



Shavuot Night Study Guide

THE MITZVAH OF VE'AHAVTA L'REI'ACHA KAMOCHA

In July, 2017, five teenagers were walking by a pond in Florida when they noticed a man struggling to stay afloat in the pond. Instead of helping this man, the teens videotaped his drowning while taunting him that he was going to die. As the story of Jamel Dunn's death was reported, many were outraged at the teens for their behavior and demanded that the teens be prosecuted. A year later, the state's attorney announced that there will not be any prosecution because according to Florida law (and many other states), there is no duty to rescue. The teens had no legal obligation to save Jamel from the pond and therefore committed no crime.

<https://www.cnn.com/2018/06/26/us/florida-teens-no-charges-drowning-man/index.html>

This story highlights, in an extreme way, the gap between moral and legal obligations. There are certain actions or inactions that are legally permissible yet morally reprehensible.

In Judaism, there is a duty to rescue — *lo sa'amod al dam rei'echa*, do not stand idly by your neighbor's blood (Vayikra 19:16; see *Sanhedrin* 73a). Yet there are situations where a person needs our help, but we are not technically obligated to do so. In this study guide, we will explore the mitzvah of *ve'ahavta l'rei'acha kamocho*, love your neighbor like yourself (Vayikra 19:18).

Questions for Discussion:

- 1) Do you think *ve'ahavta l'rei'acha kamocho* is based on obligation or morality? Is there a difference?
- 2) Are we expected to “love” our neighbors through our actions or through our thoughts and emotions?

Source#1: Shabbos 31a

שוב מעשה בנכרי אחד שבא לפני שמאי א"ל גיירני ע"מ שתלמדני כל התורה כולה כשאני עומד על רגל אחת דחפו באמת הבנין שבידו בא לפני הלל גייריה אמר לו דעלך סני לחברך לא תעביד זו היא כל התורה כולה ואידך פירושה הוא זיל גמור.

There was another incident involving a non-Jew who came before Shamai and said “Convert me [to Judaism] on condition that you teach me the whole Torah while I stand on one leg.” [Shammai] pushed him with the measuring stick in his hand. This individual then came before Hillel who converted him. He said “What you don't like done to you, don't do to your friend. This is the whole Torah and the rest is commentary. Go and learn.”

Questions for Discussion

- 1) *Ve'ahavta l'rei'acha kamocho* is formulated in the positive: do to others what you would want done to you. Why do you think Hillel gave the prospective convert the

negative formulation — don't do to others etc.?

- 2) When Hillel said that this principle is “the whole Torah” what do you think he meant? Do all of the mitzvos (at least those that are *bein adam lachaveiro* — interpersonal) relate to this principle?

Source#2: Rambam, Hilchos Avel 14:1

מצות עשה של דבריהם לבקר חולים ולנחם אבלים ולהוציא המת ולהכניס הכלה וללוות האורחים ולהתעסק בכל צרכי הקבורה לשאת על הכתף ולילך לפניו ולספוד ולחפור ולקבור וכן לשמח הכלה והחתן ולסעודם בכל צרכיהם ואלו הן גמילות חסדים שבגופו שאין להם שיעור אע"פ שכל מצות אלו מדבריהם הרי הן בכלל ואהבת לרעך כמוך, כל הדברים שאתה רוצה שיעשו אותם לך אחרים, עשה אתה אותן לאחריך בתורה ובמצות.

It is a rabbinic positive mitzvah to visit the sick, comfort the mourners, escort the dead, dower the bride, accompany the [departing] guests, engage in burial needs

— carry the dead and walk before the deceased, eulogize, dig and bury him — as well as to cheer the bride and the groom, and to assist them in whatever they need ... Although all these mitzvot are rabbinic in nature, they are part of the biblical commandment of "And you shall love your neighbor as yourself," that is: what you would have others do to you, do to your brother in Torah and commandments.

Questions for Discussion:

- 1) How does Rambam's formulation differ from that of Hillel's?
- 2) Why do you think Rambam interprets "ve'ahavta" as being action-oriented and not thought-oriented? Do you think Rambam would also require one to love one's neighbor on the level of thought or emotion?

