There is a far greater chidush (novelty) and even more profound hashkafic (worldview) controversy that can be found in a more subtle dimension of the verapo yerape discussion. It is actually within the first approach alone (that human interference is inherently immoral) that both sides of the contemporary hashkafic divide most sharply reveal themselves.

To reiterate, Tosafot and Rashba (Bava Kama 85a) suggested the possibility that interfering with internal disease is being “soter gezerat hamelech” (attempting to abrogate the Divine decree). The double expression “verapo yerape” teaches however, “kemashmelan de’shari,” that nevertheless it is permissible. What exactly is “kemashmelan de’shari” referring to? Most commentators discussing this issue assume

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1 Editor’s note: See the author’s previous article in the first volume of Verapo Yerape: And You Shall Surely Heal (Ktav 2009).
that the permission being referred to by these words was specifically the permission to heal the sick. Is that truly the only tenable interpretation?

In reality, careful objective scrutiny suggests that there are in fact two possibilities for interpretation of these words. First, as just mentioned – the very narrow, explicit dispensation that allows medical therapy alone. Perhaps the pragmatic concern for human health overrides the otherwise very warranted limit on human interference. In this vein, it is only bekoshi hetiru (with great reluctance God allowed) medical treatment. Certainly, the premise that man must not interfere with gezerot hamelech on the whole remains intact, and “kemashmelan de’shari,” relates directly and specifically to healing alone.

On the other hand, “kemashmelan de’shari” may instead refer to something much bigger, with far more expansive application. Perhaps the gezeirat ha’katuv (Biblical decree) uproots the original premise entirely. “Kemashmelan de’shari” doesn’t just mean shari to engage in refua, rather it means shari to be mevatel gezarot hamelech. Naturally, understood that way a much broader dispensation results; a “binyan av” (halachic paradigm) so to speak, that in general allows (under suitable circumstances) the overcoming of any Divine decree that challenges us.

These markedly dissimilar interpretations of the gezeirat ha’katuv “kemashmelan de’shari,” were expressed conspicuously in our times, in different contexts, by two renowned halachic authorities. The first approach was most explicitly articulated by Rav Moshe Feinstein in his classic work Igerot Moshe.2 Rav Moshe was asked if an individual

2 Igerot Moshe, Orach Chaim #90.
required intravenous therapy to fast, was he required to have an intravenous catheter placed prior to Yom Kippur in order to enable him to fast. He replied that not only is he not obligated to do so, it might even be prohibited. Among the reasons for the prohibition was Rav Moshe’s analysis of Tosafot’s statement about *verapo yerape*:

“Even though [medical therapy for an illness] is considered invalidating a *gezerat hamelech*, the Torah permitted and even obligated medical intervention just as it is allowed and obligatory to *pray* to be *mevatel gezerat hamelech* etc. Similarly the Torah allowed medical therapy with all manner of medications to be *soter gezerat hamelech* by natural means, *ve’hu mekavshai de’rachmana she’ain lanu laidai* (and this is from the Divine mysteries that are hidden from us). Therefore it is possible that the Torah does not allow us to be *mevatel gezerat hamelech* in general but rather to cure the sick from his illness only and not to learn a *chidush* from this that me may also be able to fast, since that might be *ke’soter gezerat hamelech* and the *melech* does not wish him to fast.”

Reminiscent of the letter by the Chazon Ish, Rav Moshe alluded here to the fact that in general the permitted activity in response to *gezerot hamelech* is strictly limited to prayer. The very narrow context of *refuat cholim* is an exceptional area where for “mysterious reasons” God allowed man to attempt to intervene. Importantly, Rav Moshe emphasized (and in fact it was his main point) that interference was strictly limited to attempting thera-
Providing medical intervention in order to allow the person to fast, however, (when the *gezerat haMelech* was that he not) was strictly off limits. Only in the narrowest context of actual *refuah*, by dint of the *gezerot ha katuv*, is any natural therapeutic endeavor ever permitted.

A direct contrast to this approach was suggested by Rav Herschel Schacter in an entirely different context. In an essay on the mitzvah of *yishuv Eretz Yisrael* (resettling the land of Israel) Rav Schacter responded to the well-known objection to re-settlement promoted by some, perhaps most notably the Satmer Rebbe. They maintained that expulsion from our land was intended as a punishment and we are therefore not permitted to avoid God’s wrath (i.e. be *mevatel* that *gezera*) by ending the exile prematurely. To this argument Rav Schacter responded as follows:

“The foundations of this argument are very shaky. Surely Judaism does not forbid the attempt to avoid or curtail a punishment from God. Often sickness is a punishment inflicted on a person for his sins, and yet the Torah explicitly grants us license to seek

3 Does Rav Moshe’s assertion preclude preventative therapy as well? Almost certainly it does not. Rav Moshe most likely meant that it is allowable to cure illness and also to prevent it altogether but was excluding specifically non-medically related objectives. This is clearly expressed by Rav Moshe’s sanctioning Tay-Sachs testing (*Iggerot Moshe Even Haezer IV*, # 110) which involves wound infliction on healthy individuals for the sake of disease prevention, rather than treatment. Finally, he dispels all doubt by his later explicit statement (*Iggerot Moshe, Orach Chaim IV* # 101): “also, in reference to what I wrote in the [earlier] response… obviously one can also take medication when he is fully healthy to prevent disease from coming.”


