



תורת חיים Torat Chayim

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בס"ד

Bechukotai

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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: Doctors: Good or Bad?

Parshat Bechukotai envisions a world of clear reward and punishment. A Jewish nation that follows Hashem in Israel merits bounty and security; a Jewish nation that abandons Hashem, Gd forbid, will suffer and be evicted from the land. On this passage, Ramban commented that when we follow Hashem, our affairs are not governed by nature. There is no illness unless we sin. Righteous people who fall ill are supposed to pursue help from prophets, not doctors. Although the Torah does describe resorting to doctors to treat injury (Shemot 21:19), that is descriptive rather than prescriptive. (Commentary to Vayikra 26:11)

But Ramban's comment is difficult, as he explicitly endorses medical practice in his halachic work *Torat Ha'Adam*. How do we resolve this?

According to Rabbi Chaim Yosef Dovid Azulai (*Birkei Yosef*, Yoreh Deah 336), Ramban believed that patients are wrong for seeking doctors. However, a doctor who is faced with patient should, indeed, treat the patient.

Rabbi Eliezer Waldenberg (*Tzitz Eliezer* 5:Ramat Rachel 20:3) argues that Rav Azulai's approach is inconsistent with Ramban's own words. Rather, Ramban distinguished between two eras. In an era of prophecy, one who is ill goes to prophets. But in an era when we are deprived of

prophets, it is meritorious to seek medical help. Rav Waldenberg writes, "Since the great majority of people do not merit healing via miracles from Heaven, and the Torah itself says not to depend upon miracles, the Torah's permission to pursue healing applies to patients as well. Further, it is a mitzvah and obligation, since one's life depends upon it."

In a third approach, a strong comment is attributed to Rav Yosef Dov Soloveitchik, in the name of his grandfather Rav Chaim Brisker: "The Rav had no patience for philosophies that glorified passivity and reliance on miracles. At the beginning of the 1960's, a few years after the launch of Sputnik, I had occasion to talk with the Rav about those people who claimed that man should not reach out for the heavens, for 'the heavens are the heavens of Gd,' and only 'the earth is given to human beings.' The Rav heaped scorn upon them. One of those present jumped up to protest: 'But Rabbi, the Ramban in *Bechukotai* (Vayikra 26:11) speaks about how a person should have faith in the Holy One, and not to delve into matters that are too wondrous for him.' The Rav replied, 'I heard from my father, in the name of my grandfather, that the Ramban never uttered that statement!'" (Dr. Aviadh Cohen *Rav Soloveitchik's Approach To Zionism*)

Parshah Riddles for Kids (answers on the back)

Age 4-8: For *maaser sheni*, we bring 10% of Israeli produce to: A) Beit HaMikdash, B) Jerusalem, or C) Yam haMelach?

Age 8-12: What is the mitzvah of *maaser beheimah*? See Vayikra 27:32.

Age 12+: Vayikra 26:4 says when we do mitzvot, rain will come on time. According to Rashi, when is "on time"?

Journey Through Tanach: Shoftim 4:10-24

As we saw last week, Barak and Devorah rally ten thousand fighters for their revolt against the oppressive Canaanites. The text then inserts an apparently irrelevant sentence, documenting that a man named Chever, a Keinite descended from Moshe's father-in-law Yitro, moved his family nearby. (4:11) Abarbanel claims that Chever did this when he saw the battle developing, to be in position to help the Jews.

The Canaanite general Sisera hears that the Jews have rallied troops, and he brings 900 iron chariots, as well as infantry, to Nachal Kishon. This is as Devorah predicted. (4:12-13)

Devorah sends Barak and the ten thousand men into war, and Hashem routs Sisera. The text here does not describe specific supernatural intervention, but 5:19-22 will provide the details. Here, we are only told that the Canaanites fell by the sword, and their general Sisera fled. (4:14-16)

Now we learn the significance of Chever's aforementioned move. He is on the scene, and he is on good terms with

the Canaanites, and so Sisera trusts him and flees toward his tent. Chever's wife Yael sees Sisera, detours him to her tent, and covers him up. He asks for water; she gives him milk. Commentators suggest that Yael gave Sisera milk in order to make him drowsy. [Later in history it is suggested that Judith did the same to General Holofernes, but that does not appear in the text of the book of Judith.]

Sisera tells Yael to stand guard. The text records little information about Sisera's actions in the tent, but 5:24-27 will give us more information. (4:17-20)

Once Sisera is asleep, Yael stabs him through his skull with a tent spike. Some suggest she did this because Yitro's descendants saw themselves as Jews (Malbim); a midrash says it's because the alliance of Yitro and Moshe predated the alliance of Keinites and Canaanites (Shemot Rabbah 4:2). Yael then shows Barak his dead enemy, and the Jews go on to defeat the Canaanites who had oppressed them. (4:21-24)

The 613 Mitzvot: #32 - Melachah on Shabbat, Part 1

Shemot 20:10 records the command, “You shall not perform any *melachah*” on Shabbat. The word *melachah*, as used in the context of Shabbat, refers to the tasks performed in the Mishkan. (Shabbat 49b; Bava Kama 2a) According to some commentators, it is limited to tasks involved in **creating** the Mishkan, not in its ongoing operation. (Meiri to Shabbat 73a)

All such tasks, and tasks which have similar purposes or methods, are prohibited on Shabbat, as an outgrowth of the Torah's instruction, “You shall perform no *melachah*.” Sefer HaChinuch counts this as the Torah's 32nd mitzvah.

