, and then upon that he builds the commandments (mitzvos) that pertain to dispositions.

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#### Law 1: The Natural Way of a Person — A Person Is Drawn After His Environment

**Speaker 1:** Very good. The Rambam says: **"Derech bri'aso shel adam"** — the way, the way a person was created, the way a person operates, the way a person exists. You can translate it as "the nature of a person" (teva ha'adam). The Rambam says in other places that a person is political by nature (medini b'tiv'o), that a person is a creature, a social being. A person is a social being who cannot succeed alone; a person cannot have a normal life when he is not with other people.

**"Derech bri'aso shel adam l'hiyos nimshach b'de'osav u'v'ma'asav"** — with his character traits and with his actions one is drawn **"achar rei'av v'chaveirav, v'noheig k'minhag anshei medinaso"** — a person conducts himself according to the custom of the people in his city.

**Insight: "The Natural Way" Is Not a Failing — It Is a Nature**

**Speaker 2:** Very good. This is apparently a translation of what you mentioned that is written in other places, that a person is by nature [a social being].

**Speaker 1:** So the "way" (derech) of a person does not simply mean a failing of a person. This brings it out more deeply, right? It's not simply — people often say after the Rambam, the Rambam says that a person is influenced. No, a person is built this way. A person is the kind of thing that lives with other people and conducts himself the way they conduct themselves. This is indeed the Torah: "**Lo tov heyos ha'adam levado**" — "It is not good for a person to be alone" — a person cannot be alone.

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**Therefore — One Must Associate with the Righteous**

**Speaker 2:** Yes. Very good.

**Speaker 1:** "**Lefichach**" — therefore, it is relevant to a person — either you remember how strongly you are influenced by other people, that you will become the kind of person according to the people you associate with, according to the people around you. And therefore, "**tzarich adam l'hischaber la'tzaddikim**" — a person must associate with the righteous, "**v'leishev eitzel ha'chachamim tamid**" — and always sit perpetually with the wise, for what purpose? "**K'dei she'yilmad mi'ma'aseihem**" — so that he should learn from their actions.

**Discussion: What Does "She'yilmad Mi'ma'aseihem" Mean?**

**Speaker 1:** "Mi'ma'aseihem" — "she'yilmad ma'aseihem" — he should study their actions, he should study and understand what they do.

**Speaker 2:** They answered that "yilmad" means he should become accustomed.

**Speaker 1:** Yes, but I think it is straightforward — he should first study, understand what he does, think about what he does, and afterward he will naturally accustom himself to walk in those ways.

**A Precision in "Mi'ma'aseihem" Regarding the Righteous Versus the Wicked**

**Speaker 2:** He just says it like that, yes, just a place to understand "mi'ma'aseihem." Can you stop a minute? I just wanted to make an observation. He makes a precision here, the Rav shlit"a, that regarding the righteous it says "mi'ma'aseihem" — he wants to make a different precision, that perhaps "ma'aseihem" means one should learn all the actions of the righteous, but regarding the wicked it means to say that one should not learn even a portion of their actions. Does the wicked person have some good actions?

**Speaker 1:** Okay, these are weak precisions. Apparently he means the same thing in practice; there is no precision that one can learn from here.

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**"Walking in Darkness" — The Wicked Don't Think**

**Speaker 1:** "**V'yisrachek min ha'resha'im ha'holchim ba'choshech k'dei she'lo yilmad mi'ma'aseihem.**" He has already told us several times that the wicked walk in darkness.

**Speaker 2:** Yes, it's because the wicked don't think.

**Speaker 1:** It's very beautiful — a wise person thinks about what he does, he thinks about what he does, so you too should think about what he does. But a wicked person, he walks in

darkness, he doesn't think about what he does, so you should think about what he does. "**K'dei she'yilmad mi'ma'aseihem**" — you should not learn from their actions, because their actions don't come from study, they don't come from learning; it means Torah here.

**Speaker 2:** Yes, it's interesting, because if you won't exert yourself, if you let nature carry you, you will become wicked. You walk in darkness. In light one needs to look where one is going, one can look where one is going. In darkness one doesn't even look where one is going, and one becomes wicked.

**Speaker 1:** Okay, very good.

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**Verses: "He Who Walks with the Wise Shall Become Wise"**

**Speaker 1:** Once we understand this, we grasp how important it is to be with the righteous, because through being with the righteous one becomes righteous. This is what Solomon says, as King Solomon already says it: "**Holech es chachamim yechkam**" — one who walks with the wise will himself become wise, "**v'ro'eh kesilim yeiro'a**" — one who associates with, who plays around with fools, with simpletons, "yeiro'a" — he himself will become a bad person.

**Insight: Fools and Wise Ones in Proverbs — Righteousness Is a Matter of Wisdom**

**Speaker 2:** "Kesilim" (fools) doesn't yet mean "re'im" (evil ones), but it could be as he says — wise and darkness — fools are people who don't think, while a wicked person is evil.

**Speaker 1:** Wise ones and fools in Proverbs (Mishlei) in general — the good people are the wise and the bad ones are the fools. There aren't "wicked" and "righteous" there. There are, but very much it is the wise person who is the good one and the fool who is the bad one, because it is smart to walk in the good path. Being righteous is not a matter of piety; it is a matter of wisdom (chochma).

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**"Fortunate Is the Man" — "The Counsel of the Wicked" Means a Gathering of the Wicked**

**Speaker 1:** "**V'omer**", in Psalms (Tehillim) it also says: "**Ashrei ha'ish asher lo halach ba'atzas resha'im.**" I think here it is very important to understand that "atzas" doesn't mean the advice as when one asks for advice, but rather "mo'etzah" — like when people sit together. That is, "atzas resha'im" means in a gathering of the wicked, because that itself is the counsel of the wicked. As if what we call "advice" (eitzah) as a wisdom, a way of life — that happens because when one sits with the wicked one begins to behave like the wicked.

And he also means it the way the Gemara says on the rest of the verse: "**U'v'derech chata'im lo amad, u'v'moshav leitzim lo yashav.**" It is very clear that the verse describes a person who does not associate with the wicked and the scoffers and so forth.

**Insight: A Person Doesn't Realize How Strongly He Is Influenced — Knowingly and Unknowingly**

**Speaker 1:** This is a very, very important law, because a person doesn't realize how strongly one is influenced by the people around him. Knowingly, unknowingly. One is not always aware of how strong an influence it will have on me —

which synagogue you walk into, or who the people around you will be, will have a great effect. It is very important to choose, truly.

### **The Ba'al HaSulam: The Primary Choice Is Choosing Whom to Be With**

**Speaker 1:** And they bring the Ba'al HaSulam, Rabbi Ashlag, who says that a person is so strongly influenced by the people around him that he doesn't truly have such strong free choice (bechirah). Because it literally takes away free choice, because so much of what you do unknowingly follows what your friends do. Where does a person have his primary free choice? To choose whom to be with. That is where the great choice lies. Choosing good friends is an important choice.

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### **The Rambam — A "Chassid" of King Solomon**

**Speaker 1:** Okay, that is... I have noticed that the Rambam is a great devotee of King Solomon in all these chapters. He brings many verses. Many times he says "in his wisdom" (b'chochmaso) — that doesn't actually say "in his wisdom." In Proverbs it is wisdom, that is the subject; it's not commandments. But it's interesting, because the Rambam doesn't just bring verses for no reason. Verses are usually — when he brings a verse it is to bring a commandment (mitzvah), not just to collect verses.

**Speaker 2:** Yes, that's true. It's interesting — he wants to bring from verses all these foundations. Yes, he wants to show that it's not only in the Mishnah, but it is already written in the verses as well. Not only in the Mishnah, not even in the Mishnah, not even in the arranged Mishnayot of Rabbeinu HaKadosh — these are verses, these are things that are already written.

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### **Law 2: If the City Has Bad Customs — Two Levels of Influence**

**Speaker 1:** Yes. And so, so that is... So he goes on two levels. First of all, one must associate with people who are righteous. Then he also said that "the people of his city" (anshei medinaso) — also has an influence.

So if you find yourself in a city that is bad, it is not enough that you have a few good people, because you will also not be spared from the larger society.

### **"Medinah" in Halachah Means a City, Not a Country**

**Speaker 2:** It's very interesting. You're saying that a person is not only drawn after his close friends, not only specifically close friends, but "over time" (derech ha'zman) — the entire city, the entire town around him has an influence.

By the way, "medinah" usually in halachah doesn't mean like the United States of America — it means your town. Lakewood is called the "minhag ha'medinah" (custom of the locale). In Choshen Mishpat it means your city where you live — Lakewood, Boro Park. And apparently the influence that affects a person is also the city around him, the city where he lives, the society.

**Speaker 1:** It could be that today, when we live in such a way that all charedi Jews have influence on one another — what is called the charedi culture, for example — it does mean that all heimish Jews have influence on all heimish Jews. Other things also have influence. But in any case, you are correct that "medinah" here means a city, not a state.

