



# תורת חיים Torat Chayim

Rabbi Mordechai Torczyner, Eitz Chayim of Dogwood Park

בס"ד

Emor

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*This issue of Torat Chayim is dedicated to the soldiers of the IDF, the hostages, and the wounded.*

## Ramban on Our Parshah: "Not Shabbesdik"?

Certain Shabbat activities are mitzvot, such as enjoying a pleasant meal. Other activities are prohibited – pulling leaves or twigs from trees, for example. But some activities are often labeled "inappropriate", or "not *shabbesdik*". What does that mean? Is "not *shabbesdik*" a meaningful halachic category?

Ramban (Vayikra 23:24) cites a gemara (Shabbat 24b-25a) saying that the Torah's word *shabbaton* for Shabbat and Yom Tov is a biblical mitzvah to cease activities which disturb the **ambiance** of Shabbat. He writes: "We are biblically instructed to rest on holidays even from actions that do not involve *melachah*. We should not strain all day in measuring grain, weighing produce and metals, filling barrels with wine, and moving implements and even stones between houses and places."

Ramban adds that *shabbaton* is the overarching imperative behind many rabbinic prohibitions. Without these laws, "If a city were bounded by a wall and its doors were closed at night, people would even load their donkeys, and they would even bring wine, grapes, figs, and every burden on holidays, and the market would be filled with all kinds of commerce, and the store would be open and the storeowner would keep a tab and the moneychangers would be at their tables with the gold coins before them, and the

workers would rise early for their work and they would hire themselves out like weekdays for these and similar tasks, and these holidays, and even Shabbat itself, would become as though permitted, for in all this there is no [formal] *melachah*. This is why the Torah declared 'Shabbaton,' a day of ceasing and rest, not a day of strain." [Rambam wrote similarly in Mishneh Torah, Hilchot Shabbat 21:1.]

Refraining from the "not *shabbesdik*" puts a halt to the week and its heavy influence. Writer Pico Iyer expressed the importance of this halt beautifully, in a column "Why We Need a Secular Sabbath". He wrote, "One day Mahatma Gandhi was said to have woken up and told those around him, 'This is going to be a very busy day. I won't be able to meditate for an hour.' His friends were taken aback at this rare break from his discipline. 'I'll have to meditate for two,' he spelled out. I mentioned this once on a radio program and a woman called in, understandably impatient. 'It's all very well for a male travel writer in Santa Barbara to talk about taking time off,' she said. 'But what about me? I'm a mother trying to start a small business, and I don't have the luxury of meditating for two hours a day.' Yet it's precisely those who are busiest, I wanted to tell her, who most need to give themselves a break."

## Parshah Riddles for Kids (answers on the back)

Age 4-8: How many loaves of bread sit on a table in the Mishkan all week? A) Two, B) Twelve, or C) Forty?

Age 8-12: What date does the Torah give for Shavuot?

Age 12+: According to Rashi, who was the father of the man who blasphemed against Hashem?

## Journey Through Tanach: Shoftim Perek 3

Chapter 3 demonstrates the cycle of sin, suffering, repentance and salvation predicted in Chapter 2. First, we learn that Hashem left Canaanites in place so that conflict with them would teach us the price of our sins, leading to our repentance. Soon enough, the presence of Canaanites leads to intermarriage and idolatry, and therefore suffering. (3:1-6)

Hashem brings Aram from the east to attack us. Recall that Avraham, Sarah, Rivkah, Leah and Rachel all came from Aram to Israel to follow Hashem. The new Jewish nation in Israel has reverted to idolatry, and so Hashem sends Aram to reclaim the former Arameans.

The Jews suffer under Aram until Hashem appoints Otniel ben Kenaz, son-in-law of Kalev ben Yefuneh, as our first *shofeit*. He leads the Jews back to Hashem, and drives off Aram. Rashi says that the military victory came before our repentance; Malbim contends that the Jews returned to Hashem and only then were they saved. (3:7-11)

After a peaceful period, the Jews sin again. This time Hashem empowers Moav to attack the Jews; Moav is a perennial foe in Tanach, representing the selfishness of Sdom from

which they emerged. The Jews are under Moav's thumb for eighteen years. They cry out to Hashem, and Hashem sends Ehud ben Gera as the *shofeit* to save them. (3:12-15)

Ehud brings a gift to King Eglon of Moav, and he carries with him a concealed, double-edged dagger. Ehud's right arm was not functional, which caused the Moabites to underestimate him. Eglon was very large, and therefore not agile, adding to Ehud's advantage. Also, Ehud dismisses his associated delegation and remains alone, so that the Moabites let their guard down. Ehud tells the king he is carrying a secret message, and Eglon dismisses his guards. Ehud then stabs Eglon so deeply that the dagger disappears in his ample flesh, he locks the door to the chamber, and he flees. While the guards wonder whether to check on their king in his private room, Ehud returns home and rallies the Jewish forces, who drive off the Moabites. (3:16-30)

