THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH PROJECT

The Noahide Laws - Lesson Forty-Five



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Table of Contents:

- 1. Introduction
- 2. Spiritual vs. Physical Illness
 - a. Sickness as an Impetus to Repentance & Self Betterment.
 - b. Sickness is not only a message for the sick.
- 3. Visiting the Sick
- 4. Nature of the Mitzvah: Rabbinic or Biblical?
 - a. Rabbinic?
 - b. Biblical?
- 5. Spiritual Purpose of the Mitzvah
 - a. Spiritual Purposes
 - **b.** For the Patient
 - c. For the Visitor
- 6. Practical Reasons for the Mitzvah
 - a. Physical Needs
 - **b. Emotional Needs**
- 7. Who is Called Sick?
- 8. Guidelines for Visiting the Sick
- 9. Summary

THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH PROJECT The Noahide Laws | Noahide Lifecycle VIII | growing up | lesson 45

Introduction

Lifecycle VIII: Sickness



Sickness is as much a part of the human lifecycle as birth and death. In this lesson we will discuss the significance of illness and the special *mitzvah* of visiting those who are ill.

Visiting the sick is a positive *mitzvah* and an obligation for Jews. However, it is not part of the Noahide laws. Nevertheless, visiting the sick, for many reasons, is beneficial to society and logically compelling. Therefore, it is one of the *mitzvos hamuskalos* – the logically compelled *mitzvos* – that Noahides may adopt and practice even according to the details of the Jewish *mitzvos*.

Although the details of this *mitzvah* appear self-evident, they carry deep theological significance. In this lesson we will examine the origins of this *mitzvah* and the various details of its fulfillment.

Spiritual vs. Physical Illness

The Talmud makes a fascinating statement regarding illness:

All illnesses are from heaven except for common colds.¹

The Talmud and commentaries explain that some illnesses are decreed from heaven while others are the result of simple negligence; failing to bundle up in the cold or over exerting oneself in the sun.

However, any illness that cannot be explained by negligence on the part of the aggrieved is the result of heavenly decree. For example:

¹ This statement appears in many places. *Kesuvos 30a*; *Bava Metzia 107b*.

THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH PROJECT THE NOAHIDE LAWS \mid Noahide Lifecycle VIII \mid growing up \mid lesson 45

No one so much as bruises a finger on Earth unless it was decreed against him in heaven.²

lliness as an Impetus for Repentance & Self Betterment While prayer is appropriate and helps for all sickness (even those a person may bring upon himself), it is of special importance for illnesses decreed by heaven. These maladies come upon a person as a "wake up call," an impetus for him to examine his deeds and relationship with God:

When a person sees that suffering has come upon him he should carefully examine his behavior.³

and,

R' Alexandri said in the name of R. Chiya bar Abba that one who is sick cannot be healed unless he is first forgiven for all his sins.⁴

and,

Rabbi Meir used to say: Two people take to their beds with the same illness. One recovers while the other does not. One prays and is answered; the other prays and is not. Why is one answered and the other not? Because this one prayed with true sincerity while the other did not.⁵

One of the great Chassidic masters summed things up well: "A small hole in the body means a big hole in the soul."⁶

Sickness is Not Only a Message for the Sick

Not only should the ill individual examine his deeds and pray, but others should pray for him as well:

If a person is sick for more than a day, he should let people know so that they will pray for him.⁷

² Chullin 7b.

- ³ Brachos 5a.
- ⁴ Nedarim 41a.

⁵ Rosh HaShanah 18a.

⁶ Attributed to the <u>Maggid of Mezritch</u>.

⁷ Brachos 55b.

THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH PROJECT THE NOAHIDE LAWS | NOAHIDE LIFECYCLE VIII | GROWING UP | LESSON 45

The prayers of the righteous are particularly important:

Someone who has a sick person in his house should go to a Sage and ask him to pray for him.⁸

Prayer always helps, even when HaShem does not answer it with the outcome that we desire.

Visiting the Sick

In many places in the Talmud and holy writings it is brought that we should endeavor to imitate the attributes of God.⁹ One of the many attributes of God is that He visits his presence upon the sick. Genesis 18:1 records:

Now the Lord appeared to him [Avraham] in the plains of Mamre, as he was sitting at the entrance of the tent when the day was its hottest.