### **Insight: "Bad Customs" — Systemic Coercion, Not Just Bad People**

**Speaker 2:** Yes. The Rambam says: "**V'chein im haysah medinah she'minhagoseha ra'im v'ein ansheha holchim b'derech yesharah**" — but it's very good, because first he said one is drawn after his friends and companions, so make sure your friends and companions are righteous. But you can't — now you also have the "custom of the people of his city," which also has an influence.

**Speaker 1:** So if the city has bad customs and its people do not walk in the straight path — apparently he wants to define this a bit — one could elaborate greatly on this, but just to categorize it here.

A city whose decrees are harsh — that in the city the custom leads to stealing. So I say I won't steal — but these are customs that one is forced to follow. As if he calculated that not only is one not with the city, one is [part of it].

For example, in the city, in order to do business, one must be dishonest in faith. One must make an advertisement — an advertisement with only the truth doesn't work, because everyone advertises that way. So the custom of the city is to be a liar. The one who wants to be wholesome with the wholesome (tamim im temimim), from the previous chapter, who says yes for yes and no for no — he must go to a different city.

There is no such thing today — where there they don't tell lies in business — because instead of it being just a sin, it is also the only way. It's not only that their customs are bad so that you will learn from them — you will conduct yourself with them and you will have to. Or a person must do — it can even be that a person, as long as he is in the city, must follow certain customs of the city, even if they lead to bad. For example, one wears certain clothing, I don't know, one conducts oneself in certain ways, one makes matches (shidduchim) in a certain way, I don't know, one does business in a certain way. You have no choice; it's not that you have a choice not to become [like them]. You must do so.

### **"He Should Go to a Place" — One Must Leave**

**Speaker 2:** Very good. And therefore, coming back — you will not be spared from the spirit of the people of the city — "**yeilech l'makom**" — he should move away, he should go "**l'makom she'anshav tzaddikim v'nohagim b'derech tovim**" — he should go away.

**Speaker 1:** Yes, that's what it says there. Or even to a place of Torah.

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### **The Rambam Is Not Speaking Specifically About Jews**

**Speaker 2:** This is what one fundamentally needs to understand. I also think that the Rambam does not say in this law specifically about Jews — he says go where people are righteous. Apparently this also emerges from this fundamental principle.

**Speaker 1:** Good point. The Rambam says here a powerful thing — or as in his time. He doesn't say specifically where Jews live; he says where it is good.

**Speaker 2:** Perhaps you are right that he should live among Jews is yet another matter, because Jews are good.

**Speaker 1:** I mean, the Rambam did not live in the worst period of society. That is to say, he lived in a Torah

environment, but in a time that was not so bad. When you compare it to all other generations, it was among the better ones. Indeed, when one says "the Golden Age" (tor ha'zahav) one means a bit before the Rambam, but that is also what anyone would say.

**Speaker 2:** I mean not just casually, but it appears that the Rambam understood this. He says that today — perhaps he means during the exile — this is the purpose of the exile. This doesn't exist. This is the purpose of the Torah, that one must have a Holy Temple (Beis HaMikdash) with all these things.

### **Rambam Laws of Dispositions Chapter 6 (Continued)** — **Living in a Bad Environment, Cleaving to the Wise, and Love of Fellow Jews**

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#### **Law 1 (Continued) — "And If All the Cities... Conduct Themselves in a Bad Way"**

##### **The Rambam's Own Time — "Like Our Times"**

He says: **"V'im hayu kol ha'medinos she'yodei'a v'shomei'a shmu'asan nohagim b'derech lo tovah k'mo zmanenu"** — the Rambam says here an astonishing thing, like in his time. He already says before where Jews live, he says what he hears. Perhaps you are right in the approach that Jews is yet another matter, because Jews are good.

I mean, the Rambam — he did not live in the worst period of society. That is to say, he lived in a Torah environment, but in a time that was not so bad. When you compare it to all other generations, I don't know — it could be that it was among the better ones. Indeed, when one says "the Golden Age" one means a bit before the Rambam, but that is also a Talmudic thing to mean, not Mishnah — Rambam. But it appears that the Rambam understood this.

##### **The Connection to Exile and Destruction**

He says that today — perhaps he means in the days of exile — that this is the purpose of the exile. This doesn't exist. This is the purpose of the Torah, that one must have a Holy Temple with all these things. All in all he says, this is the way to create a good society. It is not possible with less than this — with a Jewish king, with a court of law (beis din), with all these things. This is what we learned earlier, that one must live in a city where there is a court that punishes for sin. It doesn't exist — the whole world is one city.

##### **"Or If He Cannot Go" — When One Cannot Leave**

He says: **"O she'eino yachol leilech li'medinos she'minhagoseihen tovim"** — or he knows of a place where there are good customs, but he cannot go there — **"mipnei ha'geyasos"**, there are wars, **"o mipnei ha'choli"**, illnesses. That means he is sick.

**"Yeishev levado yechidi"** — there is no other option; he must be alone. He cannot go there — **"yeishev badad v'vidom"** — "let him sit alone and be silent."

This speaks very well. It comes to the end of the destruction of the Holy Temple, he says: "A year, I have no other choice, I must be alone, because I will be in exile, I don't want to learn from bad people."

##### **"Sit Alone" — Alone in the City**

And if that is the case — this means he should live in his city, but only I in my home conduct myself well. And this is soon what he means in the city, because afterward he speaks about leaving the city. Here he speaks about being in the city.

**"V'im hayu bnei veiso manhigim oso la'avodas Hashem"** — very good. I once heard, someone said, a great righteous person said: even if the whole world will be religious, and he points to the service of God.

##### **"What Should He Do" — When One Is Forced to Participate**

It says in the Rambam: **"U'mah ya'aseh adam she'kol anshei medinaso ra'im v'chata'im, v'ein manichin oso la'asok ba'Torah u'va'mitzvos, ela im kein nis'arev imahen v'nahag b'minhagam ha'ra?"** — he is forced to conduct himself like them. He says, he cannot even, he doesn't have the option of "being alone and it being good for him."

**"What should a person do if all the people of his country are wicked and sinful?"** — This refers to Sodom. I mean, this was Sodom, when they said "bring them out" — everyone had to be like the wicked. You want advice? There is no advice. The advice is: **"He should go out to caves, to thorns, and to deserts"** — he should go out to the desert, **"and not conduct himself in the way of sinners."**

##### **Discussion: What Does "Chochim" Mean?**

Speaker 2: Chochim? What is that? Chochim.

Speaker 1: Chochim? He should go out to chochim?

Speaker 2: Chochim, chochim v'kotzim (thorns and thistles).

Speaker 1: Ah, yes, chochim. Chochim is a... chochim, he says there among thorns, yes, chochim, among thorns. He should go to where people don't live.

##### **"And He Should Not Despair of Mercy"**

In short, he should go out and hide — **"and not conduct himself in the way of sinners, and not despair of mercy"** — he should not give up.

##### **The Verse "Who Would Give Me a Lodging Place for Wayfarers in the Desert"**

**"And so it says, 'Who would give me a lodging place for wayfarers in the desert'"** — the one who says, if only I could be in the desert, further "a lodging place for wayfarers." Where only travelers pass through. This means, people who belong somewhere, living in a desert. But I will be there as a guest, and a person finds a tent, a guest in a tent — he should settle himself out in the desert.

##### **The Parable of the Exodus from Egypt**

And so it was with the Jews — the Jews couldn't remain in Egypt, it was a place of idolatry (avodah zarah), so they had to be taken out into the desert, and there receive the Torah until they would receive the Land of Israel.

##### **Jeremiah's Lament Versus Practical Law**

But further, there is Jeremiah — simply speaking, he doesn't literally mean to say one should leave, one should go do that there. But the Rambam learned that we derive from this, because simply Jeremiah is complaining, he says: "I want to leave here, it's all wicked people." The Rambam says: Yes, indeed, that's what one should do — one must leave, one must go to the desert.

##### **Question: Why Didn't the Rambam Himself Go to the Desert?**

Why didn't the Rambam go to the desert? Presumably because he perhaps held that he could indeed be alone — so he stayed.

##### **The Story with the Satmar Rebbe and the Chazon Ish**

I mean, there is the well-known story that the Satmar Rebbe and the Chazon Ish spoke about this, the Rambam. The Satmar Rebbe challenged the Chazon Ish: How can one live in

a place of wicked people? He answered that the yeshivos are like deserts. I mean, he meant it sincerely — that if you do find a way that in this building you live and you are minimally not influenced, then that is a desert.

But for a Jew it's not quite right, as I explained — there are indeed many things through which one is influenced that one cannot avoid. That this one will be a neighbor to the rabbi's daughter, I don't know whatever his problem was, I don't know.

#### **Question: What Does One Do When One Cannot Go to the Desert?**

Also, what the Rambam doesn't say further: "And if he is sickly and cannot go to the deserts" — one can't go to the desert, it's not realistic. What is he saying here? I don't understand what he wants. It's not practical law (halachah l'maaseh). The Rambam also didn't go to the desert, right? So what does it mean?

