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INTERNET PARSHA SHEET
 ON **YISRO** - 5766

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MOST OF PARSHA SHEET IS FROM EFRAIM GOLDSTEIN
EFRAIMG@AOL.COM EXCEPT FOR ONE ADDITION IN
 BEGINNING AND ONE IN END

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Rav Soloveichik ZT'L Notes (Volume 1)

Notice These are unapproved unedited notes of classes given by Rav Soloveichik. We do not know who wrote the notes. However we offer this to the world that maybe someone can get some use out of these notes. A member of the family has looked at the notes and said that look like the real thing. (Rav Soloveichik did NOT write these notes)

Final lecture of the season in late May of 1975. A memorial for the Talner Rebbe delivered at the shul of the Talner Rebbe.

"V'atem tihyu li mamlechet kohanim goy kadosh" [Yisro 19:5] (and you shall be to Me a kingdom of priests--a holy nation). This is the message before matan Torah (the giving of the Torah). Rashi calls it "a people of outstanding people." It should be read "kings among you." The reason for the translation being such is that we never were a nation just of kohanim (priests).

In reference to this subject we consider Jacob's dream and the ladder which he saw rising to the heavens. The angels looked at the image of Jacob as from above and some as from below. All men have two images. One is man below--as he is--and the second is the heavenly image as engraved in the celestial throne. On one hand, he is a reality (below). The above image represents the non-concrete man. Below tells what he actually is; above tells what he could be. This double image theory therefore makes t'shuvah (repentance) possible. The image above is not involved in sin and pulls him up. This can occur in a single second, one thought. When a man realizes he has failed in his sin (his lower image), this is his first step to repentance. Chatatati (I have sinned) means "I have failed." For example, we think of the Beit Hamikdash (Temple as below and above. Below, it was concrete--reality, built in a geographic spot, existed and was destroyed. Moses said in his song, "You bring them in and plant them." That is the image of below. The Beit Hamikdash as a vision is never destroyed.

Another example is the double image of Shabbat. What is it? Food, rest, relaxation? Yes! But the image of Shabbat above is metaphysical--a world without death--a world of purity and beauty. "Shabtovei tishmoru" (My Sabbaths you shall observe) is written in the plural because of the double image. Whereas the holidays have to be appointed by the (Beit Din) the court, Shabbat does not have to be appointed; G-d fixed it permanently. All the holidays have been given over to man to appoint the time. Thus, they depend on when the Beit Din declared the new moon (Rosh Hashanah, Yom Kippur and Pesach). (Note: The rabbi gave as an example--the heavenly court is ready for Yom Hadin (Rosh Hashanah) and the Almighty declares, "Close the books, my children have not yet declared the day.") But Shabbat has been fixed by G-d. The Almighty wants us to rededicate it, for the endowment is not complete unless man rededicates it. The Shmoneh Esre prayer of Shabbat Mincha speaks of the Shabbat image above--perfect peace. It is an ideal--the eschatological Shabbat--"Yom shekuloh Shabbat" (the day which is

completely Sabbath).

Thus, returning to the theme of the kohanim, it too has a double image. There is "kahuna shel mata" and "kahuna shel mala" (the priesthood of below and above). The kahuna shel mata, the earthly mission of kohanim refers only to the priests in the Temple. However, kahuna as a vision embraces the entire Jewish community. This can be achieved by all.

In the Temple, a kohen and a kohen only could perform the holy work such as sacrifices, the Yom Kippur atonement etc. No one else except one born a kohen could perform these duties. If there is a kohen, he performs (the duchaning) the priestly blessings in synagogue. If not, there just is none, it is not performed. There is however one norm which is identified with kohanim and yet throughout history has mostly been applied to non-kohanim. It is an aspect of kohanim, but mostly practiced by non-kohanim. Therefore, it is identified as "shel mala" (above)--it is teaching!

In fact, it would have been preferable if Sanhedrin (the Jewish supreme court) were composed of kohanim and Levites, but it never was so because those qualified to teach were not necessarily kohanim. The Torah declare, "If you have a problem, dam l'dam, din l'din (criminal or civil), come to the kohen--the scholar. But most often, the scholars were not the kohanim at all. This then is the kohen image shel mala (above). If the kohanim are the ones to teach, how can it be that the great scholars of our history were not necessarily kohanim? Again, this refers to kohanim shel mala (the version of heavenly kohanim).

Sedra Emor (a portion of the Torah completely devoted to the duties of the priests) speaks about marriages, food etc. Suddenly, it switches to holidays, then to problems of murder and bodily injury. The kohen will have to judge all the cases, appoint the holidays, he will teach the teacher, judge, scholar. And yet, all this throughout history, with very few exceptions, was performed by those qualified--not the actual kohanim (by birth).

In actual practice of the priestly work, there are 24 divisions of kohanim with 7 subdivisions. A division served one week at the temple with the actual sacrifices. When a kohen whose division's time came for duty, 6 days of that week per man was spent in observing and familiarizing himself with the work. On the seventh day he performed. Thus, if his division came twice a year, he actually devoted only 2 days a year to the sacrifices. So, what did they do the rest of the time? It was devoted to teaching and to study. They implemented the laws of justice.

It would be beautiful if scholarship were in the hands of Aaron's children, but the greats were not kohanim with few exceptions. The real kahuna was implemented to the greats of Israel. The kohanim lost the opportunity to scholarship greatness. They did the technical work but often the kohanim were ignorant. It is taught that before Yom Kippur the kohen gadol (high priest) had to be secluded--and often taught the priestly work for the Day of Atonement.

For example, there was a period during the second Beit Hamikdash that the real leaders were such as two men Shmaya and Avtalyon who were proselytes but rose to such great heights and such great scholarship that they carried the Torah and won the affection of all Israel. When, on a given Yom Kippur, at the end of the day the Jews would accompany the kohen gadol to his house with joy, the people instead turned away to follow Shmaya and Avtalyon. Such was their esteem for these leaders (who were not kohanim), and such was their lack of esteem for the kohen who at that time was hardly scholarly.

Even teaching has a double image. Teaching is not only concepts but to transmit experiences.

FROM EFRAIM GOLDSTEIN EFRAIMG@AOL.COM

Weekly Internet Parsha Sheet - Yisro

Jerusalem Post Feb 17 2006
 SPRING FORWARD Rabbi Berel Wein

Now that Tu B'Shvat is behind us we can confidently look forward to the coming of the spring season. The Jewish calendar and tradition marches along with the seasons of the year. It is interesting that the Torah itself assigns to springtime the role of representing freedom, redemption and a new beginning. In its introductory words to the Pesach holiday – which cannot be far off judging by the number of advertisements for Pesach vacations that now appear in this newspaper – the Torah emphasizes: “Now you are going out [of Egyptian bondage] in the month of springtime.” The entire concept of the Jewish calendar and its necessity to reconcile in nineteen-year cycles the solar and lunar calendars is predicated on the fact that Pesach must always fall “in the month of springtime.” It is not only good weather that we are looking for. It is the symbolism of renewal and growth that springtime represents that is the driving force behind this Torah requirement. Tu B'Shvat is therefore the harbinger of the turn of the winter towards springtime. Maybe that is why it is such a popular and beloved day on everyone's Jewish calendar. For if anything is necessary in the dark and short days of winter, it is the belief in the power of hope, faith and optimism regarding better days ahead and continued renewal of body and soul that sustains us.

The seasons in Jewish life are marked by the seasons as they occur in the Land of Israel. Thus even though Nissan in South Africa and South America falls in the autumn season of those climes it is nevertheless “the month of springtime” since it is then springtime in the Land of Israel. The prayers for rain in our daily prayer service are for rain primarily to fall in the Land of Israel. Jews prayed with fervor for the fertility and climate of the Land of Israel even when there was only a minuscule Jewish population living there and there was no Jewish agriculture present to speak of. The love of the Jewish people for the Land of Israel was unconditional, unequivocal and always had supernatural qualities to it. The Land of Israel was the physical springtime of the Jewish people in the long and bitter winter of its exile and dispersion. Jews in the farthest reaches of the exile longed to taste a fruit grown in the Land of Israel on Tu B'Shvat. Zionism was built on such religious and traditional customs and halachic rulings. Too bad, that in its strident secularism, it threw out the baby with the perceived bathwater. It is hard to imagine a meaningful wave of aliyah coming from an assimilated Jewish population that barely knows what Pesach is, let alone Tu B'Shvat. The Land of Israel and its future growth and prosperity is dependent upon Jews viewing it as the springtime of our existence. It cannot just be another piece of our winter landscape. Because the springtime has not yet arrived, and we are yet in the month of Shvat, it requires imagination and anticipation to look forward to the springtime. It is imagination and anticipation that has always fired the Jewish mind and soul and helped us survive triumphantly to this very day. I had a member of my congregation in the United States who once shared with me his secret of survival in the German concentration camps in which he was incarcerated in World War II. Sometime before the war, on a whim, he purchased an apartment in Jerusalem, though he certainly did not intend as of yet to move there. He had the plans of the layout of the apartment sent to him and he enjoyed perusing the plans in his spare time. Then the war and all of its horrors descended upon him. He told me: “Every night, after a backbreaking day of forced labor, lying amongst the dead and dying on my wooden plank, I furnished and refurbished my Jerusalem apartment in my mind's eye and in my dreams. It kept me sane and it kept me alive. I had a purpose to attempt to stay alive while others threw themselves on the electrified fence.” His Jerusalem apartment was his springtime, his future and hope for survival. All of us need springtime to look forward to. The Torah guarantees us generations in the future if we adhere to its words and teachings. It guarantees us that the springtime will come and with it our renewal and redemption. In the still cold and dark days of our diplomatic, political and societal winter it will help us to remember that springtime is really on the way. Shabat shalom.

Weekly Parsha YITRO Rabbi Berel Wein

Moshe shows great leadership qualities in this week's parsha. When his father-in-law Yitro criticizes him for the manner in which he conducts the judicial system of the people of Israel – Moshe was basically a one-man judge and jury and counselor – Moshe responds positively to the unasked for advice that Yitro volunteered. It is not easy for someone to accept criticism and advice from anyone else, especially not from a father-in-law. But the mark of greatness in leadership is exactly that trait – the ability to listen to others, to admit mistakes and to adopt new policies and actions to help the situation. Throughout the career of Moshe we find this great trait of his evident. His brother Aharon will contradict a halachic ruling of Moshe regarding eating from the sacrifice while he was yet an onan on the day of the tragic death of Aharon's two sons. Moshe will immediately admit his error and agree with Aharon's interpretation. Moshe will later accommodate himself to the wishes of the tribes of Gad and Reuven and allow them land east of the Jordan River even though it is clear to all from the reading of that parsha that Moshe originally disagreed vehemently with their request and decision. And, as in the case of the request of the daughters of Tzafchad to receive the inheritance of their father, when Moshe does not have an immediate answer to the question posed before him, he nevertheless admits this openly and candidly and states that he has to consult with God, so to speak, before giving a definitive answer. Moshe's greatness of spirit and wise ability to admit mistake stems from his superior trait of modesty. The Torah describes Moshe as being the most humble of all human beings. It is always our ego, hubris and arrogance that prevent us from climbing down the tree of bad ideas or wrong formulations. Since if one believes that “I am always right” it is well nigh impossible for anyone to grant advice, let alone criticism, to a person with such an attitude. Rabbi Yisrael Lipkin of Salant, the great sage of nineteenth-century Lithuania and the founder of the Mussar movement, always prayed that he should have the ability and patience to hear what his critics have to say and to incorporate their ideas and thoughts in his decision making process. Sycophants who curry favor with the leader by encouraging his ego and downplaying other opinions that disagree with the leader's policies always surround people in power. The great men of Israel always strove to rise above this situation and to accept advice and truth from whatever source it came. The give and take of halachic discussion, the differences in approaches to solve problems that beset the Jewish community in all times and places, are the hallmarks of traditional Jewish history. Moshe's example remains the paradigm for Jewish leaders throughout the ages. It is clear that this is why the Torah places emphasis on this incident between Yitro and Moshe, not only for its story content, but also mainly for its transcendent message of the requirement of true leadership of Israel. Shabat shalom.

Torah Weekly - Parshat Yitro

For the week ending 18 February 2006 / 20 Shevat 5766

from Ohr Somayach | www.ohr.edu

OVERVIEW

Hearing of the miracles G-d performed for Bnei Yisrael, Moshe's father-in-law Yitro arrives with Moshe's wife and sons, reuniting the family in the wilderness. Yitro is so impressed by Moshe's detailing of the Exodus from Egypt that he converts to Judaism. Seeing that the only judicial authority for the entire Jewish nation is Moshe himself, Yitro suggests that subsidiary judges be appointed to adjudicate smaller matters, leaving Moshe free to attend to larger issues. Moshe accepts his advice. Bnei Yisrael arrive at Mt. Sinai where G-d offers them the Torah. After they accept, G-d charges Moshe to instruct the people not to approach the mountain and to prepare for three days. On the third day, amidst thunder and lightning, G-d's voice emanates from the smoke-enshrouded mountain and He speaks to the Jewish People, giving them the Ten Commandments:

1. Believe in G-d

2. Don't worship other "gods"
3. Don't use G-d's name in vain
4. Observe Shabbat
5. Honor your parents
6. Don't murder
7. Don't commit adultery
8. Don't kidnap
9. Don't testify falsely
10. Don't covet.