The Talmud, *Bava Metzia 86a*, tells us that this this occurred on the third day after Avraham's circumcision, when his pain and discomfort was at its greatest.

God's appearance was a distinct and separate visitation from the appearance of the other three visitors. We know this because when the three visitors appear in verse 2, Abraham took leave of the Lord before tending to them:

And he said, "My lords, if only I have found favor in your eyes, please do not pass on from beside your servant.¹⁰

Why did God appear to Abraham? This visitation seems superfluous in the context of the narrative. The Talmud and Midrash both explain that God visited Abraham to comfort him and inquire about his welfare.¹¹

10 Gen. 18:3.

⁸ Bava Basra 116a.

⁹ Sotah 14a; Bava Metzia 30a.

¹¹ Of course, God knows all; inquiring of Abraham's welfare was part of visiting him and providing comfort.

Nature of the Mitzvah: Rabbinic or Biblical?

Is this a biblical or a rabbinic commandment for Jews? The answer to this question depends on the reason for the *mitzvah*.

- **Rabbinic?** If the reason is that we are imitating the qualities of God, then all agree that the commandment is only Rabbinic in origin. The reason is the fact that God acts a certain way does not create a biblical obligation for us to act in the same way. Indeed, this is a dangerous approach to deriving *mitzvos*. After all, God can do whatever He wants while man is limited by His will. God can strike down, judge, and reward as He sees fit. Man, however, must obey God's laws even when we disagree with them or do not understand them. Even with positive *mitzvos*, God's behavior does not establish an obligatory biblical precedent for man. For example: Jews keep Shabbat because they were commanded to do so, not because the Torah tells us that God rested on the seventh day.
 - **Biblical?** Another possible reason for the *mitzvah* is that it may be included in a general *mitzvah* of *gemilus chasadim* increasing or creating kindness in the world.¹² This view makes it a biblical commandment.¹³

The overwhelming opinion is that the specific *mitzvah* of visiting the sick and all its details are the result of rabbinic decree.¹⁴ However, one does receive some biblical merit for kindnesses committed during the fulfillment of the *mitzvah*.

For Noahides, the *mitzvah* is compelled by the fact that it is a logical act of kindness that is beneficial to the individual and society. In any case, the *mitzvah* accomplishes many of the same purposes and goals as the Jewish rabbinic *mitzvah*.

Spiritual Purpose of the Mitzvah

Visiting the sick is beneficial both practically and spiritually for the patient and the visitor.

¹² <u>Maharsha</u>, Nedarim 39b, d.h. biku.

¹³ <u>Ran</u> to *Brachos 3* holds this is a *d'oraisa*. See also Rabbeinu Yonah, Brachos 11b. Modern poskim who discuss the origins are the <u>*Teshuvos VeHanhagos*</u> 2:592; <u>Yabia Omer</u> YD III:22:23.

¹⁴ <u>Kol Bo</u> 112; Maimonides, Hilchos Avel 14:1; Tur 33; Levush 1. <u>Maharatz Chayes</u> to Nedarim 39b curiously holds that it is a halacha leMoshe miSinai.

THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH PROJECT THE NOAHIDE LAWS \mid Noahide Lifecycle VIII \mid growing up \mid lesson 45

Spiritual Purposes	The Talmud in Tractate <i>Nedarim</i> ¹⁵ and elsewhere ¹⁶ learns that the <i>shechina</i> , divine presence, hovers above the head of one who is ill. In much the same manner that God visited Abraham, God continues to visit those who are ill.
For the Patient	Since illness is a form of atonement and an impetus for the patient's repentance, the <i>shechina</i> stands ready, as it were, to receive his prayers. However, as we saw above, others should pray for the patient as well. Therefore, one who visits the sick person should take the opportunity to pray and wish for the patient's recovery before the <i>shechina</i> . ¹⁷
For the Visitor	It is important to realize that the sickness is not only for the patient. When a person takes ill, the message of his condition is intended for all those who know him. Therefore, for the visitor too, seeing one in the condition of suffering and atonement is meant to make an impression. The visitor should be moved to pray for his own health as well and to search his own deeds. ¹⁸

Practical Reasons for the Mitzvah

Physical Needs A practical aspect of the *mitzvah* is making sure that the ill person has all of his physical needs taken care of: medical supplies, clothing, food, etc. For patients staying in a

¹⁵ 40a.