#### **Shemonah Perakim — Pious People Who Secluded Themselves in the Desert**

And we saw in Shemonah Perakim, we saw that the Rambam says that the pious ones (chasidim) who went to seclude themselves in the desert, it was because of this. Perhaps he means that sometimes there is a person who actually goes to a desert, to a monastery, to a yeshiva, as you say.

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#### **Halachah 2 — The Positive Commandment to Cling to Scholars and Their Students**

##### **From Common Sense to Commandment**

Okay. Now we're going to learn the mitzvah that basically says this, if you think about it. Basically he says that common sense (seichel hayashar) says one should surround oneself with righteous people. There is a mitzvah, a positive commandment (mitzvas aseh). It's not just good advice, rather it is a positive commandment **"to cling to scholars and their students,"** as it says **"and to Him you shall cling" (u'vo sidbak).**

##### **"Is It Possible for a Person to Cling to the Divine Presence?"**

And on this, the Sages say: **"Is it possible for a person to cling to the Divine Presence (Shechinah)?"**

Is this the first time the Rambam uses the word "Shechinah"? We already learned in the Laws of Prophets, I believe, the term "Shechinah." That Shechinah means God, the Divine Intellect.

**"Rather, this is what the Sages said in explaining this commandment"** — the Sages interpreted, what does "and to Him you shall cling" mean? **"Cling to scholars and their students."**

##### **How Can a Person Achieve Perfection?**

This seemingly fits with what we learned earlier in the Laws of Character Traits (Hilchos De'os), that the way of God is the good path, the middle path, the way of the wise. This is "and to Him you shall cling."

But now he says, how? Perhaps he means to explain the question: How can a person achieve perfection? What does "Is it possible to cling to the Shechinah" mean? How can one even walk in the ways of being gracious and merciful? The advice is that you surround yourself with the righteous and you will learn from them.

##### **Practical Ways of Clinging**

**"Therefore a person must endeavor to marry the daughter of a Torah scholar (talmid chacham)"** — he

must make great effort with his wife and with his father-in-law. He should marry a daughter of a Torah scholar. **"And marry off his daughter to a Torah scholar"** — because this way it will be his society, his family.

**"And to eat and drink with Torah scholars"** — even if the Torah scholars don't want to eat with them, as we learned that Torah scholars don't eat with... but he should go eat with Torah scholars. What will he do? He won't go sit at his own table; he'll sit with a few friends who are Torah scholars.

**"And to do business for Torah scholars"** — one should do business for Torah scholars or with Torah scholars.

**"To Connect with Them in Every Type of Connection" — The Point Is Influence, Not Honor**

**"To connect with them in every type of connection"** — one should connect with Torah scholars in all types of connections. The point here is not to give honor or to honor the Torah scholar — the point is so that you should be as much as possible with him, so that you should have his influence.

As it says **"and to cling to Him."**

##### **Discussion: The Difference Between "U'vo Sidbak" and "U'l'dovkah Bo"**

What is the difference between "u'vo sidbak" (and to Him you shall cling) and "u'l'dovkah bo" (and to cling to Him)? I don't know. From "u'l'dovkah bo" we learn "every type of connection," and from "u'vo sidbak" we learn the advice with the mitzvah? Or it's simply that he brings two verses because... I don't know.

It could be that Rabbeinu Yonah means that there should be a multiplicity of ways of clinging. Either way, one should always find ways of how to cling to Torah scholars.

##### **The Source for Going to the Rebbe's Table**

Here is the source for going to the rebbe's tisch (table), and conducting oneself the way the rebbe conducts himself — because you see how the rebbe runs the table. It's not simply that he comes to you; you come to him, and then you learn how to be a mensch (proper person).

##### **Discussion: "Chachamim" Versus "Talmidei Chachamim" — Why the Difference in Terminology**

The "study and practice" says "chachamim" (scholars), and here it says **"he should marry the daughter of talmidei chachamim"** (students of scholars). The chacham doesn't have that many daughters, right? So if you don't have a chacham, go to a talmid chacham. The talmid chacham is the one who clings to the chacham, right? Go to the closest one you can.

And the person who clings to the chacham is himself a talmid chacham — that is by definition, because he learns from his actions and becomes a talmid chacham. What is the chacham here? The chacham can influence a large public, and he takes one of his students and takes his wife — so it revolves within the group.

It could also be that the Rambam is precise here with the terminology. I see the language of the Sifrei on "u'vo sidbak" is "chachamim and their students" — that is indeed a formulation that says talmidei chachamim.

It could also simply be that when a person gets married he is usually a young man, he's not yet a chacham, he's a talmid chacham. He's still 15, 16, 20 — I don't know how old he can be. One can't be a chacham yet; one can be a talmid chacham at that point.

Speaker 2: What about talmidei chachamim? What about talmidei chachamim?

Speaker 1: Okay.

**"And Roll in the Dust of Their Feet"**

**"And so the Sages commanded and said: And roll in the dust of their feet"** — you should always be around them, to such an extent that if you won't walk, you'll become covered in dust from their feet. Meaning: that close should you go to them.

**"And drink their words with thirst"** — you should drink their words with thirst.

I think it also fits that when you see the scholars sitting up high, and you sit like this — I'm just saying — on a bench near something, I don't know, a bimah (platform), whatever it was in those days, and you sit below, it's literally as if you're sitting there where the dust of their feet is.

**Discussion: The Scholar's Obligation to Be Accessible**

But one must understand a bit — the chacham also wants to cling to a chacham, right? So the chacham, instead of letting all the common people who want to fulfill the mitzvah, he wants to go to his own rebbe.

So perhaps there is a mitzvah for a chacham to hold back, as they learned earlier that a chacham should let other people have access to him. So somewhere when a chacham knows he is already a great enough chacham, he should stop running to the greater scholars, and instead devote himself to the talmidei chachamim. I don't know.

So practically, is this a problem? I don't know.

**Discussion: Meshiv Davar — A Torah Scholar with an Unlearned Person**

So perhaps I'm thinking, when all the scholars will go to the greatest scholar, he won't have time to get to them. So now you ask, if there is a concept of meshiv davar (responding to matters), and a talmid chacham also wants to have a connection with a talmid chacham or with a chacham — so who fulfills the meshiv davar, the wealthy people or the other talmidei chachamim? And not to pair a talmid chacham with an am ha'aretz (unlearned person) — that is stated very negatively, and we learned that it's not even a pious mitzvah.

So how does this work? The problem that you have. It's not clear. There is a difference — I mean, in different generations there is a difference in the problem. Not the... yes, fine. You continue.

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**Halachah 3 — The Commandment of Loving Fellow Jews**

**The Order: From Torah Scholars to All of Israel**

So this was regarding Torah scholars. The first thing — one should roll in the dust of the Torah scholars. The most important friend you have, the friend who is a talmid chacham — for him, you don't need to be an equal, you should help him, do business for him, be around him.

After that, there is a general matter of loving all Jews — even a Jew who has bad habits, and it doesn't, you should not learn from him, but love him you must still. As long as he is not a complete wicked person (rasha gamur). It is a mitzvah upon every person to love — because when you encounter someone whom you must hate, you'll be informed then.

**"Love Your Neighbor as Yourself"**

Yes, **"It is a mitzvah upon every person to love each and every Jew as his own body, as it says 'Love your neighbor as yourself' (v'ahavta l'rei'acha kamocho)."** "Kamocho" (as yourself) means just as you love yourself, you should love the other person.

What does this mean literally?

**Rambam, Laws of Character Traits, Chapter 6 (Continued)**

**Halachah 4 — Loving Fellow Jews: "It Is a Mitzvah Upon Every Person to Love Each and Every Jew as His Own Body"**

**The General Commandment of Loving All Jews**

After that, there is a general matter of loving all Jews. Even a Jew who has bad habits, from whom we must not learn — but love him we must still, as long as he is not an apostate out of spite (mumar l'hach'is), as long as he is not a complete wicked person (rasha gamur).

**It is a mitzvah upon every person to love each and every Jew as his own body, as it says "Love your neighbor as yourself."**

When you encounter someone whom you must hate, you should remember then: **"It is a mitzvah upon every person to love each and every Jew as his own body, as it says 'Love your neighbor as yourself.'"** "Kamocho" means just as you love yourself, you must love the other person.

**The Rambam's Simple Interpretation of "Kamocho"**

What does this mean simply? The Rambam says: **"Therefore one must speak his praise and be careful with his money, just as he is careful with his own money and desires his own honor."** Just as a person protects his own money, and he is aware of his money, and he is aware of his honor — you should also pay attention to the other person's honor and the other person's money.

So the Rambam interprets it very simply: that you want things to go well for you, want things to go well for the other person.

**"One Who Gains Honor Through His Fellow's Shame — Has No Share in the World to Come"**

Regarding this, he brings here that one who gains honor through his fellow's shame — one who receives honor from the other person's embarrassment. This means, he becomes important because people see how foolish the other person is. He wants to be the smartest one in the group because he's smarter than the other person; he shows how much smarter he is than the other. The simple meaning is: you don't do this; your honor is much more important to you; you're ready to elevate your honor a bit by stepping on the other person's honor.

