

INTERNET PARSHA SHEET
ON PARSHAS YISRO - 5757

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"kornfeld@netmedia.net.il" "parasha-page@jer1.co.il" Parashat Yitro 5757 - The Weekly Internet P A R A S H A - P A G E by Mordecai Kornfeld of Har Nof, Jerusalem (kornfeld@jer1.co.il)

This week's mailing has been dedicated by Shmuel Mosenkis in memory of his grandparents, Shlomo ben Mordechai Aryeh and Nachum ben Shlomo Dovid. Shmuel, Tizkeh L'Mitzvot! ===

THE PUBLIC READING OF THE 10 COMMANDMENTS

We read publicly the dramatic episode in which the Torah records the Giving of the Ten Commandments three times a year: on the Shabbatot of Parashat Yitro and Parashat Va'etchanan, and on Shavuot. Numerous customary practices (Minhagim) have developed over the ages regarding this Torah reading. Perhaps the most noticeable and well-known is the custom for the congregation to stand while the reader recounts these basic tenets of Judaism. A number of explanations have been suggested for this custom:

(1) The CHIDA ("Tov Ayin," as quoted by Likutei Maharich, Keriyot, Parashat Yitro) tells us that it is done in order to commemorate the historic events of which we are reading, during which "the people... *stood* from afar" (Shmot 20:14). It may be added that when the Jews received the

B'S'D' Torah, they did not stand simply for a lack of chairs. The Gemara (Megillah 21a) tells us that when Hashem taught Moshe the Torah on Mt. Sinai, he was instructed to *stand* while receiving the Torah. By standing, we are reenacting the Giving of the Torah.

(2) HARAV MOSHE FEINSTEIN ("Igras Moshe," O.C. 4:22) explains that we stand to accent the import that the events of which we are reading carry for the Jewish nation. On this occasion, every member of the nation was elevated to the status of the greatest of prophets. Each and every Jew heard the holy word of Hashem as He gave us the Torah. We can lend support to this suggestion by observing that there is one other Torah reading for which it has become customary to stand -- the Song of the Crossing of the Sea ("Az Yashir") in Parashat Beshalach. Of that occasion we are told that "a maid-servant that crossed the Red Sea saw more than the prophet Yechezkel [who caught a glimpse of the Divine Chariot of Hashem]" (see Rashi, Shmot 15:2). Interestingly, the revelation at Mt. Sinai was also one of the Divine Chariot of Hashem (see Parasha-Page, Bamidbar 5756), which is why we read the story of Yechezkel's vision after reading the Ten Commandments on Shavuot (Levush, OC 494:1).

(3) A third reason may be suggested. The Gemara (Berachot 22a) teaches us that we must learn Torah "in the manner that it was originally given... with reverence, awe, trembling and quivering." When we read the Torah portion describing the Giving of the Torah, we remind ourselves of the great sense of awe that overcame us at that time and we stand in reverence.

II As benign as this custom sounds, it has faced strong opposition by some of the most prominent Halachists. The Gemara (Berachot 12a) informs us that an attempt to institute the daily reading of the Ten Commandments in the Shema Yisrael prayer was blocked because of "the resentment of the non-believers." The Rabbis feared that idolaters would mislead the less learned G-d-fearing Jews by telling them, "See here -- you Jews are reading the Ten Commandments daily because that is *all* that you heard from the Mouth of G-d. If so, the rest of your Torah is not authentic!"

The RAMBAM (Maimonides) writes in response to a question sent to him (Teshuvot Harambam #46, Jerusalem edition), that for this very reason we should take care not to attribute *any* special status to the reading of the Ten Commandments. If we stand for only that portion of the Torah reading, the same resentful antagonism will be aroused. Although in many areas it has become customary to stand, the Rambam writes, the custom should be discontinued! As we mentioned, the Rambam's ruling on this issue has not been adopted by most congregations. Various explanations have been offered to defend today's custom.

III (a) TESHUVOT BEIT YAKOV (#125) tells us that, in his days, it was the custom of many synagogues for the person reading the Torah on Shavuot to pause before reading the Ten Commandments. The entire congregation would then read the Commandments for themselves, after which the reader would read it out loud from the Torah scroll. Why do we attribute this special status to the reading of the Ten Commandments, asks the Beit Yakov? Won't it give people an opportunity to deny the Torah's authenticity? The Beit Yakov answers that the manner in which we read the Decalogue on the day of Shavuot cannot possibly be used to support the perverted arguments of non-believers. If we would give unique status to the Ten Commandments any other day of the year, perhaps it would show that we consider that section of the Torah to be more important than any other. But what we do while reading them on Shavuot, the very day that the Torah was given to us, cannot be mistaken for anything but a commemorative act (as we explained in three different ways in section I). This argument, however, cannot be used to defend the custom of standing during the reading of the Ten Commandments this coming Shabbat.

(b) HARAV DOVID FEINSTEIN (quoted in Igras Moshe, ibid.) points out that it has become customary to stand for other Torah readings also (such as the Az Yashir reading, mentioned above) and not just for the reading of the Ten Commandments. One can no longer claim that the Ten Commandments are being conferred unique status based on the fact that we stand while they are being read. Following a similar line of reasoning,

Harav Moshe Feinstein (ibid.) and Harav Moshe Sternbuch (Teshuvot Vehanhagot, 1:144) suggest that in order to avoid a clash with the Rambam's ruling not to stand for the Ten Commandments, one may rise *before* the reader reaches that portion. In this manner, he will both stand for the reading of the Ten Commandments, yet not afford it a different status than the rest of the reading.

(c) Another approach to this issue (MATEH YEHUDAH 1:6; CHIDA ibid.; HARAV MOSHE FEINSTEIN ibid.) is that we cannot compare reading the Ten Commandments when other portions are not read *at all* (such as during Shema, which the Gemara prohibited), to reading it in a *different manner* than other Torah portions (such as standing during their reading, which is permitted). The latter will not be enough to inspire the vicious arguments of those who reject the Torah.

