

ELLIOT N. DORFF

Love Your Neighbor and Yourself

A JEWISH APPROACH TO MODERN
PERSONAL ETHICS



5763 2003
The Jewish Publication Society
Philadelphia

that God created. One's study of the world in fields like science and philosophy must, in his view, be evaluated by what one learns in the Torah, for that was given by God, while the topics taught in universities were developed by fallible human beings; but one must study the results of human inquiry nevertheless.⁶⁷ Not all Orthodox Jews then or now agree with this approach, but many do; and certainly the vast majority of Jews, who are not Orthodox, take general education seriously.

THE COMMUNITY

If the family is the primary unit in Jewish life, the community follows close behind. Communities are necessary, in part, for practical purposes, for only through living in a community can one have what one needs to live life as a Jew—synagogues, schools, kosher food, a person skilled in circumcision, a cemetery, and more. Furthermore, only in a community can all the duties of Judaism be fulfilled, because justice, care for the poor, education, and many other Jewish demands require other people. Thus Jewish life is organized around the community.

The community is not only important for practical purposes, though; it also has theological import. Israel stood at Sinai as a community, and it is as a group that they made the covenant with God. From then on, each Jew, as the Passover ritual powerfully states, is to see himself or herself "as if he himself left Egypt" and stood at Sinai, thereby sharing in God's work of liberation and God's covenant with all other Jews in all generations. Judaism, contrary to Enlightenment ideology, does not see us as isolated individuals with rights; it sees us rather as members of a community, with duties to each other and to God.

This sense of community is much stronger than the kinds of communities we are used to in modern, post-Enlightenment societies. In the United States, for example, all communities are voluntary: I may choose to join a group or to leave it at any time. I may even choose to give up my citizenship as an American. In Jewish law, though, once I am Jewish by either being born to a Jewish woman or converting to Judaism, I am Jewish for life. If I convert to another religion, I am an apostate, and I lose the privileges of being Jewish (such as being married or buried as a Jew

and being counted as part of the prayer quorum), but I retain all the obligations of being Jewish! This is, then, not a thin, voluntary sense of community, but a thick, corporate sense, in which I am literally part of the body of the Jewish community and cannot be severed from it.⁶⁸

This thick sense of community in covenant with God is symbolized by the *minyan*, the prayer quorum consisting of ten Jewish adults. Jews may pray or study individually, but some parts of the liturgy can be recited and the official Torah reading can be accomplished only in the presence of ten Jewish adults, the minimum number deemed a community. Only in that setting can we bless and sanctify God fully, and only in a group can we hear and study God's word adequately.

The following talmudic list of facilities and people that are to be part of any Jewish community fit for a rabbi to reside there reveals the nature of what a community is understood to be within the Jewish tradition:

It has been taught: A scholar should not reside in a city where [any] of the following ten things is missing: (1) a court of justice that can impose flagellation and monetary penalties; (2) a charity fund, collected by two people and distributed by three [to ensure honesty and wise policies of distribution]; (3) a synagogue; (4) public baths; (5) toilet facilities; (6) a circumciser; (7) a doctor; (8) a notary [for writing official documents]; (9) a slaughterer [of kosher meat]; and (10) a schoolmaster. Rabbi Akiva is quoted [as including] also several kinds of fruit [in the list] because they are beneficial for eyesight.⁶⁹

The community must thus provide facilities and people necessary for justice (a court and notary); Jewish religious life (a synagogue, a circumciser, and a kosher slaughterer); Jewish education (a rabbi and schoolmaster); charity and other social services; and health care, including public baths and toilets (remember that this was written before the advent of indoor plumbing), a doctor, and—according to Rabbi Akiva—even the foods necessary for health.

If the Jewish community of talmudic times did not live under foreign rule, this list would undoubtedly also include other things that the rulers supplied—such as defense, roads, and bridges. Still, in many times and places, Jewish communities had semiautonomy, with the powers of taxation and policing thus implied. The Jewish court would, for example, appoint inspec-

tors of the weights and measures used by merchants to ensure honesty in business.⁷⁰