5 See *Sefer Va’Yoel Moshe*, *Ma’amor Shlosha Shevuot*. This was also the approach of the *Minchat Elazar* (Vol. 5 #12).
a medical cure – “Ve’rapo yerape” from which we adduce the permission granted a physician to heal.”

Apparently, Rav Schecter understood the “kemash-melan de’shari” of verapo yerape far differently than did Rav Moshe. The permission granted is not limited to medical therapy; rather, the Biblical allowance to intervene presented in the context of refuah serves as a paradigm for other challenging situations. The permission is not only to cure, but also to attempt to be mevatel other gezerot ha’amelech in general.

Obviously, these two alternatives open up the possibility for two very different hashkafot. By now we are quite familiar with the message of the first approach. Disease is a punishment that is inflicted by a Divine edict and should really be addressed through repentance and prayer alone. Other human attempts at fighting disease are permitted simply out of Divine compassion for human life. Perhaps this could be understood as operating analogously to the way God places human life ahead of almost all other mitzvoth (commandments).6 Viewed this way, the human therapeutic endeavor itself is more or less a necessary evil, like chilul Shabbat (Sabbath desecration) in the setting of pikuach nefesh (threat to life).

Far more challenging is elucidating the message of the second less conventional interpretation. As noted earlier, illness is viewed by the majority of rabbinic authorities as a form of Divine reprimand, or minimally, as carrying a specific moralistic Divine message. At first glance, it appears

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6 As expressed by “ve’chai bahem” (Yomah 85b). See also Sanhedrin 73a, in particular see Rashi’s comments there on “sevara hu”.
quite audacious, even blasphemous to suggest a warrant, let alone a mandate, to override such decrees. It also begs the question as to why the Divine lawgiver would grant a dispensation designed effectively to eliminate His own gezerot. In response, however, one could reasonably argue that man is not necessarily obliged to resign himself to the full wrath of a punishment in order for its intended message to be fully delivered. Perhaps one can view these gezerot and, in fact, all gezerot hamelech as challenges placed in our lives by God’s design for which we are encouraged and even expected to use all our power to overtake.

Thus we have a basic hashkafic debate, perhaps two different worldviews whose expression was prompted to some degree by the understanding of the Torah’s intent in granting a license to heal. Yet the actual origins of this broad hashkafic dispute likely lay elsewhere. Since the debate culminates into a very dramatic difference of opinion as to what God expects of man (and Jews in particular) in meeting life’s challenges, it is logical to assume that the discussion actually goes back to the creation of mankind and the original Divine directive to mankind at that point in time.

Although this point itself can be debated, for the sake

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7 Obviously this issue is far more complex than as presented here. Even on a basic level there certainly are other opinions as to what exactly the original mandate to Adam was. For example, Rav Soloveitchik’s thesis in the Lonely Man of Faith is well known. In contrast to Rav Shmulevitz suggestion, presumably, even prior to his sin, Adam (I) was commanded “ve’kivshua,” which as the Ramban (on Chumash) points out was a directive to mankind to develop the material world using all available natural resources. Some however, (see for example Rav Shimon Shwab, Collected Writings) have responded to this by noting that this directive was specifically to bnei Adam. However, with the matan Torah the Jewish people were given a different directive; to be “mamlechet kohanim veygoy kadosh” (a kingdom of priests and holy nation) which implies purely spiritual goals superseding the earlier ones. For further reading see Leo Levi in Shaarei Talmud Torah, pp.209-214. See also, Chovot Ha’Levavot (Sh’ar Ha’Bitachon Chapter 3).
of our discussion let us assume that the consensus rabbinic opinion on the original mandate to man is similar to that expressed by Rav Chaim Schmulevitz in his celebrated *Sichaot Musar*:

“Chazal taught (Nidah 30b) ‘there are no days in which man is enveloped in goodness more the those days that he is in the womb, eating from what his mother eats, drinking from what she drinks, and being taught the entire Torah, he looks and sees from one end of the world to the other etc.’ In other words all is prepared for him (the fetus) without any effort on his part, even the effort involved in eating and drinking he does not have to do. And the reason for this it appears is because in truth this is the intended state of created man, and this was the state of Adam prior to his sin.”