Our sages have identified many benefits of refraining from performing melachah on Shabbat, including:

- Enabling us to spend Shabbat thinking about Hashem's creation of the universe. (Sefer HaChinuch #32)
- Commemorating our freedom from slavery in Egypt. A slave cannot rest; our day of rest shows that Hashem made us into free people. (Sefer HaChinuch #32)
- We recognize that we are not unlimited masters of this world, to manipulate it as we choose. (Rabbi Shimshon Raphael Hirsch, Commentary to Shemot 20:10)

To be continued...

Israel's Chief Rabbis: Non-Jews in Government, Rav Shaul Yisraeli

Rav Shaul Yisraeli was born in Belarus in 1909. His father was exiled to Siberia for teaching Torah, and was not seen again. Rav Yisraeli fled to Poland in 1933, and emigrated to then-Palestine with the aid of documents sent by Rav Avraham Yitzchak Kook. He studied in Yeshivat Mercaz haRav, and received ordination from Rav Yechezkel Michel Charlap and Rav Isser Zalman Meltzer. In 1938, Rav Yisraeli was chosen as the first Rabbi of Kfar haRoeh, itself the first *moshav* to choose a Rabbi. He applied halachah to the needs of communal farms; residents said, “He turned us into almost-rabbis, and we almost turned him into a farmer.” He helped found the rabbinical association of HaPoel Mizrahi. In 1953, Rav Yisraeli joined the Chief Rabbinate's Rabbinical Council. In 1965, Rav Yisraeli was appointed to the rabbinic Supreme Court of Appeals. In 1982, Rav Yisraeli was appointed as Rosh Yeshiva of Yeshivat Mercaz haRav, along with Rav Avraham Shapira; he served until 1993. He passed away in 1995.

In his *Chavat Binyamin* (1:12), Rav Yisraeli addressed an important issue: May non-Jews serve in the Israeli government? Certainly, denying this right would be damaging, weakening their connection with the State and undermining Jewish demands for rights in countries around the world. Further, we have many communal practices enacted for the sake of preserving peace, which would seem to fit this situation. But what does Jewish law actually say?

Devarim 17:15 states that a king must be “of your brethren,” not “an outsider.” Per Kiddushin 76b, this applies at all levels of communal authority, precluding a non-Jew from holding elected office. However, Rav Yisraeli brought two arguments dismissing this as a problem.

First, he pointed out that in Roman times Shemayah and Avtalyon converted to Judaism and served on the Sanhedrin. How could this have happened? Rabbi Chaim Benveniste (*Keneset HaGedolah* to Beit Yosef I Choshen Mishpat 7:1) suggested that for all positions other than actual monarchy, the community may accept anyone. However, Rav Yisraeli rejected this approach.

Rav Yisraeli offered his own approach, distinguishing between *melech* and *malchut*. He noted that some sources identify both Moshe and Yehoshua as *melech*, but other sources state that *malchut* began later, with Shaul. Based on Zevachim 102a he explained that *malchut* is hereditary monarchy, such that the king cannot be deposed; an outsider may not hold such a position. But anyone may be a *melech*, holding non-hereditary power bestowed by the community. Our government positions are *malchut*; they are not hereditary, and the community retains the right to replace its functionaries. Halachah permits electing non-Jews to these positions. [See also Rav Yisraeli's *Amud haYemini* #12.]

Upcoming Learning!

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

8:20 PM Shabbat June 1

Pirkei Avot 5: Jerusalem, City of Miracles, with Rabbi Mordechai Torczyner, at Eitz Chayim

8:30 AM to 9:15 AM Sunday June 2

Fourteen Centuries: Rav Shemuel bar Chofni Gaon, with Rabbi Mordechai Torczyner, in the lobby at Eitz Chayim

8:45-9:30 PM Monday June 3 on **ZOOM only** at <http://tiny.cc/medhal>

Halachah in Healthcare Settings: Kiddush in the Hospital with Rabbi Mordechai Torczyner

5:30-7:00 PM Wednesday June 5, L'Chaim for Yom Yerushalayim at the Torczyner Home, 719 Wildwood

8:45-9:30 PM Wednesday June 5—**note the change in night and location for this week**

Gemara Makkot with Rabbi Mordechai Torczyner, for men, at 572 Colonade

Age 4-8 B: Jerusalem
Age 8-12 To bring 10% of the animals born in each year as a korban
Age 12+ On Friday night and Yom Tov nights, when people don't travel; see Rashi to Vayikra 26:4

Answers to Parshah Riddles

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