SOCIAL ACTION AND THE MESSIANIC FUTURE

All of these elements of Jewish life—the individual, the family, education, and the community—are necessary for the ongoing life of Jews, but they are also intended to enable Jews to carry out the Jewish mission. Jews believe that the Messiah has not yet come, that the world is still broken and fragmented by war, disease, poverty, meanness, and the like. Only God can ultimately bring the Messiah; the *Aleinu*, the prayer that ends every Jewish service, expresses the hope that God will “utterly destroy false gods and fix the world through the reign of the Almighty.”⁷¹ Nevertheless, we human beings are to help God in that task as God’s agents and partners in the ongoing repair of the world. This includes research into preventing or curing disease, political steps to avoid war and reinforce peace, political and economic measures to stop hunger and provide the other elements of substantive justice, legal methods to ensure procedural justice, and educational efforts to teach morality and understanding. Jews have been and continue to be heavily involved in social action; indeed, they overwhelmingly see that as the most important factor in their Jewish identity.⁷² This commitment to repair the world stems from the convictions that the world is not now redeemed and that we must act to help God bring about the messianic hope for the future.

NOT IN THE HEAVENS

In the end, both Jewish ethics and Jewish morality shape the Jew. Jewish theoretical convictions about the divine source of morality and the ways to discern God’s will give Jews a sense of why they should be moral and how, even in the radically changed world of today. Jewish moral beliefs about the nature of the human being, the family, education, the community, and the future define what is important in life and motivate Jews to try to achieve those moral goals. Together, they pose a distinct challenge to Jews to know God’s will and to do it, just as it was in the time of the Torah:

LOVE YOUR NEIGHBOR AND YOURSELF

Surely, this Instruction which I enjoin upon you this day is not too baffling for you, nor is it beyond reach. It is not in the heavens, that you should say, "Who among us can go up to the heavens and get it for us and impart it to us, that we may observe it?" Neither is it beyond the sea, that you should say, "Who among us can cross to the other side of the sea and get it for us and impart it to us, that we may observe it?" No, the thing is very close to you, in your mouth and in your heart, to observe it.⁷³

them are welcome—that is, they would rather live without both the suffering and the anticipated reward; see B. *Berakhot* 5b. See also Jakobovits (1975), chap. 8.

52. See M.T. *Laws of the Sabbath*, chap. 30.

53. The law of the Nazirite appears in Numbers 6:11. The rabbinic derivation from that law that abstinence is prohibited appears first in B. *Ta'anit* 11a. See also M.T. *Laws of Ethics (De'ot)* 3:1.

54. M.T. *Laws of Ethics (De'ot)* 3:3.

55. Genesis 2:24.

56. M. *Ketubbot* 5:6–7.

57. Genesis 2:18 and B. *Yevamot* 61b.

58. *Genesis Rabbah* 17:2; B. *Yevamot* 62b–63a; and *Midrash Psalms* on Psalms 59:2.

59. B. *Kiddushin* 29b–30a.

60. Genesis 1:28.

61. On the minimum of two, see M. *Yevamot* 6:6 (61b); M.T. *Laws of Marriage* 15:4; and S.A. *Even Ha'ezer* 1:5. On the ideal of having more, see B. *Yevamot* 62b (based on Isaiah 45:18 and Ecclesiastes 11:6) and M.T. *Laws of Marriage* 15:16.

62. Deuteronomy 6:7, 20–25, 11:19. This was already one of Abraham's duties (Genesis 18:19).

63. Deuteronomy 5:1.

64. Deuteronomy 31:10–13.

65. On Moses as a prophet, see Deuteronomy 34:10. According to my own computer search, the phrase "Moses, our teacher" appears fifty-six times in the Babylonian Talmud! For example, B. *Berakhot* 3b, 12b, 33b, 55a, 55b; and B. *Shabbat* 30a, 92a.

66. M. *Avot* 5:24.

67. Hirsch (1956), 2:245–250.

68. For more on this, see Dorff (1987), esp. 12–19; Konvitz (1978), chap. 5; and Dorff (2002), chap. 1.

69. B. *Sanhedrin* 17b.

70. B. *Bava Batra* 89a; M.T. *Laws of Theft* 8:20; and S.A. *Hoshen Mishpat* 231:2.

71. This prayer is found in the prayer books of all Jewish denominations, but see, for example, Harlow (1985), 162 f.

72. Half of American Jews from across the nation polled by the *Los Angeles Times* listed a commitment to social equality as the factor most important to their sense of Jewish identity, whereas only 17 percent cited religious observance and another 17 percent cited support for Israel; see Scheer (1988).

73. Deuteronomy 30:11–14.

NOTES TO CHAPTER TWO

1. Gindin (1997), 1173, and generally for this and many of the other legal aspects of privacy, especially regarding access to personal information. I would like