

The Jewish Ethics Workbook: Chapter Eleven

Moral Growth

In a place where there are no “persons,” strive to be a “person.” (Avot Chapter 2, Mishnah 5)

Aryeh is like Moshe in many ways. They were both born and raised in Israel. They speak Hebrew better than English. Brought up in religious homes, they share a deep attachment to their heritage and their people.

Aryeh, however, grew up as a religious Zionist, and his parents, teachers, and friends all expected him, as a matter of course, to fulfill his three year mandatory military service. Aryeh was looking forward to serving his country, realizing just how important a responsibility this is for an Israeli citizen. Even so, Aryeh, like almost all 18 year olds, was apprehensive and nervous about his impending army duty. Aryeh describes his feelings:

I knew that the army is a test for ones physical, spiritual, and ethical limits. The army breaks you apart to pieces and puts you together according to the army code. There is no “thank you” or “please.” In the training processes of being a soldier, the army transforms you to a new person. Rules and orders become life, *the individual person is asked to leave for three years*. Nobody cares about my opinion and if I really want to test the rules the jail will make it very costly (my emphasis).

Aryeh is physically strong, optimistic, bright, resourceful, and good with people. It is no surprise to me then, that he was an exceptionally good soldier and that his superior officers quickly recognized his skills and abilities. Aryeh says that his first year and a half seemed to go by quickly. Suddenly, he was a “pazamnik”— a soldier with time of service and was expected to take on new and important duties.

Aryeh was now 19 years old, with loads of enthusiasm but virtually no real world experience— unless you count high school exams and intramural basketball games. Now, though, with his promotion, he quickly found himself in charge of a special unit responsible for securing the safety of Arab villages in the West Bank. “Being in charge of a West Bank village,” he explains, in his typically understated fashion, “ is not a simple task.”

I had to train, check, and send soldiers every week to the villages, and to be sure that they are doing their job. The villages are usually in a very remote place in the West Bank and quite dangerous.

Not surprisingly, Aryeh tells me that this was not a job that his soldiers looked forward to. Nevertheless, every single member of his unit was required to serve on the West Bank on a periodic basis. This rule was simply a matter of basic fairness. Almost all of Aryeh’s men,

regardless of their personal desires, served with competence, distinction, and courage. Securing the West Bank villages was unpleasant business, but, as the young soldiers knew, it was absolutely necessary for the defense of the State of Israel.

Yitzchak's Refusal to Serve

Yitzchak, however, was an exception. According to Yitzchak's army file, Yitzchak had come from a "troubled family." Both of his parents were now old and quite sick. Being crippled, they could not take care of themselves and relied upon Yitzchak for some of their basic living needs like cleaning, preparing food, and bathing.

For this reason, the Israeli army had arranged what is called an "easier service" for him. The army assigned him to a base that was close to his home and gave him the right to return home for evenings whenever he was not "needed" for army services.

Aryeh's superior officer had little sympathy for Yitzchak's "special needs," and he felt that Yitzchak had been taking advantage of the army's generous accommodations. In the superior officer's opinion, Yitzchak had been a problem soldier right from the beginning of his army service. He had severely disciplined him on many occasions, frequently sending him to the base's military prison. "My superior officer does not like being a social-worker. He has many tasks to fulfill and time for soldiers' problems is not on his agenda."

The last thing that Aryeh's superior officer wanted to do was to baby sit for Yitzchak. "Yitzchak did not know how to communicate and his voice, manner, and language were not appropriate" for the military. So, among the many duties and responsibilities Aryeh had inherited as part of his promotion, Aryeh also got Yitzchak!

Here's how Aryeh described him:

Yitzchak was a classic story of a soldier who was on the way out of the army if he continued to disobey orders. Yitzchak was very offensive and tried to make it clear to me that I am a nobody and that he was not afraid of me and the system.

On a personal level, Aryeh did not like Yitzchak much either, but, unlike his superior officer, he did feel sympathetic to Yitzchak's family responsibilities. As Aryeh saw the situation, Yitzchak, despite his lack of social graces, in the end, was usually more or less cooperative, and he carried out chores like driving and serving guard duty adequately.

The real problem, from Aryeh's point of view, was that when it came to his turn to serve on the West Bank, Yitzchak simply refused to budge. "He told me very clearly that he is not going to the West Bank for his duties and that he is not afraid of jail."

Aryeh could have easily resolved this dilemma by going to his superior officer and telling him about Yitzchak's refusal to serve. In fact, this might have given Aryeh some brownie points and a faster rank promotion, as his superior officer was looking for one more reason to throw Yitzchak back into jail and maybe even get rid of him permanently.