After receiving the first two commandments, the Jewish People, overwhelmed by this experience of the Divine, request that Moshe relay G-d's word to them. G-d instructs Moshe to caution the Jewish People regarding their responsibility to be faithful to the One who spoke to them.

INSIGHTS

Ambassador-At-Large

“You shall not have other gods before Me. (lit. to my face)” (20:3)

The temperature on the tarmac must be over 100°. The guard of honor in their splendid crimson uniforms stretches all the way back to the control tower.

Air Force One begins a long lazy curve as it turns for its final approach. As the wheels bite the tarmac, the squeal of small puffs of burned rubber escape from the tires. Air Force One taxis to a halt in front of the welcoming committee. The main bulkhead swings open and out into the blistering Asian sunshine steps not the President, not even the Vice-President, but the ambassador of the .

The guard comes to attention with the precision of a well-oiled machine, and the brass band strikes up “The Star Spangled Banner.” A welcome fit for a king. If the president himself had stepped out of that plane he could have no complaints.

There is no word, no letter or no dot that is superfluous in the Torah. Why, then, does the Torah add the words “before Me” to the end of the above verse? Why didn't it just write “You shall not have other gods?” Isn't the message clear enough that idol worship is unacceptable without the words “before Me?”

At the beginning of Hilchot Avoda Zara, the Rambam (Maimonides) explains how idol worship started in the world: The ancients knew that G-d runs the world through a series of emissaries. The Divine command descends through the upper worlds until it reaches the stars and the constellations. The stars are the last link in this chain of command. In the generation of Enosh, (Adam's grandson) people started to surmise that since G-d had created the stars and the constellations as his agents to run the world, G-d wanted the stars to be honored, because to honor them was to honor the King himself. Eventually, this mistake degenerated into the building of temples to these stars, and sacrificing to them, still with the understanding, however, that they were G-d's envoys. The final step was to disconnect the stars from G-d completely and worship them alone as deities.

It's clear that the final step in this process, the worshipping of the stars instead of G-d, is what we would call idol worship. However, the Rambam says that even giving honor to the constellations was already fully-fledged idol worship. This is difficult to understand. When you welcome an ambassador, shouldn't you give him the entire honor befitting the one who sent him? For, in truth, the ambassador represents the king. What was so bad then about giving honor to the ambassadors of the King?

“You shall not have other gods before me (lit. to my face.)”

There's one place where to honor the ambassador of the King is the biggest insult to the King that can be. Where is that?

In the throne-room of the King.

Seeing as G-d fills the world, and there is no place where He is not, the entire creation is G-d's throne-room.

To bow to an ambassador in front of the King is as big an insult as you can get.

Based on the Seforno

Peninim on the Torah

by Rabbi A. Leib Scheinbaum

PARSHAS YISRO

Yisro heard... all that Hashem did to Moshe and Yisrael, his nation. (18:1)

Yisro heard something special that evoked within him a desire to leave his roots and go forth into the wilderness to join the Jewish nation. Chazal ask, "What did Yisro hear that caused him to come?" This question seems superfluous. After all, the Torah writes that Yisro heard "all that Hashem did for Moshe and Yisrael." Obviously, the focus is not on what he heard, but, rather, on some aspect of what he heard that motivated him to come. It was not only Yisro who heard. All of the nations heard and trembled. They shook in fear and awe, but they still did not leave their homes to join the Jews. They heard, but they did not respond. Yisro heard and came. Apparently, it is not what one hears - it is how one hears. According to Rabbi Eliezer HaModai in the Talmud Zevachim 116a, Yisro came shortly after Matan Torah, the Giving of the Torah. We are taught that when Hashem gave Klal Yisrael the Torah, all of the nations of the world heard the powerful reverberation of Hashem's voice. It inspired great fear in their hearts. They all assembled at the home of the wisest pagan, Bilaam ha'rasha, the wicked. "What is this awesome sound that we hear? Is it possible that G-d is bringing another cataclysmic flood to the world?" they wondered. "No. G-d swore that He would never again destroy the world through a flood," Bilaam replied.

"Perhaps He meant that He would never again bring a deluge of water, but He would send a mabul, flood, of fire," they countered.

"No," Bilaam said, "He said that He would never again wipe out the world."

"If so, what is this loud sound that we hear?" they asked.

"G-d has a very special jewel in His Heavenly treasury that He is giving to His children. He is giving them His Torah." This revelation allayed their fears of any impending doom. Let us turn to analyze the dialogue that transpired between the pagan nations and Bilaam. They sought his counsel out of fear. Thinking that the world was coming to an end, they sought an explanation for the thunderous noise they heard. Was it a catastrophe, a flood of water, a flood of fire, a cataclysmic event that would signal an end to the world?

Bilaam calmed them down, "Do not worry. It is only Hashem giving His Torah to His People." The Torah, with its eternal verities, was about to be given to the eternal nation. The Shechinah would descend to This World, and the Creator would inform His People about their function and purpose on this earth and how they can achieve a portion in the World to Come. That is it!

In relating this conversation, Horav Chaim Friedlander, zl, is filled with amazement at the utter foolishness and simplemindedness of these people. They had heard the noise. They understood that something unprecedented and awe-inspiring was occurring. When they heard that it was "only" Hashem descending to the world with the Torah, and that it would be given to Klal Yisrael, they no longer were in a frenzy. So what if Hashem was descending! So what if Hashem was giving the Torah! This had nothing to do with them. As long as there was to be no flood, they could care less what Hashem was doing with His Torah. They were prepared to return to their collective homes with the message - "false alarm, no catastrophe. It is only the Torah being given to the Jews. There is nothing for us to worry about."

This demonstrates how obtuse they really were. The Borei olam, Creator of the world, was revealing Himself and indicating what it is that He wants of His subjects - and this was nothing in their eyes. How utterly dense and irresponsible they were, because all they cared about was the assurance that there would be no catastrophe. In contrast, the thought of something positive - something edifying - taking place was not their concern.

When a catastrophe occurs, however, it will be too late for them. They did not bother listening to Hashem when He informed Klal Yisrael what it is that He expects from His creations, what it is that would prevent a catastrophe from occurring. They were too wrapped up in themselves.

One person from among them did listen: Yisro. He understood the connection. He saw the pattern. He listened, and he responded accordingly.

Moshe told his father-in-law everything that Hashem had done to Pharaoh and Egypt for Yisrael's sake. (18:8)

It seems somewhat superfluous for Moshe Rabbeinu to reiterate everything that Hashem had done for Klal Yisrael. After all, Yisro's prior awareness of these miracles had motivated him to leave the comfort of his home to join Moshe and the Jewish nation in the wilderness. Simply, we may say that Moshe was only relating the details of this experience. The Brisker Rav, zl, takes an alternative approach, positing that, exclusive of the obligation to praise and thank Hashem for his being spared from a traumatic experience, one also must relate Hashem's miracles and kindness to others. Thus, there is a chiyuv, obligation, of *hodaah*, gratitude, and *sipur*, relating this story. The Brisker Rav supports this thesis with a number of *pesukim* in Sefer Tehillim in which David Hamelech invokes us to "speak of His wonders" (Tehillim 105:2). "Let them acknowledge to Hashem His kindness, and to the children of men His wonders" (Ibid 107:8). Moreover, in Tehillim 79:13, it is stated implicitly, "As for us, Your nation and the sheep of Your pasture, we shall thank you forever; for generation after generation, we shall relate Your praise."

Therefore, while there were many miracles and wonders for which Klal Yisrael were beholden to Hashem, the opportunity to relate these miracles to an outsider who had not experienced them had not arisen until now. With Yisro's arrival, Moshe now had the opportunity to fulfill the second component of the obligation: relating the miracles. The Brisker Rav adds a third obligation: the *chiyuv*, obligation, to bless Hashem. This is a function that is exclusive of the obligation to offer gratitude. Indeed, one must bless Hashem even if his experience has been a negative one. As Chazal teach us, "As one must bless for something good, so too, must one bless when a bad occurrence has taken place."

It once happened on Shabbos following the *sheva berachos* of one of his sons, that before *Minchah* when everyone gathered in his apartment, the Brisker Rav noticed that his son was not there. He immediately sent someone to his apartment to call him. When knocking seemed to be of no avail, the man decided to break down the door. As soon as he entered the apartment, he was overwhelmed with an odor of gas. Apparently, there was a gas leak, and the young couple had fallen into a deep sleep as a result of the gas. The windows were opened and the couple was taken to the hospital. It took awhile, but they were revived. The doctor said that had it been just a little bit longer, they would have succumbed to the gas. That Shabbos, the Brisker Rav went around relating the story of his children's miraculous rescue to everyone that he met. He said that Moshe Rabbeinu had demonstrated this trait when he related Hashem's miracles to Yisro.

So shall you say to the House of Yaakov and relate to Bnei Yisrael. (19:3)

The message that was to be given was, "You shall be for Me a kingdom of Priests and a holy nation" (Shemos 19:6). Rashi tells us that the term *Bais Yaakov*, House of Yaakov, refers to the women, and *Bnei Yisrael* refers to the men. The Chasam Sofer offers a compelling interpretation of this *pasuk*: "So shall you say to the [women] House of Yaakov" (What should you say to them?) Tell them that they are to "relate to Bnei Yisrael." They should tell their husbands and their sons, "You shall be a kingdom of Priests and a holy nation."

In other words, Hashem is telling Moshe Rabbeinu that it is the women who are to motivate, inspire and encourage their husbands and sons to study Torah. The husband may be the "head" of the house, but the wife is viewed as the neck. The neck supports the head, and it determines which way the head will turn. A wife who takes her responsibility seriously determines the future of her family.

Chazal state this clearly when they ask, "In what merit do women receive *Olam Habbah*?" They respond that it is in the merit of encouraging their husbands and sons to study Torah. *Olam Habbah* is not an easy thing to acquire. It is an awesome privilege to which a

woman can gain access by making sure that the men in her life apply themselves to Torah. This can occur only when a woman realizes the infinite value of Torah. When the wife and mother appreciates and values Torah, she will see to it that her husband maintains a strong focus on Torah study.

You have seen what I did to Egypt... You shall be to Me a kingdom of Priests and a holy nation. (19:4:6)

Often, we become so involved in our daily endeavor that we lose sight of our true purpose in life. The *Mesillas Yesharim* commences his magnum opus with the words, "The foundation of piety - the root of perfect service - is that man should have a clear and truthful concept of his goal and purpose in life." Man must recognize and never lose sight of his purpose and responsibility in life. He was not created and placed in this world for no apparent reason. What is our purpose? What does Hashem expect of us?

Even before Hashem gave us the Torah, He prefaced it with an "introduction": "You have seen what I did to Egypt." It was done by design and for a purpose. We are to listen to His words and be His treasure from among the nations of the world. As Hashem says it so clearly, "You shall be a *mamleches Kohanim*, kingdom of Priests, and a *goi kadosh*, holy nation."

While everyone hears this, not everyone understands that it is a demand conveyed uniquely to each individual Jew. In his *Aderes Eliyahu* commentary to *Devarim* 29:18, the Gaon, zl, m'Vilna writes that every time the Torah speaks in *lashon rabin*, the plural, it speaks to each individual. When the Torah speaks in *lashon yachid*, the singular, it is speaking to the community as a single unit. Thus, the use of the word *atem*, you, in the plural, is a term used to speak to each individual Jew. Hashem is speaking directly to each and every one of us: "I expect something of you!"

Horav Shimshon Pincus, zl, explains that this is the foreword to Judaism: Hashem speaks to each individual - not only as a collective member of the Klal Yisrael - but as an individual. It is a personal relationship with the Almighty in which a covenant is made between the two. Hashem says, "Look what I did for you. The entire Egypt was afflicted with the plagues that I sent against them. But you were spared. Why? Because I went beyond the natural order, because I cared for you. The Egyptians hurt you, and I punished them in an unprecedented manner."