IV (d) I once heard that HARAV YOSEF DOV SOLOVEITCHIK (the former Rosh Yeshiva of Yeshiva University) suggested a brilliant approach to this matter, exonerating both our custom and that of the Rambam. In most Hebrew prints of the Bible (Chumashim), a note appears before the Decalogue advising us to read it in public using the "upper set of cantillations (Ta'amei Hamikra)." The Mesorah provided us with two different ways of cantillating the Ten Commandments. Instead of setting each verse apart from the following one, as the lower set of cantillations do, the upper set of cantillations set each of the Ten Commandments apart from each other. In doing so, they group a string of verses into one long pseudo-verse (in the case of the commandment to observe the Shabbat) or divide a verse into many tiny pseudo-verses (in the case of the verse beginning with Lo Tirtzach -- see Bi'ur Halachah to O.C. 494 who discusses the technical differences between the two at length). The custom of reading the Ten Commandments with the upper set of cantillations is quite ancient and is mentioned in the early Torah commentaries. However, there is disagreement as to exactly *when* the upper set is to be used. The Magen Avraham (494:0) counts the score: CHIZKUNI (Shmot 20:14) and MAS'AT BINYAMIN (#6) assert that they are only to be used on Shavuot; the lower set of cantillations are to be used for the Shabbat readings of Parashiot Yitro and Va'etchanan. On the other hand, OHR TORAH and HAKOTEV (Ein Yakov, Yerushalmi Shekalim Ch.7) tell us to read even the Shabbat readings using the upper set of cantillations and to use the lower set only when reading the Torah in private. Present day practice (in most synagogues) is in accordance with the latter opinion. When read with the upper set of cantillations, Rav Soloveitchik explained, it is clear from the very *manner* in which the verses are read* (i.e. as Ten Commandments, not as individual verses) that we are commemorating an event rather than simply reading a portion of the Torah. It is thus justified to stand during this Torah reading since standing is a commemorative act (see above, section I) which cannot be mistaken as a show of preferential treatment for one part of the Torah. Where the Rambam lived, however, the Ten Commandments were apparently read using the lower set of cantillations (- or perhaps the Rambam was only discussing the Shabbat Torah readings of Parashiot Yitro and Va'etchanan, which he read using the lower set of cantillations). When read in such a manner, it is not clear that we are commemorating an event and standing indeed attributes a unique status to the Ten Commandments among the other Torah-readings! Parasha-Page Homepage: <http://www.shemayisrael.co.il/parsha/kornfeld> Archive: http://www.virtual.co.il/city_services/lists/archives/parasha-page

"ryfrand@torah.org "ravfrand@torah.org" Rabbi Frand on Parshas Yisro

"And Yisro Heard..." What Everyone Else Heard

At the beginning of this week's Parsha, the pasuk [verse] says, "And Yisro, the Priest of Midyan, the father-in-law of Moshe heard all that G-d did to Moshe and to Israel, His people -- that Hashem took Israel out of Egypt." [Shmos 18:1]

Chaza"l tell us that Yisro's original name was Yesser. Yisro was one of the most famous converts. Yisro was a non-Jew. Yisro was more than a

non-Jew -- he was an idol worshipper. He was more than just a layman idol worshipper -- he was a professional idol worshipper, a member of the clergy.

That is what Yisro did for a living. Chaza"l say that when Yesser came under the "Wings of the Shechina," a letter was added to his name. His name was thus changed from Yesser to Yisro. Chaza"l also say that a parsha was added to the Torah because of Yisro (the parsha of his advice to Moshe Rabbeinu concerning the appointment of officers). The name Yisro was a tremendous title of honor. Knowing what we do about Yisro, it tells us that he came from the depths to the heights. Therefore, it is strange that in the first pasuk of the parsha, the Torah identifies Yisro as "the Priest of Midyan." The "Priest of Midyan" is part of his past. As Yisro, he is now a different person. Why would the Torah persist in identifying Yisro with his previous profession as a priest of idolatry? We know, for instance, that it is forbidden to remind a Ba'al Teshuva [one who corrected his transgressions] about his past. Now he is an observant Jew. Let the Torah simply say, "And Yisro, the father-in-law of Moshe heard..." The Alshech HaKadosh says that the pasuk is doing this for a reason. The Torah wants to tell us exactly and precisely how far Yisro came and the secret of his success. Yisro started as a priest of idolatry and became a person who added a whole section in the Torah. What was the secret of his success?

The Alshech says the pasuk tells us the secret of Yisro's success in one word: "Va'Yishma" (and he heard). Yisro was a person who was willing to listen and to learn. If a person is willing to open his ears and his eyes and look and listen and learn, then he can change from one who has been a Priest of Midyan to one who adds a section to the Torah. The key is to be a listener, not a "know-it-all;" to be willing to accept, to be open to change, to be open to criticism. That is all that is needed. One might think "there is nothing so hard about listening," however we see from another Chaza"l that it seems that there is something very hard about listening. There's a very famous Chaza"l that Rash"i quotes. It is a Gemara. It is a Medrash. It is something about which we have given different interpretations over the years. Rash"i quotes: "What was it that Yisro heard that caused him to come? He heard about the splitting of the Reed Sea and about the war with Amalek."

Rav Eliyahu Lopian offers the following interpretation of this medrash. The Medrash wants to know what Yisro heard that everyone else did not hear. Everyone heard about the splitting of the sea. "Nations heard and trembled..." [15:14] Everyone heard about Amalek, as well. So, why wasn't there a mass-conversion occurring? Rav Eliyahu Lopian says that this is what Chaza"l are telling us: Yisro heard precisely what everyone else heard! He heard about the splitting of the Reed Sea, and everyone else heard about the splitting of the Reed Sea. He heard about the battle with Amalek and everyone else heard about the battle with Amalek. The difference is "Va'Yishma" (he HEARD it). Yisro was the type of person that was honest and that was seeking the Truth. That made him different. Nothing fancy. No insights. No Angel from Heaven. No Revelation from Eliyahu. Nothing fancy. He just heard what everybody else heard. That is what this Chaza"l are saying. Yisro was different because he was a Listener. He was a Learner. He was someone who wanted the Truth. He wanted the Truth SO MUCH that our Rabbis tell us he tried every Avodah Zara [every form of idol worship] in the universe, but he was not happy. He was not satisfied. He was honest with himself. He tried this Avodah Zara, but it wasn't right, it wasn't True. He tried another one, it didn't work, so he rejected it. "I want to learn; I want to hear." That is Yisro's key to success. If one is a Listener then he can change -- as the Alshech says -- from the Priesthood of Midyan to become a Yisro. Everyone can hear physically, but not all of us HEAR. There are none so blind as those who will not see; and there are none so deaf as those who will not hear and will not listen. Yisro was a Listener. That was the key to his success.