**"He has no share in the World to Come."**

Why is it so severe, "he has no share in the World to Come"? This is even regarding a positive commandment, but also "he has no share in the World to Come" — it is an important mitzvah. I don't know, it's very frightening. Perhaps we'll see in the "has no share in the World to Come" in Laws of Repentance (Hilchos Teshuvah), chapter 3; perhaps the Rambam will explain it there — he mentions it there.

One who gains honor through his fellow's shame — this is presumably the list of "has no share" that is there. Yes, one needs to look in Laws of Repentance, chapter 3, halachah 14.

The Rambam says there that these are things that are not truly "has no share," but since it's difficult — one needs to look at the commentaries there, and one will see the precise definition.

### Gaining Honor Through a Fellow's Shame — A Deep Human Weakness

Gaining honor through a fellow's shame is a very important matter. This is a very internal thing; people have this, because one measures oneself against one's friend and compares oneself, and one can show the contrast. When the other person says something foolish and you respond with something cleverer than him — that literally means, that is simply gaining honor through a fellow's shame. That is a harsh thing.

Because this is the simplest way of seeing that your honor is more important to you than the other person's — you are not fulfilling "Love your neighbor as yourself."

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### Halachah 5 — Love of the Convert

#### Two Positive Commandments Regarding a Righteous Convert

The Rambam says that "Israel" doesn't only mean someone who was born to Jews. Here comes in the love of the convert (ahavas ha'ger) — a new mitzvah, an extra mitzvah.

#### Ger Toshav — Laws for a Non-Jew Who Doesn't Serve Idolatry

The few halachos that exist regarding a ger toshav (resident alien) — for example, we learned yesterday in Mishnayos in Bava Metzia, I believe, regarding fraud (ona'ah), regarding not deceiving a ger toshav. A ger toshav means a non-Jew who doesn't serve idolatry, who is not a murderer, who is not a predatory person.

I think that when one lives in a non-Jewish area, one must consider that the non-Jews around, your neighbors, have a status like a ger toshav — regarding the matter that you should not commit fraud against them, you should not cause them suffering, you should not shame them, and so on. But this isn't relevant to our topic, because here we are speaking about a ger tzedek (righteous convert).

#### The Sefer HaChinuch's Broad Interpretation of "Ger" — Every Vulnerable Person

**Speaker 2:** And not only that, two things one can... You're saying that the Rambam is speaking that a ger is not just any, he has in mind a ger tzedek. You're saying that even a ger, a non-Jew, also has certain laws. There's also the reverse — a Jew who is from a different city, a different Chassidic group, a different side, he enters like an orphan and widow, because he is a vulnerable Jew, because he is a Jew who is more vulnerable.

**Speaker 1:** Does every ger fall into this? The Sefer HaChinuch says that the plain meaning of the text (peshuto shel mikra) doesn't necessarily mean specifically...

**Speaker 2:** You're saying there's no difference — even a non-Jew. But even a Jew can be a ger, not because he's a ger because his father is no longer Jewish, but because he arrives in a new city and doesn't know his way around.

**Speaker 1:** The Sefer HaChinuch says that the plain meaning of the text means this, and therefore this is also included in the mitzvah. But I'm saying that every person who is vulnerable falls under the category of ger, orphan, and widow.

**Speaker 2:** Okay. There are other ways of being vulnerable.

### "Under the Wings of the Divine Presence" — What Does "Wing" Mean?

**Speaker 1:** "The love of the convert who came and entered under the wings of the Divine Presence (tachas kanfei haShechinah)" — this is a Jew who converted, and this is a very beautiful expression. He entered under the wings of the Shechinah. The Shechinah spread out a wing and brings in more people besides the original family.

**Speaker 2:** I think the wing here means more like "the edge of a garment" (k'naf begadim) — under the Shechinah's apron, under the Shechinah's coat. It doesn't mean a wing like "as an eagle spreads its wings" (k'neshet yifros k'nafav). God is over the Jews.

**Speaker 1:** No, I say. I think kanfei haShechinah is the usual usage. I don't remember, I had a proof. Kanaf usually means — "I will return, I will return, I will take shelter under Your wings" (ashuva ashuva echeseh tachas k'nafecha).

**Speaker 2:** But it doesn't make sense. A bird's wings aren't something you go under. It's as if you're saying, "like an eagle" is the opposite — you fly on it. But under the wings doesn't really make sense.

**Speaker 1:** Under the wings, as we say "tachat knafayich" (under Your wings), like there by Ruth — she comes under the wings of Boaz — it means under his protection.

#### Two Positive Commandments — "Included Among Friends" and "Convert"

"The love of the convert who has come and entered under the wings of the Divine Presence — two positive commandments" — he is included among friends. First, he is a Jew — "ve'ahavta le'reiacha kamocho" (love your fellow as yourself). After that, he is a convert, the Torah said "ve'ahavtem et ha'ger" (you shall love the convert) — which is an extra mitzvah.

"He commanded regarding the love of the convert just as He commanded regarding the love of His Name" — the Almighty commanded that one should love a convert just as one should love Him. "Just as it says 've'ahavta et Hashem Elokecha' (you shall love the Lord your God), so too it says 've'ahavtem et ha'ger' (you shall love the convert)."

#### Discussion: "Ve'ahavta le" versus "Ve'ahavta et" — Is There a Difference?

Interestingly, it also says "ve'ahavta le'reiacha kamocho," but there the word "et" doesn't appear. Here it says "et ha'ger." It doesn't say "ve'ahavta et reiacha." Perhaps there is a difference between "ve'ahavta et" and "ve'ahavta le"? I think it means the same thing.

He brings some distinction between "le" and "et." He argues that there is a difference between "le" and "et" — that "le" means as he said earlier, "to speak in his praise" and to take care of him, as if you give him a light. And "et" means that one should love him — it's a new mitzvah, a different mitzvah. But it doesn't say that here. Here it simply says the same thing, just with an additional mitzvah. The interpretation he gives here on this page doesn't quite work.

#### Why Does the Almighty Especially Love Converts?

Okay, the Rambam continues: "The Holy One, Blessed be He, Himself loves converts, as it says 've'ohev ger' (and He loves the convert)."

After all, the Almighty also loves Jews — "ohev amo Yisrael" (who loves His people Israel). We have a verse: "ahavat olam ahavtich al ken meshachtich chesed" (with everlasting love I have loved you, therefore I have drawn you with kindness) — that refers to Jews. The Almighty loves Jews. But the Almighty has a special love for converts, because their Judaism came to them through self-sacrifice (mesirut nefesh). He left behind his nation and his homeland. The Almighty Himself loves converts. **"And therefore, in His ways"** — one must also love converts.

#### A Possible Distinction in the Essence of the Two Loves

It could be that this is correct: that "ve'ahavta le'reiacha kamocha" means you shouldn't hurt him and you should watch his honor, and "ve'ahavtem et ha'ger" means you should look up to his self-sacrifice, you should have a certain admiration for him because he is a convert — the courage to become a Jew.

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#### Halacha 6 — "Lo tisna et achicha bilvavecha" (Do Not Hate Your Brother in Your Heart)

##### The Prohibition Applies Only to Hatred in the Heart

The Rambam continues — this is the positive commandment of "ve'ahavta." **"Anyone who hates any Jew in his heart violates a negative commandment, as it says 'lo tisna et achicha bilvavecha' (do not hate your brother in your heart)"** — someone who hates a fellow Jew in his heart, he hates him but doesn't tell him, it remains in his heart.

The Rambam says: **"One does not receive lashes for this prohibition, because it involves no action."** What is the entire decree of the Torah? **"Only regarding hatred in the heart"** — the word "hatred" refers to when one hates in the heart and does nothing about it.

**"But one who strikes his fellow or insults his fellow, even though he is not permitted to do so"** — certainly one may not — **"he does not violate 'lo tisna' (do not hate)."**

Interestingly, the Rambam says that the prohibition of "lo tisna" does not apply. He hasn't counted the prohibition of "lo tisna." It's an extra prohibition, but he doesn't violate "lo tisna." So, one could say that he hates in his heart, plus he also hit him. The Rambam says that the word "bilvavecha" (in your heart) — that is the heart. That's how it appears.

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#### Halacha 7 — "Hochei'ach tochi'ach et amitecha" (You Shall Surely Rebuke Your Fellow): The Remedy for Hatred in the Heart

##### The Main Interpretation: Bringing Out What Is in the Heart

And he goes on to learn — apparently, the remedy for this is the next mitzvah.