Hashem's extraordinary action on behalf of the Jews is a clear indication of His overwhelming love for them. Compare this to a case in which someone sees a bully attacking his only child. He certainly goes out of his way to punish this bully. If it had been someone else's child, however, he might rescue the child, but the punishment would not be as severe. Rav Shimshon gives the following analogy to demonstrate how Hashem cares for each one of us. Imagine that a man has ten children. One is unfortunately ill, and the father spends every spare minute caring for him and seeing to his every need. If someone were to ask the father, "Why are you so devoted to this one child? After all, you have nine others," the reply would be; "This is not simply 'another' child. This is my *Shloimele*, and I have only one *Shloimele*."

Now, let us take this analogy one step further. The father comes to visit *Shloimele's yeshivah* one day. "Have you seen my *Shloimele*?" he asks one of the students. "He is probably at the pizza shop," is the quick reply.

"What could he be doing at the pizza shop at 11:00 in the morning?" the father asks, somewhat agitated.

"He was probably hungry," answered the student. "What is the difference? There are still another one hundred *bachurim*, students, studying in the *bais hamedrash*."

We understand that this reply is meaningless to the father. He is concerned with his son. Where is he? He is not impressed with the one hundred students that are studying Torah. His *Shloimele* is not there, and that is what is uppermost on his mind. Likewise, Hashem comes to the *bais hamedrash* in the morning during *Shacharis* and sees that His *Shloimele* is not in attendance. He goes to the *bais hamedrash* a few hours later, and He sees that His *Davidel* is not studying there. Neither is His *Berel*. The fact that there are hundreds of others does not change the fact that His son - a reference to each and every Jew - is not there.

The first word in establishing our relationship with Hashem is - *Atem* - you. He speaks to us individually. What an incredible privilege! What an awesome responsibility!

And they stood at the bottom of the mountain. (19:17)

In the Talmud Shabbos 88a, Chazal relate that Hashem raised Har Sinai over their heads like an upturned vat (which enveloped them completely from all sides) and told them, "If you will accept the Torah - good - and if not, there will be your graves." Klal Yisrael immediately responded with the famous words of Naase v'Nishma, "We will do, and we will listen." One naturally wonders why Hashem found it necessary to compel Klal Yisrael to accept the Torah. Could there not have been a "gentler" way of presenting the Torah?

In his *Gur Aryeh* commentary, the Maharal m'Prague explains that Hashem presented the Torah to us in this manner to teach us that the Torah is compulsory and that we must accept it or else we cannot exist. Therefore, Hashem

surrounded us completely, like an upturned vat. There was no escape, nowhere to run. This conveyed to us the de rigueur nature of the Torah. As Rav Saadya Gaon writes, "Our nation is not a nation without the Torah." The Torah is not just simply a way of life for us - it is life.

Horav Simchah Wasserman, zl, explains Chazal's comparison of Torah to water in this manner. When we think about it, a human being is almost totally comprised of water. If he were to become dehydrated, he would take ill and eventually die. Water is not just something that he needs to live - water is life! He is made up of water. Likewise, the Torah comprises the essence of a Jew. Without the Torah, he becomes spiritually dehydrated.

Rav Simchah would often cite the Rambam in his Igeres Teiman, where he emphasizes this point. To explain this idea, he would compare man to a robot. A person who does not possess Torah may give the appearance of being alive, but, actually, what we are seeing is nothing more than a robot. A foolish person might not be able to distinguish between the living, breathing person and the robot, who goes through the external motions of appearing alive. The wise man is acutely aware of the distinction between who lives and who appears to be alive. These words may come across as being uncompromising, but, then there is no alternative to life.

Honor your father and your mother. (20:12)

Honoring parents is one of the underpinnings of our belief. It maintains the tradition which is based on the transmission of Torah from generation to generation. Furthermore, it is one of those mitzvos that train us to develop a sense of appreciation and gratitude to those who benefit us. There is a deeper significance to the mitzvah of honoring one's parents: Attitude. It is not what we do for them; it is how we do it. The attitude which we manifest when we honor our parents determines the essence of the mitzvah. Chazal teach us that it is not what we feed our parents; rather it is the manner in which we speak to them when we feed them. Do we make it appear as a bother, a pain that we have to sustain, or do we act with gladness of heart, excited to be repaying our parents for all that they did for us?

Horav Meir Chadash, zl, explains that the most important aspect of Kibbud Av v'Eim is establishing and maintaining their independence. When we say, "How can I help you?" we are intimating that they need help, and we are there to assist them. We forget that parents are givers. They have given to us relentlessly throughout their productive lives. Now, perhaps when they are older, they no longer have the capacity for giving that they once did. By offering them assistance, we are bringing this message home to them: You cannot do it anymore. You need our help. This message, while it is not meant to hurt, nonetheless, does hurt. We should rather say, "Come, let us do it together." Always make every effort to sustain that feeling of "giving," which parents are so accustomed to feeling. We are to honor our father and mother, but first we must make them feel like a father or mother, not like a burden.

Va'ani Tefillah

Yud Gimel Middos she'haTorah nidreshes bahem - Thirteen Hermeneutic Rules.

Many of us recite the Yud Gimel Middos daily - by rote. I have taken the time and space to familiarize the reader with them by explaining them on a basic level. While this is not a primary part of our daily Tefillah, it is a crucial tenet of Jewish belief. Torah Judaism is based upon the premise that the Oral Law, our Mishnah and Talmud that were compiled by the Tannaim and Amoraim, in no way altered the essence of the Torah as it was given to us on Har Sinai. Moshe Rabbeinu was given the Written and Oral Law. Thus, to quote Horav S.R. Hirsch, zl, who cites the Ramban in his commentary to the Sefer HaMitzvos l'HaRambam, that a denial of the Divine origin of the Hermeneutic Rules "would destroy the very roots of the tradition that has been transmitted to us through the thirteen rules of interpretation and the major part of the Talmud of which they form the foundation."

These rules are to be expounded in interpreting the Written Law. The hermeneutic rules serve a number of purposes. First, they protect the Oral Law which remained "oral" for thousands of years. These rules guarantee that it not be forgotten. They also ensure a consistency and unity between the Written and Oral Law. Last, these rules provide a means to examine and to restore the full compass of the tradition, when portions of it have lost some of its clarity under the weight of the exile.

These hermeneutic rules have regrettably been used as the point of embarkation for all forms of "reconstructing" Judaism in accordance with what happens to be in vogue at the time. The first assertion is that the hermeneutic rules are a rabbinic innovation and are not of Divine origin. Rav Hirsch battled valiantly and brilliantly with the forces that sought to secularize Judaism. He demonstrated the irrationality of their interpretations and proofs. Of course, they neither responded to his criticism nor were they able to refute his compelling refutation of their heretical theories.

Meir Bedziner R' Meir ben Betzalel HaLevi z'l niftar 24 Shevat 5764 on his yearzeit.

Reb Meir loved people and was beloved by all. His sterling character and pleasant demeanor were the hallmarks of his personality. He sought every

opportunity to increase the study of Torah and that it be accessible to all. yehi zichru baruch

Rav Kook on Yitro: The Ultimate Goal of the Torah

On what day did the Jewish people receive the Torah? The majority opinion is that the Torah was given on the sixth of Sivan. Rabbi Yossi, however, disagreed. He said that the Torah was given on the seventh of Sivan [Shabbat 86b].

What is the essence of this disagreement? What is the significance of the date of "Matan Torah"?

Rav Kook explained that the sages were debating the fundamental purpose of the Torah. The sixth and seventh of Sivan correspond to the very first sixth and seventh days in history - the sixth and seventh day of Creation.

Most of the Sages preferred to associate the Sinai Revelation to the sixth day of Creation, the day that God created man. The primary objective of the Torah, the Sages emphasized, is to complete that act of creation, the birth of humanity. The goal of Torah is to perfect humanity, to recreate it in a better, purer form.

Rabbi Yossi, on the other hand, chose to stress the ultimate goal of the Torah. For after the Torah makes its mark on the human soul and its ideals are internalized in the human heart, it will take root into the innermost soul of the cosmos, uplifting and refining the entire universe. In terms of this ultimate goal of the Torah, it is fitting that the Torah be revealed to the world on the seventh day, the concluding day of Creation. With the seventh day, the Torah is linked to the day when creation was completed - the Sabbath, the day of ultimate perfection and rest.

[adapted from Ein Ayah vol. IV, p. 169]

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Rabbi Yakov Haber

The TorahWeb Foundation

Lo Tachmod: Mazal, Destiny and the Prohibition Against Coveting

The focal point of Parshas Yisro is the 'Aseres HaDib'rot, the Ten Commandments, which form the introductory mitzvot stated directly by G-d in the presence of all of Israel, and, in the view of many Rishonim, include within them the concepts expressed in the entire list of 613 commandments. One would expect that the 'Aseres HaDib'rot should begin as well as end with fundamental principles of our obligations toward HaKadosh Boruch Hu. The conclusion with the prohibition of Lo Tachmod - not coveting another's material possessions - requires explanation as to its central nature. (See Rav Rosensweig's eye-opening analysis of this same question entitled "Lo Tachmod: The Perfect Culmination of the Asseret ha-Dibrot" - http://www.torahweb.org/torah/2002/parsha/rros_yisro.html - Here, we attempt an additional approach.)

Warning against desiring another person's possessions, the Torah first states not to covet another's house (Lo sachmod beis rei'echa). It then prohibits desiring specific people or possessions related to one's neighbor and lists together another's wife, servants, ox and donkey (Lo sachmod eishes rei'echa v'avdo va'amaso v'shoro vachamoro v'chol 'asher l'rei'echa). In explanation of this curious equivalence, Rav Zev Leff shlita, in a recent lecture, suggested that the root of coveting another's assets is a lack of satisfaction with one's own lot in life. "If only I were that other person," reasons the coveter, "I would have happiness!" Hence, all of that person's relationships and assets are equated since the coveter wants to be that person rather than desiring a specific one of his items. Perhaps this is the reason that the Torah begins by warning against coveting another's house followed by a second warning concerning specific items: it is the desire to be another person in general - to have his household - that leads to coveting his specific possessions.

The Torah demands of us through this commandment and related mitzvot to control our emotions. Although, formally, one only violates this prohibition if one actually seizes or at least pressures the original owner to forfeit or sell the item (see Rambam Hilchos Gezeila 1:9-10), the related prohibition Lo Sis'aveh (appearing in the 'Aseres HaDib'rot in Parshas Va'Etchanan) prohibits even plotting to do so. Envy over another's property without a plan to procure it through pressure or even theft, although not prohibited by these negative commandments, is sometimes forbidden by the commandment of v'Ahavta l'rei'acha kamocha (see Ramban K'doshim 19:18) and sometimes demonstrates a lack of middos perfection commanded by the mitzva of v'halachta bidrachav. (A full analysis of the scope of the prohibitions against envy and coveting is beyond the scope of this article. See L'reiacha Kamocha (vol. 1 - first section Lo Tachmod) by R. Dovid Ariav for additional sources.) What can prevent the temptation to be jealous of or even to covet another's possessions especially if one's own assets are meager? (See Ibn Ezra and L'rei'ach Kamocha Chapter 6.)

Every individual's true sense of identity is ultimately rooted in his soul. The pairing of a specific soul with its unique personality into a specific body which is determined at or soon before conception (see Nidda (16b) and Midrash Tanchuma Parashas P'kudei 3) is decided upon with great precision by HaKadosh Baruch Hu. It is this union which determines major aspects of a person's life since his body's genetic makeup will determine many of his physical qualities, some aspects of his personality, and many aspects of his health. The family in which he is born will greatly impact on his education, his training, his early social environment, will further affect his personality development, and often will even largely determine his career and marriage partner. Most of these factors, according to the the Midrash Tanchuma, are determined by Hashem even before the birth of the child. He arranges that this specific soul should be placed into this particular body and born into this particular family so that all of the above-mentioned aspects of the person's life should occur with precision to that individual. The one factor which surely remains the domain of the child is whether he will choose to be good or bad, righteous or wicked. (See Rambam Hilchos Teshuva Chapter 5.)

Rabbi Soloveitchik zt"l often referred to these two aspects of the human soul-body entity - the predetermined and the non-predetermined - as Fate and Destiny. It is the challenge of each individual to take his Fate and transform it into his Destiny or to marshal all of one's inborn and acquired talents as well as the challenges and obstacles of one's initial environment and serve His Maker from within that framework to fulfill his Destiny. To complain about one's Fate is futile. It is precisely this environment that is best suited for that particular soul to live out its life, and it behooves the individual to utilize precisely this framework to excel and maximalize one's potential. Even if "no'ach lo l'adam shelo nivra mishenivra" (Eiruvin 13b) - the soul would not have chosen this existence and would rather remain in the heavenly bliss above without having to undergo the challenge of existence, "achshav shenivra - y'fashpeish b'ma'asav!" - now that he has been placed in this world, let him search out his deeds and perfect his service of his Creator! (Compare Chazal's statement (Mo'eid Katan 28a) "children, life, and sustenance are not (solely - see Tosfos ibid.) dependent on merit but on mazal" and see R. Aryeh Kaplan's zt"l Handbook of Jewish Thought (Vol 2. Divine Providence 19:25-26).)