Avodah Zarah Has Not Been Nullified

This is the Parsha which mentions the prohibition of Avodah Zarah (in the Aseres HaDibros). We assume that Avodah Zarah is something that applied in the Dark Ages -- even before the Dark Ages -- but now Enlightened Man,

in the latter part of the Twentieth Century, is not even tempted by Avodah Zarah. There is an interesting Akeidah al HaTorah that argues that this assumption is not true. There is a concept of Avodah Zarah that exists today as much as it existed thousands of years ago. In fact, perhaps it is more prevalent now than ever. The Akeidah says that today's 'Avodah Zarah' is devoting all of one's time to amassing wealth and property. When the pasuk says "Do not make with Me, gods of silver and gods of gold for yourselves" [20:20], it does not just mean little idols that one bows down to three times a day! It means do not make money -- gold and silver -- into a god. Is this relevant or is this not relevant? Go ask Mr. Milken from Drexel Burnham Lambert whether this verse is relevant today or not. It is the same Avodah Zarah, says the Akeidah al HaTorah. For many, Gold and Silver ARE mighty gods, in whom people put their faith and credibility. Lenin once said "A capitalist would sell the rope to his own hangman." To make a buck, the capitalist would sell the rope that he himself would be hung with. To one extent or another we all face this test. It is not true -- Avodah Zarah has not been nullified. Unfortunately, it is alive and well among us. Especially among us, in our capitalistic society where we see how people become consumed with this god called making money. It hasn't changed at all. The more things change, the more they stay the same.

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"ohr@jer1.co.il" "parasha-qa@jer1.co.il" Parsha Q&A PARSHA Q&A Parsha Questions 1. News of which two events motivated Yisro to come join the Jewish people? 2. Yisro had six other names. What are they? 3. Who informed Pharaoh of Moshe killing the Egyptian? 4. Why did Moshe tell Yisro all that Hashem had done for the Jewish People? 5. According to the Midrash quoted by Rashi, how did Yisro respond when he was told about the destruction of Egypt? 6. Who is considered as if he enjoys the splendor of the Shechina? 7. On what day did Moshe sit to judge the Jewish People? 8. Who is considered a co-partner in creation? 9. "Moshe sat to judge the people, and the people stood before Moshe.." What bothered Yisro about this arrangement? 10. In Rashi 18:19, what does "Hey Mem Lamed Chaf" spell? What does it mean? 11. Why did Yisro return to his own land? 12. On what day did the Jewish People arrive at Sinai? 13. How did the encampment at Sinai differ from the other encampments? 14. What was Hashem's original plan for Matan Torah? What was the response of the Jewish People? 15. How many times greater is the 'measure of reward' than the 'measure of punishment'? 16. How is it derived that "don't steal" refers to kidnapping? 17. In response to hearing the Torah given at Sinai, how far backwards did the Jewish people retreat in fear? 18. Upon what must the copper altar rest? 19. Why does the use of iron tools profane the altar? 20. The altar must have a ramp and not steps, so the Kohanim can conduct themselves in a respectful manner. What lesson does this teach? I Did Not Know That! The public Torah reading is a symbolic reenactment of the giving of the Torah at Sinai: The Gabbai, who decides which person to call to the Torah, symbolizes Hashem, who chose the Jewish people to receive the Torah. The person called to the Torah represents the Jewish people. And the person reading the Torah is Moshe, the 'broker' between the Jewish people and Hashem. Taamei Haminhagim 328. Credit: Rabbi Sholem Fishbane

Recommended Reading List Ramban 18:6,10 Yisro's Communication and Conversion 18:11 Why Egyptians were Punished 18:15 The Role of Moshe Rabbeinu 18:22 Availability of Justice 20:2 Belief Based on Experience 20:6 The Beloved of Hashem 20:8 Remembering Shabbos 20:17 The "Test" of Matan Torah 19:3, 8:9, 20:15, 24:1 The Chronology of Matan Torah

Sefer Hachinuch 25 Faith 30 Respect for Divine Name 31 Kiddush on Wine 32 Shabbos Rest 33 Gratitude to Parents 35 Promiscuity Malbim 20:2 The Essence of Belief in Hashem Ibn Ezra 20:14 Discipline of Desire

Answers to this Week's Questions All references are to the verses and Rashi's commentary, unless otherwise stated 1. 18:1 - The splitting of the sea and the war against Amalek. 2. 18:1 - Reuel, Yesser, Chovev, Chaver, Keni, Putiel. 3. 18:4 - Dasan and Aviram. 4. 18:8 - To induce Yisro to attach himself to the Torah. 5. 18:9 - He grieved. 6. 18:12 - One who dines with Torah scholars. 7. 18:13 - The day after Yom Kippur. 8. 18:13 - A judge who renders a correct decision. 9. 18:14 - Yisro felt that the people weren't being treated with the proper respect. 10. 18:19 - It spells 'Hi-malech,' meaning "Take advice." 11. 18:27 - To convert the members of his family to Judaism. 12. 19:1 - Rosh Chodesh Sivan. 13. 19:2 - The Jewish People were united. 14. 19:9 - Hashem offered to appear to Moshe and to give the Torah through him. The Jewish People responded that they wished to learn the Torah directly from Hashem. 15. 20:6 - Five hundred times. 16. 20:13 - Because it's written immediately after "Don't murder" and "Don't commit adultery," it is derived that "Don't steal" refers to a crime carrying the same penalty as the first two, namely the death penalty. 17. 20:15 - They backed away from the mountain twelve mil (2000 cubits is one mil). 18. 20:21 - The ground. 19. 20:22 - Because the altar was created to extend life and iron tools are sometimes used as weapons to shorten life. 20. 20:23 - The altar is merely stone which is insensitive to disgrace. Since it serves a useful purpose, it must be treated in a respectful manner. People, who are created in the image of Hashem and who are sensitive to disgrace, all the more so must be treated in a respectful manner.

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Insights ...