The Rambam says: **"When one person sins against another, he should not hate him and remain silent."** What do you do then? The remedy is as follows: **"When one person sins against another, he should not hate him and remain silent, as it says regarding the wicked: 'And Avshalom did not speak with Amnon, neither bad nor good, for Avshalom hated Amnon.'"**

If one tells him, one doesn't violate anything at all. It says in the Sefer HaMitzvot: **"That He commanded us to inform the one we hate of our hatred, until we tell him what**

**we hate him for, and this is His statement 'hochei'ach tochi'ach et amitecha' (you shall surely rebuke your fellow)."**

The Rambam says: **"Rather, it is a mitzvah upon him to inform him and say to him, 'Why did you do such and such to me? Why did you sin against me in this matter?' as it says 'hochei'ach tochi'ach et amitecha.'"**

##### Avshalom and Amnon — "Regarding the Wicked"

The Rambam calls them wicked, he gives a general expression about them. Children of King David, yes, it records wrongs that they did, but...

Again, the Rambam calls them wicked. Wicked — there are, I know, Esav, Achav. This is after all from the whole story that Amnon violated Tamar, and Avshalom wanted to take revenge on him — that's the whole story. Okay, the expression "regarding the wicked" is interesting. Yes, they conduct themselves with wickedness. If someone asks, "Who is called wicked in the Torah?" one would say Pharaoh, Haman — it wouldn't occur to say Avshalom and Amnon, but it says so here. Avshalom — not Amnon — he remained silent about Amnon.

##### "Hochei'ach Tochi'ach" — Not Giving Mussar, But Communication

**"Rather, it is a mitzvah upon him to inform him and say to him, 'Why did you do such and such to me? Why did you sin against me in this matter?' as it says 'hochei'ach tochi'ach et amitecha.'"**

The Rambam says here that the main, simple concept of "hochei'ach tochi'ach" doesn't mean rebuking someone about a mitzvah they're not doing properly or something, rather it simply means bringing out what is in the heart — having what we call today normal communication skills, being able to talk to a person, being able to say what hurts. I think this is much more than what we call normal communication skills — I mean it that way.

##### Practical Application: "He Should Understand on His Own"

And one should have a lot of sense, and one must be very meticulous about this mitzvah — I hold very strongly of it. You have a complaint against someone? If not, then he also doesn't hold it in his heart either.

You're not at the point of telling the other person, and what should you have in your heart? What is perhaps the word? Meaning, if you truly hold — many times a person says: "For such a small thing I should tell him?" Okay, if it's for such a small thing, are you done being his friend? You need to make it work somehow. Many times the whole system works on things you wouldn't have said because you're too proud to say.

But if you would have said it in a slightly different way — he's such a fool, you can't understand if you want to tell him. But if you truly don't hold that he's someone who doesn't understand how to deal with people, but if you would have ever held enough that one can talk, if he's lucky he understood — then he committed a wrong.

I think this is very important. There are people who walk around embittered for years because the person says: "What do you mean? He should understand on his own." You didn't demand for your own honor, and he should understand on his own. Shalom bayit (domestic harmony) — people can carry things around for years in their hearts because "he should have understood on his own." If he could ever break down and

say it, his life would have been easier. Maybe he doesn't understand? Maybe he wants to understand, he just needs to hear it.

Yes, one can also think—

## **Rambam, Hilchot De'ot Chapter 6 (continued) — Forgiveness, Rebuke, and Shaming**

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### **Forgiveness — "He Should Understand on His Own"**

**Speaker 1:** If you would have ever held enough that one can talk, if forgiving him he understood, then he committed a wrong... I think this is very important. There are people who walk around embittered for years because of this thing called "he should understand on his own." You didn't demand for your own honor, and he should understand on his own.

Shalom bayit — people can carry things around for years in their hearts because he should have understood on his own. If he could ever break down and say it, life would have been easier. Maybe what doesn't he understand? Maybe he would have understood if he would have ever said it.

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### **The Rambam — Forgiveness After a Request: Avimelech and Avraham**

**Speaker 2:** Yes, one can also think — we once discussed this, we learned this. There's a question: what about Avraham with "**ve'atah hashev eshet ha'ish**" (and now, return the man's wife)?

**Speaker 1:** Yes, here there's such a thing — every matter can be made into a contradiction. Yes, one can make a contradiction out of everything. But in truth, "**hochei'ach tochi'ach et amitecha**" is also a mitzvah of rebuke regarding a sin. Because when the other person wrongs someone, he committed a sin of not being careful with his fellow's honor. Okay. He didn't fulfill "**ve'ahavta le'reiacha kamocho.**" That is what the Rambam holds.

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### **Halacha 8 (continued) — "And If He Returns and Asks for Forgiveness"**

Where is the next section? The Rambam discusses this. The Rambam says: "**And if he returns and asks for forgiveness, one must forgive him, and the forgiver should not be**" — the person who must forgive, the interesting language — "**and the forgiver should not be cruel, as it says 'and Avraham prayed to God.'**"

We already know that after Avimelech asked Avraham for forgiveness, Avraham indeed prayed for him.

The Rambam continues: "**Even though he caused him suffering and sought to kill him**" — he truly did a great wrong to Avraham, but once he asked him for forgiveness and begged him.

"**And Avraham rebuked Avimelech**" — not on that verse, it says it regarding a different matter. Yes, he prayed, and in a different place it says he rebuked him. Does it say it here? No, here it doesn't say he rebuked him; here it says the opposite, that Avimelech had complaints. But I remember that in a different place it says later, when he took the well, it says "**vayochi'ach Avraham et Avimelech**" (and Avraham rebuked Avimelech). But in any case, here we see that he truly did him a great wrong, and later Avraham forgave him again

and even prayed that Avimelech should be saved from the illness, not be stopped from whatever happened there.

This is apparently also the approach in Hilchot Teshuva (Laws of Repentance), but this is not the place for the laws of forgiveness — we will learn more things there about how one should forgive.

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### **Halacha 9 — Rebuke Regarding Sins: "One Who Sees His Fellow Sinning"**

The Rambam says — oh, excuse me — further. The Rambam goes on to say what else is included in "**hochei'ach tochi'ach et amitecha**"? Not only when he wrongs you, but: "**One who sees his fellow sinning or going on a bad path, it is a mitzvah to bring him back to the good and to inform him that he is sinning against himself through his evil deeds, as it says 'hochei'ach tochi'ach et amitecha.'**" This is also among the great mitzvot.

#### **Rebuke Only in a Healthy Society**

**Speaker 2:** Yes. It's true, we're talking here after they are already a healthy society with upright people.

**Speaker 1:** Just like that — when you're with a group of wicked people, are you going to go around rebuking everyone and it won't help? You're in a good place, and one of the people stumbles, you need to rebuke him. I mean exactly this: if such a person hangs around with wicked people, what are you going to be the one who keeps giving mussar and saying? It won't work.

#### **A Matter That Won't Be Heeded (Davar She'eino Nishma)**

**Speaker 2:** Perhaps this also relates to the topic of *davar she'eino nishma* (a matter that won't be heeded), which they haven't yet learned here.

**Speaker 1:** Yes, he didn't bring it here, but it was brought earlier. When he discussed rebuke, he said that one rebukes only in private matters between them. It could be that the same thing applies in interpersonal matters too — if you truly know that he won't listen, perhaps there is no mitzvah. I don't know.

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### **Halacha 10 — The Manner of Rebuke: Gently and with Soft Language**

The Rambam continues: "**One who rebukes his fellow, whether in matters between him and his fellow, or in matters between him and God**" — both the first type of rebuke, where he tells him you should know that you're not considerate, you're hurting me, you didn't value my honor, or in matters between him and God — "**he must rebuke him privately.**" He must tell him quietly, when only the two of them are there. "**And he should speak to him gently and with soft language, and inform him that he is only saying this for his benefit**" — he should let him know, you should know I'm saying this for your good. He must actually mean it for his benefit beforehand, only then can he inform him. "**To bring him to the life of the World to Come.**" The Rambam derives this from the verse "**ve'lo tisa alav chet**" (and you shall not bear sin because of him). He's going to bring it. But apparently this also applies in interpersonal matters.

**Discussion:** "**To Bring Him to the Life of the World to Come**" — **How Does This Fit with Interpersonal Matters?**

**Speaker 2:** Or does that only refer to matters between man and God?

**Speaker 1:** Both — he says matters between him and God.

**Speaker 2:** I understand, but it doesn't make sense. How does "to bring him to the life of the World to Come" fit in?

**Speaker 1:** What? How does "to bring him to the life of the World to Come" fit in?

**Speaker 2:** Matters between him and God too? You should know, you're not fulfilling mitzvot, you'll leave this world.

**Speaker 1:** Yes, indeed, that concerns me — I'm not going to be bothered by that.

But in practice, he brings it in as well. It's not — "to bring" doesn't mean to say that perhaps this is my entire purpose. You should know, what I'm telling you now is something that is good for you.

So perhaps you can say that if it's interpersonal, it could be life in this world. You want me to be your friend? True, get a hold of yourself, fix it, I can be your friend. So why does it need to be "to the life of the World to Come"? How does that fit in here?

So perhaps it could be that "for his benefit, to bring him to the life of the World to Come" applies more to matters between man and God. Or perhaps one can interpret "for his benefit" as interpersonal, and "to the life of the World to Come" as between man and God.