Every morning we recite three b'rachos of identity noting who we are, or, in other words, who G-d made us into by placing our souls into a particular body thus deciding for us our religion, social status, and gender. We then praise Him as the One "she'asa li kol tzarki" - Who made everything I need to actualize my potential. We then proceed to exalt G-d as the "Meichin mitz'adei gever" - Who prepares the footsteps of Man. This can be taken to refer not only to Hashem's giving us the ability to walk but also to His constant arranging of events in our lives by placing us at the appropriate, precise crossroads for our decision-making process (b'chira chafshis) to play itself out. All of these aspects are included in our Fate. We conclude the Birchos HaShachar by beseeching G-d to make our Fate as easy as possible: lo lidei nisayon

v'lo lidei vizayon v'harchikeinu mei'adam ra... - "[may You] not lead us to trials or to embarrassment and distance us from evil people." Each morning as we prepare for another day, we note that it is G-d who placed us in our past environment and will continue to present us with appropriate challenges specifically tailored for us alone (our Fate), and we ask for His assistance and kindness in helping us succeed (our Destiny).

These concepts are all included in the Torah's adjuration against coveting another's possessions. The Torah guides us: "You were given exactly what you need to succeed in your mission in life. Do not get sidetracked by looking over your shoulder to another's material possessions and relationships. They are his Fate, not yours! Your Destinies are not the same so your tools for fulfilling them will not be the same! Be happy with what you have because that is what you need and were given through Hashem's specific Providence to enable you to live out your potential." As Rav Yissachar Frand shlita once noted, the Aseres HaDib'rot begin with theoretical belief in Hashem ('Anochi Hashem Elokecha) and end with emuna in practice. Thus, the prohibition of Lo Tachmod includes within it one of the fundamental principles of the Torah - that Hashem guides each individual specifically and uniquely on the road to his Destiny and provides him with all the tools necessary to achieve it. May our commitment to the truths contained within all of the Ten Commandments allow us to have the confidence to utilize our unique package of Divinely ordained and delivered blessings, talents and challenges to actualize our unique potential in the service of our Creator.

ted in different ways, one of which involves violating the Torah and the other not? **IsYeshivat Har Etzion**

Israel Koschitzky Virtual Beit Midrash (Vbm)

The Weekly Mitzva

Parashat Yitro - Kibbud Av Va-Eim (Honoring Parents)

By Rav Binyamin Tabory (Forwarded By Elliot Goldofsky)

There are two mitzvot asef pertaining to children's relationship with their parents. The Torah commanded us to honor one's father and mother (Shemot 20:12) as well as to treat them with reverence (Vayikra 19:3). The gemara (Ketuvot 103a) deduces from the extra word "et" which appears in the command to honor parents before both "your father" and "your mother" ("et avikha ve-et imekha"), that one is obligated to honor even his father's wife and his mother's husband. The gemara further comments that the extra "vav" ("ve-et") teaches that we must also respect our older (or perhaps only oldest) brother.

In his discussion of the principles governing the listing of the mitzvot (in Shoresh 2), the Rambam elucidated his opinion that mitzvot derived from seemingly extraneous letters or words should not be enumerated in the list of the 613 mitzvot. He explained that anyone who disagrees with this theory should list as three separate mitzvot the obligations of honoring one's father's wife, mother's husband and older (or oldest) brother.

The Ramban (in his comments, ad loc.) explained that these three people are not really the focal point of the mitzva. The basic mitzva is to honor one's father and mother, but the obligation to honor one's father would include a requirement to honor his wife, honoring one's mother would include honoring her husband, and honoring parents would include honoring one's older (or oldest) brother. Since parents would wish to have their older children respected by the younger siblings, the obligation to honor an older brother is part of the mitzva of kibbud av va-eim and does not constitute a separate mitzva. The halakhic ramification of this position is that the obligation of honoring a stepmother, stepfather or older brother would not, according to the Ramban, apply after the given parent's death.

One might still ask why "kibbud av va-eim" is counted as a single mitzva. After all, the requirement to honor one's mother is just as strict and mandatory as that of honoring one's father. I recall a comment in this regard made by Rav Soloveitchik zt"l shortly after the death of his mother. After the death of the Rav's father, Rav Moshe zt"l, the Rav delivered his annual yearzeit shiur in his memory. When the Rebbitzin died (more than two decades after her husband), the Rav said that whatever he did in memory of his father should be done for his mother as well, as "kibbud av" and "kibbud eim" are identical. However, he felt that he did not have the strength to deliver two yearzeit shiurim so close to one another. (The yearzeit of Rav Moshe occurs in Shevat, and the Rebbitzin's, in Adar.)

The Ramban suggested that since the verse presents the two obligations with but a single verb - "honor," we should consider it one mitzva. He then

argued that even if respect for an older (or oldest) brother stands independently of the respect for parents (and would then presumably continue even after the parents' death), it would still not qualify as a separate mitzva because it is also included in the general command ("honor").

One might argue, however, that although it is true that only one verb is employed, nevertheless, since one's father and mother are two separate people, and the Torah requires honoring each equally and independently, two mitzvot should be counted.

The Semag does indeed appear to count two mitzvot that children are required to perform. Although his elucidation of these mitzvot (111,112) might imply that he referred to one mitzva of honor and another of reverence, some have interpreted his list to mean that indeed two individual mitzvot exist - one to honor one's father, and another to honor one's mother. Rabbeinu Tzvi Hersh Chayut (Sanhedrin 56b) cites the Mishneh Le-Melekh as saying that both the Ramban (!!) and the Semag count two individual mitzvot. R. Chayut notes, however, that this position becomes very difficult in light of the gemara's explicit comment that TEN mitzvot were given to us at Mara. Given that the Gemara there lists "kibbud av va-eim" and nine other mitzvot, it follows that "kibbud av va-eim" counts as only a single mitzva.

This argument indeed seems conclusive, but it does not explain the conceptual basis for considering "kibbud av va-eim" one mitzva.

The Minchat Chinukh (mitzva 33) mentions that if a child does not fulfill the mitzva of "kibbud av" properly, he most certainly can and should do teshuva. He questioned, however, whether we should classify this mitzva under the category of "bein adam la-Makom" (Between man and God) or "bein adam la-chaveiro" (between man and man). If we consider this mitzva "bein adam la-Makom," then the violator need not ask his parents for forgiveness as part of his repentance. However, if this mitzva falls under the category of "bein adam la-chaveiro," then he must appease his parents as a prerequisite for forgiveness. He reasoned that mitzvot "bein adam la-chaveiro" include all men and all relationships. Since honor of parents is obviously restricted to only two people, perhaps it is "only" a mitzva "bein adam la-Makom."

In a recently published volume (Minchat Asher – Shemot, p.251), Rav Asher Weiss questions this assumption upon which the Minchat Chinukh classifies "kibbud av va-eim" under the category of "bein adam la-Makom." Why can't a mitzva "bein adam la-chaveiro" apply to one person? On the other hand, Rav Weiss cited the Ramban and Rabbeinu Bachye who explained that the obligation to honor parents evolves from their being partners with God Himself in the birth of a child. The Ramban finds an allusion to this special relationship in a phrase in Sefer Devarim (5:16). The Torah said that we should honor our parents "as the Lord your God commanded you." Although Rashi explains that this refers to God's having already commanded us with regard to "kibbud av" in Mara, the Ramban explains that we should honor our parents as we were commanded to honor God, as they are partners in birth. (The reader is advised to see the practical application of this concept in the Ramban's commentary to Shemot 20:12.) Thus, according to the Ramban and Rabbenu Bachye, "kibbud av va-eim" indeed falls under the category of "bein adam la-Makom" (only not for the reason suggested by the Minchat Chinukh).

Rav Meir Simcha Ha-Cohen of Dvinsk (Meshekh Chokhma, Vayikra 19:3) suggested a slightly different approach. He cites the halakha that if a parent would ask a child to violate a law of the Torah, he need not and should not obey the parent. Rav Meir Simcha asked why this halakha requires mentioning at all. Why should any mitzva "bein adam la-chaveiro" override a law between man and God? He therefore explained that the obligation to honor parents relates directly to one's relationship with God. One's parents, who are partners in his physical creation, also transmit to him the message of God. Therefore, we might have thought that one should always listen to his parents under all circumstances, and it was therefore necessary to mention that God's commandments take precedence over parents' wishes.

If we assume the "bein adam la-Makom" nature of the mitzva, then the mitzva is really to honor God's "partners," and we therefore understand why there is a single mitzva to honor one's father and mother.

It should be pointed out, however, that the Rambam writes quite clearly (in Peirush Ha-Mishnayot, Pe'ah I:1) that "kibbud av va-eim" is a mitzva "bein adam la-chaveiro." One might suggest that there are in fact two aspects of this mitzva, and it is both "bein adam la-Makom" as well as "bein adam la-chaveiro."

am seen in a treif restaurant? If it is permissible to attend the meeting, may I order a cup of coffee or a fruit plate?

Question # 2: When I serve coffee after a fleishig meal, I like to put non-dairy creamer on the table in a small pitcher because the original container is unsightly. Recently, someone told me that I may not place the creamer on the fleishig table unless I mark it pareve. Is this true?

Question # 3: I would like to sell my business that uses my name so that I can retire. May I sell it to a non-Jew who will keep the business open on Shabbos if he keeps the name of the business?

Question #4: My not-yet-observant cousin is making a bar-mitzvah in a reform temple. We have a good relationship, and he is very curious about exploring authentic Judaism. May I attend the bar-mitzvah?

Most of us are familiar with the prohibition of maris ayin, avoiding doing something that may raise suspicion that one violated halacha, or that someone may misinterpret, thus causing them to violate halacha. However, most of us are uncertain when this rule applies and when it does not.

Here are some examples mentioned by the Mishnah and Gemara:

A. One may not hang out wet clothes on Shabbos because neighbors might think that he washed them on Shabbos (Mishnah and Gemara Shabbos 146b). This is true even when all the neighbors realize that he is a meticulously observant individual.

B. Officials who entered the Beis HaMikdash treasury did so barefoot and wearing garments that contained no hemmed parts or wide sleeves, and certainly no pockets or cuffs, so that it would be impossible for them to hide any coins while inside (Shekalim 3:2). The Mishnah states that this practice is derived from the posuk vihiyisem nekiyim meiHashem umiyisroel (Bamidbar 32:22), Do things in a way that is as obviously clean in the eyes of people as it is viewed by Hashem. Rav Moshe Feinstein (Shu"t Igros Moshe, Orach Chayim 4:82) contends that this type of maris ayin is prohibited min haTorah!

C. Tzedakah collectors should get other people to convert their currency for them and not convert it themselves, because otherwise people might think that they gave themselves a more favorable exchange rate (Gemara Bava Basra 8b; Shulchan Aruch Yoreh Deah 257:2).

A CURIOUS CONTRADICTION

The concept of the mitzvah of maris ayin is a fascinating curiosity because it contradicts an important Torah mitzvah – to judge people favorably. This mitzvah requires us to judge a Torah Jew favorably when we see him act in a questionable way. (For further information on the mitzvah of judging people favorably, see Shaarei Teshuvah of Rabbeinu Yonah, 3:218.) If everyone always judged others favorably, there would never be a reason for maris ayin. Yet we see that the Torah is concerned that someone might judge you unfavorably and suspect you for violating a mitzvah.

The answer to this question is that the person who is doing the action has to be above suspicion, while people watching him when he acted in a suspicious way are required to judge him favorably.

THE TREIF RESTAURANT

May I enter a non-kosher restaurant to use the bathroom, to eat a permitted item, or to attend a professional meeting?

A prominent Rav once gleaned insight on this shaylah from early poskim who discussed the kashrus issues of Jewish travelers. In the sixteenth century, there was a dispute between the Rama and the Maharashal (Yam Shel Shelomoh, Chullin 8: 44) whether a Jewish traveler may eat herring and pickles prepared and served in non-kosher inns (quoted in Taz, Yoreh Deah 91:2). The Rama ruled that under the circumstances a traveler could eat these items on the inn's non-kosher plates, whereas the Maharashal prohibited using the inn's plates. However, neither sage prohibited eating or entering the inn because of maris ayin, from which this Rav inferred that entering a non-kosher eating establishment does not violate maris ayin.

However, Rav Moshe Feinstein rules that entering a non-kosher eatery is a violation of maris ayin (Shu"t Igros Moshe, Orach Chayim 2:40). Why does he not compare this law to the inn of the earlier poskim?