Seeing The Sound Of Music "And all the people saw the voices" (20:15) One winter's day in a small village in Poland, there arrived a frail figure carrying a small black leather box. It was still early in the morning, the pale winter sunlight barely coloring the ashen faces of the houses. The man made his way to the town square. He rubbed his hands together and blew warm air between them. A cloud of mist emerged from the other side of his clasped palms and snaked its way upward, catching the rays of the rising sun as it faded away. He opened the box and assembled three black cylindrical sections of a clarinet. He started to play, at first slowly and hauntingly. The sound was so beautiful and compelling that very soon, yawning faces started to appear at the windows. Children were pressing their faces to the panes. He started to pick up the tempo. The sound was so delightful, so sweet, that very soon, people emerged into the street and spontaneously started to dance. The music crescendoed in wave after wave. The unbelievable sweetness of the sound gilded the faces of the dancers with delight. Into this scene stumbled a deaf man. He was quite convinced that everyone had taken leave of their senses. Here, for no reason whatsoever, was half the town dancing in the square at six o'clock in the morning! If he'd been a little bit more discerning, he would have realized that it was the voice of the clarinet and its beautiful music that was the reason for all this dancing. When the Torah was given at Sinai, the people 'saw' the voices. They experienced kinesthesia - the reversal of sensory perception. Seeing Sound. Hearing Sight. When the Torah was given at Sinai, Hashem radiated the light of His Presence on the whole Jewish People as one. They experienced this as angels dancing. When they saw the angels dancing, they understood that it was because of the overwhelming sweetness and beauty of the Holy Torah. And, as it were, they craned their necks and strained their ears to hear its sublime melody. Compared to angels they were somewhat spiritually 'deaf' because they had

never experienced such sounds. Nevertheless, they wanted to try and at least get a 'glimpse' of the sound. G-d opened their eyes, and they all saw this overwhelming joy, so that even if they could not experience the music itself clearly, they could experience its great happiness. Thus, they pressed themselves to hear the voice of the Torah itself. Maybe they would be able to reach that level and understand the exquisite light which is Torah... Based on Degel Machane Ephraim

Haftorah: Yeshayahu 6:1-13, 7:1-6, 9:5,6

The revelation of the Shechina at Sinai which is the subject of this week's Parsha is mirrored in the Haftorah by a revelation of the Shechina to the prophet Yishayahu. No, No, After You... The nature of most people is to want to be first. To demonstrate their superiority over others. This is the driving force behind the desire to have money and power. I'm better than you! You go second! And even when we allow others to go first, when we put them in front of ourselves, it's usually to demonstrate what elevated character traits we have -- in other words -- elevated over you! In the kedusha (holiness) that we say at least twice a day, we borrow a prayer from the angels to magnify the glory of the Almighty. We say "Holy, Holy, Holy, is the L-rd of Hosts. The whole world is filled with His Glory." Man is not an angel. When the angels say kedusha, they begin by calling to each other, as if to say "You go first, because you are greater than me." To which comes the reply "No, you are greater than me!" Finally, they all praise Hashem together. The angels repeat the word 'holy' three times. Anything which is done three times is considered to have permanence and perpetuity. Thus the angels never cease saying 'holy,' for Hashem is infinitely Holy. Based on The Midrash Says

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"WEEKLY-HALACHA@TORAH.ORG" Shemos-Tosefes Shabbos
SELECTED HALACHOS RELATING TO PARSHAS YISRO
By Rabbi Doniel Neustadt

A discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

Remember the Shabbos day (Exo. 20:8) The mitzvah of Tosefes Shabbos.
TOSEFES SHABBOS:
HOW and WHEN:

The majority of Rishonim hold that the mitzvah of mosifin michol al hakodesh, starting Shabbos early in order to incorporate a small part of the weekday into Shabbos, is a mitzvas Assai min Hatorah, a Biblical command(1). Although this seems to be a relatively easy mitzvah to perform, a mitzvah which most people assume that they perform routinely and correctly, that may not always be the case. In order to understand what the problem may be, we must answer the following questions: How much time should be added as "tosefes Shabbos"?

The rishonim do not clearly define any amount of time as the minimum addition required to fulfill this mitzvah. Latter-day poskim suggest various amounts of time - ranging from a minimum of two(2), four(3), and five(4) minutes, up to twelve(5) or even fifteen(6) minutes. One who is particular to fulfill the mitzvah according to the views of all poskim is to be commended(7). Tosefes Shabbos is equally incumbent upon men and women(8).

HOW EARLY CAN ONE BE MEKABEL TOSEFES SHABBOS?

One may be mekabel Shabbos as early as plag ha'Mincha, which is an hour and a quarter (zmanios) before sunset. One may not be mekabel Shabbos before that time. Any kabbolas Shabbos made before plag ha'Mincha, including lighting candles, is null and void and must be repeated.

WHAT IS THE PROCEDURE FOR BEING MEKABEL TOSEFES

SHABBOS? The correct, l'chatchillah manner of performing this mitzvah is to state that one is being mekabel Shabbos for the sake of the mitzva of tosefes Shabbos(9). This statement can be made in one of the following

ways(10):

Reciting the entire Kabbolas Shabbos, reciting Mizmor Shir L'yom Hashabbos, reciting Boee Beshalom, answering Borchu, davening the Shabbos Maariv, lighting candles (for women(11)), or even by stating aloud: I am mekabel Shabbos for the sake of the mitzvah of tosefes Shabbos(12). According to some poskim(13), it is sufficient to be mekabel Shabbos in one's mind - without actually expressing it in words.

There are poskim who imply that the mitzvah of tosefes Shabbos is not dependent on actual [either spoken or silent] kabbalah; as long as one refrains from doing forbidden work before sunset, it is considered as if he added some time on to the Shabbos day and he has fulfilled the mitzvah(14).

HOW LATE CAN ONE BE MEKABEL SHABBOS?

According to our custom, Shabbos begins at sunset. Once the sun sets it may already be night according to the halachah - the beginning of the Shabbos day. Obviously, in order to perform the mitzvah of adding to the Shabbos, one must be mekabel Shabbos before sunset. After sunset, one is not adding to the Shabbos since it is already Shabbos - regardless of his kabbalah. The vast majority of shuls, especially during the winter, daven Minchah on Friday evening 10-15 minutes before sunset and then begin the Kabbolas Shabbos service. By the time Bo'ee Be'shalom is said, it is usually well past sunset. Thus, the majority of men, contrary to their assumption, are not fulfilling the mitzvah min ha'Torah of Tosefes Shabbos according to the opinion of many poskim.

WHY ARE WE NOT MEKABEL SHABBOS BEFORE MINCHAH?

Shulchan Aruch(15) rules that once Kabbolas Shabbos has been said in shul, Friday's Minchah may no longer be davened. If an individual came late to shul and answered Borchu or said Mizmor Shir Lyom Hashabbos, he may no longer daven Minchah, but must rather daven Maariv twice. According to the opinion of the Mishnah Berurah and many other poskim, this rule applies also to any expression of Kabbolas Shabbos made individually, such as lighting candles or to any statement of Kabbolas Shabbos(16). Once Shabbos has been ushered in, weekday Minchah may no longer be davened(17).

