

DO NOT SHOW THEM FAVOR

by Rabbi Doniel Neustadt

The Torah prohibition of Lo Sechaneim, Do not show them favor, appears in the context of laws governing the relationship that the conquering Jewish nation should have with the defeated remnant of the Seven Nations who resided in Eretz Yisrael before Yehoshua's time. The Torah admonishes us to destroy them, not to seal a covenant with them, not to intermarry with them and not to show them favor. "Not showing them favor" is interpreted by Chazal to have three practical applications. We will list them and explain each one briefly.

1. Do not sell to them land in Eretz Yisrael. Eretz Yisrael was dedicated by Hashem as a land for the Jewish People, where the mitzvos of the Torah can be kept with intensity and devotion. Idol worshippers and gentiles do not belong in the Holy Land at all, and they certainly may not own property there. It is, therefore, forbidden for a Jew to sell any property in Eretz Yisrael to a non-Jew^[1], even if the non-Jew is not an active idol worshipper^[2], and even if the sale will benefit the Jew only^[3]. Renting or leasing a house or apartment to a non-Jew in Eretz Yisrael is permitted^[4].

2. Do not give them free gifts. Giving a gift shows affection, or at least, more than casual acquaintance, which can lead to forbidden relationships, ultimately even to intermarriage. It is, therefore, forbidden to give a gift to a gentile if one is doing so for no reason other than establishing a friendship or a relationship. If, however, the purpose of the gift-giving is to benefit the Jew, it is permitted, since it is no longer a "gift" but rather an incentive for the future or a payback for the past. Thus it is permitted to tip a waiter, a taxi driver, a barber, etc., for a job well done, to give a gift to the mailman to show appreciation for his work, or to give a year-end bonus to a valuable employee. This is permitted even if the Jew will not benefit from the non-Jew in the future^[5]. [Indeed, once it is established that tips and gratuities are permitted, failure to do so when customary constitutes a chillul Hashem, as Orthodox Jews would be seen as lacking good manners, appreciation, etc.]

Question: Is it permitted to give a gift to a non-Jewish employee, colleague, etc., during the non-Jewish holiday season?

Discussion: Obviously, Jews are forbidden to celebrate non-Jewish holidays, as many of them are considered to be a function of avodah zarah, idolatry. But as explained earlier, giving a gift to an employee or to a person who renders a service is merely an expression of gratitude, a form of payment for past or future service which it is not considered a celebration of avodah zarah and is permitted. It is proper, however, that no specific mention be made that the gift is in honor of the non-

Jewish holiday[6], and that the gift be given a day or two before or after the holiday rather than on the holiday itself[7].

Although gift-giving to non-Jews is forbidden, it is appropriate to give charity to non-Jewish causes, such as those that combat illness or hunger. This is permitted even if all of the charity funds will benefit non-Jews only[8].

3. Do not admire them. It is forbidden to admire a non-Jew, including admiring his (or her) appearance, his actions or his statements. If, however, the intent is to praise Hashem who created such an admirable person, it is permitted[9]. It is also permitted to praise a non-Jew's accomplishment in the sciences or arts, etc. [10] Similarly, honoring a non-Jew in appreciation of past favors he has done for the Jewish community is permitted. Honoring a non-Jew for the purpose of raising funds for a Jewish institution should be avoided, but is permitted when it is halachically determined that there is no alternative[11].

It is permitted to visit a non-Jew who is ill, to daven and give charity on his behalf, to eulogize him at his funeral, to assist in his burial and comfort his relatives[12].

Note: People wonder why some of the halachos derived from Lo Sechaneim are often ignored, as today it has become commonplace to admire or praise non-Jews for their talents, athletic ability or statesmanship. Certainly, this laxity can be partially attributed to the Great American Melting Pot and to the influence of the society and secular media to which we are constantly exposed. Possibly, those who are lax follow the opinion of the Rishonim[13] who maintain that this halachah applies only to non-Jews who are active idol worshippers[14]. Shulchan Aruch, however, does not follow this opinion, and clearly rules that the laws derived from Lo Sechaneim apply to all non-Jews, including Moslems who are not idol worshippers; the only exception would be a non-Jew who became a ger toshav in the times of the Sanhedrin[15].

1. Y.D. 151:8.

2. Chazon Ish, Shevi'is 24:3. See, however, Darchei Teshuvah 158:22 who quotes opinions who permit selling property to Moslems who are not considered idol worshipers.

3. Chazon Ish, Shevi'is 24:4.

4. Y.D. 151:8.

5. Y.D. 151:11 and Taz 8; Ashrei ha-Ish, Y.D. 10:33.

6. Y.D. 147:2.

7. Rama, Y.D. 148:12.

8. Y.D. 151:12, Taz 9 and Shach 19.
9. Y.D. 151:14.
10. Tzitz Eliezer 15:47; Ashrei ha-Ish, Y.D. 10:36.
11. Igros Moshe, Y.D. 2:117.
12. Y.D. 151:12 and Darchei Teshuvah 29.
13. Rambam, Sefer ha-Mitzvos 50; Teshuvos Rashba 1:8; Sefer ha-Chinuch 426; Meiri, Avodah Zarah 20a.
14. See Torah Temimah, Devarim 7:2, who suggests that these halachos apply only to the Gentiles of the Seven Nations.
15. C.M. 249:2; Shach, Y.D. 151:18. See Mishnah Berurah 225:33.

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