The answer is that in the sixteenth century, the inn functioned as a place of shelter and lodging, in addition to providing food. Therefore, someone seeing you enter the inn would assume that you were looking for a place to sleep, and that you have no intention to eat non-kosher food there. Thus, the sixteenth century inn is more comparable to a twentieth-first century hotel that contains non-kosher restaurants. There is certainly no maris ayin prohibition to visit a hotel since a passerby would assume that you are entering the hotel for reasons other than eating non-kosher. However, the primary reason people enter a non-kosher restaurant is to eat treif food. Therefore, Rav Moshe ruled that it is prohibited to enter a treif restaurant because of maris ayin.

LIKELY OR ALMOST LIKELY

This leads us to a practical question. May one do something that could be interpreted this activity prohibited because of maris ayin? For example, someone hanging up wet clothes on Shabbos may have just washed them, or he may have just accidentally dropped them into a basin of water or used them to mop up a spill. Yet the halacha is that this is prohibited because of maris ayin. This implies

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Parshas Yisro 19 Shevat 5766 , February 17, 2006
Halacha Talk

by Rabbi Yirmiyohu Kaganoff
But What Will the Neighbors Think? –

Understanding the Halachos of Maris Ayin

Question # 1: My boss asked me to attend a lunch meeting with a new client in a non-kosher restaurant. May I attend the meeting, or do I violate maris ayin if I

that since the most common reason for hanging out clothes is that they were recently washed, the activity is prohibited because of maris ayin. Similarly, there are many reasons why one might enter a treif restaurant: to attend a meeting, to use the facilities, or to drink a cup of water. On the other hand, the most common reason people enter restaurants is to eat. This is why Rav Moshe prohibited entering a treif restaurant.

THE COMPANY CAFETERIA

Many workplaces provide a cafeteria where one can purchase (non-kosher) food or bring in one's own food. Alternatively, some cafeterias have packaged kosher food available. In either of these situations, there is no maris ayin concern since people enter the cafeteria to eat kosher food also.

However, Rav Moshe ruled that under highly extenuating circumstances one may enter a treif restaurant, such as when one is famished and there is nowhere else to eat. This is based on another principle created by Chazal that when one suffers a great deal one may override a rabbinic prohibition to alleviate the suffering (see Gemara Kesubos 60a). For this reason, Rav Moshe permits someone who is famished to eat kosher food in a non-kosher restaurant. Based on his ruling, one could presumably permit entering a treif restaurant to use the restroom if it is the only one readily available.

ATTENDING A NON-KOSHER MEETING

Different rabbonim rule differently on this issue, and one should ask a shaylah. Personally, I believe that it depends on how secure one is at one's employment. If you feel that not attending the meeting might jeopardize your employment, then you may attend, since losing your job entails a great amount of suffering. However, if you feel that it will not jeopardize your employment, you may not attend.

DO WE MAKE OUR OWN MARIS AYIN CASES?

If a situation exists that could be a case of maris ayin, but is not mentioned by Chazal, is it prohibited because of maris ayin? There is actually an early dispute about this question, between the Rashba and the Pri Chodosh. A little explanation is necessary before we present this case: Chazal prohibited placing fish blood, which is perfectly kosher, in a serving bowl since someone might confuse it with animal blood (Gemara Kereisos 21b). Based on this Gemara, the Rashba (Shu't 3:257) prohibited cooking meat in human milk, even though human milk is halachically pareve. Similarly, the Rama prohibits cooking meat in "almond milk" -- a white, milk-like liquid made from almonds that looks similar to our non-dairy creamer or soy milk -- because of its similar appearance to cow's milk. One may only cook meat in almond milk and serve it if one leaves pieces of almond in the "milk" to call attention to its non-dairy origin (Rama, Yoreh Deah 87:3). The Pri Chodosh (Yoreh Deah 87:6) disagrees with the Rama, contending that we should not create our own cases of maris ayin and only prohibit those items that were prohibited by Chazal. The consensus of poskim is to prohibit these new maris ayin cases, following the position of the Rashba and the Rama.

Based on this ruling, some contemporary poskim contend that one should not serve pareve non-dairy creamer after a fleishig meal since someone might think that you are serving milchig after a fleishig meal. They permit serving the "creamer" in its original container that clearly identifies it as a pareve product, similar to serving the meat cooked with almond milk provided there are some almonds in the "milk."

However, other poskim contend that today no maris ayin issue exists germane to these products since the average person knows about the ready availability of pareve creamers, cheeses, ice creams, margarines, soy and rice milk, and the like (Shu't Yechaveh Daas 3:59).

This leads us to a new discussion --

CAN WE RESCIND MARIS AYIN CASES?

If something was previously prohibited as maris ayin, does it become permitted if there is no longer a maris ayin issue? Can we prove whether the prohibition against maris ayin disappears if the issue is no longer a concern? Is it correct that although at one time one could not cook meat in almond milk, today one may cook meat in soy milk since pareve milk substitutes are readily available? Similarly, may one serve margarine at a fleishig meal?

We can gather proof for this shaylah from the following case that requires a small introduction.

One may not hire a gentile to perform work on Shabbos that a Jew may not do. However, a non-Jew may operate his own business on Shabbos, even if he rents his facility from a Jew.

The Gemara rules that a Jew may rent his field to a non-Jewish sharecropper, since the gentile is not an employee. However, a Jew may not rent his bathhouse to a gentile since the non-Jew may operate the bathhouse on Shabbos (Mishnah Avodah Zarah 21a).

WHAT IS THE DIFFERENCE BETWEEN A BATHHOUSE AND A FIELD?

Why may I rent the non-Jew my field, but not my bathhouse? What is the difference between the two?

At the time of the Gemara, it was common to rent fields, and thus someone seeing a gentile work a Jewish-owned field on Shabbos would assume that the

gentile rented it. He would not think that the Jew hired the gentile to work for him, which violates the laws of Shabbos.

However, it was uncommon in antiquity to rent out a bathhouse. The person who owned the bathhouse hired employees to operate the business for him. Therefore, someone seeing a gentile operating a Jewish-owned bathhouse on Shabbos might assume that the Jew violated the halacha and hired gentiles to operate his bathhouse on Shabbos. Because of this, Chazal prohibited renting a bathhouse to a gentile because it would result in maris ayin when people see the gentile operating the Jew's bathhouse on Shabbos (Gemara Avodah Zarah 21b).

Shulchan Aruch (Orach Chayim 243:2) rules that if it is common in a certain city for people to rent out their bathhouses, one may rent one's bathhouse to a gentile, despite the Gemara's ruling. There is no maris ayin since people in this city will assume that the gentile rented the bathhouse from its owner. Thus, the maris ayin prohibition of the Gemara is rescinded in places and times when the concern no longer exists. Similarly, we can conclude that nowadays someone seeing non-dairy creamer served at a fleishig meal will assume that it is a pareve milk substitute and there is no issue of maris ayin.

Question # 3: Hyman Goldman would like to retire and sell his business, Hymie Goldman's Bake Shop to a non-Jew who will keep the business open on Shabbos. Must he require the non-Jew to change the name of the shop? First, some background to this shaylah.

The Rama (243:2) permits renting a business to a gentile that people do not associate with a Jewish owner. Thus, a Jew may buy a regional franchise of a non-Jewish company and rent or franchise out the individual stores to gentiles. Achronim dispute whether he may do this even where the Jew is sometimes involved in the management of the stores (see Mishnah Berurah 243:14).

Similarly, a Jew who owns a shopping mall may rent the stores to gentiles since people assume that each business is owned individually. However, if the rent includes a percentage of sales, he might thereby be receiving schar Shabbos, profits from work performed on Shabbos. One should ask a shaylah since the halacha in this case depends on circumstances.

However, although a Jewish landlord may rent out his facility to a gentile tenant, this may not necessarily mean that he can sell his business to a gentile if the new owner is going to keep the Jew's name on the business which is now open on Shabbos. Even if passersby realize that there are now exclusively non-Jews staffing Hymie's, they may think that Hyman still owns the shop and is hiring gentiles to operate the business for him. I discussed this shaylah with several different rabbonim and received different answers.

Here is another interesting maris ayin shaylah:

"I will be working in a town with very few observant people. There is an observant woman in town who lives alone, who will be away the entire time I am there. She is very willing to let me use her house while she is away. Is there a problem that people may not realize that she is away and they might think that we are violating the prohibition of yichud - being secluded with someone of the other gender to whom one is not closely related?"

Rav Moshe Feinstein (Igros Moshe, Even HaEzer 3:19) discusses almost this identical shaylah. Someone wants to sleep and eat at a widow's house when she is out of town. Is there a concern of maris ayin because people will think that he is staying at her house when she is home and that they are violating the prohibition of yichud. Rav Moshe rules that it is permitted, reasoning that since there are many ways to avoid yichud, we need not assume that people will think that he is violating the halacha.

A NON-MARIS AYIN CASE

Rav Moshe Feinstein notes that maris ayin does not include doing something permitted that people might mistakenly think is forbidden. Maris ayin means that someone thinks I violated something -- He thinks that I inappropriately used someone else's money, washed clothes on Shabbos, ate something non-kosher, etc. However, it does not include doing something permitted that people might mistakenly think is forbidden.

Thus, Rav Moshe discusses whether there is any prohibition in traveling a short distance by car on Friday evening after candle lighting when you will certainly not come to desecrate Shabbos. He rules that one may do this since there is no prohibition to do work after candle lighting time, even if ignorant people think that there is.

Question # 4: My not-yet-observant cousin is making a bar-mitzvah in a reform temple. We have a good relationship, and he is very curious about exploring authentic Judaism. May I attend the bar-mitzvah?

Rav Moshe rules that one may not enter a reform temple at the time people are praying there because someone might think one prayed there, which is prohibited according to halacha, or alternatively someone might learn from this person's example that one may pray with them. Someone faced with the above predicament should discuss with his Rav how to develop the relationship with his cousin without entangling himself in any halachic issues.

By examining the parameters of maris ayin, we become aware of the importance of the impression that our actions make. We cannot delude ourselves into thinking that it does not matter what others think of us. Our behavior must not only be correct, but also appear correct. In general, our lives should be a model

of appropriate behavior and kiddush Hashem. Let others look at us and say, "He is a frum Jew - he lives his life on a higher plane of honesty, of dignity, and of caring for others." -- As Chazal say in Pirkei Avos: "Kol she'ruach habrios nocha heimenu ruach hamakom nocha heimenu, One who is pleasing to his fellowman is pleasing to his Creator."

YatedUSA Parshas Yisro

Parshas Yisro 19 Shevat 5766 , February 17, 2006

Halacha Discussion

by Rabbi Daniel Neustadt

She'ailos U'teshuvos

Question: Since it is a mitzvah to eat the Friday night meal with a good appetite, is one forbidden to eat bread for lunch on Friday?

Discussion: One who normally washes for lunch may do so on Friday as well, but he should eat his lunch as early as possible [especially on the short Fridays in the winter], and surely no later than the beginning of the tenth halachic hour of the day.

One who rarely washes for lunch, however, may not wash for lunch on Friday either,¹ unless it is for a seudas mitzvah such as a bris,² pidyon ha-ben³ or a ba-yom bar mitzvah meal. Whenever possible, the seudas mitzvah should take place before chatzos. If the seudas mitzvah was delayed and did not begin until the tenth halachic hour of the day, only a minimum amount of food may be eaten.

While eating foods which do not require washing is permitted until kabbolas Shabbos, one should still limit his intake so as not to ruin his appetite for the Friday night meal.

All of these halachos apply on erev Yom Tov as well, even on erev Yom Tov which falls on Chol ha-Moed.⁴

Question: Is using a water filter system which is connected to the faucet a violation of the Shabbos Labor of Selecting, Borer?

Discussion: Recently, the New York City water system was found to be infested with tiny insects called Copepod, prompting several poskim to rule that the water may not be drunk unless it is first filtered.⁵ There are conflicting views among contemporary poskim, however, if it is permitted to use a filter system on Shabbos.

Part of the debate centers around the Shulchan Aruch's ruling that it is prohibited to use a strainer to remove insects and bugs from water on Shabbos,⁶ since it is a violation of Borer to use an instrument that is specifically designed for selection, such as a sifter or a strainer, in order to remove impurities from food or drink.⁷ A filter would appear to fall in the category of a sifter or a strainer and it should follow that using a water filter system on Shabbos is forbidden.

There are a number of points, however, that remain in dispute. Some poskim are of the opinion that it is only forbidden to remove insects, bugs, or debris which are clearly visible to the eye and render the water disgusting, dirty and unfit to drink. Such insects are classified as pesoles, and removing them from the water supply is a clear violation of Borer.⁸ But "cleaning" water which looks perfectly potable, which is declared fit for consumption by state and health authorities and is drunk by the vast majority of the population, is not considered "selecting pesoles" from food. Even though the water may be halachically unfit for drinking because of the prohibition against consumption of insects, Borer only applies to physical pesoles, not to halachic pesoles.⁹ If so, then Borer does not apply in our case.

