

## **God's Will, Your Way**

**Balak 5779**

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**Congregation Shaare Tefilla**

From Jerusalem to Johannesburg, from Manchester to Miami, the name Reuven Tzvi ben Esther Baila was found on the lips of Jewish people for the past two weeks. That was the full name of Rabbi Reuven Bauman, a beloved Rebbe who taught Judaic and general Studies at Yeshiva Toras Chaim in Norfolk, Virginia. Rabbi Bauman had accompanied a boys' camp in which he was a counselor to False Hope State Park in Virginia Beach, where the boys went swimming. One of the boys got caught in a rip tide and began to drown, and Rabbi Bauman immediately jumped in after the boy to rescue him, as did a passerby. The boy was saved; Rabbi Bauman was rapidly swept out to sea. The Jewish people mobilized with Tehillim and Tefilla, and numerous volunteer organizations descended on Virginia Beach to assist the Coast Guard in their search for Rabbi Bauman, continuing the search when the rescue mission was converted to recovery effort. On July 14, Rabbi Bauman's body was found, confirming the worst possible outcome but providing relief that at least shiva, and closure, could begin. Hundreds of people- including many strangers- attended Rabbi Bauman's funeral in Clifton, New Jersey. My brother Ori was such a person; he did not know

Rabbi Bauman at all, but his office is minutes away from the funeral and, having just completed his patient load for the day, he felt strongly compelled to honor Rabbi Bauman with his presence. I've been thinking a lot about Rabbi Bauman since his passing. Sadly, the Jewish people are beset by tragedies and we have no shortage of people dying at too young an age, *rachmana litzlan*. What is it about Rabbi Bauman's passing in particular that captured the hearts of so many?

This morning, we read about the prophet Bil'am's ill fated attempt to curse the Jewish people, at the behest and with the generous patronage of Balak, the king of Moav. Bil'am's mode of transport for this malevolent mission was a donkey, one that proved to be rather *chutzpahdik* to his evil rider, who struck him in punishment for his insolence. The donkey replied, asking him, "Why did you hit your donkey?" The Rambam, in his Guide to the Perplexed (3:17) suggests that this dialogue teaches us an important lesson:

זזה מבואר במעט הסתכלות. ואמנם אמרם "צער בעלי חיים דאורייתא" - מאמרו "על מה הכית את אתונך" - הוא על דרך ההשלמה לנו שלא נלמד מדת האכזריות ולא נכאיב לבטלה ללא תועלת אבל נכון אל החמלה והרחמנות ואפילו באי זה בעל חיים שיזדמן אלא לעת הצורך "כי תאווה נפשך לאכול בשר" - לא שנשחט על דרך האכזריות או השחוק

*There is a rule laid down by our Sages that it is directly prohibited in the Law to cause pain to an animal, and is based on the words: "Wherefore hast thou smitten*

*thine ass?" etc. ([Num. 22:32](#)). But the object of this rule is to make us perfect; that we should not assume cruel habits: and that we should not uselessly cause pain to others: that, on the contrary, we should be prepared to show pity and mercy to all living creatures, except when necessity demands the contrary: "When thy soul longeth to eat flesh," etc. ([Deut. 12:20](#)). We should not kill animals for the purpose of practising cruelty, or for the purpose of play.*

The reason the donkey spoke to Bil'am when Bil'am hit him was to educate him- and us- in the prohibition of cruelty to animals.