Because I don't want you to think that the Almighty is a policeman. No, I want to help you. The Almighty doesn't need a policeman. I want to help you, I want you to have a good life, I mean you. What does "the life of the World to Come" mean?

**Speaker 2:** Yes.

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**Halacha 10 (continued) — Until When Must One Rebuke?**

**Speaker 1:** So, the Rambam continues: "**if he accepted it from him**" — after he gave him mussar, if the one he rebuked accepted it — that's wonderful, "**good.**" "**And if not,**" one must try "**a second time,**" he should rebuke him a second time and a third time. "**And so, one is always obligated to rebuke him**" — not just a third time, but forever, he must rebuke him — "**until the sinner strikes him and says to him, 'I will not listen'**" — until the sinner actually strikes him, or, as the Rambam says, "strikes him and says to him" — or perhaps either of the two: he strikes him or he tells him I don't want to hear.

This is stated, and it is built on a Gemara that says, yes, until striking. Rava said until striking, Shmuel said until cursing. And the Rambam ruled until striking, but he also added the "says to him." So I don't know exactly.

**Why Does One Stop at Striking?**

So, because when he strikes him, he is further violating a prohibition — should he now rebuke him for the sin he's committing right now? But it could be that the point is that now the rebuke will bring more sins, it will bring more harm than good, because striking and cursing are both prohibitions — striking a Jew and cursing a Jew. But with the rebuke you're making him angrier, you could cause him to stumble with more sins.

But the stronger point is that the Rambam means to say that "struck" — as the Meiri brings — "struck, meaning 'I don't want to.'" That means, until then you make it very clear to him that you're not interested. That until then, he actually is interested. After all, the concept is "at first he pushes away" — he actually is interested deep down.

**Practical Understanding: "A Second and Third Time"**

I believe the Rambam here doesn't mean that one should be a clever nag. If you're tormenting him, you tell him once, then a second time, a second and third time — it means, think perhaps a few months later, perhaps he's become a bit more reflective, perhaps he understands better. This needs to be understood properly.

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**"And Anyone Who Has the Ability to Protest and Does Not Protest"**

And the Rambam warns: "**And anyone who has the ability to protest and does not protest**" — interestingly, here he already calls it "protesting" (mocha), he no longer calls it "rebuke" (tochecha).

**Discussion: Protest (Mecha'ah) vs. Rebuke (Tochecha)**

Does he mean the same thing? Yes, yes. This is what today's rabbis say — that there is a "mitzvah of protest" which is not rebuke — such nonsense has entered the world, it has no source whatsoever. Protest means telling the other person in a way that can help. Simply protesting into thin air is nothing at all.

**"And anyone who has the ability to protest and does not protest"** — he doesn't try to stop the other from his sin — "**he is held accountable for the sins of all of them.**" Why? "**Because it is possible for him to protest against them**" — because it is possible for him, it is feasible for him to protest, and he doesn't protest, and he is held accountable for all those sins. Why? Because he is responsible for them.

**Discussion: Why Is He "Held Accountable"?**

**Speaker 2:** But he's talking about members of his household, people that you are...

**Speaker 1:** The Rambam didn't bring here the topic of "kol Yisrael areivim zeh la'zeh" (all of Israel are guarantors for one another), that this is relevant. But it's not clear why he is held accountable. He is also held accountable.

**Speaker 2:** No, I mean he is held accountable because a person is influenced by his companions.

**Speaker 1:** Ah, now you're saying a nice interpretation. When he protests... "caught" means that he... but protesting is in order for the other person to become better. Protesting is not because I want to be the one who protested.

**Speaker 2:** No, but there are also those who say that I protest so that I should remember that it doesn't become a normal thing. Every time I see that person committing a sin, I say something, because I don't want to forget, because a person is influenced.

**Speaker 1:** But that's not what the Rambam says. That Torah is such a modern Torah, I don't hold of it. I mean, it's simple — if you can prevent it, then... then of course you're right.

It's certainly not the same severity as what the other person did, but sometimes there is a... What is yes, your responsibility is like a father or someone who is the leader and the like, it's your job. But perhaps he's not speaking about that case

l'chatchila (ideally). But that's what "yochal" means — the wise man "yochal" means if you can accomplish something, you can't accomplish something, you can only write a note — I have a blessing in vain (bracha l'vatala), there's no permission to speak nonsense.

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#### **Halacha 11 — "One who rebukes his fellow, initially"**

But the Rambam continues: **"One who rebukes his fellow, initially"** — when a person rebukes his friend, "initially" — "initially" apparently means the beginning, the first time, because later perhaps it's needed.

**Speaker 2:** Perhaps later, yes.

**Speaker 1:** I hold I'm at a question, it's certain that it's already something more. But he means don't begin...

**"Initially,"** he says, **"he should not speak harshly to him until he shames him, that he should not say to him 'aren't you ashamed of your deeds' and the like."** He should not speak to him sternly and shame him with his words, **"that he should not say to him 'aren't you ashamed of your deeds' and the like."** He should properly... This is what we already said earlier, "gently and with soft language." The Rambam brings it later.

**The Source:** "And you shall not bear sin because of him"

**"For so said Solomon, 'the faces of the one being rebuked change'"** — that the face changes, his face becomes ashamed, he becomes embarrassed, **"and they say to him 'aren't you ashamed of your deeds.'"**

Ah, it's very interesting. The prohibition to shame a Jew, we learn from this: **"So I have heard that it is forbidden for a person to shame a Jew, and know that one does not rebuke him in public."** It's certainly not. This is like the "mouth of Shmuel" that we said — that we learn from this, even someone who deserves to have shame, one may not shame him. All the more so that you shouldn't come here and just shame someone — certainly it's forbidden.

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#### **Halacha 12 — Whitening the face (public humiliation): "It is a great sin"**

The Rambam says: **"Even though one who shames his fellow does not receive lashes"** — here he goes on to discuss the prohibition of halbanat panim (whitening the face, i.e., public humiliation). Here he enters the topic of halbanat panim.

**"Even though one who shames his fellow does not receive lashes"** — even though one doesn't receive lashes.

#### **Why doesn't one receive lashes?**

It's perhaps a lav she'ein bo ma'aseh (a negative commandment without an action), because the shaming is without a physical action. As if when a person says something to another, he doesn't yet know how strongly the other will be shamed. The whitening of the face is not an action. Perhaps it's not exactly a lav, it's a lav she'ein bo ma'aseh, he brings. Why is it called a lav she'ein bo ma'aseh? Perhaps because speech is not considered an action, there's such a concept. Okay.

But it doesn't help, it's not because of this that it's less severe — this is very:

**"It is a great sin, so said the Sages"** — it's also counted among the warnings by Rabbi Eliezer ben Hyrkanos'

repentance? I mean so. Not Rabbi Eliezer ben Hyrkanos' repentance, by "those who have no share in the World to Come."

**"So said the Sages, one who whitens the face of his fellow in public has no share in the World to Come"** — here he says specifically in public.

**Discussion:** "In public" — the distinction

**Speaker 2:** But in private, perhaps one doesn't have a share?

**Speaker 1:** Ah, "so said the Sages" — it's also a prohibition.

**"Therefore a person must be careful in this matter not to shame his fellow in public, whether small or great."**

**Speaker 2:** Wait, how did the "in public" grow out? The public one may not desecrate, the Sages say in public.

**Speaker 1:** Yes. In public is worse, that's simple.

**Speaker 2:** Ah, only in public does one not have a share in the World to Come.

#### **Rambam, Laws of Character Traits, Chapter 6 (continued) — Public Humiliation, Measure of Piety, Widow and Orphan**

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#### **Halacha 13 — One should not shame his fellow in public**

**Speaker 1:** A person must be careful in this matter not to shame his fellow in public.

**Speaker 2:** Whether small.

**Speaker 1:** Wait, how did the "in public" come to grow out? The Rambam didn't elaborate on it. The Sages say in public.

**Speaker 2:** Yes.

**Speaker 1:** "In public" is worse, that's simple.

**Speaker 2:** Ah, only in public does he not have a share in the World to Come?

**Speaker 1:** In public is worse. In private it's also forbidden, but in public is worse.

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**Discussion:** "Whether small or great" — What does "small" mean?

**Speaker 2:** The Rambam says, a person must be careful in this matter not to shame his fellow in public, whether small or great. It means "great" — does it mean even a small person? A small one you can already show?

**Speaker 1:** Even a small one, a Jew who doesn't yet observe all the commandments.

**Speaker 2:** It means mature enough to learn with him?

**Speaker 1:** Yes, it could be. It's important. Indeed, a teacher (melamed) can stumble with halbanat panim 25 times a day.

**Speaker 2:** Perhaps one can find a heter (leniency) for the teacher perhaps?

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**"And he should not call him by a name that he is ashamed of"** — Giving a nickname to one's fellow

**Speaker 1:** Okay. **And he should not call him by a name that he is ashamed of.** Here the Rambam brings what it says "one who gives a nickname to his fellow" — he calls him a name that he's ashamed of. Every time you call him that name, you shame him.

