



Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

From the Teachings of Ha-Rav Shlomo Aviner

Parashat Vayechi 5769

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Hilchot Tzava – Halachot of the Army – Part 2

The Mitzvah of Serving in Tzahal

Our Rabbi, Ha-Rav Tzvi Yehudah Ha-Cohain Kook, explains that serving in Tzahal is a three-fold mitzvah:

1. Saving of Lives

The protection of the Nation of Israel in our Land is accomplished by the removal of the enemy's army as much as possible. In order to protect the Nation, there is a need for self-sacrifice as we are commanded, "Do not stand idly while your brother's blood is shed" (Vayikra 19:16): If you see a fellow drowning in a river or bandits are attacking him or a wild animal is attacking him, you are obligated to save him (Sanhedrin 73a). According to various authorities, even if there is potential danger for the one who comes to rescue, he is obligated to attempt to rescue one who is in a situation of certain danger (Hagahot Maimoniyot, Rambam - Hilchot Rotze'ach U-Shemirat Nefesh, chap. 1, Kesef Mishnah ibid., Beit Yosef Choshen Mishpat 426 in the name of the Yerushalmi). This is also implied from the literal meaning of the words of the halachic authorities, who write: "One who is drowning in a river, or bandits are attacking him, or a wild animal is attacking him," since clearly there is also potential danger in rescuing, and the authorities did not limit the obligation of rescuing only to a rare circumstance when there is no danger. This applies all the more so when we are not discussing the saving of individuals but the saving of the entire Nation of Israel. Self-sacrifice is what saves blood.

2. The Mitzvah of Settling the Land of Israel

We are commanded to dwell in the Land of Israel, to settle it and also to possess it, as the Ramban writes: "do not leave it in the hand of any other nation" (Positive mitzvah #4 in additions to Rambam's Sefer Ha-Mitzvot). "This mitzvah applies in all of its borders and its boundaries...that we are not to leave a part of it" (ibid.). For this mitzvah, if there is a need, we are commanded to sacrifice our lives, and even to enter into war, which is necessarily a dangerous venture. We will not attain security and our peace by yielding, but on the contrary, by strength and "standing at full stature."

3. Sanctification of G-d's Name

We are commanded to sanctify G-d's Name: "And I will be sanctified amongst the Children of Israel" (Vayikra 22:32), and there are many levels and shades of this great mitzvah (see Yoma 86a and Rambam - Hilchot Yesodei Ha-Torah, chap. 5). There is sanctification of G-d's Name by individuals and there is sanctification of G-d's Name by the entire the Nation. We are commanded to be partners in the great act of Hashem, returning the Nation of Israel to its Land and its revival, and to perform anything which is in our power for the sake of this great sanctification of G-d's Name (see Le-Netivot Yisrael of our Rabbi, Ha-Rav Tzvi Yehudah vol.1, pp. 118-127).

Reserve Duty during the First Year of Marriage (Iturei Yerushalayim #26)

Question: Is a groom within the first year of marriage exempt from reserve duty?

Answer: The basic Halachah is that he is obligated to serve, since we are involved in an obligatory war and in an obligatory war everyone goes out to war including a groom from his room and a bride from her chupah (Rambam, Hilchot Melachim 7:4). Today's situation is defined as an obligatory war both according to the Rambam, that it is a war which protects the Nation of Israel (ibid. 5:1), and according to the Ramban, that we are liberating our Land and protecting it (Positive mitzvah #4 in additions to Rambam's Sefer Ha-Mitzvot). Although the groom is obligated, if he can be exempted from reserve duty it is certainly good. Ha-Gaon Ha-Rav Shlomo Goren ruled this way and says that he can request an exemption from his commanding officer. If he agrees – great, but groom may not demand it. There are two opinions among the Rishonim (early commentators) as to why a groom is exempt from army service during the first year:

1. According to Rashi, if he is killed in battle, it causes horrible anguish. Although the death of every soldier in a tragedy, this is an even greater one.
2. According to Rabbi Yitzchak Abarbanel, the newly-marriage soldier will be preoccupied thinking about his wife and will not be able to fight as he needs.