Eighty years later, Shamgar ben Anat becomes *shofeit*, and he successfully battles the Plishtim in the area of Aza. His weapon is a cattle goad; along with Ehud's dagger and the tent spike Yael will use in Chapter 4, this demonstrates that Hashem can bring us victory with any weapon. (3:31)

## The 613 Mitzvot: #31 - Kiddush, Part 1

Shemot 20:8 commands, "Call to mind the day of Shabbat, to sanctify it," requiring **verbal** invocation of the day's sanctity: *kiddush*. Sefer HaChinuch codifies this as the Torah's 31<sup>st</sup> mitzvah. We fulfill this mitzvah while holding a cup containing wine, because Tanach links wine and memory positively (Pesachim 106a). Rashi contended that wine is biblically mandated, but Rambam viewed it as a rabbinic obligation (Mishneh Torah, Hilchot Shabbat 29:6).

The Talmud (Bava Batra 97a) states that one may use freshly squeezed grape juice for *kiddush*, and most halachic authorities follow this view. The list of 20<sup>th</sup> century permissive authorities includes Rabbi Shlomo Zalman Auerbach, Rabbi Yosef Shalom Elyashiv, Rabbi Moshe Feinstein, Rabbi Gedaliah Felder, Rabbi Tzvi Pesach Frank, and Rabbi Ovadia Yosef. However, some prefer wine, for two reasons:

- Magen Avraham (272:3) wrote that we prefer aged, fermented wine. (Note that one may read Magen Avraham as discussing a particular situation, and not making a sweeping statement about wine vs. grape juice.)
- Our grape juice is heated as part of its processing, and that may reduce its acceptability according to some authorities, including Rambam (Hilchot Shabbat 29:14).

Rabbi Yosef Dov Soloveitchik preferred wine. (Nefesh haRav pg. 185) However, he acknowledged that grape juice could be used, and certainly where there are health concerns involved with wine. *To be continued...*

## Israel's Chief Rabbis: An Omer Bar/Bat Mitzvah, Rav Tzvi Pesach Frank

Rav Tzvi Pesach Frank was born in 1873, in Kovno, Lithuania, to a rabbinic, Zionist family. He learned under Rabbi Yitzchak Elchanan Spektor and Rabbi Eliezer Gordon, until his family made aliyah to Hadera in the early 1890's. The young Rav Frank continued his studies in Jerusalem under Rav Yechiel Michel Tukaczinski, Rav Shmuel Salant, Rav Yehoshua Leib Diskin and Rav Avraham Yitzchak Kook; his brother-in-law was Rav Aryeh Levin.

In 1907 Rav Frank became a judge on the Beit Din of Jerusalem. In 1918 he became the Av Beit Din, and he served in that capacity for the next forty years. He also held positions of civic leadership and communal service during World War I. In later years he aided the Haganah; his home served as an ammunition repository.

As head of the Beit Din, Rav Frank invited Rav Kook to become the Chief Ashkenazi Rabbi of Jerusalem in 1919. Rabbi Kook served in that capacity until his death in 1935, at which time Rav Frank himself ascended to that position. He passed away just before Chanukah in 1960.

In 1959, Rav Frank answered the following question (Har Tzvi Orach Chaim 2:76): If someone becomes bar/bat mitzvah during the Omer, and they counted the Omer until their birthday, do they continue to count with a berachah after their birthday? In other words: what is the halachic

value of the mitzvot they performed as a minor, when they were not obligated in these mitzvot?

He quoted the Minchat Chinuch (306), who contended that before bar/bat mitzvah, the deed is not a mitzvah deed – and yet they may continue to count with a berachah. He compared this to the case of a non-Jew who produces children and then converts to Judaism. Since the mitzvah is to have children, and the newly minted Jew has children, the mitzvah has been fulfilled. Similarly, the bar/bat mitzvah has a complete count, and may continue to count. However, Rav Frank disagreed regarding that source case; the mitzvah of procreation is not about **having** children, it's about **performing the action** that one hopes will lead to children. The newly minted Jew has truly not **fulfilled** the mitzvah, but is simply **exempt** because he has already produced children.

Nonetheless, Rav Frank ruled that the bar/bat mitzvah may continue to count. Granted that the minor was exempt, (s)he did count, and this is considered a "mitzvah counting" despite the exemption. Therefore their Omer count is complete and they may continue.

## Upcoming Learning!

*All classes are open to men and women and free of charge, unless otherwise noted*

8:05 PM Shabbat May 18

**"Using Children to Sin"**, with Rabbi Efreim Schwalb, at Eitz Chayim

The Sunday Fourteen Centuries shiur, Monday night Halachah in Healthcare Settings shiur and Tuesday night Gemara Makkot shiur do not meet this week  
Rabbi Torczyner expects to return from the RCA Convention on Tuesday night

Age 4-8 B: Twelve  
Age 8-12 The fiftieth day after the second day of Pesach  
Age 12+ The Egyptian whom Moshe killed; see Rashi to Vayikra 24:10

Answers to Parshah Riddles

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