**And he should not tell before him something that he is ashamed of.** He should not tell something that he's ashamed of. This is apparently what the Gemara that you mentioned earlier in Tractate Arachin says.

**Speaker 2:** From ona'at devarim (verbal oppression), right?

**Speaker 1:** They learned ona'at devarim?

**Speaker 2:** No, ona'ah is the mitzvah from the 613 mitzvot, perhaps by that mitzvah. But there it says such a thing.

**Speaker 1:** Yes, but one tells, even things that are true. Here it says the word, or even a name — many people call him by that name, because you know that he doesn't like it, he's ashamed of that name — you don't call him that.

**Speaker 2:** It's very common with children, one shames and doesn't think about it.

**Speaker 1:** Yes. That's why we say these sermons (drashos), so that people should take it upon themselves, remind themselves.

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**Halacha 14 — The distinction between "between man and his fellow" and "matters of Heaven"**

**Speaker 1: When are these things said? In matters between man and his fellow.** This is — one may not mention that the other person did something between man and his fellow and shame him with it.

**But matters of Heaven** — if someone committed a sin against Heaven, indeed a person desecrated God's name let's say — **if he did not repent in private...** It means he committed a sin and they tried to rebuke him. He goes back apparently.

You need to remember this, you need to keep this assumption in mind regarding the topic of rebuke (tochachah). He's going back now to the topic of rebuke. When a person is... I know, between man and his fellow, even when I'm rebuking him — because I have, if you have complaints against him, you certainly cannot do it in public, God forbid.

**If he did not repent** — when I warned him in private... right, but this only works for matters between him and God. The complaints I have against him, I can never do in public. Except perhaps for a sin, but just a person I have complaints against, I need to tell him, but I can never shame him.

But he commits a sin — **if he did not repent**, when I warned him in private, then **we shame him in public and publicize his sin and revile him to his face.**

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**The distinction between protest (mecha'ah) and rebuke (hochachah)**

This is the matter of protest that you said earlier — this is not a matter of protest. This is rebuke. Protest means I protest into the world; rebuke means I try to make the person better.

But here there is a matter of in public, literally in public, **so that they should be ashamed of him. We revile him to his face, so that they should be ashamed of him, and we disgrace him and curse him until he returns to the good path.**

The distinction between protest and rebuke is: the protest doesn't think at all about how he's going to make the other person better. He holds that it's a mitzvah that I must protest — there's no such thing that I must protest. They mean that

this is the way one goes about protesting against the other person.

But the Rambam began with "one who rebukes his fellow" — he first tried to draw him close, he tried to be humble, until he returns to the good path, **as all the prophets of Israel did.**

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**What did the prophets actually do?**

The Rambam says, this is what the prophets did. The prophets said sharp language, and they disgraced Jews, and they said all the things they said. But they rebuked in private, and they said that they had no other recourse, so they began to rebuke in public.

By the way, there's almost no case among the prophets where they spoke about a specific person — perhaps about the king. But most prophets spoke in general terms, they shamed Israel collectively. Perhaps that's also not quite right.

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**Digression: The Baal Shem Tov's criticism of "rebukers"**

The Baal Shem Tov said that all these rebukers who only speak against Jews are arousing the Satan. One of the great criticisms of the Baal Shem Tov was that people used to travel around and make a living from bashing Jews. So what, you bash Jews? You're on the side of the Satan who bashes Jews. There's no such thing. There's no such thing that you should say such a good sermon. He asks, you have a good piece for me? It's self-serving, literally.

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**Halacha 15 — One whose fellow sinned against him and didn't want to rebuke him — a measure of piety**

**Speaker 1:** The Rambam says, one who rebukes his fellow... okay. Now — here you see very well. We asked the question, I perhaps remembered it in the back of my mind, I'm speaking here. We said earlier that one must tell the other person. The Rambam says, no more than this. If you want to forgive him in your heart, you can.

**Speaker 2:** But he says, yes? Yes. Yes. Yes.

**Speaker 1: One whose fellow sinned against him, and he did not want to rebuke him or say anything to him, because the sinner is very much a commoner, or because his mind is confused, and he forgave him in his heart, and did not hate him and did not rebuke him — this is a measure of piety (midat chasidut). And the Torah is only strict about hatred.**

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**The main point: Hatred in the heart**

The Torah is primarily strict about hating in the heart. That's the main point. Because then the hatred always gets worse, until it bursts out.

It's interesting, because when the friend wronged you, it's also that the friend transgressed a prohibition. Why is it so different from when he transgresses a prohibition against Heaven? Apparently, when you were offended that he transgressed, you should have had compassion that you were wronged.

Perhaps because of this the Rambam inserts "very much a commoner" — he means to say, I have this question now, I always have this question.

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### **Practical halacha l'ma'aseh: What does one do with a person who is not your friend?**

I have various people whom I hold do wrongs or do offenses. And forgiving doesn't matter. When I think about giving him a call — here, people — if he's a good friend of mine, on the contrary, then it's everything in life. He fixes it up, he wants me to make it hard for him.

But he's not a friend, he's a person I need to deal with, he's not my friend. So what do I think? An explicit verse — you must tell him. You hate him, a Jew, you hate a Jew in your heart, you must tell him.

So I say, I forgive, forget about it. What do you mean you forgive? I don't hate — forgiven. So I say, I hold he's a boor. So I say, the Rambam says — I'll tell you the truth — he's very much a commoner. His mind is confused. He's unfortunately caught up in some cold thing that one has to believe in doing, I know what.

I forgive him in my heart. It's not a genuine forgiveness, right? Actively forgiving. You put him into some category — he's one of those people who truly, I don't hate him. Exactly, I don't hate him, because I understand that he's unfortunately caught up, he's a tinok she'nishba (a captured child, i.e., one who doesn't know better).

Okay. This is somewhat a measure of piety. To judge that the other person has a confused mind? I don't know. One needs to be precise that this alone is not hatred. I don't know.

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#### **Discussion: "Measure of piety" in practice**

**Speaker 2:** Don't you have the Chassidic expression in chavrusa, "that one is piety to me"? Which one? That he only has his few good friends, and he's different with each one.

**Speaker 1:** No, I don't know. If someone has advice — one of ours who learns with us — let them say the advice, the practical halacha, what is the halacha l'ma'aseh. Is there a rabbi who is relevant, or Yashle over there? People don't ask the rabbis this question, right? No, nobody called to say the halacha for their part.

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#### **Digression: Rabbi Shlomo Zalman Auerbach on Erev Yom Kippur**

I saw, Rabbi Shlomo Zalman said to his son on Erev Yom Kippur, he said: "I've received so many questions, all kinds of questions, about all kinds of halachot — about the fasts, or this. Nobody asked me which halachot of repentance (teshuvah), how to do teshuvah."

Why? It scares the group even more. Yes, how to appease the other person, whether one needs to.

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#### **Discussion: Whether one needs to appease when the other person doesn't know**

**Speaker 1:** I think there's a nice dispute in halacha here, and it's more relevant in the laws of the Ten Days of Repentance, where it says to appease — whether one needs to appease when the other person doesn't know.

Here it appears that the appeasing is a matter when there is hatred, when there is animosity. I know, the Chofetz Chaim says one must appease even if the other person doesn't know — because one spoke about him.

But here we're talking about the opposite — here we're talking about the other person having done something to you, that the one who was hurt should go and say. It's actually a different point essentially.

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### **Halacha 16 — A person is obligated to be careful with orphans and widows**

**Speaker 1:** The Rambam continues, now there's a new category of people toward whom one must have a certain attitude. There's another mitzvah, yes? We're still on the list of mitzvot. Here is a mitzvah of... where is the mitzvot, the list of mitzvot quickly? We're already at the end, right? It's almost the end.

So here we learned, basically the first five chapters were the first mitzvah. After that we learned "love your fellow," "love the convert," "do not take revenge," "do not bear a grudge," "not to whiten faces." Here we are now — kindness. **"And not to oppress a widow or orphan."**

It's interesting how the Rambam read this. Here he says... here he calls it "widow and orphan," but it perhaps means character traits (de'ot).

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#### **"Their spirit is very low" — even wealthy ones**

**Speaker 1:** The Rambam says, **a person is obligated to be careful with orphans and widows, because their spirit is very low.** Their spirit is crushed. **Even if they are wealthy** — even if they have money.

**Speaker 2:** "Low spirit" — is this their being poor in spirit? Is this the same point, or is this a different expression?

**Speaker 1:** Interesting.

**Speaker 2:** Yes.

**Speaker 1:** **Even if they are wealthy.** And so it says in the Mishnah in Bava Metziah that oppression, or taking a pledge from a widow — **"you shall not take a widow's garment as a pledge"** — it says even if she has money. **Even the widow of a king and the orphans of a king, we are warned about them, as it says "any widow or orphan you shall not oppress."** Every widow and orphan — even if you think they have power — but a widow and orphan are very unfortunate and very vulnerable.

