**Darchei Shalom – Global Citizenship in Jewish Thought**

The principles of *tz’dakah* - supporting the impoverished, empathising with the suffering and sharing wealth with those more needy - are bedrock values of Judaism. The *Torah* is replete with references and commandments related to these principles. As technology and global connectedness allow us to see tragedies and disasters from across the world as they happen, the thinking Jew is challenged. Does one need to provide money and assistance to non-Jewish people suffering? If not, why not? If one does, why is this such a taboo subject in the community? Is it right that by-and-large the Orthodox world has left ‘*tikkun olam’* to other denominations of Judaism?

The search for answers to these questions will take us on a fascinating journey through *halacha*, *hashkafa*, and Jewish history. It is not my intention to give *psak halacha* through this article, nor will we delve into the exact details of how to split one’s money between various competing causes. This will be a presentation of ideas and concepts related to this topic with the aim of informing, rather than persuading or instructing.

**The Core Source**

The core source underpinning the discussion regarding providing charitable assistance to non-Jewish people is the *gemara* in Gittin 61a:

*תנו רבנן: מפרנסים עניי נכרים עם עניי ישראל, ומבקרין חולי נכרים עם חולי ישראל, וקוברין מתי נכרים עם מתי ישראל, מפני דרכי שלום.*

*‘Our Rabbis taught, we provide for the non-Jewish poor with Israel’s poor, we visit the non-Jewish sick with Israel’s sick, and we bury the non-Jewish dead with Israel’s dead, due to the ways of peace.’*

There are two factors in this source which are elucidated by the commentators. First, what does the word ‘*im’* (with)mean in practical terms? Second, what does *‘darchei shalom’* (the ways of peace)mean?

**The Particularist Approach**

Rashi specifies that whilst one might think that the *gemara* is instructing us to bury non-Jewish corpses in the same graves as Jewish corpses, it is in fact only instructing us to bury a non-Jewish corpse if it is found amongst Jewish corpses. The word ‘with’ refers to **finding** the corpses in the same physical location; it does not refer to the need to **bury** the non-Jewish corpse in the same graves as Jewish corpses.

Rashba clarifies Rashi’s position and affirms that according to Rashi*,* one would not bury a non-Jewish corpse if one found it without the accompaniment of Jewish corpses. Bachextends Rashi’sreadingto apply to the other examples in the *gemara*; one would only support non-Jewish poor and visit non-Jewish sick if they are amongst a Jewish population.[[1]](#footnote-1)

The basis for Rashi’sposition is explained by Rashba*.* Rashiunderstands the concept of *darchei shalom* to be intrinsically linked with the concept of ‘*mipnei eiva’* (because of hate)*. Mipnei eiva* appears in a variety of halachiccontexts, with the most notable usage occurring in cases in which an action which would ordinarily only be performed for a fellow Jew, is either permitted or mandated towards non-Jews in order to prevent the festering of anti-Semitic sentiments. For example, it is ordinarily forbidden to provide medical or midwifery services to non-Jews. However, if there is a concern that this will cause hatred towards Jews, it is permitted.[[2]](#footnote-2) Rashi’sposition of only aiding non-Jews if they are found amongst Jews is congruent with his reading of *darchei shalom* as being equated to *mipnei eiva.* The only reasons to perform these actions is to prevent a rise in antisemitism. Therefore, one only needs to do these things if there is a risk of one’s discriminatory behaviour being pointed out and noticed by the non-Jewish population.

The language of the Shulchan Aruchmay lend itself to a reading consistent with Rashi’sview: [[3]](#footnote-3)

מותר לפרנס ענייהם... משום דרכי שלום.

‘It is **permitted** to provide for non-Jewish poor… due to the ways of peace.’

The addition of the word ‘*muttar’* (permitted)to an otherwise direct quote from the *gemara* in Gittinmay indicate a post-facto allowance of providing assistance to non-Jews, rather than viewing it as an ideal.