An additional point for permitting the use of a filter is based on the argument that Borer is only forbidden when it is being done b' derech bereirah, lit., "in a manner of Selecting."¹⁰ Running water through a strainer or a sifter is clearly an action of Borer since these are utensils which are normally used for Selecting only; it is evident that a Selection process is taking place — otherwise one would not pour water through these utensils. Turning on the faucet and allowing the water to run, however, is not an action of bereirah; it is a routine act done many times throughout the day with no regard whatsoever to the filtering process going on simultaneously. This is not considered derech bereirah and may not be a violation of Borer.¹¹

For a final ruling on this controversial issue one should refer to his halachic authority.

Question: In communities where the water supply is not infested with tiny insects, is it permitted to use a water filter system to further purify the water?

Discussion: All poskim agree that it is only forbidden to use a water filter system if the water is so impure that it would not be drunk without it first being filtered. If, however, one would drink the water even if it were not filtered, yet he would still like to filter the water in order to enhance its taste or level of purity, it is permitted to use a filter.¹²

Question: How many candles should a woman light on erev Shabbos?

Discussion: This depends on family custom. While the basic halachah mandates that a minimum of one candle be lit,¹³ it is universally accepted that no one lights fewer than two candles, representing the dual aspects of Shabbos — Zachor and Shamor.¹⁴ Some women light seven candles, others ten,¹⁵ while

others light the number of candles corresponding to the number of people (parents plus children) in the family.¹⁶ All customs are halachically acceptable, and each lady should follow her custom and not vary from week to week.¹⁷ Should a lady, however, find herself away from home on Shabbos or Yom Tov, she may light just two candles even though she lights more when she is home.¹⁸ **Question:** Does a sticker left on a utensil invalidate the tevilah?

Discussion: In most cases, when the sticker should have been removed or will be removed at a later date, the sticker is considered a chatzitzah which invalidates the tevilah and the immersion must be repeated. In the atypical case where the sticker is supposed to remain on the utensil, then the sticker does not need to be removed before tevilah and is not considered a chatzitzah.¹⁹

Footnotes 1 Someone who rarely, if ever, washes for breakfast on a daily basis, may not wash on Friday either. 2 Even if the bris is not on the eighth day. 3 Even if the pidyon ha-ben is not on the thirty-first day. 4 Entire Discussion based on O.C. 249:2 and Mishnah Berurah and Aruch ha-Shulchan. 5 See Ohr Yisrael, Tammuz 5764, pgs. 175-214, for a full review of this subject. 6 O.C. 319:16. 7 O.C. 319:1. 8 Even if the food is being removed from the pesoles and not vice versa, and even if the cleaning is being done for immediate use. 9 This is the opinion of the majority of poskim, based on the opinion of the Ramban (Milchamos) and Ran, Shabbos 144b; see Magen Avraham O.C. 500:12; hulchan Aruch ha-Rav O.C. 500:18; Nishmas Adam 16:5; Aglei Tal, Borer 11; Minchas Chinuch, Musach ha-Shabbos, Borer 6. See Shemiras Shabbos K hilchasah 3, note 100. Even the poskim who are hesitant to permit this type of Borer, agree that it is only forbidden mi-derabanan; see Ayil Meshulash, Borer 3:14. 10 See O.C. 319:16. 11 For a clarification of this concept, see Chazon Ish O.C. 53 s.v. min; Minchas Yitzchak 7:23; Shemiras Shabbos K hilchasah 3, note 125 (and Tikanim U miluim), 163 and 166, quoting Harav S.Z. Auerbach; Ayil Meshulash :29, regarding a tea pot. 12 O.C. 319:10 and Mishnah Berurah. 13 And, indeed, under extenuating circumstances, one may light only one candle and recite the blessing over it; Mishnah Berurah 263:9. 14 Based on Rama O.C. 263:1. 15 Mishnah Berurah 263:6. 16 This custom, although widespread, is not mentioned in any of the classical sources. 17 Based on Beur Halachah 263:1 (s.v. sheshachecha). 18 She arim Metzuyanim B halachah 75:13. 19 Tvilas Keilim, pg. 122, quoting Harav Y.Y. Weiss and Harav S. Wosner.

YatedUSA Parshas Yisro

Parshas Yisro 19 Shevat 5766 , February 17, 2006

Today is the Day

Based on an address By Rabbi Fishel Schachter

Adapted for print by M. Heimowitz

It is said that Rabbi Meir Shapiro zt"l originally approached the Imrei Emes, the Gerrer Rebbe, and asked him to be the one to introduce the idea of Daf Yomi to Klal Yisroel. Ger was the largest chassidic group at the time, and the Imrei Emes himself was an outstanding talmid chacham. Rabbi Meir Shapiro felt that if the Imrei Emes would initiate Daf Yomi, it could be infused with tremendous prestige and launched with powerful momentum.

The Imrei Emes was one of the staunchest proponents of Daf Yomi. Indeed, on the night of Rosh Hashana, an announcement was made in Ger that the rebbe was beginning the Daf Yomi cycle, and that all those who wish to follow the rebbe's lead should begin learning Maseches Brachos daf Beis. However, the Imrei Emes did not wish to be the one to introduce Daf Yomi. He was concerned that people would get the impression that Daf Yomi is a project of a particular chassid. Daf Yomi is for all of Klal Yisroel, the Imrei Emes told Rabbi Meir Shapiro. It should not be identified with any one specific group.

The reasoning of the Imrei Emes actually has its origins in Matan Torah. Reb Yisroel Salanter points out that Hashem chose to give the Torah in a desert — essentially, no man's land. The location of Matan Torah indicates that the Torah is not the property of any particular country, individual or group. Torah is available to all of Klal Yisroel.

Hashem deliberately arranged for Matan Torah to take place in a totally unremarkable, even awkward, location. To this day, we do not know the exact site of Har Sinai. Moreover, even the date of Matan Torah is shrouded in mystery; there is a dispute in the gemara whether Matan Torah occurred on the sixth day of Sivan or on the seventh day of Sivan. The ambiguity of the location and timing of Matan Torah implies that Torah is relevant to every moment of our lives, regardless of where we happen to find ourselves.

As a preparation for Matan Torah, Moshe Rabbeinu instructed Klal Yisroel, "Vekidashtem hayom umachar" — sanctify yourselves today and tomorrow. The Beis Avraham explains that Moshe Rabbeinu was telling Klal Yisroel, if you are serious about kabbalas hatorah, you have to start today. Of course, you have to continue tomorrow as well. But if you wait until tomorrow to begin your kabbalas haTorah, it will never happen.

One of the yetzer hara's favorite ploys is to persuade us that tomorrow is a great day to start. Sure, start learning Daf Yomi. Tomorrow. Sure, start doing chessed. Tomorrow. Sure, start being more careful about shemiras halashon. Tomorrow. And there is always another tomorrow.

Just before Matan Torah, Amalek attacks Klal Yisroel. When Moshe Rabbeinu tells Yehoshua to fight Amalek, he says, "Vetzei hilochem be'amalek, machar" — go out to fight Amalek, tomorrow. Amalek's most successful trap, his greatest power, is his ability to convince us to push things off until tomorrow. Moshe was

telling Yehoshua to go out and fight Amalek's greatest weapon – the perpetual tomorrow.

The victory over Amalek was a key element in preparing Klal Yisroel for kabbalas haTorah. Kabbalas haTorah is never tomorrow – it is always today. “Bayom hazeh bau Midbar Sinai,” the posuk tells us. Why does the Torah have to tell us that Klal Yisroel came to the Sinai desert bayom hazeh, on this day? Rashi quotes the Midrash, which explains that the posuk is teaching us that the words of Torah should always seem new, as though they were given today: “Sheyihyu divrei Torah chadashim alecha, ke'ilu hayom nitnu.”

Sheyihyu divrei Torah chadashim alecha – Torah should always seem new. Pardon the analogy, but when you get a shiny new pair of shoes, you appreciate them. The first few times you put them on, you use a shoehorn. When you take them off, you take care to put them back in the box, one shoe in one direction, the other shoe in the other direction, with tissue paper in between. After a week, however, you find yourself in a rush to go somewhere, and you search frantically for your shoes, which are no longer in the box. You push your foot into the shoe, squashing down the back. The shoehorn is long forgotten.

That's human nature. When the newness of an object wears off, the object becomes devalued. The longer you have something, the more you take it for granted.

Don't let that happen to Torah, the Midrash is urging us. Make sure that divrei Torah are always brand new.

But the last few words of the Midrash teach us an additional lesson. Ke'ilu hayom nitnu – as though they were given today. Torah is for today, says Rabbi Yisroel Salanter. When you think about going to that shiur, when you think about starting to learn with your child, when you think about beginning a seder with a new chavrusa, the yetzer hara will always have wonderful reasons why tomorrow is a better day to start. Now, on vacation, I should learn? Now, on a business trip, I should learn? Now, during this difficult time that I'm going through, I should learn? Tomorrow, next week, next year, when things settle down, that will be the perfect time to start.

No, the Torah is saying. The perfect time to start is today. And if you don't feel like starting today, remember that there is a mountain hanging over your head. The Gemara in Maseches Shabbos says that Hashem lifted Har Sinai and held it over Klal Yisroel, threatening them that if they did not accept the Torah, the mountain would serve as their grave. Why was this necessary, asks Tosafos. After all, Klal Yisroel had just voiced the ultimate expression of voluntary commitment: “Naaseh venishma.”

The Mezritcher Maggid explains that the lifting of the mountain was not for the occasion of Matan Torah. It was not for the moment when Klal Yisroel was declaring naaseh venishma. It was not for that time of intimacy in the desert when Klal Yisroel was ensconced by the ananei hakavod and nourished by mann falling from heaven. Rather, says the Maggid, the lifting of the mountain was for future generations, when Klal Yisroel would no longer enjoy the same feeling of closeness to the Ribbono Shel Olam.

There are going to be many chapters in the saga of Klal Yisroel, Hashem was telling Klal Yisroel when He lifted Har Sinai over their heads. You will not always be able to sense that ananei hakavod are surrounding you. You will not always feel that mann is falling for you. You will not always experience the kedusha of Matan Torah, and you will not always feel inspired to proclaim, “naaseh venishma.” In order for the naaseh venishma to work, your commitment cannot be voluntary. Regardless of whether or not you are in the mood to say naaseh venishma, regardless of whether or not your environment is conducive to it, you have to experience kabbalas haTorah every single day – hayom.

But we don't always feel the mountain hanging over our heads. And hayom often seems like an utterly impractical assignment. How can we make today the day while we plod our way through the challenges and difficulties of everyday life? I would like to share with you a vort I saw in a sefer called Aish Kodesh that can give us tremendous chizuk in this area. But I would like to preface the vort with a description of the sefer's author and the conditions under which the sefer was written.

Aish Kodesh was written by Reb Kalonimus Kalmish Shapira, the Piacetzna Rebbe, in the Warsaw Ghetto. The Piacetzna Rebbe's most famous work is the sefer, Chovas HaTalmidim, which is considered a classic of chinuch. Reb Kalonimus Kalmish suffered along with everyone else in the Warsaw ghetto, but because he was a leader of the Jews the Nazis went out of their way to make sure that he felt a double share of the suffering. At one point, Reb Kalonimus Kalmish's son was struck by Allied bombing and taken to the Warsaw Ghetto hospital – if you can call it a hospital. While Reb Kalonimus Kalmish's wife and daughter-in-law were standing outside the hospital trying to see what they could do for him, another bomb hit one of the walls of the building. The wall caved in on them and killed them both. Several days later, Reb Kalonimus Kalmish's son passed away.

All this happened around the time of Sukkos. On Simchas Torah, the Jews of the Warsaw Ghetto gathered clandestinely to celebrate. Reb Kalonimus Kalmish stood tall and proud and declared aloud, “Baruch sheim kevod malchuso leolam

vaed.” He repeated these words over and over again, his voice rising with each repetition, his expression of emunah reaching a crescendo.

It was under these circumstances, while experiencing the horrors of the Warsaw Ghetto, that Reb Kalonimus Kalmish wrote Aish Kodesh. All week long, he would write divrei Torah, and on Shabbos he would tell them over to the people who came to his humble tisch. In a little footnote in the sefer, Reb Kalonimus Kalmish writes that on Shabbos Parashas Yisro, he was hiding in bunker. No food, no water, no air. He knew that the Gestapo was searching for him outside with huge dogs. And it is the vort he said at that time that I wish to share with you.