Aryeh, however, did not want to take the easy path here. Who would really win if Yitzchak was punished one more time or dishonorably discharged from the army? Here's how he described his dilemma:

There was no doubt in my mind that Yitzchak did not deserve the best consideration given his behavior; however, he had a very difficult life and it is easy to judge people who are in bad shape. Nevertheless, I knew that there were ways for me to make the strain easier on him without changing the real performance of tasks, but the question is what is the price I might pay and should I help him? If I really love my fellow Jew the same way I love myself, the system should be the last stakeholder I should consider. However, maybe the system is the way we were told during the first year in the army?

I-The Case Against Yitzchak

The case against Yitzchak is relatively straight-forward. The army has its rules and regulations without which it simply cannot function. To the extent that you accept the legitimacy of the army and its goal of defending the country, don't you automatically accept the legitimacy of its rules too? As Aryeh notes, "If the system had to deal with everyone's problems, the Army would not be able to fulfill its duties."

In this specific case, the rule that everyone had to serve on the West Bank seemed eminently fair to Aryeh. After all, he and all his friends had already served there on numerous occasions. "The duty is dangerous, long and tiring." But as Aryeh knows well, somebody has to do it.

Further, by simple logic, if Yitzchak does not serve on the West Bank, another soldier in the unit will have to fulfill his duties and "carry the burden." What if something happened to the soldier who was substituting for Yitzchak because Yitzchak didn't want to serve? How could Aryeh take on this kind of responsibility?

On top of all of this, on a more practical and self-interested level, even if Aryeh wanted to help Yitzchak and his family, why should Aryeh have to pay the cost? After all, if Aryeh's superior officer finds out that Yitzchak is not serving on the West Bank, Aryeh himself will have to face the consequences of a possible punishment.

II-The Case for Yitzchak

On the other hand, Aryeh strongly felt he had several good reasons to bypass his superior officer and allow Aryeh permission to skip his West Bank service. First, and most fundamentally, Aryeh was hardly the ideal soldier to send on a potentially dangerous assignment. His unprofessional conduct is merely bothersome and inconvenient at the military base, but it might have much more serious consequences for his own safety and the safety others out in the field. In Aryeh's words, "villages in the West Bank need responsible soldiers" to serve there.

Second, Yitzchak's parents would suffer tremendously, if Aryeh reported Yitzchak's

insubordination to his superior officer. Aryeh had seen mounds of army documentation that showed how much Yitzchak's family suffered when he was not able to go home and care for them during the evenings. Aryeh did not know Yitzchak's parents, but, as he imagined their sad plight, he felt a moral pull and a Jewish responsibility to help them if it was at all possible.

Third, Aryeh felt that if he eased the burdens on Yitzchak, and began to treat him in a more humane way, that Yitzchak might become more "responsive." Aryeh could not be sure about this, and he was not naive. Nevertheless, quoting the Torah's commandment to "love your neighbor as you love yourself," he felt it was worth at least one try. Putting Yitzchak in the military prison would not help "in this case because it does not change the problem." Besides, the army itself had already set the precedent of allowing special treatment and consideration for Yitzchak.

Right Versus Right Dilemma

This is a classic right versus right dilemma. There is no easy answer here. Aryeh is being pulled in two opposite directions simultaneously. As a soldier and as a member of tightly regimented organization, he has an obligation to carry out the rules of the army to the best of his abilities—no questions asked. Both his superiors and his underlings are counting on him to be a team player.

But, what about his personally felt responsibilities to Yitzchak and family? "*The individual person is asked to leave for three years.*" So says the army during basic training, but can Aryeh afford to leave aside his own humanity and his own individuality for such a long period of time? "I was told in the training processes of being a soldier, that nobody cares about my opinion." Can this really be a philosophy upon which the Israeli army is built?

I call this a right versus right dilemma because both arguments—the cases for and against Yitzchak—are strong and compelling. Aryeh clearly has an obligation to the army and a responsibility to carry out its orders especially when he himself understands the rationale behind the rule he is being asked to enforce. But, just as clearly, Aryeh has an obligation to his own sense of what is right and what is wrong. Reporting on Yitzchak to his superior officer will serve no positive function. Yitzchak's parents will suffer, Yitzchak himself will become even more alienated, bitter, and withdrawn. And, even if the end Yitzchak does serve on the West Bank, he is hardly the kind of soldier anyone would want there.

A right versus right dilemma provides both an opportunity and a risk. On the positive side, to the extent that you can adequately grope your way through the complex maze of a right versus right decision and find your way out the other end, you have demonstrated a degree of *moral growth*. It will strengthen you and give you confidence for the future. You will begin to see the world in a new way. The world may seem bigger and more complex, but you will be more at home and at ease in it.