**The Universalist Approach**

Rambamstates in MishnehTorah:[[4]](#footnote-4)

אפילו העכו"ם צוו חכמים לבקר חוליהם, ולקבור מתיהם עם מתי ישראל, ולפרנס ענייהם בכלל עניי ישראל, מפני דרכי שלום, הרי נאמר טוב ה' לכל ורחמיו על כל מעשיו, ונאמר דרכיה דרכי נועם וכל נתיבותיה שלום.

*‘And even for non-Jews – our sages commanded us to visit their sick and bury their dead with the dead of the Jews and give sustenance to their needy among the needy of the Jews – due to the ways of peace. As it is said: “Hashem is good with all and he is merciful upon all of his works” (Tehilim 145:9) and it says: “And its ways are ways of pleasantness and all its paths are peace.” (Mishlei 3:17)*

By attaching the concept of *darchei shalom* to *pesukim* from *Tanach*, Rambam may be indicating that *darchei shalom* is an independent value, rather than a constituent part of the *mipnei eiva* system. If *darchei shalom* is simply a tool to prevent anti-Semitism, what relevance do the pesukim have? The implication seems to be that just as Hashem is good and merciful with all his creations, so too we, empowered by the principle of *darchei shalom*, should mirror this.

This distinction between *darchei shalom* and *mipnei eiva* is strengthened by the fact that Rambamhimself applies the concept of *mipnei eiva* to various scenarios, and yet does not do so here.[[5]](#footnote-5) Therefore, it is logical to conclude that *Rambam* views the two concepts as categorically distinct.[[6]](#footnote-6)

The *pasuk* from *Tehilim* quoted above is mentioned by Rambam elsewhere in *Mishneh Torah*:[[7]](#footnote-7)

ואין האכזריות והעזות מצויה אלא בעכו"ם עובדי ע"ז אבל זרעו של אברהם אבינו והם ישראל שהשפיע להם הקדוש ברוך הוא טובת התורה וצוה אותם בחקים ומשפטים צדיקים רחמנים הם על הכל, וכן במדותיו של הקדוש ברוך הוא שצונו להדמות בהם הוא אומר ורחמיו על כל מעשיו וכל המרחם מרחמין עליו שנאמר ונתן לך רחמים ורחמך והרבך.

*‘Cruelty and arrogance are only found with idol worshippers, but the descendants of Avraham Avinu (ie Bnei Yisrael), who Hashem has granted the goodness of Torah and commanded with the laws and statutes, are righteous and merciful to all. Similarly, with the attributes of Hashem which we are commanded to emulate, it is written* ***“He is merciful upon all of his works”*** *(Tehilim 145:9).**Whoever shows mercy unto others will have mercy shown to him. As it says: “He will show you mercy, and be merciful upon you and multiply you.” (Devarim 13:18)*

Rambam links the *pasuk* he used in explanation of *darchei shalom* to one of the fundamental values within Judaism, emulating God.[[8]](#footnote-8) Moreover, Rambamapplies the concept of emulating God specifically to actions associated with being compassionate and merciful to all his creations.[[9]](#footnote-9)

The *gemara* further emphasises the centrality of the concept of *darchei shalom*.[[10]](#footnote-10) RavYosefsuggests that the basis for the requirement to call a *kohen* to the *Torah* before a *levi* is *darchei shalom.* Abayechallenges this suggestion, pointing out that this requirement is surely *d’oraysa (Torah mandated).* RavYosefresponds that it is *d’oraysa* and *darchei shalom.* The *gemara* concludes: ‘But the whole Torah is due to the ways of peace. As it says: “its ways are ways of pleasantness and all its paths are peace.”’

Whilst it is important to note that this *gemara* is not discussing *darchei shalom* in context of providing charity to non-Jewish people, the fact that it concludes in a similar fashion to Rambamas asserting the intrinsic and central value of *darchei shalom* in context of the whole *Torah* remains instructive. It should also be noted that the *pasuk* quoted in the *gemara* in support of its assertion is the same as the second *pasuk* which Rambamquoted in relation to *darchei shalom* in the context of compassion to all of God’s creations.