This leaves us with a dilemma: The mitzvah of tosefes Shabbos requires us to be mekabel Shabbos before sunset. On the other hand, one cannot be mekabel Shabbos until after Minchah, and most shuls do not finish Minchah until after sunset. Thus, one is faced with two mitzvos that (apparently) conflict with each other - davening Mincha or being mekabel Shabbos.

WHAT ARE THE ALTERNATIVES? Start Minchah earlier, to be mekabel Shabbos before sunset; After finishing the silent Shmone Esrei, an individual may be mekabel Shabbos upon himself. He may still answer the Minchah kedushah etc.

although it is already Shabbos for him(18). This solution, however, will not help the Shliach Tzibbur who must repeat the Shmone Esrei; If an individual realizes that he will not be able to finish the silent Shmonei Esrei before sunset, he should daven b'yeichidus before sunset(19), be mekabel Shabbos, and then go to shul to answer Kedusha etc. There is a disagreement among latter-day poskim concerning one who failed to follow any of the above options, and finds himself - right before sunset - faced with a choice of either davening Minchah or fulfilling the mitzvah of tosefes Shabbos. Some poskim advise that he should daven Minchah(20), while others rule that he should be mekabel tosefes shabbos and then daven Minchah(21).

FOOTNOTES: 1 Biur Halacha OC 261:2. 2 Eretz Tzvi 70; Igros Moshe OC 1:96. 3 Avnei Nezer 4:98. 4 Minchas Elazar 1:23; Shu"t Mhrsha"g 38. 5 Siddur Yavetz. 6 Mishnah Berura 261:22 and Biur Halacha, based on Chayei Adam 5:2, says that tosefes Shabbos together with bein hashmashos (which is about 14 minutes long) is a half hour long.

7 Mishnah Berurah 261:23. 8 See Kaf Hachayim 261:16. 9 Tosefes Shabbos 261:13; Tehillah L'dovid 263:8-10; Chelkas Yoav 30; Mishmeres Shalom 26:2; Mishnah Berurah 261:21 (as understood by Shone Halachos 261:3; Shmiras Shabbos Khilchasa 46:2; Az Nidberu 1:1). See Ritva Rosh Hashanah 9a as a possible source. 10 See OC 261:4 and Mishnah Berurah 21 and 31. 11 Men who light candles are not automatically mekabel Shabbos - Mishnah Berurah 263:42. 12 Possibly, just saying gut Shabbos is sufficient, if by saying 'gut Shabbos' one

means to actually usher in the Shabbos and not merely to express a greeting - See R' Akiva Eiger OC 271. 13 Bach and Gra quoted in Mishnah Berurah 553:2. Tehilla L'dovid 263:10, however, rules that this is invalid.

14 See Aruch Hashulchan 261:2; Eretz Tzvi 60; Yabia Omer 7:34. See Chidushei Ra'ah (Blau) Brachos 26b; Biur Hagra OC 393:2 and Chayei Adam 5:2 as possible sources for this view. 15 OC 263:15. 16 Mishnah Berurah 263:43. 17 Often, people wish their family 'gut Shabbos' before going to shul for Minchah. One should be mindful not to be mekabel Shabbos with that statement. If his intention was to be mekabel Shabbos, davening Minchah now becomes questionable. 18 Tzitz Eliezer 10:15; Yabia Omer 6:21. 19 Shmiras Shabbos Khilchasa 46:5.

20 Harav S.Y. Elyashiv (oral ruling quoted in Avnei Yashfe 1:56). This is based on the ruling of Mishnah Berurah that it is forbidden to daven Minchah after Kabbolas Shabbos. This person must therefore rely on the poskim quoted above who hold that refraining from forbidden work

constitutes tosefes Shabbos. 21 Eretz Tzvi 60; Mishmeres Shalom 26:2 quoting the Minsker Gadol; Minchas Yitzchok 9:20; Tzitz Eliezer 13:42; Bris Olam pg. 13. This is based on the ruling of several poskim that an individual's kabbolas tosefes Shabbos does not preclude his davening Minchah later.

----- Weekly-Halacha, Copyright (c) 1997 by Rabbi Neustadt, Dr. Jeffrey Gross and Project Genesis, Inc. The author, Rabbi Neustadt, is the principal of Yavne Teachers' College in Cleveland, Ohio. He is also the Magid Shiur of a daily Mishna Berurah class at Congregation Shomre Shabbos.

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"mail-jewish@shamash.org" mail-jewish Vol. 25 #87 Digest

----- ST156@aol.com (Yosef Dweck)27 Jan 1997 03:36:01 -0500 (EST) ttle Caps on Shabbat Concerning the Question about Opening Bottle Caps on Shabbat:

Harav Ovadia Yosef Shlit"a has an extensive teshuvah on that very issue in Yehaveh Da'at, Siman Mem Bet, beginning on page: Kuf Nun Tet. As for the request on the psak of Rav Shlomo Zalman Z"l Can be found in Shmirat Shabbat Kehilchata Perek Vav, Se'if Alef, Page: Mem Vav . Rav Shlomo Zalman's psak was that it's assur if after opening the cap of the bottle you leave the little ring on the bottle that was connected to the cap prior to opening. Harav Ovadia however disagrees with that psak. Rav Shlomo Zalman's reason for prohibiting, was because once you open the cap and leave that ring on, you make the cap a full fledged "kli" or vessel, for now one can use the cap to close the bottle regularly and the cap is able to be used as a special "kli" to close the bottle. While Harav Ovadia disagreed with this reasoning since once the bottle cap was placed on to the bottle for covering, it has the status of a "kli" and no new "kli" is made upon opening the bottle. He nevertheless ends off his psak saying that on the better side, one should open the bottles before Shabbat, but if one is found w/ a closed bottle on shabbat he may rely on the above svarah and open it. I am only bringing condensed summaries of the actual teshuvot. It is quite necessary however, for someone interested in the halacha to personally look up the afformentioned gedolei Yisrael in the actual text I have sited their whereabouts above. Bebirkat Hatorah velomdeha, Yosef Dweck

----- From: Gershon Klavan <klavan@tribeca.ios.com> Re: Opening Plastic Bottle Caps on Shabbat Rav Yosef(?) Rubin of Har Nof, (a known ben-bayit of Rav Shlomo Zalman ZT"L - He has generally been considered a reliable source of psakim of Rav Auerbach) wrote a teshuva printed in Hamoriah (approximately Cheshvan 5752) differentiating between metal and plastic bottle caps.