Source #3: Bava Metzia 62a

שנים שהיו מהלכין בדרך וביד אחד מהן קיתון של מים אם שותין שניהם מתים ואם שותה אחד מהן מגיע לישוב דרש בן פטורא מוטב שישתו שניהם וימותו ואל יראה אחד מהם במיתתו של חבירו עד שבא רבי עקיבא ולימד וחי אחיך עמך חייך קודמים לחיי חבירך. [A discussion arose regarding] two people who are travelling through the desert and one of them has a jug of water. If they share the water, both will die and if one of them drinks the water, he will survive. Ben Petura ruled that it is preferable that they both drink and die rather than one drink and watch his fellow die until R. Akiva came along and taught [the meaning of the verse (Vayikra 25:35)] "and your brother shall live with you" [to teach that] your life comes before the life of your friend.

Questions for Discussion:

- 1) While R. Akiva is discussing a life threatening situation, the Gemara, Bava Metzia 33a, applies this principle to any situation where

one must choose between one's own needs and helping others. How is it that the same R. Akiva who says that *ve'ahavta l'rei'acha kamocha* is a great principle in the Torah (Sifra, Parshat Kedoshim no. 2), also teaches that one must take care of oneself before one takes care of others? Are these two ideas contradictory?

- 2) In a practical terms, if a friend asks for my help and I am currently busy taking care of my own personal, but non-essential needs (reading a book, browsing the web, checking my news feed, etc.), is it right to tell my friend that my needs come first?

Source#4: R. Naftali Tzvi Yehuda Berlin (Netziv), Ha'amek Davar, Vayikra 19:18

ואהבת לרעך כמוך. א"א לפרש כמשמעו, כידוע דחייך קודם לחיי חבירך, אלא הרמב"ם פל' בהל' אבל פל' ד' כמו שאתה חפץ מחברך, והדבר מובן שלא יסכל האדם שחבירו יאהבוו כמו נפש עצמו, אלא בגדר הראוי לפי הקורבה ודרך ארץ, באותו אופן עליך לאהוב בני אדם. [The verse states] "Love your neighbor like yourself." One cannot interpret this literally because it is known that one's own life takes precedence to the life of one's friend. Rather Maimonides explained in the fourteenth chapter of the Laws of Mourning that [it means] that one should act based on what one expects from one's friends [if they were in the same situation.] This is logical because nobody would expect their friends to love them as much as they love themselves. Rather, one's love of others should be based on how close they are to the others and societal norms (derech erez).

Questions for Discussion:

- 1) According to Netziv, how do Rambam's comments help us figure out when we can take

the "personal needs come first" exemption when we have an opportunity to help others?

- 2) What percentage of acts of kindness that you engage in are acts that are "obligatory" and what percentage of them are acts where you could take the "personal needs come first" exemption, but decide to help anyway?

Source# 5a: Micha 6:8

הגיד לך אדם מה טוב ומה ה' דורש ממך כי אם עשות משפט ואהבת חסד והצנע לקחת עם אלקיך.

He has told you, humankind, what is good and what God wants from you, but to do justice and love of kindness, and walk modestly with your God.

Source# 5b: R. Yisrael Meir Kagan (The Chafetz Chaim), Ahavas Chesed, Vol II, Chap. 1

ומה שאמר ואהבת חסד ולא אמר כי אם עשות משפט וחסד .. כי אף שכולנו עושין חסד אבל ענין החסד שלנו הוא רק מצד ההכרח דהיינו כשהאיש העלוב הצריך להחסד הוא בא אצלנו פעם אחת ושמים וקשה להשתמש ממנו אז אנו עושין עמו חסד ואהבת חסד רוצה לומר שלא תחשוב בנפשך שבזה שאתה עושה לפעמים חסד אתה יוצא בזה בשלימות כי אם שהאדם צריך להיות לו אהבה למדה זו של חסד ... בענין זה של חסד כשאדם יהיה לו אהבה למדה זו יהיה מחפש בכל כחו איך לעשות חסד עם חבירו וגם יעשה בכל בעין יפה.

It says "love of kindness" and not "to do justice and kindness" ... Because even though we all perform acts of kindness, we do so because we are forced. For example, we might perform kindness because someone asks us one or two times for a favor and it is difficult to continue to come up with excuses ... "Love of kindness," means that a person should have love for the value of kindness. One shouldn't think that just because they occasionally perform acts of kindness that they have

completely fulfilled their requirement

... When it comes to kindness, a person who has love for this value will exert all effort to find any opportunity to perform kindness and will do so generously.