In line with his understanding of *darchei shalom,* Rashbaasserts that by using the word ‘*ím’* (with), the *gemara* is **not** limiting the requirement of assisting non-Jews to a situation in which the non-Jewish population is interspersed amongst the Jewish population as per *Rashi’s* interpretation.[[11]](#footnote-11) Rather, read *‘with’* in an inclusive sense, as equivalent to the word *’k’shem’* (just as)*.* Rashbapoints out that the *Yerushalmi* in Gittindoes not employ the word *‘im´* at all, simply stating: “support the poor of the Jews **and** the poor of the non-Jews…” Furthermore, the *Tosefta* wholly dispenses with any mention of Jews, simply stating: “eulogise the dead of the non-Jews and comfort their mourners due to the ways of peace.”[[12]](#footnote-12) Rashba does not mention *mipnei eiva* in his own interpretation; it is logical to assume that he would similarly view *darchei shalom* as a stand-alone principle.[[13]](#footnote-13)

In his comments on the *halacha* in ShulchanAruchregarding the permissibility of providing for non-Jews, Ba’erHeitev states that this applies even without the presence of a Jewish population.[[14]](#footnote-14) This is congruent with the approach of Rambamand Rashba*.*

In his comments, Ba’erHeitevelicits the support of both Tazand Bach*.* Bachwrites that one is obligated to support non-Jewish poor, whether they are amongst a Jewish population or not.[[15]](#footnote-15) He brings support from *Tosefta, Yerushalmi,* Tur*,* RoshandRan(who goes so far as claiming that Rashiis not being intentionally limiting and would agree that one should bury non-Jewish corpses if found alone). Bachconcludes: “Tosfos implies that even without Jewish poor it is befitting to support non-Jewish poor as this is the way of peace...and this is our practice.”

AruchHashulchanalso states that there is an obligation to provide charitable support to non-Jewish people, whether they are amongst Jews or not.[[16]](#footnote-16)

**A Challenge to this Thesis**

However, Bachclaims that Rambamwould disagree with this approach. Bachpoints out an inconsistency in Rambam’slanguage in relation to these *halachos.* Rambam states the laws of comforting non-Jewish mourners and burying non-Jewish dead without any qualification. However, in reference to the laws of providing non-Jewish poor with financial support, Rambamstates that we must support them ‘*‘bichlal’* (included with)the poor of Israel’. Bachasserts that this additional word implies that Rambamwould only mandate the provision of financial support to non-Jews when they are amongst the Jewish population.

If this inference is correct, it seriously challenges the thesis that Rambamholds that *darchei shalom* is an intrinsic principle. If it was, there should be no difference between the *halachos* of providing support in a pastoral sense or a financial sense. Additionally, it shouldn’t make a difference if it is a mixed population or not!

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However, it is possible to suggest that Rambamis indeed able to maintain a belief in *darchei shalom* as an intrinsic principle whilst also mandating a difference in *halacha* between financial and pastoral support. After summarising the dispute between Rashiand Rashbapresented above, ChasamSofer[[17]](#footnote-17)writes: “This all applies to charity, for when one gives to a non-Jew [that money] will be withheld from a Jew. Therefore, they were not concerned with *darchei* *shalom* if they are not in a Jewish population. However, with regards to visiting their sick and burying their dead where there is no resultant loss to a Jew, we do concern ourselves with *darchei* *shalom*, even when the non-Jew is alone…”The principle introduced here, which may also be applied to Rambam, is that whilst there is an important principle of *darchei shalom* to uphold, we must be pragmatic. If there is only a limited pot of money available, fellow Jewsin need should be prioritised. Pastoral care which does not drain finite resources can be provided to all people, at all times, without discrimination.[[18]](#footnote-18)

**The Push to Particularity**

In light of this thesis in support of *darchei shalom* as an intrinsic value, it is worth considering why Rashi seems toignore the seemingly simple reading of the *gemara* in *gittin* (as presented by Rashba) in favour of a comparatively obscure *hava amina* regarding burying non-Jews in Jewish graves? Why doesn’t Rashientertain the idea that the *gemara* might be instructing non- caveated support for non-Jews?