The basic difference comes down to how the bottle cap is created. In Israel, most metal bottle caps are stamped directly on to the bottle from a metal disk,

hence opening the bottle actually creates the cap. By contrast, the plastic caps are created in advance and only then clamped (under pressure) to the bottles. Gershon Klavan [Same explanation given also by: From: Bracha Waitman <yu167354@yorku.ca> Mod.]

----- From: Yitzchok Adlerstein <yadler@deltanet.com> Date: Sun, 26 Jan 1997 20:01:34 -0800 Subject: RE: Opening Plastic Bottle Caps on Shabbat There are no coincidences in this world. It just so happens that Rav Doniel Neustadt's current weekly halacha column deals with this very issue. (To those of you who do not know Rav Neustadt, he is the editor of Rav Yaakov Kaminetsky's work on Chumash "Emes L'Yaakov." Perhaps the fact that he is married to Rav Yaakov's granddaughter in not irrelevant. IMHO, his weekly halacha mailing is one of the best on the Net. You can find subscription information to it through Project Genesis at www.torah.org)

"yhe-sichot@jer1.c... SICHOT - 20: Parashat Yitro YESHIVAT HAR ETZION ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM) STUDENT SUMMARIES OF SICHOT DELIVERED BY THE ROSHEI YESHIVA

The entire VBM staff wishes a warm Mazal Tov to Rav Mordechai and Debby Friedman upon the birth of a baby boy! Dr. Benny and Nadine Gesundheit upon the birth of a baby girl! The Friedman and Gesundheit families are both deeply involved in the "real" and "virtual" beit midrash and contribute greatly to their success.

PARASHAT YITRO SICHA OF HARAV YEHUDA AMITAL SHLIT"A "My Cow, My Cow!" Summarized by Ronnie Ziegler

Yitro appears twice in this week's parasha. First, he undergoes a spiritual awakening, stating "Blessed be the Lord who delivered you from the Egyptians and from Pharaoh... Now I know that the Lord is greater than all the gods" (18:10-11). Second, he advises Moshe on practical matters, urging him to set up a hierarchy of judges rather than judge all cases himself.

It would appear that the first context, the spiritual one, is more significant. The Children of Israel had just experienced the Exodus and witnessed God's miracles. It is only natural that they would accept the Torah. Yitro, however, did not directly witness God's hand - yet nevertheless he accepts God and His Torah. Today, we lack the overwhelming experience of God which led the Children of Israel to accept the Torah. It is Yitro who teaches us that this is not the only basis for the acceptance of the Torah. Kabbalat Ha-Torah does not depend on witnessing God's revelation with our eyes - we can also find it in our hearts.

Yitro's second appearance in our parasha, though it seems to deal with merely technical matters, is no less significant. In order to understand the meaning of this episode, let us first relate a beautiful Chassidic tale. Reb Moshe of Kobrin used to travel to various rebbes in order to learn from them. Once he decided to spend Shabbat with Reb Yisrael of Apta. On Friday afternoons, Reb Yisrael used to come to shul early, long before the congregation arrived, in order to chant Shir Ha-Shirim, the Song of Songs. One such Friday afternoon, as Reb Yisrael began chanting, Reb Moshe of Kobrin slipped in unnoticed and sat in a corner of the shul. Reb Yisrael's face was radiant under his shtreimel, and the sweet melody of the love song of God and His people filled the air. Reb Moshe sat transfixed, feeling as if he had entered the Holy of Holies. Suddenly the door swung open and in walked a man, his face grimy, his clothes muddy, reeking of the smells of the barn. What important question can this man have, wondered Reb Moshe, that he comes to disturb the holy Reb Yisrael at this moment?

The farmer approached Reb Yisrael, wailing, "My cow, my cow! It is going to give birth and I'm afraid it will die!" Reb Moshe was taken aback by this outburst, but Reb Yisrael answered him patiently, telling him where to go for help and who to speak to. After the Shabbat evening meal, Reb Moshe could contain himself no longer. He asked Reb Yisrael how he could have countenanced such rudeness. "Did you hear what he asked me?" replied Reb Yisrael. "He asked about his cow," answered Reb Moshe. "My dear Reb Moshe, you weren't listening

carefully. The farmer wasn't crying 'My cow, my cow' - he was crying 'Rebbe, Rebbe! I am so small, so weak. I want a connection with God; please help me.' He simply wanted to speak to me, to establish a connection with me, and through me to connect to God. But how could he establish a connection with me? By discussing a passage of the Talmud or of the Zohar? No, he could only connect to me by discussing something he knew about - his cow."

Similarly, in our parasha, Yitro was taken aback when he saw Moshe Rabbeinu besieged from morning to evening with people bringing their petty disputes before him. When he asked Moshe why he put up with this, Moshe replied (18:15), "Because the people come to me to seek God." And how do they seek God? Moshe continues (18:16), "When they have a dispute, it comes before me, and I decide between one person and another, and I make known the laws and teachings of God." In Moshe's eyes, the point was not the verdict he rendered in each particular case, but rather the fact that the people sought a connection with him, and through him to God.

Yitro appreciated Moshe's attitude, but felt that Moshe would wear himself out if he persisted in this path. He advised Moshe to continue teaching the people and judging difficult cases, but delegating all other cases to a series of lower courts. Moshe realized this was the only practical course of action and agreed to Yitro's suggestion. (Originally delivered on Shabbat Parashat Yitro 5756.)

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<mj-ravtorah@shamash.org>; 8 Feb 1996 [From last year]

The Rav raised the well known question on Parshas Yisro: why did Moshe require the advice of Yisro to implement the system of justice described in the Parsha? He surely must have considered the problems inherent in his approach of acting as sole judge and recognized these potential optimizations to the process?

The Midrash Rabbah comments on Va'Yavidu Mitzrayim es Yisrael B'Pharech: the Egyptians would assign the younger (weaker) people the back breaking tasks that would have been best assigned to the stronger people, while the simpler tasks best suited for the weak were assigned to the strong. (Note: the Midrash Rabbah refers to men doing the work of women and women doing the work of men). The characterization of the former as Avodat Perech is readily understood. However, why was the assignment of trivial tasks to the strong considered Perech as well? The Rav answered that when a person has potential to accomplish great things and he is prevented from doing so, his will is broken and he falls into depression.