¹⁶ <u>Levush</u> 3; <u>Kitzur Shulchan Aruch</u> 193:2; <u>Chochmas Adom</u> 151:2; <u>Aruch Hashulchan</u> 7; Refer to Vayikra Rabbah 34:1. ←

¹⁷ According to many, this is the fundamental reason for the mitzvah. See, for example: *Toras* HaAdam Shaar HaMichush 1; Kol Bo 112; Levush 1 4; Chochmas Adam 151:3; Kitzur Shulchan Aruch 193:3; Aruch HaShulchan; Igros Moshe YD 4:1. According to many of these authorities, a Jew who visits a sick person but does not pray for him has not fulfilled his obligation. This is not speaking of one who fails to pray for the sick person in his presence; rather it is speaking of a person who does not pray at all for the patient. We must note that one may visit the person and pray for them later in another place.

¹⁸ See *Toras HaMincha* 4 on *Vayeira* who holds that this is one of the fundamental reasons for the mitzvah of visiting the sick.

THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH PROJECT The Noahide Laws | Noahide Lifecycle VIII | growing up | lesson 45

hospital, this is not the main focus of the *mitzvah* because the hospital staff is charged with taking care of these matters.¹⁹

Emotional Needs Today, one of the most important aspects of visiting the sick is their emotional needs. Being sick is an emotionally as well as physically challenging situation. For those in a hospital it can be a particularly lonely, depressing experience. Providing company is a tremendous aide to the wellbeing of the patient. Rav Moshe Feinstein²⁰ points out that when God visited Abraham, God did not say anything to him. Presence alone provides tremendous comfort.

Who is Considered "Sick" for the Purposes of this Mitzvah?

Let's start with the extremes: It applies to anyone who is dangerously ill.²¹ However, it does not apply to a person with a minor ailment (headache or cold). Between these two extremes, there are many guidelines in *Halacha* as to who is considered "sick."²²

- Anyone whose body is hampered in its ability to move due to pain or illness is considered sick. The <u>Maharal of Prague</u>²³ learns this from Abraham. During the first two days following his *bris*, he was "injured" in a single limb. This "injury" did not affect his entire body until the third day when he was in great pain. Accordingly, one who has a broken arm is not considered sick once the pain has subsided to such a point that he is up and about. It is nevertheless proper (as an act of kindness) to see if the person requires assistance.
- For one who is not dangerously ill, there is no *mitzvah* to visit him unless his illness is of the type we have described and has persisted for two days. As we see, God did not visit Abraham until after two days had passed.²⁴

¹⁹ <u>*Tzitz Eliezer V*</u> in the Ramos Rachel 3.

²⁰ Doresh Moshe on Vayeira.

²¹ Nedarim 40a.

²² There are many different customs and interpretations as to how these are applied. We have presented a very general summary here of some common approaches.

²³ Commentary on Gen 18. See also Piskei Teshuva 242.

²⁴ See Biur Halacha OC 219, Kegon.

According to many, this exemption applies to others but not to the patient's family.²⁵

- The *mitzvah* certainly applies to a woman who is on bed rest or to someone who is confined to their home.
- It is unclear how this *mitzvah* applies to the mentally ill.

Guidelines for Visiting the Sick

The most important guideline is this: do not make your visit into a burden or annoyance. All too often, when visiting the sick, the visitor will overdo their expressions of concern to the point of causing unnecessary stress. Be pleasant, ask the patient what they need, and don't insist on doing anything for the patient unless they clearly appreciate it.

Plan Ahead

- Check with the sick person first to find out if he wants visitors.
- Find out from the family and the sick person the best time to visit.
- No surprises Knock before entering.²⁶

When to Visit

• Relatives and very close friends may visit immediately. However, others should wait until after two full days have passed. If you are doubtful, wait two days.²⁷

²⁵ Psak attributed to Rav Chaim Kanievsky.

²⁶ Niddah 16b. Even HaShem hates those who enter unannounced.

²⁷ Levush 335:1; Rav Chaim Kanievsky; Tzitz Eliezer V, Ramos Rachel 7.

• One should avoid visiting a sick person during the first three or last three hours of the day.²⁸ However, if there are no other times, one may visit provided that it is ok with the patient's attendants and the patient himself.²⁹

In Groups?