Questions for Discussion:

- 1) How do the Chafetz Chaim's comments bridge the actions and the thoughts involved in "ve'ahavta l'rei'acha kamocha"?
- 2) If someone is very generous and consistently engages in acts of kindness, but doesn't feel anything in his heart, is there something lacking? If so, what can he do about it?

Source #6a: Bava Kama 30a

אמר רב יהודה האי מאן דבעי למהוי חסידא לקיים מילי דנזיקין.

R. Yehuda said: One who wants to be a pious individual should fulfill matters involving the prevention of damage.

Source #6b: R. Yosef Shaul Nathanson, Divrei Shaul (Aggados), Bava Kama 30a

הענין נראה לי דהנה כבר אמרו בשבת דף ל ואהבת לרעך כמוך זו היא כל התורה

כולה ואידך פירושא זיל גמור והיינו שזו תכלית האנושי אך שישתלם בין אדם לחברו שהחמיר הקב"ה יותר מכבודו וא"כ זו היא שאמרו דהאי מאן דבעי למהוי חסידא יקיים מילי דנזיקין והיינו נזיקין וגזל ואונאה וכל דבר שבין אדם לרעהו ... וא"כ כשאדם מוותר הרבה לפנים משה"ד זה נקרא חסיד ... ועינינו הרואות אם ישאל אדם שאלה באו"ה והמורה יאסור ויטרוף לו אף שיהיה הפסד מרובה יקבל בשמחה אבל אם יריבו אנשים ויקומו למשפט כמה יקשה בעיניו לתת לחברו וכמה יצדקי עושה לפטור מן הדין כי זה קשה ולכך בהפכו אם מתחסד בזה נקרא חסיד.

The idea seems to be based on what [our rabbis] said in Tractate Shabbos that "love your neighbor like yourself" is the whole Torah and the rest is commentary, go and learn. Meaning that this is man's purpose, to perfect oneself in treatment of others, which the Holy One Blessed be He was more stringent about than His own honor. As such, this is what our rabbis said "one who wants to be a pious individual should fulfill matters involving the prevention of damage." This includes damage, theft, overcharging and any other interpersonal matter ... Therefore, when a person is forgiving and gracious beyond the letter of the law, he is considered pious ... Our eyes see that if a person has a question regarding kosher (or other

ritual matters) and the rabbi tells him that the item is not-kosher, even if there is great loss involved, the questioner will accept the response with joy. However, if two people have a dispute and come to a rabbinical court, it is so difficult for a person to give anything to his friend and he will find any loophole possible to exempt himself from payment, because it is so difficult. Therefore, one who takes the opposite approach in these matters and is gracious, he is called "pious."

Concluding Questions:

- 1) According to R. Nathanson, Hillel's interpretation of ve'ahavta l'rei'acha kamocha focuses on mitzvos such as "don't steal" and "don't cheat in business." By contrast, Rambam focuses on helping others. What are the challenges that we face in fulfilling each aspect?
- 2) Regarding acts of kindness, going above and beyond the letter of the law is a foundational component of ve'ahavta l'rei'acha kamocha. Do you think the same applies to the aspect of ve'ahavta l'rei'acha kamocha that Hillel focused on? Why or why not?

Summary

Interpersonal mitzvos can be divided into two categories. The first category includes those mitzvos which we are obligated to observe under all circumstances. We can't ignore the prohibition against stealing or against slandering someone because it interferes with our personal needs or aspirations. According to R. Nathanson, these are the types of mitzvos that Hillel was focused on. Beyond that, however, is a second category of mitzvos that fall under the category of ve'ahavta l'rei'acha kamocha. Rambam provides for us a whole list of acts of chesed that we perform to fulfill this mitzvah and there are many others. As Netziv taught us, we can be exempt from performing these acts of kindness when they interfere with our personal needs. However, before exempting ourselves, we need to consider whether our exemption is genuine — what we need to do at the moment is more important than the chesed opportunity — or whether we are looking for an excuse.

While Rambam formulates ve'ahavta l'rei'acha kamocha as an action-oriented mitzvah, our thoughts and emotions are an important part of the mitzvah as well. How do we ensure that we don't take an unjustified "personal needs" exemption for a chesed opportunity? How do we motivate ourselves to view the chesed opportunities that come our way as more important than some of our personal needs? The Chafetz Chaim gave us the answer — ahavas chesed. When we develop a love for performing kindness for others, we will try find creative ways to make time for chesed.