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#### **Discussion: Does the Rambam mean broader than just widow and orphan?**

**Speaker 2:** And what does one do, unfortunately, with such a person?

**Speaker 1:** The Rambam has a soft nature. The Rambam doesn't add that it means everyone who is very crushed. The Rambam holds that one understands it on one's own, and the Rambam actually doesn't hold that way.

**Speaker 2:** No, it looks like yes, because in the note he said "unfortunate ones." You see a precision, simply that he means not specifically.

**Speaker 1:** At the end he says, until when are they called orphans? He's actually talking about orphans here.

**Speaker 2:** Yes, but the opposite — when it says "orphans," it means to tell you that even the widow of a king, whom you see appears to be doing well, you should know that she is also crushed. That's the novelty. Someone whom you clearly see is

crushed is certainly included in the mitzvah. It's not the other way around.

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#### **Halacha 17 — How should one conduct oneself with them**

**Speaker 1:** Everyone, even the widow of a king — **"any widow... you shall not oppress"** — one should not cause pain, bother.

**Speaker 2:** There's a powerful expression "torment." I don't know if he means specifically torment. He says **"you shall not oppress."**

**Speaker 1:** Yes. **How does one conduct oneself with them?** The Rambam says: **One should speak to them only gently, and treat them only with respect, and not cause them physical pain through labor, nor pain their hearts with words.** One should not make them work hard, and one should not cause them pain. There is a way of causing pain physically, or by making them work hard. Causing pain to the heart is through speaking to them unkindly.

**And one should be more careful with their money than with one's own money.** One should be more protective of their money than one is protective of one's own money.

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#### **Chiddush: The Connection Between "The Most Common Person" and the Widow and Orphan**

I found it interesting — the enactment, the halacha that the Rambam said earlier — that when a fellow has caused you pain, you should think that he is a great fool, his mind is confused. Once he is a fool, he will be like a widow and orphan, because he is unfortunate — he can't, poor thing, figure out what to do, because nobody told him anything, because everything just goes in like with everyone else.

It's a nice Torah thought, but it's actually true — someone who is truly the most common of people, the simple meaning is that he is also unfortunate. He, poor thing, doesn't have any social skills, everyone bothers him, he gets hurt very quickly — so one should forgive him more quickly and not harbor any hatred in one's heart toward such a person.

But what he brings out is — that "widow" means to say, as he says regarding labor, it means someone who is an employee of a widow.

#### **Rambam, Laws of Character Traits, Chapter 6 (continued) — Widow and Orphan**

##### **The Fool as an "Unfortunate Person" — Connection to Widow and Orphan**

Once he is a fool, he has a status like a widow and orphan, because he is unfortunate. He can't manage to give himself advice, because you don't let him say anything, because you already get involved in everything.

It's a nice Torah thought, and it's actually true — someone who is truly the most common of people is indeed unfortunate. He, poor thing, doesn't have any social skills, everyone bothers him, he very quickly becomes degraded. One must forgive him more quickly and not harbor any hatred in one's heart toward such a person.

##### **The Concept of "Affliction" Regarding a Widow and Orphan — Sensitivity**

But what he brings out regarding being a widow — he means to say that as he says regarding labor, it means someone who is an employer of a widow, for example. You have a right to ask him, but you need to be extra specially kind. This is apparently the **"lo te'anun"** (you shall not afflict them). And the meaning of affliction is that if not, it is called affliction, since they are of a lowly spirit. It's their sensitivity — because affliction has to do with the person on the receiving end. It's more sensitive, because if you hit him a little, it's as if you hit someone else a lot.

There is indeed a law that one may not make a slave work with crushing labor, but the slave who becomes degraded much more quickly.

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#### **Halacha 18 — Anyone Who Taunts Them, Angers Them, or Pains Their Hearts**

##### **The Distinction Between Taunting, Angering, and Paining Their Hearts**

There is **anyone who taunts them, or angers them, or pains their hearts...** Do you know the distinction between taunting, angering, and paining their hearts?

- **Angering** — we know, it means he makes them upset.

- **Paining their hearts** — means he speaks unkindly and causes them pain.

- **Taunting** — means bothering, that it's nothing, one gets used to it.

What is the distinction between bothering and paining their hearts? It's similar, but taunting means provoking, agitating, or shaming, somehow.

##### **Lost Their Money — Not Necessarily Intentional**

**If he lost their money** — if you caused a loss of money, a certain type of loss. "Lost" means he certainly didn't actually destroy it intentionally, it means he wasn't as careful as one needs to be. So there are all these halachos that for a widow there is a claim on their behalf, or one must swear before a widow.

##### **The Punishment — "And My anger shall burn and I will kill you by the sword"**

A certain type of loss is only a loss, how much more so one who strikes them, but how much more so that he transgresses, because he transgresses regarding every Jew.

**This prohibition, even though one does not receive lashes for it, its punishment is explicitly stated in the Torah** — the Torah states a very harsh punishment, death by the sword. Not an ordinary sword, not a court-imposed death, but death by Heaven's hand through the sword. **"And My anger shall burn and I will kill you by the sword"**, and it is measure for measure — just as it states, because you mistreated a widow and an orphan. Very powerful.

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#### **Halacha 19 — A Covenant Was Made With Them**

The Rambam continues: **A covenant was made with them by the One Who spoke and the world came into being** — He made a covenant, "the One Who spoke and the world came into being," the Creator who created the world with His utterance.

An interesting thing — why does he insert this expression?

He said, the oath is an expression of the Sages, which is in the tractate, that **whenever they cry out due to violence** — when a widow and orphan cry out from violence, from someone wronging them — **they are answered**, as it says **"for if he shall cry out to Me, I will surely hear his cry."**

**Discussion: To Whom Does the Verse Refer?**

**"For if he shall cry out to Me"** — does it refer only to a widow? Does it also refer to an orphan? To a poor person too? No? A poor person you don't know.

Another thing — true, you can speak about a widow.

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**Halacha 20 — When Does This Apply: Affliction for One's Own Sake Versus Affliction for the Sake of Education**

Citing the words of the Rambam. The Rambam says: **"When does this apply? When one afflicted them for one's own interests"** — when he bothers them for his own interest. **"But if a teacher afflicted them in order to teach them Torah or a trade, or to lead them on the right path"** — their teacher who tries to take over the place of the father and teach them Torah and a trade, or educate them — **this is permitted.**

**"He Should Make a Distinction for Them"** — Affirmative Action

The Rambam says: **"Nevertheless, he should not treat them like everyone else"** — even the teacher who may and must, he still needs to be very careful. **"Rather, he should make a distinction for them"** — he should discriminate, a good discrimination. What does this mean? Affirmative action. He should make a proper arrangement, he should make a distinction. **"And guide them gently, with great compassion and with honor."**

I mean, the word "gently" — it appears very often in the Laws of Character Traits. Gentleness, calmness, is a great key.

**"With great compassion and with honor, for the Lord will plead their cause"** — because the Almighty fights for your widows and orphans.

**Chiddush: "Distinction" Doesn't Mean Letting Them Off — But Adapting One's Style**

But apparently the answer is the same thing. It will come later — the meaning is not that you let him off, but that a small bother for him is already a big slap for someone else. You simply need to take it to heart.

Your style with other people is not "that's my style." No, your style needs to adapt according to the person who is receiving it. If a person is very sensitive, you need to be more careful.

I just want to explain that the "distinction" doesn't mean that you let him off. On the contrary — you need to realize that for him, when you give him a small word, it already helps as much as a big slap for someone else, because he is more sensitive.

**"For the Lord Will Plead Their Cause" — The Difficult Test**

But he says it a bit differently — he says **"for the Lord will plead their cause."** It's a very difficult thing, because many times indeed the orphan or a child from a home that is not in order specifically needs much more discipline, and it's hard. It's a difficult test, this.

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**Halacha 20 (continued) — Definition of an Orphan**

**Whether Orphaned from a Father or Orphaned from a Mother**

The Rambam says: **"Whether orphaned from a father or orphaned from a mother."**

What does orphan mean? What is an orphan from a father? What is an orphan from a mother?

**Until When Is One Called an Orphan?**

**"Until when are they called orphans?"** — Until when is one called an orphan?

They have the "Council of Orphans" — the rabbi there said about the Etzas HaTorah, when the new rabbi whose father passed away.

Until when is one called an orphan? **"Until they no longer need an adult to rely upon to train them and care for them, but rather they can take care of all their own needs by themselves like all other adults."** From when one becomes independent, then he is already like a father, he doesn't need to be an orphan anymore. An orphan is as long as one is a child.

**Discussion: Until When Is One an "Orphan" in Today's Times?**

So, in today's times this is generally until marriage. In today's times — until one turns fifty!

No, I'm speaking realistically. True, in a certain way. But we're talking here — the halacha of the Rambam apparently means... Perhaps one can say each matter according to its context. In certain matters a person is an orphan at fifteen, in certain matters he is an orphan at fifty. True.

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Well, that was Chapter 6.