• As long as a group will not cause stress or inconvenience, it is not an issue.³⁰

Comportment

• Because of the presence of the *shechina*, one should make himself presentable before going to visit. He should wear respectable clothing.³¹

Where to Sit

- One should not sit on a level higher than the patient. If the patient is lying upon the floor, for example, the visitor should sit on the floor.³²
- According to the *Zohar*, one should not sit behind or right alongside the head of the patient because of the presence of the *shechina*. If a patient is dangerously ill, the visitor should not sit directly at the patient's feet. That is the position of the *malakh ha-maves*, the angel of death.³³

Praying for the Sick

²⁸ Ahavas Chesed 3:3; Tzitz Eliezer ibid. See also Maimonides, Hilchos Avel 14:5. There are many reasons for this that we will discuss during the live class.

²⁹ The *Aruch HaShulchan 335:8* holds that there are no restrictions on the time of day to visit. However, we only rely upon this opinion if there are no other convenient options.

³⁰ See *Igros Moshe YD 4:51; Yalkut Yosef VII*, p. 125. The *Sheiltos* recommends visiting one at a time. However, this is not the prevalent custom. See *HaEmek HaSheilah* 93:7.

³¹ Bikkur Cholim B'Halakha U'BiAgadah p. 77, haarah 9; Tzitz Eliezer 5 in the Ramos Rachel.

³² Shulchan Aruch 335:3; Chochmas Adam 151:2; Aruch HaShulchan 335:7.

³³ See Aruch HaShulchan ibid.; Gesher HaChaim I:1:5.

- The visitor must pray for the welfare of the sick individual. It is praiseworthy that this be done in the sick person's presence. However, this prayer must not be done in a way that makes the patient self-conscious or uncomfortable.
- "May you merit a full recovery" or "May HaShem heal you soon" or some other simple expressed is sufficient.³⁴
- It is not proper to mention the name of the ill person when praying for them in their presence.³⁵ We learn this from Moses who, when praying for his sister's recovery, did not mention her by name.³⁶ Doing so can actually bring harsh judgments upon the sick.³⁷

If the Patient is asleep or Unconscious

• Since the fundamental reason for visiting the sick to pray for their recovery, it does not matter if the patient is aware of the presence of the visitor. Therefore, it is still a *mitzvah* to visit a sick person if they are in coma, unconscious, or asleep.³⁸ However, if visiting the patient would disturb his sleep, then he should not be visited until he is awake.

Effect upon the sickness

The Midrash³⁹ and Talmud⁴⁰ both state that visiting a sick person removes 1/60th of his illness. The exact meaning of this statement is uncertain,⁴¹ but anyway we interpret it the gist is that visiting the sick person is of great benefit to healing him.

³⁴ <u>Rav Shlomo Zalman Auerbach</u>, ztz"l in *Halichos Shlomo 8, haarah 63; <u>Shevet HaLevi V:184</u>.*

³⁵ Brachos 34a; Mogen Avraham OC 119:1. See also Rivevos Efraim VII:335.

³⁶ Numbers 12:13.

³⁷ Chasam Sofer to Nedarim 40a; Ben Yehoyada, Brachos 34a; See also Yalkut Reuveni, s Vayeira 18:1.

³⁸ Avnei Yushfei 1:230; Mitzvos Bikkur Cholim pp.184 to 185. See also Rosh to Vayeira 18:1.

³⁹ Vayikra Rabbah 34:1.

⁴⁰ Nedarim 39b; Bava Metzia 30a.

⁴¹ This saying is cited and discussed extensively. See Kol Bo 112; Tur 335; Shach 335:1; Chochmas Adam 151:1; Aruch HaShulchan 335:5; Rivevos Ephraim IV:355:8; Toras Chaim to Bava Metzia 30a; Keren Orah to Nedarim 40a.

Summary of the Lesson

- 1. Sickness is sometimes the result of the patient's fault and sometimes the result of divine decree.
- 2. Sickness comes upon a person from heaven as an impetus for repentance and self-betterment.
- 3. The message of sickness is not just for the sick person, but for others as well.
- 4. For Jews, this is a Rabbinic *mitzvah*.
- 5. The divine presence stands ready above the head of a sick person to accept prayers.
- 6. When visiting a sick person, one must not only pray for his well-being, but also check that the patient has all of his basic needs met.
- 7. Sick, for the purpose of this mitzvah, means ill to the degree that one is not "up and about" for two days or that one is dangerously ill.