



RAV AVRAHAM CHAIM TANZER SPEAKS
MISHPATIM



Vol. 2

"To share and to care. To make the world a better place."

Parsha gems of **Moreinu HaRav Avraham Chaim Tanzer zt"l**, including his teachings. Ideas and values with which he raised and educated 4 generations of Talmidim, Including insights and lessons gleaned from his great character.

Compiled and elucidated by Rav Dov Tanzer *le'iluy nishmas* Abba Mari zllchh"l.

Please share at your table as an *Aliyas Neshama*

ZEI A MENSCH!

וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר תָּשִׂים לְפָנֶיךָ

And these are the statutes that you shall place before them (21, 1)

Rashi comments that the Pasuk begins with a joining 'va', to connect the statutes and ordinances of the Civil law to the Ten Commandments of the previous Parsha, to teach: Just as the Ten Commandments were given on Sinai, to too were the details of Civil law given on Sinai.

Abba zt"l spoke about the difference between the civil laws that govern every human society, and our own set of civil laws.

Every community of man must install a system of rules and regulation in order to protect people and their possessions. These are not religious laws, but simply a way of managing rights.

The Torah, on the other hand, teaches that 'When an ox gores a donkey', it's not just about money and rights, it's about a G-dly society. Its religious law that brings you closer to Hashem, no less than Davening in shul and keeping the Mitzvos of Lulav and Sukah.

He would add, that that is why the opening Mishna of Pirkei Avos introduces the Torah Ethics of Behaviour with: "Moshe received Torah from Sinai", citing the *Rav Bartenura* who explains that at Sinai Moshe learned the Torah laws of good and decent behaviour – very much part of the 'religious law'.

Civil law in Torah, doesn't just protect rights, it teaches you how Hashem looks at other people's possessions and feelings, and we learn how careful we need to be with them.



THE ONLY CERTAIN THING ABOUT MACHLOKES...

כִּי יִרְיֹבֶן אֲנָשִׁים וְהָכָה אִישׁ אֶת רֵעֵהוּ בְּאֶבֶן אוֹ בְּאֵגוֹף

If two people quarrel, and one man beats his fellow with a stone or a fist (21, 18)

The *Medrash* comments on this verse: 'No good, and no Shalom will emerge from a fight. Thus, the Pasuk says: If people quarrel, and one man beats his fellow with a stone or fist'. A quarrel will almost inevitable get worse. Fights are not really the way to resolve issues, just to complicate them.

This was a rule that Abba zt"l observed and taught all his days – avoid the fight as far as you possibly can.

He would say: Even if something positive comes out of a fight, a lot of negatives certainly come.

Even when you are forced to raise a quarrel, he taught: Never fight today what can be put off till tomorrow. He believed firmly that if you give people time, they will usually come round.

Still, when forced into taking a position, he would usually ensure that he had the right person to deliver the message.

He taught that a Rabbi only has a certain number of arrows in his quiver. He needs to

choose his battles wisely, not to use his ammunition up on things that should be overlooked.

This was also his rule in raising children – especially in teenager-hood: Choose your battles wisely.

For himself, even on the very rare occasion that he was forced to fight for a position, it was very carefully worded not to sound as an aggressor or bully.



THE MEDICAL MANDATE

וְרַפָּא וְרַפָּא

He shall be completely healed (21, 19)

Rashi comments that: 'From here we derive that permission is granted to a doctor to heal'.

Abba zt'l used to retell the incident where the family of a sick person came before a *Tzadik* begging him to intercede on behalf of the *Choleh*, saying that the doctor has already given up hope r'l. The *Tzadik* responded that we see from Rashi that the doctor only has permission to heal, he has no authority to give up on a life. The medical mandate was limited to do all in their power to heal, he was not granted the authority to despair.

The reason seems clear, since the doctor really does not have the power to heal at all, just to engage in the process of trying to cure the patient. Since all healing comes from Hashem, there is always a chance that the patient will recover. Many unwell people have recovered and lived years after the doctor 'gave up' on them.



The Kotzker Rebbe played on the term '*Yei'ush shelo mida'as*' – 'giving up hope without yet knowing of the specific loss'; he paraphrased these words of the Gemara to mean – *Yei'ush* (giving up hope) – is always '*shelo mida'as*'- it's

always a lack of understanding and awareness of Hashem's ability to heal and to bring salvation in every situation.



TORAH, TORAH, TORAH

כֹּה אָמַר ד' אִם לֹא בְרִיתִי יוֹמָם וְלַיְלָה חֻקֹּת שָׁמַיִם
וְאָרֶץ לֹא שִׁמְתִּי

Hashem says: If not for my covenant day and night, I would not have set the natural laws of heaven and earth (Haftarah, Yirmiyahu 33, 25)

One of Abba's perennial educational themes, when addressing his Talmidim, was to cite this Pasuk, and the words of the Rav Chaim of Volozhin, explaining that if the study of Torah would cease, even for one moment, the heaven and earth would not continue, because it's the words of Torah that hold the laws of nature together. Without constant Torah study, the physical material world could not be held in structure.

Thus, he taught, in the great mother Yeshiva of Volozhin, Rav Chaim instituted that the Yeshiva be divided into shifts, each to learn at a different time, to ensure that Torah was being studied 'Yomam Valayla' – 24/7 to uphold the world. To be sure, he was certainly transmitting a powerful educational message – that Torah study is the life giving force. Torah replenishes the natural forces and brings Bracha to the natural world.

Abba would say that we, in South Africa, play a vital role in maintain the wellbeing of the world, since the vast majority of Torah Jews reside in the Northern Hemisphere. When night falls for them, it's day for us, and then it is us who hold the world in good course and orbit.

The world only appears to have set physical immutable laws. Experience shows what we believe as fact: Really, only the spiritual laws are truly immutable. Even time itself has been shown to be malleable.