The principle which inhibits the carefree application of a universalist approach to *darchei shalom* is ‘*lo s’chanem’*. This is the *halacha* elucidated in the *gemara* in *Avoda Zara*[[19]](#footnote-19)banning Jews from providing free gifts to non-Jews. It is derived from the *pasuk* in *Devarim*[[20]](#footnote-20)*: “And Hashem will deliver them before you and you will defeat them…you shall not seal a covenant with them nor show them favour (‘lo s’chanem’).”*

Many authorities(including Tosfosand BeisYosef)view this prohibition as applicable to all non-Jews in every era. In this vein, it is unsurprising that Rashiis compelled to limit the applicability and status of *darchei shalom*. It can only be equivalent to *mipnei eiva* as otherwise, a conflict is created with *lo s’chanem*. This dichotomy could be one of the driving forces behind the general tendency over the generations to approach the issue of *darchei shalom* in a more conservative fashion.[[21]](#footnote-21)

**Limiting *Lo S’chanem***

How can Rambamview *darchei shalom* as an intrinsic value whilst maintaining the integrity of the *issur* of *lo s’chanem?* How can the *rishonim* apply *m’farn’sei aniyei nochrim* even in a situation where there is no Jewish population when this seems to be a gold standard violation of *lo s’chanem?*

One approach to answer this question is to avoid it altogether. There are several prominent sourceswhich severely limit the application of *lo s’chanem*. Rashbaand SeferHachinuchwrite that this prohibition only applies to bone fide idol worshippers. Tazstates, drawing support from the *Tosefta,*  that it is permitted to give free gifts to a non-Jewish neighbour or friend. It is not considered to be for free because you expect recompense in the future. Turand Rambamwrite that it does not apply to a *ger toshav* (a non-Jew who has accepted the seven Noachide laws).[[22]](#footnote-22) Perhaps most famously, in a discussion regarding whether one is obligated to return a lost item to a non-Jew, Meiriwrites:[[23]](#footnote-23)

*ואין אנו כפופים לחסידות למי שאין לו דת ... הא כל שהוא מעממין הגדורים בדרכי הדת ועובדי האלהות על איזה צד אף על פי שאמונתם רחוקה מאמונתנו אינם בכלל זה אלא הרי הם כישראל גמור לדברים אלו אף באבדה ואף בטעות ולכל שאר הדברים בלא שום חלוק.*

*‘…we are not obligated to act in a pious fashion [over and above the letter of the law] for a Godless people. However, any person belonging to a nation disciplined by religion, who worships God in any fashion – even if their religion is very different from ours – is not in the above category. Indeed, they are considered entirely like a Jew in all of these matters – in respect to lost items, financial errors, or to anything else – no distinction should be made.’*[[24]](#footnote-24)

If there is no prohibition of *lo s’chanem* with the majority of non-Jewish nations in existence today, the conflict between *lo s’chanem* and *darchei shalom* falls away.

Is it possible to reconcile these two principles according to the *rishonim* who apply *lo s’chanem* more extensively?

Tosfosin Avoda Zara[[25]](#footnote-25)asks*:* ‘Why is there no *issur* of *lo* *s’chanem* in the activity of *m’farn’sei* *aniyei* *nochrim*?’ Tosfosanswers that whensomething if being done due to *darchei* *shalom,* it is not considered a *matnas* *chinam*.

Within the particularist approach, this Tosfosis easily understandable. Money given for *darchei shalom* purposesis not considered a free gift; the giver expects a reduction in anti-Semitism in return. Therefore, even according to the opinions that *lo s’chanem* applies extensively, provisions of this kind do not fall into the prohibition.

How can this Tosfosbe understood according to the universalist approach?