Yisro asked Moshe what his program was for dealing with the people. He understood that Moshe had great potential to fulfill his great mission. However he saw Moshe falling into the trap of the person with great potential who is demoralized when having to perform mundane tasks that are beneath his capabilities and best left to others of less potential. Moshe responded that he had 4 responsibilities:

1) Ki Yavo Aylay Ha'am Lidrosh Elokim. The Targum Yonasan Ben Uziel and the Ramban explain this as Moshe expressing his responsibility, indeed the responsibility of the leader or king (Moshe was considered a king, Vayhi B'yeshurun Melech), to pray for the needs and welfare of the people. Take the Mitzvah of Bikur Cholim as an example. The Rav quoted a Gemara in Berachos that praying for the sick helps a person focus and concentrate on his prayers for his own needs as well as those of the sick person. He also quoted a Gemara in Nedarim regarding Rabbi Akiva who entered the home of an individual who was close to death and nursed him back to health. Bikur Cholim consists of 2 parts:

a) to pray for the sick person; b) to help the sick with his immediate comfort needs.

The Mishna in Taanis (2:1) says that when there is a Taanis Tzibbur in times of drought, they would place ashes on the forehead of the Nasi (leader of the generation). Why is the Nasi singled out and embarrassed in such a way? Why should he bear more responsibility for the drought than the rest of the people? Because the drought is linked to the lack of, or ineffectiveness of, the prayers of the leader. Had the Nasi shown more attention to the needs of the

people and prayed more sincerely for them perhaps he might have averted the drought. Gedolei Yisrael have always shown their concern and prayed for the welfare of Klal Yisrael.

2) A leader of Israel must be capable of sharing in the pain felt by his people and to try to alleviate that pain. As Moshe said, Ki Yihye Lahem Davar Ba Aylay, when they have any pressing issue or need, personal or communal, they turn to me for advice and for comfort. If the problems of the people do not bother the leader then he is not a true leader.

The Rav related how his grandfather, Reb Chaim, would constantly involve himself in the troubles of his people. He told how as a youth he recalled that Reb Chaim did not hesitate to leave an important gathering to help calm a distraught mother who dreamt that her son had become crazed.

3) V'shafat'i Bayn Ish Uvayn Rayayhu, to judge the people fairly and equitably.

4) Last and most important: V'Hodati Es Chukay Elokim Ves Torosav. The most critical task of a Manhig Yisrael is to be the Rebbe of Klal Yisrael, to teach the people the details behind the laws and ways of Hashem. Yisro could not comprehend a leader that would be capable of all these tasks that Moshe described. He saw the roles of prayer, involvement in the pain of the people and day to day judging as to debilitating distractions for Moshe. He believed that Moshe needed to reset his priorities with regards to his involvement with the people.

Yisro understood that Moshe must function as the Navi (Mul Haelokim) to receive the laws from Hashem. However he told Moshe that he should teach the laws to the people once. Show them what's Mutar and Assur. Show them the ways of Hashem (Vhizarta Eshem Es Hachukim Ves Hatoros V'hodata Lahem Es Haderech Yelchu Bah Ves Hamaaseh Asher Yaasun) but do not teach them each and every detail. Moshe should give up his practice of acting as a Rebbe with Talmidim working on each and every detail of the shiur. Let them learn the details themselves. For example, Moshe should show the people how to put on Tefillin without teaching them every detail about the tefillin. Only show them how to perform the Mitzvah, Es Haderech Yelchu Bah. Yisro advised Moshe to give up his title of Rebbe, to no longer act as Moshe Rabbeinu, as it took away too much of his time. Moshe, of course, could not relinquish his title of Rebbe.

Yisro recognized that Moshe was also required to be part of the justice system. However, he could not possibly act as judge for all the cases brought to him by Bnai Yisrael. He suggested that Moshe delegate the simple tasks that he handled in order that he not become demoralized with the constant interruptions. Since he felt that Moshe's time was too valuable to waste, he should no longer involve himself with praying for the people or sharing their pain to alleviate their suffering. Moshe who was the most humble of men, as well as Gedolei Yisrael through the ages, never felt that their time was too valuable to spend on Klal Yisrael.

Even though Moshe, as commanded by Hashem, implemented Yisro's suggestions, he still did not remove himself from any of these activities. He remained directly accessible to Bnai Yisrael. For example, in the cases of the people that were unclean because of Tumaas Mais and could not bring the Korban Pesach the second year, as well as the daughters of Tzolphchad, no lower courts were involved prior to the cases being brought to Moshe. (Note: Perhaps the Rav mentioned these cases specifically because they deal not only with Halachic issues but with emotional suffering as well). Yisro also intended that Moshe should only judge cases that were significant in terms of the amounts they involved (Davar Gadol, Davar Katon). Moshe instead based his involvement on the intricacies of the halachic principles involved regardless of the value of the litigation at hand.

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Shiur HaRav Soloveichik on Parshas Yisro

Shiur HaRav Soloveichik ZT"L on Parshas Yisro (Shiur Date: 2/4/75)

(Note: the following summary began with the conclusion of the regular weekly Shiur in Masechet Sukkah where the Rav seamlessly transitioned into

the Parshas Hashavua portion of the Shiur.)

While the Beis Hamikdash stood, the Shofar was blown even on Shabbos in the Mikdash. After the destruction of the Beis Hamikdash, Rabban Yochanan Ben Zakai enacted the Takanah that the Shofar should be sounded even on Shabbos wherever there was an established Beis Din. According to the Rambam, the reason they always blew in the Beis Hamikdash was because the high court was seated next to the Beis Hamikdash. The Takanah of Rabban Yochanan Ben Zakai was to extend the special nature of Yerushalayim as a city with a Beis Din to the rest of Eretz Yisrael. Other Rishonim say that the reason why they blew Shofar in the Beis Hamikdash on Shabbos was because of the rule of "Ayn Shevus B'Mikdash". There was no connection between blowing Shofar on Shabbos and Yerushalayim as the seat of the high court.

We can understand why we might blow Shofar on Rosh Hashonah that falls out on Shabbos according to the Rambam, since blowing was always dependent on the fact that Beis Din was there, even when the Beis Hamikdash stood. After the Churban, Rabban Yochanan Ben Zakai simply extended this principle to all places that had an established Beis Din. The Rav asked according to the other Rishonim, what is the connection between the Takanah of Rabban Yochanan Ben Zakai and blowing Shofar everywhere on Rosh Hashonah that falls out on Shabbos?

