COVENANT & CONVERSATION

Helping an Enemy

MISHPATIM · 5769

Among the many legal provisions of this week's sedra is one stated briefly and unemphatically, yet it has far-reaching implications as well as subtlety and moral beauty:

> "If you see your enemy's ass sagging under its burden, you shall not pass by. You shall surely release it with him."
>
> Ex. 23:5

The principle is simple. Your enemy is also a human being. Hostility may divide you, but there is something deeper that connects you: the covenant of human solidarity. Pain, distress, difficulty – these things transcend the language of difference. A decent society will be one in which enemies do not allow their rancour or animosity to prevent them to coming to one another's assistance when they need help. If someone is in trouble, help.

Don't stop to ask whether they are friend or foe. Get involved – as Moses got involved when he saw shepherds roughly handling the daughters of Jethro; as Abraham did when he prayed for the people of the cities of the plain.

There are several significant nuances here. The first arises out of the parallel command in Devarim:

> You shall not see your brother's ass or his ox falling [under its load] in the road, and hide yourself from them. You shall lift it [the load] up with him.
>
> Dt. 22:4

Exodus talks about enemies; Deuteronomy, about friends. On this the Talmud states:

> If [the animal of] a friend requires unloading, and an enemy's loading, you should first help your enemy – in order to suppress the evil inclination.
>
> Baba Metzia 32b

Both equally need help. In the case of an enemy, however, there is more at stake than merely helping someone in distress. There is also the challenge of overcoming estrangement, distance, ill-feeling. Therefore, it takes precedence. The Sages were here reading a nuance in the text. The phrase, 'you shall not pass by' is apparently superfluous. What it signals is that when we see our enemy suffering, our first instinct is to pass by. Hence part of the logic of the command is 'to suppress the evil inclination'.

More remarkable are the Aramaic translations (Targum Onkelos, and more explicitly Targum Yonatan). They take the phrase 'You shall surely release' to mean not just the physical burden, but also the psychological burden:

> 'You shall surely let go of the hate you have in your heart towards him.'

There is an accusation against Jews and Judaism in the New Testament which has done incalculable harm: 'You have heard it said, "You shall love your neighbour and hate your enemy." But I say to you: "Love your enemy also."' Nowhere in the Pentateuch does it say 'hate your enemy'. To the contrary: Moses commands: 'Do not hate an Edomite, because he is your brother. Do not hate an Egyptian, for you were strangers in his land.' (Deut. 23: 8). These were the paradigm cases of enemies. Edom was Esau, Jacob's rival. The Egyptians were the people who enslaved the Israelites. Yet Moses commands that it is forbidden to hate them.

A more general prohibition against hating enemies occurs in the very passage that commands the love of neighbours:

> Do not hate your brother in your heart. Rebuke your neighbor frankly so you will not share in his guilt. Do not seek revenge or bear a grudge against one of your people, but love your neighbor as yourself. I am the Lord.
>
> Lev. 19:17-18

On this, Maimonides writes:

> You shall blot [any offences against you] out of your mind and not bear a grudge. For as long as one nurses a grievance and keeps it in mind, one may come to take vengeance. The Torah therefore emphatically warns us not to bear a grudge, so that the impression of the wrong should be completely obliterated and no longer remembered. This is the right principle. It alone makes civilized life and social interaction possible.
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> Hilchot Deot 7:8

In speaking about enemies, the Torah is realistic rather than utopian. It does not say: 'Love your enemies'. Saints apart, we cannot love our enemies, and if we try to, we will eventually pay a high psychological price: we will eventually hate those who ought to be our friends. What the Torah says instead is: when your enemy is in trouble, come to his assistance. That way, part of the hatred will be dissipated. Who knows whether help given may not turn hostility to gratitude and from there to friendship. That surely is enough to refute the suggestion that Judaism contemplates, let alone advocates, hating enemies.

There is, however, a fascinating provision of the law. The text says, 'You shall surely release it [the burden] with him'. From this the Sages deduced the following:

> If [the owner of the animal] sits down and says to the passer-by: 'The obligation is yours. If you wish to unload [the animal], do so' the passer-by is exempt because it is said, 'with him' [meaning: they must share the work]. If however the owner [is unable to help because he] is old or infirm, then one must [unload the animal on one's own].
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> Mishnah, Baba Metzia 32a

Why should this be so? After all, the beast is still suffering under its burden. Why should the enemy's refusal to help excuse you from the duty of help?

A fundamental principle of biblical morality is involved here: reciprocity. We owe duties to those who recognise the concept of duty. We have a responsibility to those who acknowledge responsibility. If, however, the person concerned refuses to exercise his duty to his own overloaded animal, then we do not make things better by coming to his aid. On the contrary, we make it worse, by allowing him to escape responsibility. We become – in the language of addiction-therapy – co-dependents. We reinforce the very problem we are trying to help solve. We allow the individual to believe that there will always be someone else to do what is morally necessary. We create what the psychologist Martin Seligman calls 'learned helplessness'. We may feel that we are being super-righteous; and we may be right. But we are thereby making ourselves better at the cost of making society worse. And biblical morality is not a code of personal perfection but of social grace.

Tanach, the Hebrew Bible, is not a code for Utopia. That is a prophetic dream, not a present-tense reality. In the here-and-now, however, the Torah tells us something not without its moral

grandeur, namely that small gestures of mutual assistance can in the long run transform the human situation. At the heart of the law of the overladen ass is one of Judaism's most beautiful axioms (Avot de-Rabbi Natan, 23): 'Who is a hero? One who turns an enemy into a friend.'