PneiYosef[[26]](#footnote-26)explains that Tosfosis stating that *m’farn’sei aniyei nochrim* is not considered a free gift, not because one expects a reduction of anti-Semitism in return, but rather because there is no risk of the gift resulting in the issues *lo s’chanem* is intended to prevent. The reasoning behind the prohibition of *lo s’chanem* is to inhibit too much kinship and social cohesion between Jews and their non-Jewish neighbours, which could result in a lowering of standards of behaviour and absorbing non-desirable traits and activities.[[27]](#footnote-27) Providing charity to someone does not increase kinship. In fact, it can create a social hierarchy and a feeling of embarrassment or disgrace on the part of the recipient. Therefore, *lo s’chanem* does not apply in this situation and does not come into conflict with *darchei shalom*, even according to the *rishonim* (including Tosfos) who hold that *lo s’chanem* is not limited to idol worshippers. The fact that Tosfosstates that there is no prohibition of *matnas chinam* here, rather than stating that the prohibition exists but there is a *heter* due to *darchei shalom,* supports this understanding.

**Conclusion**

Even without performing a formal survey, it wouldn’t take a sociologist to predict that the prevailing opinion and charitable activity amongst members and leaders of the mainstream Orthodox community tends towards insularity and particularism. It is clear that there is halachicjustification for both the particular and universal approach. However, it would be dishonest to obscure the fact that the majority of *poskim,* both historic and contemporary,seem to lean towards particularism. Whether this proclivity is based in halachicconcerns, or is a result of social and cultural factors or historical circumstances, is a crucial question which must be asked in pursuit of an authentic and appropriate approach to this topic.[[28]](#footnote-28) It is important to note that even if one reached a conclusion which precluded the obligation to provide actual monetary assistance to other communities (whether due to a review of the pure *halacha* or of pragmatic communal priorities), this should not impede our empathy for any of God’s creations who are going through pain or hardship.

Rav Nachman writes in *Likutei MoHaran:*[[29]](#footnote-29)‘Every person must say, “The whole world was created for my sake” (Sanhedrin 37a). Therefore, since the whole world was created for my sake, **I must always be concerned with improving the world [*tikkun olam*], fulfilling the needs of humanity, and praying for its benefit.’**

Rav JB Soloveitchik expresses similar sentiments:[[30]](#footnote-30) ‘The universal problems faced by humanity are also faced by the Jew. Famine, disease, war, oppression, materialism, atheism, permissiveness, pollution of the environment – all of these are problems which history has imposed not only on the general community but also on the covenantal community. We have no right to tell mankind that these problems are exclusively theirs. God has charged man with the task of fighting evil, of subduing the destructive forces of nature and transforming them into constructive forces**. The Jew is a member of humanity.** God’s command to “be fruitful and multiply; fill the land and conquer it, dominate the fish of the sea, the birds of the sky, and every beast that walks the land” (Gen. 1:28) is addressed equally to non-Jew and Jew. **As human beings, Jews are duty bound to contribute to the general welfare regardless of the treatment accorded them by society.’**