Parashas Yisro begins with the words, “Vayishma Yisro kohein Midyan chosein Moshe es kol asher asah Elokim lemoshe uleyisroel amo ki hotzi Hashem es Yisroel miMitzrayim.” What did Yisro hear that made him come, asks Rashi. There is an apparent difficulty with the very premise of Rashi's question, says Reb Kalonimus Kalmish. The end of the posuk states clearly that Yisro heard about Yetzias Mitzrayim – “ki hotzi es Yisrael miMitzrayim.” Why does Rashi find it necessary to tell us that Yisro heard about two other events, Kerias Yam Suf and Milchemes Amalek?

Rashi is not asking what Yisro heard, Reb Kalonimus Kalmish points out. Rashi is asking, Mah shmua shama uva – what did he hear that made him come? When Yisro heard about Yetzias Mitzrayim, what was it that compelled him to drop everything and run to the midbar to join Klal Yisroel? The answer, says Reb Kalonimus Kalmish, is that Yisro analyzed two events peripheral to Yetzias Mitzrayim: Kerias Yam Suf and Milchemes Amalek. And it was observing the succession of Kerias Yam Suf and Milchemes Amalek that made Yisro come to the midbar.

Amalek did not attack immediately after Kerias Yam Suf. They waited until the spiritual high of Kerias Yam Suf would wear off, and Klal Yisroel hit a low in their ruchniyos.

It was when Klal Yisroel was worried about where their water would come from, when they began to have doubts about the possibility of survival in the midbar, when cracks began to appear in their emunah, that Amalek decided to strike.

“Asher korchu baderech” – Amalek waited for a time when Klal Yisroel would be baderech – wandering, vulnerable, and insecure.

When Yisro saw that Klal Yisroel managed to triumph over Amalek, he recognized that the greatness of Klal Yisroel is that they can bounce back after nisyonos and maintain their emunah, even when they are baderech. He then understood that if he wanted to be a part of Klal Yisroel, he could not do it in the comfort of his palace in Midyan. He would have to come to the midbar.

Yisro understood that in order to be a yid, it is not enough to stand by and watch the miracles of Yetzias Mitzrayim. You have to be there during the highs, the Kerias Yam Sufs, and during the lows, the battles with Amalek. You have to join Klal Yisroel on their trek through the travails of galus and learn to be a yid in the midbar. You have to develop rock-solid emunah that will remain intact during the most trying situations. And you have to commit yourself to learn Torah and to follow its dictates regardless of your circumstances.

In Krias Shema, we are commanded to love Hashem bechol levavcha, Reb Kalonimus Kalmish writes. One of Rashi's explanations of these words is that a person's heart should not be “chaluk al hamakom.” Reb Kalonimus Kalmish goes on to quote the Beis Aharon's homiletic interpretation of this Rashi. There are people, the Beis Aharon says, who are willing to daven, to learn Torah, and to do mitzvos – if the setting is right. But that is not the way it should be. Your heart cannot argue with the makom, with the place you are in. You cannot say that your place, your environment, your mood, or your circumstances are not conducive to learning. Torah is a commitment for every moment of life. Whether you are on secure home turf – beshivtecha beveisecha – or you are experiencing the vicissitudes of uvelechtechu baderech, you cannot use your makom as a justification for neglecting your obligations vis-à-vis the Ribbono Shel Olam.

This is the thunderous message that reverberates from the pages of the sefer Aish Kodesh, from the courageous pen of a person who lived what he wrote.

People in the Warsaw Ghetto would ask Reb Kalonimus Kalmish why he bothered to write his divrei Torah. The ghetto will soon be destroyed, they told him, and all of us will be killed. What will become of your writings?

Reb Kalonimus Kalmish was undeterred. “My job is hayom,” he told them. “I have to learn Torah, to teach Torah, to spread Torah today. What happens to my writings is the Ribbono Shel Olam's concern, not mine.”

When Reb Kalonimus Kalmish was summoned to be executed, he donned his Shabbos clothes, and prepared to do the last mitzvah of his life with joy. And what became of his writings? A Polish youngster found the manuscript of the sefer Aish Kodesh in the rubble of the Warsaw Ghetto and sold it to an American soldier for a bar of chocolate. The soldier was not Jewish, but he recognized the Hebrew writing and turned the sefer over to his Jewish chaplain.

The very existence of the sefer Aish Kodesh today is a powerful testimony to a Jew's mesirus nefesh to learn Torah today. It is an inspiration to all of us to make today into the day.

So today does not seem like such a good day? You are faced with crushing time constraints, your spirit is broken, you are just not in the mood? Limud haTorah

will help you to find a way out of all of that. "Pekudei Hashem yesharim mesamchei lev" – Hashem's Torah is the instrument that will make today into a good day. Just start. Today.

**Please address all comments and requests to
HAMELAKET@hotmail.com**

FROM LAST YEAR

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Parashat Yitro By Rav Yaakov Medan

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YITRO

By Rav Yaakov Medan

A. For what reason did Yitro visit the camp of Israel?

At the conclusion of the war against Amalek, Yitro comes to the Israelite camp. There are two ways of understanding his visit: a. The reason that he himself provides: the news of the Exodus (18:1). Yitro has a strong personal connection with the Exodus, since he is the father-in-law of Moshe, the savior of Israel. Therefore, he comes to the camp with Tzipora, Moshe's wife, and their two sons. b. The reason is left unstated, but it seems very likely, on the basis of the juxtaposition of the two episodes in the text, that as Amalek's neighbor and ally, Yitro comes to make peace with Israel after Amalek's defeat at Refidim.

While the beginning of the parasha presents the Exodus as the exclusive reason for Yitro's appearance, both reasons find expression in the Torah: "Moshe told his father-in-law all that God had done to Pharaoh and to Egypt for the sake of Israel; all the tribulations that had come upon them on the way, and how God had saved them." (18:8)

"All that God had done to Pharaoh" – referring to the Exodus, while "all the tribulations that had come upon them on the way" – refers, as we understand it, to the war against Amalek. Both possible explanations that Rashi provides for the expression, "va-yichad Yitro" (18:9), which appears nowhere else in Tanakh, are correct. It expresses pleasure ("chedva") over the Exodus and Yitro's sense of partnership in the wonders of God's miracles, or alternatively (or at the same time) sorrow ("his flesh became covered with goose-bumps – 'chidudin'; Sanhedrin 94a) over the defeat of his ally, Amalek. In his declaration of praise to God, Yitro gives thanks for the Exodus while ignoring Israel's victory over Amalek: "Yitro said: Blessed is God Who has saved you from the hand of Egypt and from the hand of Pharaoh, Who has saved the nation from the hand of Egypt." (18:10)

When Yitro comes to offer a sacrifice to God, Moshe builds an altar for this purpose. To our understanding, this is the altar of "God is my banner (Hashem nissi)," over which Moshe proclaims God's war against Amalek for all generations (17:15).

B. "And it was, on the next day..." The episode of Amalek does not conclude with Yitro's appearance; it continues in the next verse: "And it was, on the next day, that Moshe sat to judge the nation; the nation stood before Moshe from the morning until the evening" (18:13). What were these lengthy legal procedures about? It is possible that Moshe was occupied with the distribution of the booty from the war against Amalek (admittedly, I have found no midrashic source to support this possibility). Many years later, David was to set down most forcefully his rule as to a just allocation of the booty of the war against Amalek: "Then all the evil and worthless men of the people who had gone with David said: 'Since they did not go with us, we shall not give them of the spoils that we have recovered; only to each man his wife and children, that they may lead them away and go.' Then David said: You shall not do so, my brethren, with that which God has given us – Who has preserved us and given the troops that came upon us into our hands. Who will obey you in this matter? Rather, the portion of he who goes down to battle shall be the same as he who remains by the equipment; they shall share alike.' And it was so from that day onward, and it became a statute and law for Israel until this day." (Shemuel I 30:22-25) David is not satisfied with a fair allocation of spoils among the soldiers: "David came to Tziklag, and sent of the spoils to the elders of Yehuda, to his neighbors, saying: Behold, here is a blessing for you from the spoils of God's enemies." (Shemuel I 30:26)

The reason that David gives for the fair distribution of the booty from

the war against Amalek is the same reason that the Torah provides for a fair allocation of water and manna (see last week's shiur): "That which God has given us."

Two separate laws, then, pertain to the war against Amalek. Both share the same foundation: "God is at war with Amalek" – the war against Amalek is God's war. Sometimes the booty is for God alone, sometimes it is shared equally among all of Israel. This first law is realized in Shaul's war against Amalek: "Now go and smite Amalek, and destroy utterly all that is theirs... including oxen and sheep, camels and donkeys" (Shemuel I 15:3) Shaul sins in this regard; he sets aside the best of the sheep and cattle, and the prophet rebukes him: "Why have you not listened to God's voice, diving upon the spoils and doing that which is evil in God's eyes?" (Shemuel I 15:19) Likewise we find in the war against Arad, which Chazal maintain as having involved Amalek (Tanchuma Chukkat, 18. See also Rashi Bamidbar 21:1 and the proof from Shoftim 1:16): "...They utterly destroyed them and their cities, and called the name of the place Chorma" (Bamidbar 21:3). If the war against Amalek is God's war, then the spoils are His. The second law is realized in David's war against Amalek. If the booty belongs to God (and there is no special command to destroy it all), then it must be allocated in the same way as the manna that descended from the heavens: "Gather of it each man according to his eating" – a fair and equitable distribution, since we are all God's children and we are all equal in His eyes. Similar to David's war was the war against Amalek in Refidim. On the day after the altar was established, Moshe sat in judgment to allocate the booty through "chok u-mishpat" – "statute and ordinance" (a concept discussed at length in last week's shiur). Just like David, Moshe faces a difficult task; his camp, too, includes "evil and worthless men." Moshe's father-in-law, witnessing his difficulty and the stress of the nation (and perhaps remembering Moshe's equitable allocation of the well-water among Yitro's daughters and the other shepherds, in Midyan), offers his suggestion as to appointing officers of thousands and officers of hundreds, officers of fifties and officers of tens.

C. Yitro's advice We have discussed thus far the news that reached Yitro and caused him to visit the Israelite camp. We mentioned the views of the Tanna'im – that Yitro heard about the Exodus and the splitting of the Red Sea (according to R. Eliezer), and/or that he heard about the war against Amalek (according to R. Yehoshua), and we examined the relevant verses. What both approaches agree upon is that this parasha appears in the correct chronological place; Yitro appeared at the Israelite camp in between the war against Amalek and the giving of the Torah. But the Gemara records a third opinion: "R. Eliezer ha-Modai says: 'He heard about the giving of the Torah, and he came.'" (Zevachim 116a; Mekhilta Yitro) According to this view, the entire episode of Yitro's visit is not recorded in its chronological place; it belongs after the giving of the Torah. The Amoraim and the commentators are divided on this issue. Ibn Ezra follows the opinion of R. Eliezer ha-Modai, explaining at length his claim that this episode actually took place later on. His main argument is that from Moshe's words in Sefer Devarim, when he recalls the appointment of the judges (Devarim 1:9-18), it appears that this happened after God told them, Chorev, "You have dwelled for too long at this mountain; take yourselves off and go to the mountain of the Emori..." (Devarim 1:6-7), rather than before the giving of the Torah. The difficulty inherent in this interpretation is the question of why the Torah then records the story of Yitro prior to the giving of the Torah. The commentators propose several different explanations; we shall not elaborate on them here. Still, it seems, the difficulty is not solved. The Ramban maintains that the events here are indeed recorded in their chronological order. In between Ramban and Ibn Ezra there is also an intermediate position: that of Abarbanel and of the Malbim, who divide the parasha into two parts (Rashi offers his own approach, likewise dividing the parasha). The first part (verses 1-23) takes place prior to the giving of the Torah, in accordance with the order of events in the Torah, and we read here of Yitro coming to the Israelite camp and then, the next day, advising Moshe to appoint judges. The second part (verses 24-27) takes place in the second year, before Benei Yisrael leave their encampment at Mount Sinai, and here Moshe heeds his father-in-law's advice and appoints judges for Israel. Indeed, this accords with the description in Devarim (1:9-18), where the appointment of the judges comes only after the nation has dwelled for some time at Chorev, and after they have been commanded to leave the mountain and journey towards Eretz Yisrael. Still, this interpretation requires us to explain why Moshe postpones putting his father-in-law's advice into practice for a full year, and why he ultimately accepts it. We shall adopt the division of the parasha as proposed by Abarbanel and Malbim, adding support for their view from a comparison of the parashiyot in Shemot (chapter 18), in Bamidbar (chapter 11) and in Devarim (chapter 1). This comparison offers, to our view, conclusive proof in favor of their interpretation, upon which we shall base our sketch of what happened in the camp following Yitro's advice.