While both of these reasons would seem to exempt the groom from an obligatory war, because of its importance, the need to serve overrides these reasons. But if there is a legal possibility through which the groom/soldier can be released from reserve duty during the first year it is certainly good to do so.



Text Message Responsa



Ha-Rav answers hundreds of text message questions a week. Some appear in the parashah sheets "Ma'ayanei Ha-Yeshu'ah" and "Olam Ha-Katan." Here's a sample:

Q: Is it permissible for a person who is not traveling on a bus to put a package in the luggage compartment to send to a certain destination?

A: It is certainly forbidden, and it is theft since the luggage compartment is designated for the passengers and the bus driver will be required to unload the package.

Q: Is it permissible to climb Mt. Everest despite the danger?

A: It is forbidden. One may not place himself in a potentially dangerous situation, even a slight one, for entertainment. It is only permissible for making a living or for a mitzvah.

Q: Someone publically insulted me. Do I have to forgive him or is it only if he asks for my forgiveness?

A: If he does not ask for forgiveness, you are not obligated to forgive.

Q: Is it permissible to use a child's high chair table for meat and milk?

A: It is certainly permissible when it is cleaned well in between, since it is not used with burning hot food (which would impart its taste into the table).

Q: There are different opinions in our community as to whether we need a rabbi, insofar we have many Torah scholars?

A: It is certainly required, even a house filled with Sifrei Torah requires a mezuzah.

Q: Is it permissible to play a joke on a friend when he knows that it is a joke and he will not be insulted?

A: If he will definitely be receptive.

Stories of Rabbenu – Our Rabbi

Ha-Rav Tzvi Yehudah Ha-Cohain Kook

Stories of our Rabbi

Tzahal - Israel Defense Force – Part 2

Our Rabbi's love of the Israel Defense Force and the holy soldiers of the Army was unique, and his students who were in the Army therefore loved to visit their Rabbi when they were in their army uniform in order to give him contentment. The blessing of our holy Rabbi to all of his students, before their departure to the Army, was pleasing and sweet. It once happened that a student came to our Rabbi on the day he was drafted into the Army at an early morning hour. The student who was helping Ha-Rav on that day got up and informed him that there was a student of the Yeshiva who came to receive his blessing before his draft. Our Rabbi got up with incredible zeal and with unlimited joy, recited the morning blessings, quickly drank the cup of tea which he was accustomed to do each morning in order to fulfill the mitzvah of honoring his father who instructed him to do so this, and then the young man entered the room...Ha-Rav kissed, blessed, and encouraged him, and even left his house to escort him. Our Rabbi said that he must always place before his eyes the verse from Divrei Ha-Yamim (2 36:23): "Whoever is among you of all His people - Hashem his G-d be with him, and let him go up!" (Kinyan Torah of Ha-Rav Yosef Elnakveh, 2, pp. 73-74)

Generally, in similar situations, our Rabbi would quote the verse (Divrei Ha-Yamim 2 35:3), "Serve Hashem, your G-d, and Israel, His Nation."

A reporter asked our Rabbi: "If the honorable Rav teaches that the Israel Defense Force is holy, he should close the Yeshiva and not postpone the army service of the students." Our Rabbi responded: "The Army - holy, the Torah - holy of holies."



Shut She'eilat Shlomo - Questions of Jewish Law

Employee discount for friend

Question: Is it permissible to ask a friend who works at a store to buy something for me since he receives an employee's discount?

Answer: Only with the permission of the store.



Family Matters - Ha-Rav writes weekly for
the parashah sheet "Rosh Yehudi" on family relationships

Soul Letters

Every Jew is compared to a letter in the Torah, and when two people marry, two letters join together to become one word. One word is much greater than two letters, as it has content and meaning, which is not the case with an individual letter. It is not good to be alone, and one does not always have a reason to get up in the morning. While every letter is special, and every Jew is special, since the world was created for him, this is on condition that he knows that he should join with a loving soul and then also join with beloved offspring. The word continues to add letters and grows. But this does not mean that one should intrude too much into another's life. In a Torah scroll, it is forbidden for two letters to touch one another. Each letter must be surrounded by the parchment ("mukefet gevil"). Every soul needs air to breathe. One soul should not force itself on another, but respect its differences and then they will join together and created a new, shared reality.

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