On the down side, you may get lost in a right versus right maze. You may discover yourself going around and around in circles, ending up where you were at the outset, or, worse yet, backtracking and losing ground. This will weaken you and erode your confidence. The world

will seem less coherent, chaotic, and a less hospitable place.

Aryeh had made a commitment to himself during basic training that:

when control will come to my hands, I will do my best to treat people in a professional way. I also believe that being a religious Jew and treating people *lifnim mishurat hadin* (beyond the strict letter of the law) is a must, especially in a system like the army. So, I decided that when I will have some say in the system, my judgement will come into place and I will try to make a difference.

Is this a promise that Aryeh could really keep? Or, was it simply a youthful boast born out of an immature idealism and lack of knowledge about how the world really works?

It's Go Time...

First, and foremost, ethics demands personal integrity. To be true to himself, Aryeh needed to find some kind of balance between his organizational responsibility and his own sense of personal responsibility. To completely ignore one responsibility in favor of the other is to miss out on the opportunity for moral growth, and worse yet, it would be symptomatic of a kind of moral decay.

I think, in the end, Aryeh did find a workable balance and a solution that he could live with. Here's his description of what he finally decided to do:

I do not think that the Israeli Army is not ethical; however, the system can clearly destroy a person's life without feeling the consequences. So, I decided that my duty is to try to make the Israeli Army a Jewish Army where if a Jew is in need, he or she finds help.

This is my altruism by helping a person who I am not required to assist, but *lifnim mishurat hadin* it is a must for me to help him. Yitzchak never went to the West Bank, he did all of the other tasks I asked him and helped others whenever they needed it. He highly appreciated my approach and had a lot of respect to *Hashem* for helping him. My superior officer was happy because everything was working like a clock under my control. Other soldiers in the unit were happy because Yitzchak was doing more of the [unpleasant] tasks they have to do. Yitzchak finished his service and I was sleeping well at night.

What Aryeh Learned and What We Can Learn From Him

In order to grope your way through the complex maze of a right versus right dilemma, you have to first recognize it as such.

Ethical conundrums do not come with labels stating–“I’m a right versus right dilemma.” Responsible moral actors must be constantly aware of their environment and must continually ask themselves about the nature of their situation. My gut feeling is that many of Aryeh’s peers would have walked right through this situation without even realizing the high stakes game they were involved in. A first step then is to “scan” and “frame” a situation appropriately.

Abstract rules treat people as abstractions.

The rule in Aryeh’s unit was that everyone had to take turns serving on the West Bank. The rationale for this rule is that because everyone is equal, everyone should be treated in the same way. Few people would argue against a rule like this.

The problem is that while it is true that everyone has equal moral worth, not everyone has equal abilities, nor are everyone’s situations ever exactly the same. Simple rules, although sometimes necessary and often useful as a point of departure, force us to ignore context and relevant details when we think they must be applied in a rote and mechanical way.

To the extent that it is true that rules treat people as mere abstractions, they tend to dehumanize persons and to purposely limit attention to a tiny fraction of a broad and messy reality. The rich, thick, and complex details of real life, that may or may not be relevant in a given situation, are ignored.

Ethics demand a more complex formulation of our moral responsibilities. We need to approach the world not just with a set of simple and easy to remember rules in hand, we need also a way to factor in the concrete particulars and the unique and relevant characteristics of a given situation. For this reason, simple rules need to be interpreted and applied in a creative, humane, and responsive way. The ease and comfort of applying a simple but abstract rule in an unthinking way should never be allowed to trump the broader and more inclusive moral principle of treating every single person as a special and unique individual.

You need to look not just at the letter but at the spirit of the rules.

Aryeh knows well that the rule is that everyone should serve in the West Bank; this is basic equity. But, he also knows that the *point* of this rule is that everyone should be treated in the same way so that soldiers will not be jealous and angry with one another thus destroying the morale and effectiveness of the unit.

The truth of the matter is that the Army has *already* made an exception for Yitzchak by assigning him to a base near his home and by allowing him to frequently return home to help his parents. Aryeh is not breaking the rule on a whim or for personal gain, nor is he doing it to promote his own subjective vision of what ethics is all about. His goals are to improve the effectiveness of his unit in light of the Army’s own aspirations as demonstrated by the special treatment granted to Yitzchak *and* to treat everyone with equal respect and dignity.

Given the fact that none of the other soldiers ever complained to the superior officer, it is

reasonable to conclude that they must have understood Yitzchak's special circumstances, too. In fact, as Aryeh describes the situation, the soldiers actually were "happy" because Yitzchak willingly accepted much of the grunt work back at the base.

