

# Echoes of Eden

Rabbi Ari Kahn

## Parashat B'har 5774

### Living and Loving

As the contours of life and law in Israel's new agricultural society emerge, it becomes clear that the economy outlined by the Torah is designed not only to support farmers and their clientele. Jewish law creates a structure through which even the poor and disenfranchised are provided for and protected.

Throughout this parasha, we find a great number of laws that not only mandate feeding the poor, but also laws designed to help those who have fallen on hard times get on their feet again: farmers who have lost their property and are struggling to reclaim it, as well as others in need of loans or financial support. In these cases, usury is prohibited in a verse that is punctuated by the more general exhortation, "Let your brother live alongside you." (Vayikra 25:3)

This verse is understood by the sages of the Talmud as an overarching principle of Jewish ethics, and is applied in various instances of law that may seem far-removed or only tenuously related to the original context in which it is found. Thus, in a Talmudic discussion of a highly-fraught moral dilemma, the principle "Let your brother live alongside you" is cited as the rationale for two opposing legal conclusions. The case in question is of two people in the desert; one has enough water to survive, but not enough to insure the survival of his traveling partner. If he shares his water, both travelers will surely die.

**"Let your brother live alongside you" is cited as the rationale for two opposing legal conclusions.**

The Talmud quotes the opinion of a certain all-but anonymous man named Ben Petura (the son of Petura) that it is best to share the water, despite the certain fatal outcome, based on the verse "Let your brother live alongside you." The Talmud then recounts that the great Rabbi Akiva challenged this position on the basis of a different interpretation of this same verse. According to Rabbi Akiva,

the verse “Let your brother live alongside you” teaches us that one’s own life takes precedence to the life of another.

Prima facie, both of these applications of the verse “Let your brother live alongside you” are strange: If Ben Petura’s opinion is followed to its logical conclusion, your brother is not living with you - he is dying with you. On the other hand, if the scenario plays out according to Rabbi Akiva’s ruling, your brother is not living with you – he is dying while you live on. Furthermore, we might consider Rabbi Akiva’s opinion in light of his most famous ethical pronouncement: “Love your neighbor as yourself; this is the greatest principle of the Torah.” Apparently, Rabbi Akiva understood that even loving one’s neighbor has limitations, and there are cases in which that love cannot be expressed. Succinctly stated, Rabbi Akiva’s reconciliation of these two seemingly opposing principles of Jewish ethics teaches us to love their neighbors as ourselves, but not more than ourselves.

We may gain further insight if we consider that the core and context of the principle “Let your brother live alongside you” is concerned with interest-free moneylending. Specifically, this is how your brother lives alongside you - by

**only when push comes to proverbial shove, in a zero-sum game situation of life and death, does Rabbi Akiva rule in favor of self-interest over love of one’s neighbor**

sharing your resources. However, this sharing of wealth is not intended to reach the point that it endangers your own financial stability. In no way does the verse call for a person to lend money and put himself into the position that he himself will be in need of financial assistance. With this in mind, Rabbi Akiva’s ruling is more easily understood: Love your neighbor as yourself. Insure that your brother can live alongside you, and do not allow him to fall by the wayside – but insure your own wellbeing in order for this to be possible. Your brother must live alongside you, not instead of you

or at the expense of your own life or livelihood. Torah law mandates your own wellbeing. Self-preservation is the first step in preserving others; if saving someone else endangers your own life, the Torah commands that your brother shall live with you.

How did Rabbi Akiva's students understand their teacher's ruling? Did they understand that the case of the two travelers with limited water was an extreme case, and not the norm? Did they understand that only when push comes to proverbial shove, in a zero-sum game situation of life and death, does Rabbi Akiva rule in favor of self-interest over love of one's neighbor? Is it possible that the students of Rabbi Akiva construed their teacher's ethical statement of self-preservation as an endorsement of self-interest at the expense of others? Could it be that Rabbi Akiva's own teaching served as an excuse for his students to act selfishly? Could his own ruling lie at the heart of their lack of respect for one another, each one of them believing that their own status takes precedence over others' dignity?

Even the greatest educator, even the loftiest values, may be misunderstood. Rabbi Akiva could spend a life teaching decency and love, and still have followers misapply his ideas. Rather than using his teachings to create a utopian society, they left death and mourning in their wake. Rather than creating a society based on love, mutual respect and sharing, they created one based on misanthropy and selfishness.

The lessons of social justice and mutual responsibility found in Parashat B'har are all the more poignant at this time of year, in the sefira period between Pesach and Shavuot. This, the Talmud tells us, is the time of year during which 24,000 students of Rabbi Akiva perished. This was the time of year during which their failure to understand and internalize the Torah's moral imperatives brought about unthinkable loss and destruction. Let us hope that the lessons are not lost on us.

For a more in depth analysis see:

<http://arikahn.blogspot.co.il/2014/05/audio-and-essays-parashat-bhar.html>