D. "Officers of thousands" and the Seventy Elders The description of the appointment of judges in Sefer Devarim brings together, quite clearly, two different parashiyot. The first is the story of Yitro: (Shemot 18): "You shall seek out from all the nation men of valor, who fear God; men of truth who hate monetary gain" (21) (Devarim 1): "Give for yourselves men who are wise, understanding and knowing" (13) (Shemot 18) "And make them heads over the people; officers of thousands and officers of hundreds and officers of fifties and officers of tens" (25) (Devarim 1) "I shall make them heads over you; officers of thousands and officers of hundreds and officers of fifties and officers of tens" (15) (Shemot 18) "Any difficult matter they shall bring to Moshe, but any simple matter they shall judge themselves" (26) (Devarim 1) "That which is too difficult for you, shall you bring before me and I shall hear it" (17). The second parasha that is connected to the description of the appointment of judges in Devarim discusses the appointment of the elders as leaders of the nation, at Kivrot Ha-ta'ava: (Bamidbar 11) "I cannot bear alone all of this nation" (14) (Devarim 1) "I cannot bear you alone" (9) (Bamidbar 11) "Six hundred thousand foot-soldiers of the nation in whose midst I am" (21) (Devarim 1) "The Lord your God has multiplied you, and behold, you are today like the stars of the heavens for multitude" (10) (Bamidbar 11) "To place the burden of this entire nation upon me" (11) (Devarim 1) "Your troubles and your burdens and your arguments" (12) (Bamidbar 11) "Gather to Me seventy men from the elders of Israel, whom you know to be elders of the nation..." (16) (Devarim 1) "I took the heads of your tribes" (15) (Bamidbar 11) "...and their officers" (16) (Devarim 1) "And officers for your tribes" (15)

The comparison with the appointment of the elders in Kivrot Ha-ta'ava also arises because of the location of this episode in Sefer Devarim – after the nation is commanded to journey from Chorev, and prior to the sin of the spies, and especially because of the juxtaposition, in both sources, to the sin of the spies. In light of this juxtaposition, the sin of the spies is viewed as part of the gradual erasing of Moshe's exclusive leadership. The fact that the story in Sefer Devarim incorporates the two parashiyot within itself gives rise to the almost inescapable conclusion that these two parashiyot – i.e., the appointment of the judges in the wake of Yitro's advice (Shemot 18) and the appointment of the elders at Kivrot Ha-ta'ava (Bamidbar 11) are really two parts of the same story. In light of this assumption, let us try to recreate what happened.

Contrary to what the verses seem to suggest, to our view Moshe did not take his father-in-law's advice. Yitro, a priest of Midiyan, had no goal other than "chok u-mishpat" – and for this purpose officers of fifties or officers of tens would suffice. Moshe, on the other hand, is concerned with "when the people come to me to seek God" (18:15): it is preferable that the teaching of God's Torah to the nation should be done by Moshe himself, rather than through agents and emissaries. A little while later the nation moves to Har Sinai, where – in the shade of the Shekhina which rests upon them – tempers die down. In the camp that remained for about a year in the same place there were fewer problems, Moshe – as the nation's sole teacher – did not fail them, and they did not fail him.

The great downfall came in the second year. When the cloud lifted from about the Mishkan, the Mishkan was dismantled, Benei Yisrael journeyed from God's mountain, and God's Ark was a great distance from the camp. It was then that the tribulations of the journey set in: complaints about food were heard once again, as though Bnei Yisrael had learned nothing during their year-long stay at Mount Sinai. Let us examine the complaint that leads to the plague and – for the purposes of our discussion – to Moshe's "breakdown," such that he declares: "I cannot bear alone all of this nation, for it is too heavy for me. If You will do this to me, then kill me, please, if I have found favor in Your eyes; let me not see my wretchedness." (Bamidbar 11:14-15) A literal reading of the text would indicate that the focus of the complaint concerned a demand for meat, since Benei Yisrael had had enough of the manna – "this miserable bread":

"To the nation you shall say: Sanctify yourselves for tomorrow for your shall eat meat, for you have cried to God saying, Who will feed us meat, for it was good for us in Egypt – so God will give you meat, and you shall eat." (Bamidbar 11:18) But this presents a problem: if the entire sin of the nation consisted of asking for meat, why is God's reaction – and that of Moshe – so severe, and so different from the reaction to the request for meat in the wilderness of Sin (which Rashi admittedly also criticizes, but certainly not on the same scale as the reaction at Kivrot Ha-ta'ava):

"Bnei Yisrael said to them: Would that we had died by God's hand in the land of Egypt, when we dwelled at the flesh-pot" (16:3). And besides – what is the difference between the quails that came upon the camp in the wilderness of Sin, and the quails that were forcibly driven by a heavenly wind to Kivrot ha-Ta'ava? We discussed in last week's shiur how the problem with the manna was not its taste – which the Torah compares to "oil cakes" and "wafers with honey." The problem lay, rather, with the feeling of hunger that persisted even after eating it. Not all kinds of food give a feeling of satiety, even if a person eats a lot. "He afflicted you and made you hungry, and He fed you the manna, which you had not known, nor had your

forefathers known it" (Devarim 8:3). The verses create the impression that the complaint concerned not only the change in food, but also the change in its quantity. Moshe was dumbfounded by the quantity of meat that would be required: "From whence shall I have meat to give to this entire nation?" (Bamidbar 11:13); "Shall sheep and cattle be slaughtered for them, that it may suffice for them?" (Bamidbar 11:22) – although he never expresses such surprise over the quails in the wilderness of Sin, nor over the manna that came down for them throughout forty years in the desert. From the verses it would appear that the quantity of meat here was indeed astounding: "until it came out of their noses" (Bamidbar 11:20); "A day's walk in one direction and a day's walk in the other direction, all around the camp, and about two hundred piled high. So the nation arose all of that day and all of that night, and all of the next day, and they gathered the quails" (Bamidbar 11:31-32). But the best testimony as to the situation in the camp is offered in the textual description, "he who gathered least took ten 'chomarim'" (Bamidbar 11:31-32). Aside from the extraordinary quantity, the verse also indicates that Benei Yisrael were not limited in the amount that they gathered – in accordance with their request. For two days and one night, the leaders of the "asafus" (Bamidbar 11:4) gathered, each limited only by his strength and his ability to shove his neighbor aside and grab for himself. The digestive tracts that had become accustomed to light food in restrained quantities suddenly ballooned with meat that was being guzzled without any restraint or consideration. The terrible plague was a natural consequence. No less terrible was the sight of the unbridled snatching and grabbing (compare Melakhim II 7). Moshe, who had worked so hard for months on end for the spiritual rehabilitation of the nation following the episode of the Golden Calf, now saw his nation without a Mishkan and without Torah. Mount Sinai and God's Ark were each at a three-day distance in opposing directions, and in the middle – for a distance of one day's journey in every direction, there was just meat, meat, and more meat. Above all of this, the most pathetic and degraded aspect of the nation was not the meat, but rather the plundering. All the rules that had been inculcated in Parashat Beshalach – "each man according to his eating"; "an omer per person, according to the number of your souls; each man shall take for those who are in his tent"; rules of fairness and uprightness, of consideration for others, of proper allocation of resources – all of these had now disappeared into thin air. The lessons of the war against Amalek and the test at Mara were similarly forgotten. Moshe is no longer prepared to continue alone; God places the leadership of the nation upon the shoulders of the Seventy Elders together with him – a sort of Sanhedrin in a Hall of Hewn Stone.

Then Moshe remembers the advice of his father-in-law, from a year previously. Alongside the large Sanhedrin, he also appoints smaller, regional courts, responsible only for their local areas, not for the entire nation: officers of thousands and officers of hundreds, officers of fifties and officers of tens, just as Yitro had advised. Here there arises another issue, which was brought to my attention by my friend and colleague, R. Netanel Helfgot: Yitro mentions four characteristics that are necessary for judges: "men of valor," "who fear God," "men of truth," "who hate monetary gain." All of these are human traits of greatness. In Parashat Devarim, Moshe mentions three different characteristics: men who are wise, understanding, and knowledgeable. Rashi (Devarim 1:15) combines these sets of characteristics, and posits that the ideal judge possesses seven traits: the four mentioned in our parasha and the three in Parashat Devarim; he makes no distinction between them. As mentioned, the four traits in our parasha are human traits of greatness. The three others – wisdom, understanding and being known – are related to the DIVINE SPIRIT, and therefore they are suited to the context of parashat Beha'alotekha, concerning Kivrot Ha-ta'ava. There God commands that seventy men be gathered (with no mention of any qualities), and promises that He will bestow some of the Divine spirit that rests upon Moshe on these Seventy Elders. Wisdom, understanding and knowledge are connected specifically to the Divine spirit, as many sources testify: "Pharaoh said to his servants: Can we find a man such as this, in whom there is the SPIRIT OF GOD? Then Pharaoh said to Yosef: Since God has MADE KNOWN to you all of this, THERE IS NONE SO ASTUTE AND WISE AS YOU" (Bereishit 41:38-39) "I have filled him with the SPIRIT OF GOD, with WISDOM AND UNDERSTANDING AND KNOWLEDGE, and all types of workmanship" (Shemot 31:3) "The SPIRIT OF GOD shall rest upon him – A SPIRIT OF WISDOM AND UNDERSTANDING, a spirit of counsel and might, A SPIRIT OF KNOWLEDGE and fear of God." (Yishayahu 11:2) "God founded the earth WITH WISDOM, He established the heavens WITH UNDERSTANDING. BY HIS KNOWLEDGE the depths were split asunder, and the clouds drip dew" (Mishlei 3:19-20) "Were you party to the COUNCIL OF GOD, but keeping WISDOM to yourself? What do you know that we do not know; what do you UNDERSTAND that is not with us?" (Iyov 15:8-9) The realization of the advice is juxtaposed, in the Torah, with the advice itself; it is mentioned close to the story of Yitro. But we have already proved from Sefer Devarim (1:9-18) that the appointment of the

officers of thousands and officers of hundreds came with Bnei Yisrael's departure from Chorev. The exact timing was after Moshe declared, at Kivrot Ha-ta'ava, "I cannot bear alone all of this nation." Still, there is a great discrepancy between the description in Sefer Devarim and the description in Sefer Bamidbar; this will occupy the final chapter of our discussion here.

E. The spies We have already expressed our view that, aside from the lusting for meat, the Torah emphasizes, with the departure from Mount Sinai, the disintegration of the rules of behavior in accordance with "chok u-mishpat." The Torah describes how the orderly nation, encamped with its flags and organized groupings around God's Mishkan, turned into a chaotic mob of meat plunderers, alongside the dismantled Mishkan. The Torah is cryptic here, with no explanation for the connection to the next, and greatest, descent – the story of the spies; the shame of Israel's refusal to go out and fight for the inheritance of their forefathers. Sefer Bamidbar does deal with the erosion of Moshe's leadership because of the sin of Kivrot ha-Ta'ava and his consequent request for a joint leadership, together with the Seventy Elders (we have already noted our view that he then appointed close to eighty thousand additional judges). The continuation of the story of the elders' appointment is the episode of Eldad and Meidad, who prophesied in the camp, causing Yehoshua to fear for Moshe's leadership. If the reader stops for a moment to question the justification for Yehoshua's seemingly exaggerated zealotness, the discussion between Miriam and Aharon at Chatzerot comes to prove to what extent Yehoshua was correct: "Did God then only speak with Moshe; did He not also speak with us?" (Bamidbar 12:2) With the bestowing of the Divine spirit upon the collective leadership, there is a gnawing away at Moshe's control, but the Torah does not explicitly connect this with the next parasha, that of the spies. In Sefer Devarim, the connection is clearer. The appointment of the judges and the diminishing of Moshe's leadership are what lead to the nation's initiative, "Let us send men before us" (Devarim 1:22), and to Moshe being drawn after them. In contrast to previous occasions, where Benei Yisrael only complained about having left Egypt, here they openly declare rebellion: "Let us appoint a head and return to Egypt!" (Bamidbar 14:4) Which brings us back to one of the fundamental points in last week's shiur: "If you have been dishonest in measurements and weights, beware of the enemy's advances" (Rashi Devarim 25:17). The story of Amalek is juxtaposed with the parasha dealing with measurements and weights, just as the parashat of Mei Masa u-Meriva at Refidim is juxtaposed with the war against Amalek. Already there, Moshe passed before the nation together with the Seventy Elders, as happened later at Kivrot Ha-ta'ava (17:5). Already there, in that war, he did not stand at the head of the fighting forces, but sent Yehoshua. When the sin repeated itself at Kivrot Ha-ta'ava, the Seventy Elders already became fixed positions. Military initiative passed to the hands of the twelve princes of the tribes. And there we see a preview of what was to happen many years later, in Shaul's war against Amalek: from a motley crew of plunderers there can emerge no worthy military force to conquer the land. And that day was Tish'a B'Av (Mishna Ta'anit 26b). In our shiur on parashat Teruma we shall hopefully pursue this subject a little further. Translated by Kaeren Fish
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