Apparently, given Yitzchak's need to help out with his parents, his fellow soldiers were willing to allow for the trade-off. In part, I would suggest, that this was due to Aryeh's leadership skills, especially recalling how ill-tempered Yitzchak could be.

There is a cost (or at least a potential cost) to being ethical.

Aryeh must be willing to stand up and pay for any of the consequences that follow from his decision. In his case, the situation happens to have a happy ending. There were no problems in any of the villages under Aryeh's command. Yitzchak's fellow soldiers did not complain to the superior officer about preferential treatment. Yitzchak himself did respond positively to the humane attention that Aryeh devoted to him. And, most importantly, Yitzchak's parents were not abandoned in their time of need.

Unfortunately, this is not always the case. Sometimes things will not turn out as we hope. If you are breaking a rule, as Aryeh was in this case, you must openly accept authorship for your actions, be prepared to defend them reasonably, and pay for the consequences. This is true in the case at hand and it is true more generally in every case of "civil disobedience," as Martin Luther King, Jr. so eloquently reminds us in his famous "Letter From a Birmingham Jail."

In a place where there are no "persons," strive to be a "person."

Actually the literal translation of this saying (usually attributed to Hillel) is "In a place where there are no men, strive to be a man." I prefer, though, to interpret it more generically. In this way, the original intention is both preserved and broadened.

But, what does it mean here? Among other things, I believe that this saying speaks directly to Aryeh's dilemma. Remember that message from basic training. "The individual person is asked to leave for three years." Well, it turns out that one of Judaism's greatest sages would beg to differ with Aryeh's superior officer. According to Hillel, one must constantly strive to become a person. What is entailed in being a person. Here's how one ethicist has put it:

Personal statesmanship is governance of the self in the light of moral ideals and not only in conformity with moral rules. Its great aim is to find a healing balance between nonattachment and attachment, alienation and reconciliation. If we go too far in one direction we suffer loss of self; in the other direction we slight the claims of others.

While the language is lofty and somewhat difficult to penetrate, I believe that Aryeh's actions are a nearly perfect example of what this philosopher is talking about. I confess that it was only after I read his case that I have begun to understand this statement.

Aryeh is not saying "anything goes."

Many critics point out that there is a huge danger in telling people not to apply simple ethical rules in a simple and straight-forward way. The problem, they say, is that this is a kind of moral relativism. One might argue that what Aryeh's case really shows is that when it comes to ethics, we just make up what ever feels right to us at the moment.

It is true that Aryeh's decision, along with many of the other examples that we've looked at in this book, emphasize the need for creativity and human initiative when it comes to resolving ethical dilemmas. But this creativity, imagination, and artistry as I've been calling it, is constrained and bounded.

In every case, moral imagination is limited by human nature, accepted tradition, the needs of the community, the realities of life, the uncontested goals of organizational life, integrity, concern for others, and our highest aspirations as embedded in principles like "love your neighbor as you love yourself." Aryeh is not ignoring the "ethics of our fathers," he's trying to apply them in a meaningful way in a changing world. Aryeh himself puts it this way, "The Torah helps us understand what it takes to be a Jew, yet the real test is the daily experiences we have to go through. The test is never easy." It's one thing to pledge allegiance to one's ethical heritage, it's quite another thing to struggle to apply it in the contemporary world in an authentic manner.

Conclusion

What does it mean to be a "good soldier?" Typically, this phrase means "do what your told." Aryeh, however, has a different take on this. Being a good soldier to Aryeh means taking the goals and purposes of the army seriously. It means supporting the system and getting the job done. It means following orders and treating everyone equally. It also means, though, bringing one's whole self to work. Being emotionally attuned to the realities of a situation. Being ethically aware and sensitive. Being able to use one's reason and intellect to recognize which values are more important than others. Finally, and most importantly, Aryeh believes that in a place where there are no persons, one must constantly strive to be a person, even in the army.

Did Aryeh do everything that he could have done in this situation? Could he have convinced Yitzchak to serve on the West Bank and have found some other way to help him take care of his parents? If he had been tougher on Yitzchak would Yitachk himself have benefitted in the long run? Could he have been more forthright and open with his superior officer? Perhaps he had a responsibility to directly confront his superior officer and tell him what he was doing? I'm not sure about these questions and Aryeh probably isn't either. The point though is not to achieve certainty or perfection, the point is to discover, at least, a temporary balance; a solution that allows one to grow rather than to retreat. To Aryeh, this is what it really means to be a "good soldier."