1. *Yoreh Deah 151:20* [↑](#footnote-ref-1)
2. See RambamHilchosAvodaZara10:2 and 9:16as well as Kitzur Shulchan Aruch 189:4*.* It is important to note that Rambamhimself specifies that one is obligated to treat non-Jews who have accepted the basic moral code of the seven Noachide Laws in exactly the same manner as one treats Jews. [↑](#footnote-ref-2)
3. Yoreh Deah 151:12 [↑](#footnote-ref-3)
4. Hilchos Melachim u’Milchamos 10:12 [↑](#footnote-ref-4)
5. See footnote 2 for where Rambam mentions *mipnei eiva.* [↑](#footnote-ref-5)
6. This thesis is developed by Rav Aharon Soloveitchik in *Od Yisrael Yosef Bni Chai* [↑](#footnote-ref-6)
7. *Hilchos Avadim 9:8* [↑](#footnote-ref-7)
8. See Rabbi JJ Shachter’s ‘Tikkun Olam: Defining the Jewish Obligation’ [↑](#footnote-ref-8)
9. This reading of Rambamis supported by Rav Aharon Lichtenstein: *‘For committed Orthodox Jews – and, a fortiori, for serious bnei Torah – the utter dismissal of universally oriented hesed as an expression of avodat Hashem cannot be accounted a live option. Our polestar is, rather, Rambam’s invocation of the divine order as an implicit norm, in the spirit of “ve-halakhta bi-drakhav,” imitatio Dei [imitating the ways of God], informing our actions and perceptions: For it is stated, “God is good to all, and His mercy extends to all His works” (Psalms. 145:9) and it is stated, “Its ways are ways of pleasantness, and all its paths are peace” (Proverbs 3:17). Divine universal beneficence and the Biblical focus upon the Torah’s symbiotic relation to peace and harmony are more than a model. They constitute a charge. […] The underlying premise is that matan Torah and concomitant election of knesset Israel were intended to superimpose a higher level of obligation, rooted in newly acquired identity, but not to supersede prior commitment, grounded in pre-existing, universal identity.’ (*‘*Jewish Philanthropy – Whither?’ Tradition (2010))*  [↑](#footnote-ref-9)
10. Gittin *59b* [↑](#footnote-ref-10)
11. Gittin *61a* [↑](#footnote-ref-11)
12. It is interesting to note that *Tosefta* does not include providing charitable support. See *Chasam Sofer* later. [↑](#footnote-ref-12)
13. Rav Isser Yehuda Unterman, previous Ashkenazi chief rabbi of Israel, supports the universalist understanding of *darchei shalom* explicitly: [Insert Rav Unterman Hebrew] ‘Lately it has become customary, to our great detriment, amongst our teachers to state that there is no real obligation towards bettering the life of non-Jews… and there is no need to encourage the community to support non-Jews with tzedakah and kindness, for any such acts are only done for the sake of darchei shalom [ways of peace] and thus have no real source in the Torah law. Therefore, we must define the true concept of darchei shalom. It is not just a means to keep Judaism safe from non-Jewish hatred, but flows from the core ethical teachings of the Torah.’ (Shevet Miyehuda 3:70) [↑](#footnote-ref-13)
14. YorehDeah 151:15 [↑](#footnote-ref-14)
15. Yoreh Deah 151:20:1 [↑](#footnote-ref-15)
16. Yoreh Deah 151 [↑](#footnote-ref-16)
17. Gittin 61a [↑](#footnote-ref-17)
18. Rav Aharon Lichtenstein, who proudly supported the universalist approach to *darchei* shalom (see footnote 9), also expresses concerns about communal priorities: ‘Nevertheless, given our present situation, I see no alternative to turning inward. The combination of rising assimilation and declining power mandates increased concern for specifically Jewish needs - spiritual, physical, and emotional. Despite the best humanitarian intention, we cannot escape the pressure of priority. "Many are thy people's needs, and their wit is limited," intones the *piyyut* and this aptly describes our current situation. Whether certain communal manifestations of our collective generosity were in order a generation ago is perhaps debatable; that most can no longer be afforded is not. At the same time, we should make an educational effort to contain the insidious effects of creeping insularity. The notion, altogether too prevalent in some circles (albeit, perhaps not those likely to read this paper), that the concerns or even the suffering of mere *goyim* are irrelevant to us cannot be countenanced. Avraham Avinu and Moshe Rabbenu, at any rate, thought otherwise.’ (Leaves of Faith 2 – Chapter 10)