Here's the thing: The Rambam represents just one view on this subject. You see, the Talmud (Bava Metzia 32b) asserts that the prohibition of cruelty to animals is biblical in nature, yet fails to provide a source. The Rambam is just one among many commentators who offer their own suggestions as to what the biblical source might be for this prohibition. For example, Rashi (Shabbos 128b) asserts that it stems from the mitzvah of relieving a donkey of an onerous burden. The great posek and Dayan Rav Asher Weiss, the Rav of Shaare Zedek Medical Center, compiled a list of no fewer than 10 different possibilities, as raised in earlier works of the Rishonim and later works of the Acharonim. In a lengthy responsum about bullfighting, Rav Ovadia Yosef zt"l invokes many of these sources, describing the sport of bullfighting as a "culture of sinful and cruel people" in which a Jew should

never participate- neither as a toreador nor as a spectator. The question all these sources raise is an obvious one: If cruelty to animals is a biblical prohibition, why doesn't the Torah ever state, explicitly, "Thou shalt not torture animals?" Why do we need so many potential sources for the same prohibition?

Rav Asher Weiss explains that this is an example of what is called *retzon haTorah*, the will of the Torah<sup>1</sup>. There are Torah prohibitions, and commandments, that the Torah never spells out because the Torah is not just a book of rules. To borrow terminology from the late Yale Law Professor Robert Cover, the Torah contains Logos- the laws, and Nomos- the normative system in which the laws function and which informs the way the law is applied. The Torah is suffused with values that animate all the *mitzvot* it commands, and all the narratives it features. The Torah does not explicitly prohibit cruelty to animals, because the Torah wants us to know that this basic value is expressed throughout the Torah, in so many different manifestations. Per the Ramban, the Torah does not list laws governing every possible interpersonal interaction with people because there are basic principles the Torah wants us to apply universally in all of them. As Rav Yehuda Amital, the great founding Rosh Yeshiva of Yeshivat Har Etzion, stated in a talk at the Yeshiva, the Torah wants us to behave like

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<https://www.torahbase.org/%D7%A8%D7%A6%D7%95%D7%9F-%D7%94%D7%AA%D7%95%D7%A8%D7%94/>

decent, *mentschlich* human beings. There is no specific place where the Torah says to be a *mentsch*- because the *entire Torah* is about being a *mentsch*. Our challenge is to study Torah so we will know the values it demands of us, and then to bend our will, and orient our behavior, toward the way the Torah expects us to act.

By all accounts, Rabbi Bauman was an extraordinary individual- a talented educator, a budding author, a beloved community member in Norfolk, a devoted son to his parents and eldest brother to his 11 siblings, a loving husband to his wife Tzivia, an attentive father to five young children. Rabbi Ron Yitzchak Eisenman of Passaic, who was Rabbi Bauman's eighth grade Rebbe, penned a moving tribute to his student in this week's Mishpacha Magazine, in which he wrote, "Reuven, you are the talmid who became my rebbi."<sup>2</sup> From a technical halachic standpoint, it is not at all clear that Rabbi Bauman was obligated to endanger his own life to save that of his student. I am certain, though, that when he saw his student in imminent danger, Rabbi Bauman did not engage in the complex halachic discourse necessary to determine his technical level of responsibility. Instead, he acted on his innate sense of *retzon haTorah*, the will of the Torah, which places such a premium on the sanctity of human life, and he jumped in to save the boy. Yes, it was the vividness and the blatant heroism Rabbi Bauman exhibited

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<sup>2</sup> <https://mishpacha.com/my-talmid-my-inspiration/>

that was so compelling, but I believe this story captured the hearts and spurred the prayers of the Jewish people because it was clear that his actions were the embodiment of *retzon HaTorah* from a person who lived it every moment of his life until the last one. Of course, Rabbi Bauman's example is extreme; we should never be faced with such tests of our commitment. Anyone who will be anywhere near a beach this summer *must* become thoroughly educated on how to identify rip currents in addition to all other standard water safety protocols. In all our lives, though, there are always examples of the way the will of the Torah can and should guide us. It guides us, on an innate level, about right and wrong in our interactions with family, friends or members of the opposite sex. *Retzon HaTorah* guides the values we invoke when we formulate our views on hot button political issues, how to talk to and about other people, and about the kind of entertainment we consume ourselves and provide for our children. Every letter and syllable of the Torah teaches us God's will; if we live our lives accordingly, He will make our will His own.