Man was meant to live like a fetus. Passively, self sufficient with all material needs provided so that he might spend his time in purely spiritual pursuits. However, that idyllic state unfortunately soon dramatically changed as Rav Schmulevitz elsewhere elaborates:

“The creation of man was done in a way that all his needs were prepared for him, and his place was the garden of Eden … and he had no worries nor travail over his sustenance whatsoever; however, because of his sin the curse of ‘bezeat apecha tochal lechem, (by the sweat of his brow will he eat bread - Genesis 3:19) came upon him.”
According to this it was because of Adam’s sin that we lost the ideal existence and were punished with the curse of “bezeat apeeka tochal lechem” (by the sweat of your brow shall you eat bread). At that point in time living the “good fetal life” so to speak was over, and now we would have to worry about our own sustenance and invest valuable time and considerable physical effort in order to maintain it. This of course would be true despite the fact that the quantity and quality of the provisions themselves (as already noted above) would be predetermined on Rosh HaShana. The fact that we have to exert ourselves over them at all is a necessary evil, now understandable as part of the curse going back to Adam’s sin.

In a well know response to a question on the appropriateness of acquiring life insurance, Rav Moshe Feinstein insisted that in our times no one can assume that they merit the luxury of relying on miracles for their parnasa (livelihood). One must make their own effort to provide not only their family’s current daily needs, but possible future ones as well. What is particularly interesting and relevant to our discussion is the reason Rav Moshe relates that this is so:

And therefore it is forbidden to depend on God sending one’s parnasa without doing any work or business, despite the fact that one must realize that all prosperity was predetermined from his work or business come directly from God according to the amount allotted on Rosh HaShana, nevertheless so it is ordained by God that only by some act of work or business will He send one’s parnasa, based on the Biblical statement: ‘bezeat apeeka tochal lechem’.

8 Igerot Moshe, Orach Chaim #111.
Not because of any direct effects of our efforts but rather as a curse or punishment we are obligated to take the compulsory measures to assure our income requirements. Any successful ventures in this regard are certainly not something to be proud of. After all “bezeat apecha tochal lechem” is a curse and nothing more.

We have all grown quite accustomed to this approach at least when it comes to parnasa and therefore applying it to other areas such as medicine does not seem like such a far stretch. Disease is a punishment from God that only he alone can remove. Again for mysterious reasons (“kavshei derachmana” in the words of Rav Moshe) – perhaps due to human weakness (Taz to Yoreh De’ah 336) or as part of the punishment (for example to cause the patient to have to pay out money) or perhaps merely to instill within ourselves a sense of bechira⁹ – we have no choice but to go through the motions of procuring medical assistance by natural means. Within this worldview it is easy to understand the Chazon Ish’s earlier remarks that the physician not delude himself into thinking that his efforts have made any difference in a particular patient’s outcome, as he is merely an incidental, albeit necessary, component for the system to work.

Obviously in light of the other worldview described above, one would expect an alternative understanding of “bezeat apecha” as well. A fascinating aggadata (Pesachim 118b) seems to provide the ideal alternative source:

“R’ Yehoshua ben Levi said at the moment that God said to Adam ‘ve’kotz ve’dardar tazmiach lach’

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⁹ True bechira (free choice) to accomplish however, resides in the spiritual world alone. This suggestion was made by Rav Eliyahu Dessler in Michtav Me’Eliyahu Vol.6 in an essay entitled; “Taut kochi v’otzem yadi”. It was apparently his last recorded letter.
(thorns and thistles shall it sprout for you), his eyes welled up in tears. He said, ‘Creator of the universe, my donkey and I will eat out of the same trough?’ Upon hearing God say ‘be’zeat apecha tochal lechem,’ miyad nitkararu daato (he was instantly relieved).”

Initially, Adam was understandably very distraught upon hearing that he would now have to eat like the beasts of the field. God however responded to his tears with an unbelievable message; “be’zeat apecha tochal lechem.” One might have expected Adam to grow even more distraught over the prospects of even further punishment. Yet incredibly, “miyad nitkararu daato,” directly upon hearing the “bad” news, he felt relief. Why would Adam be consoled by a curse to work hard for his daily bread? Is not “be’zeat apecha tochal lechem” part of the punishment itself? Almost certainly yes, but nevertheless Chazal recognized a positive element to it as well.