    Rav Lichtenstein emphasises again that the need for communal priorities does not displace the repulsion Jews should feel for insularity: ‘The tendency, prevalent in much of the contemporary *Torah* world in Israel as well as in the Diaspora, of almost total obliviousness to non-Jewish suffering is shamefully deplorable. Surely Avraham Avinu and Moshe Rabbenu felt and acted otherwise, and intervening *mattan* *Torah* has not changed our obligation in this respect. Priorities need to be maintained, as regards to both practical and emotional engagement; but between that and complacent apathy there lies an enormous moral gap. […] The notion that only Jewish affliction is worthy of Jewish response needs to be excoriated and eradicated.’ (The Duties of the Heart and Response to Suffering (1999) – page 59) [↑](#footnote-ref-18)
19. 20a [↑](#footnote-ref-19)
20. 7:2 [↑](#footnote-ref-20)
21. There is considerable discussion regarding the historical forces which may have driven the insular tendencies of many of the *rishonim*. Rabbi JJ Shachter concludes his extensive article Tikkun Olam: Defining the Jewish Obligation with: ‘It seems clear that the silence in the Talmud and subsequent Rabbinic literature does not reflect a principled objection to the values here being discussed but is rather the product of historically grounded mitigating circumstances...The fact is that the big world out there has not been good to the Jews...Can there be any wonder then, that the genuine sense of obligation to the welfare to society was not high on the list of the national, communal, or personal priorities of previous Jewish generations?’ See footnote 28 for an important note on the validity of historical contextualisation. [↑](#footnote-ref-21)
22. Bach claims that there was censorship applied to this Tur. [↑](#footnote-ref-22)
23. Meiri *bava kama* 113b s.v. *nimtza*. There have been claims (led by ChasamSofer) that this Meiriis a forgery or was written under duress. However, there are a considerable number of authorities who either cite this Meirias authoritative or state a similar principle. They include: Rav Moshe Feinstein, Tzitz Eliezer, Rav Yehiel Weinberg, Rav AY Kook, Rav Dovid Zvi Hoffman, Rav Hirsch, Rav Henkin, Rav Aharon Soloveitchik and Rav Mordechai Willig. Additionally, we have seen that there is precedent for such a position. See Alan Brill’s ‘Judaism and Other Religions – Models of Understanding’for an examination of the sociological shift in recent years towards a less forgiving approach to Meiri*.*  [↑](#footnote-ref-23)
24. See Professor David Berger’s ‘Jews, Gentiles and the Modern Egalitarian Ethos’for an extensive study of this Meiriand its *halachic* and *hashkafic* ramifications. [↑](#footnote-ref-24)
25. 20a s.v. Rabi Yehuda [↑](#footnote-ref-25)
26. הרב יוסף ריין, בני ברק תשל"ו [↑](#footnote-ref-26)
27. See Rambam and Sefer Hachinuch [↑](#footnote-ref-27)
28. Professor David Berger deals with the understandable discomfort which may result from maintaining an opinion which seems to run contrary to that of many *rishonim* and *achronim:* ‘…are we not running the risk of suggesting that the majority of great Jewish authorities through the ages suffered from a severe moral failing? For two complementary reasons, I do not believe that this is the case. First, people who lived in a society that attempted - with considerable success - to degrade and humiliate them would have understandably felt very little motivation to qualify and reinterpret explicit directives in the Talmud. When a Holocaust survivor says something sharply pejorative about all *goyim*, I react very differently than I do when an American-born Jew under the age of fifty says the same thing. There is nothing remarkable in the rishonim's acceptance of discriminatory laws; what is remarkable is the Meiri's striking reassessment.

    Second, there is a fundamental point that *halacha* is ultimately rooted in the word of God. With varying degrees of success, we all set aside moral qualms with respect to absolutely unambiguous divine directives that appear problematic to us. In the context of authentic Judaism, submission to the divine will is paramount, and the suppression of some humane instincts in the face of clear-cut *halacha* may be necessary. To ascribe moral failings to the Rabbinic authorities of an oppressed people for failure to reinterpret the straightforward meaning of sacred texts discriminating against their persecutors is inappropriate, unfair, insensitive, and incorrect. But this does not mean that we must suppress our own moral instincts when we honestly see them as consistent with, even generated by, the values and teachings of the Torah writ large. We have *'al* *mi* *lismoch'* [on whom to rely], and our religiously informed ethical instincts have a role to play as we examine text and tradition to reach a conception of our relationship to non-Jews that will honour the universal mission assigned to the children of Abraham.’ Earlier in the article Prof. Berger states: 'I do not advocate mechanical historicizing of such statements, nor do I believe that positions influenced by Rabbi's experience should be automatically discounted. Nonetheless, not only do I see no religious obligation to read the formulation of this stricture in a historical vacuum; the change in context is precisely what gives us the right to denounce a contemporary Jew who would use this language while retaining our reverence for the great medieval Talmudist.' [↑](#footnote-ref-28)
29. *Siman 5* [↑](#footnote-ref-29)
30. Abraham’s Journey (page 203) [↑](#footnote-ref-30)