The Etz Yosef 10 explained that what bothered Adam most at first was; “ani ve’chamori nochal me’avus echad?” (My donkey and I will eat out of the same trough?) Specifically the Etz Yosef wrote: “ain kevodo lihiyot shaveh lebehaima” (it is beneath his dignity to be equated with an animal). In other words, the indignity of being likened to an animal was initially the worst part of the punishment, but now upon hearing that in the end he would not be humiliated to that degree, Adam felt considerably better. Thus Etz Yosef concludes:

“Adam harishon bachar ba’lechem ve’afalpi she’yihiyeh be’toreach, kedai shelo lehidamot le’behaima, ve’kavod

10 Commentary found in the Ein Yaakov by Rabbi Chanokh Zundel ben Yosef of Salant, an 18th century scholar.
mibah havei” (Adam chose to be sustained through bread despite the travail, in order not to be comparable to an animal, and a source of dignity it certainly was).\footnote{See also Berachot (8a) where the gemara suggests that the reward for one who benefits from the fruits of his physical toil ("yegiat kapecha") is even greater than yirat shamaim (fear of heaven). Similarly, the Maharal on that sugya stated that; “since he is happy and loves the merits of his hard work, it is impossible that he won’t also love He who graciously gave him this… for work is the shlaimut (completion) of man. Finally, for many similar sources see Leo Levi op cit. pp. 221-223.}

Admittedly, it is conceivable that the redeeming quality of be’zeat apecha tochal lechem implied in this midrash was simply the prospects of avoiding the indignity of comparison to the beast of the field. The “be’zeat apecha tochal lechem” curse in its essence remains a severe punishment, particularly when contrasted with the original fetal like state of man in Gan Eden. Presumably that would be the rendering of this midrash according to Rav Moshe Feinstein and Rav Chaim Schmulevetz. However, to this writer, the formulation “ve’kavod mibah havei” (and a source of dignity it certainly was) seems to imply more. Moreover, particularly to students of Rav Soloveitchik, that very familiar term “kavod” (dignity) has a singular, far more positive connotation as expressed so famously in The Lonely Man of Faith essay:

“The brute’s existence is an undignified one, because it is a hapless existence. Human existence is a dignified one because it is a glorious, majestic, powerful, existence. Hence, dignity is unobtainable as long as man has not reclaimed himself from co-existence with nature and has not risen from a
non-reflective, degradingly helpless instinctive life to an intelligent, planned and majestic one.”

Rather than merely deflecting the agony and humiliation of comparability to the beast, achieving dignity according to this formulation represents the foundation of an ideal a priori desirable existence. The realization of a majestic life (as the Rav described it) is clearly something that human beings, both collectively and individually, should continuously, and more to the point proactively, strive to attain. Viewed this way, “be’zeat apecha tochal lechem” (as a potential source for the achievement of dignity and majesty) takes on a whole new meaning. True, the be’zeat apecha expression itself was undeniably a response to Adam’s sin and represented a significant change from the idyllic status quo that existed in Gan Eden. However, rather than an eternal curse designed to make us suffer, it may instead represent a historic opportunity granting us the chance to achieve greatness.

Perhaps that is expressly the way Avinu she’bashamaim (our father in Heaven) operates when forced to reprimand his beloved children due to their sins. Every parent who is forced to discipline a child because of a wrong doing generally has recourse to two options when contemplating the most appropriate reaction. On the one hand, instinct, perhaps even anger (if not damaged pride), generates the temptation to punish in a way that will simply inflict pain. With that approach one has accomplished at best a painful deterrent to future transgression, while at worst has created a resentful rebellious child. Alternatively, the far thinking parent will understand the advantage of instead devising a creative punishment that will give the child an opportu-
nity to correct his mistake. Surely we can assume that God would likely be dealing with us along this latter route.

One might even be able to argue that “be'zeat apecha tochal lechem” represents an opportunity to go beyond where we were prior to the sin. In other words, we need to ask ourselves when did we have it better, as fetuses in Gan Eden or as people searching for a dignified existence after the sin. Perhaps this is even the essential nekudat ha'machloket (point of departure) between the two world views that we have been searching for.

Interestingly, the midrash (Pesachim 118b) already noted above seemed to have addressed this final consideration as well. Immediately following the line that states: “Upon hearing God say ‘be'zeat apecha tochal lechem’ he was instantly relieved,” the very next line in the gemara continues with “and Reish Lachish said ashrei"n"u” (we are fortunate). Intriguingly however, because of a girsa (textual variant) discrepancy we are unsure as to what exactly is the source of this fortunate state. The confusion relates to knowing exactly what the next word is supposed to be. The text presents two options: “ashrei"n"u im amadnu be'rishona” (we are fortunate if we remained as in the beginning (i.e. before the sin)) or “ashrei"n"u she'lo amadnu be'rishona” (we are fortunate that we did not remain as in the beginning). According to the first girsa, the ideal state of affairs for mankind was clearly the fetal like state that existed prior to Adam’s sin. In contrast, according to the second girsa, we are most fortunate that things have significantly changed! This incredible girsa discrepancy confirms at the very least that the fundamental argument between the two contemporary world views that we have been discussing is likely a very ancient one.