The Rav noted that he was always bothered by this question until he came across a Sefer (Editor's note: the name of the sefer was not readily recognizable) that presented an answer that sparked further elucidation of this problem by the Rav. We find that Rabban Yochanan Ben Zakai enacted a similar Takanah with regards to taking Lulav all 7 days of Sukkos similar to the practice in the Beis Hamikdash. While the Beis Hamikdash stood and prior to this Takanah, Lulav was taken only the first day everywhere except in the Beis Hamikdash. Rabban Yochanan Ben Zakai extended the practice that took place in the Beis Hamikdash to all other places. The reason for extending this according to Rabban Yochanan Ben Zakai was that while the Beis Hamikdash stood the fulfillment of taking the Lulav 7 days Lifnay Hashem could only be fulfilled in the Beis Hamikdash. With the destruction of the Beis Hamikdash, the Lifnay Hashem transferred from the Beis Hamikdash itself to everywhere that a Jew may find himself. In times of Churban the Beis Hamikdash can be found wherever the Jew finds himself.

A similar concept that expresses the different perceptions of where Kedushas Hashem can be found may be seen in the initial prophecy of Isaiah. Isaiah, the first of the prophets to speak of the destruction of the Beis Hamikdash, describes his vision of Hashem as "Vshulav Mlayim Es Hahaychal", and His glory filled the sanctuary. However when he records the praise offered Hashem by the angels, they said "Mlo Khal Haaretz Kvodo" all of creation is filled with His glory. the glory of Hashem is infinite. While Hashem was limiting Himself, Kvayachol, to the confines of the Beis Hamikdash, one should not assume that is the only place where the Kvod Hashem can be found. Kvod Hashem cannot be bounded by the physical walls of the Beis Hamikdash. When the time comes, after the destruction of the Beis Hamikdash, Kvod Hashem will be readily observable everywhere. In this way, Rabban Yochanan Ben Zakai extended the concept of Lifnay Hashem, as expressed in the notion of Shivisi Hashem Lnegdi Tamid, to encompass any place that the Jew sanctifies the name of Hashem.

Shofar and Lulav were similar to each other while the Beis Hamikdash stood in that they both were taken Lifnay Hashem, which was the place of the Beis Hamikdash itself. After the Churban, Rabban Yochanan Ben Zakai said that everywhere there are Shearim Mitzuyanim Bhalacha there will be Mishkenos Yaakov. Wherever there is a Beis Din that teaches Torah and passes on the Mesorah the tradition of the Beis Hamikdash will continue. Rabban Yochanan Ben Zakai saw to it that even though there no longer was a link between the Beis Hamikdash and the Beis Din that was seated next to it after the Churban, we will retain the concept of Lifnay Hashem as long as Beis Din, wherever they may be located, continues to teach Torah. Without this idea, the Jewish Nation would have disappeared long ago.

We read the Aseres Hadibros three times a year: Parshas Yisro, Parshas Vaeschanan and on Shavuos. We recite a different Haftorah each time. Since

Vaeschanan is part of the seven Haftoros of consolation, we read an appropriate portion that tells of comfort and consolation after the destruction of the Beis Hamikdash. The other 2 Haftoros come from Isaiah and Ezekiel. The Rav asked why we choose to read Isaiah for Parshas Yisro and Ezekiel on Shavuos? Is one more appropriate than the other for each of these occasions? After all, they each saw in their prophecies the same revelation of the glory of Hashem.

The Rav noted that Chazal said that the Avos fulfilled all the Mitzvos Hashem while they were in Eretz Yisrael. For example, Yaakov married two sisters while he was in Chutz Laaretz. However prior to returning to Eretz Yisrael Rachel died, so that Yaakov would not transgress the prohibition of marrying 2 sisters (according to the Ramban in Parshas Vayechi). Hashem told Avraham that He will give to him and his children the land they were dwelling on as an eternal homeland and that Hashem would be their Gd. This was the Bris Avos. While the Avos and their children lived in Eretz Canaan they were bound by it, and kept all the Mitzvos.

At Sinai, Hashem told Bnai Yisrael they were to be a special nation unto Hashem, "Ki Li Kal Haaretz". There was a difference in the fundamental nature of Kedushas Yisrael between that of Bris Avos and Bris Sinai. Bris Avos said that the Jew must keep the Mitzvos while he was in Eretz Yisrael. At Sinai, the Jew was told that he must keep the Mitzvos Hashem wherever he may be. Inside Eretz Yisrael as well as outside.

Isaiah echoed this idea when he said that, initially, he perceived the glory of Hashem as filling only the sanctuary. In other words, the Kedushas Hashem was confined to Eretz Yisrael and the Jew was bound to fulfill the Mitzvos as long as he lived there. He then says that in reality the Kedushas Hashem is everywhere, there is no border to contain it. Isaiah's prophecy is appropriate for Parshas Yisro as both indicate that the covenant established between Hashem and Bnai Yisrael at Sinai extended the original covenant that was confined to the Jew in Eretz Yisrael to wherever the Jew may be.

On the other hand, Ezekiel is appropriate for Shavuos. The prophecy of Ezekiel was given on Nehar Kevar, in exile. The prophecy of Ezekiel is extensively analyzed in Torah Shebeal Peh, in Masechet Chagigah. We have a Mesorah of both Torah Shebekhtav as well as Torah Shebeal Peh for the prophecy of Ezekiel. Both the hidden and the obvious were part of the prophecy of Ezekiel and were included in Mesoras Torah Shebeal Peh. The prophecy of Isaiah was so exalted, that our limited minds cannot even conceive it and it was never analyzed by Chazal as part of Mesoras Torah Shebeal Peh. Shavuos, being the Yom Tov of Torah Shebeal Peh, is more appropriate to read the Haftoras Ezekiel, for which we have a Mesorah. Isaiah is more appropriate to Parshas Yisro as the same concept of Ki Li Kal Haaretz is expressed in both places.

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zomet Shabbat-B'Shabbato -- Parshat Yitro WHERE IS ERETZ YISRAEL MENTIONED IN THE TEN COMMANDMENTS? By Rabbi Yehudah Shaviv

In the first revelation to Moshe, G-d told him that He saw the suffering of the people, and promised, "I have descended in order to save them from Egypt and to raise them up ... to a good and expansive land, a land of milk and honey, to the land of the Canaanite" [Shemot 3:8]. Entry into Eretz Yisrael is also the goal of the redemption described at the beginning of the Torah portion of Va'erah: "and I will bring you out ... and I will save you ... and I will redeem you ... and I will take you as a nation ... and I will bring you to the land" [Shemot 6:6-7]. It is only in Eretz Yisrael that the people will be transformed into a nation able to achieve the objective given to them on the

eve of receiving the Torah: "You shall be a kingdom of priests and a holy nation to me" [Shemot 19:6]. It might be expected that at the revelation to the entire nation G-d would make a declaration similar to what He said to Avraham in an earlier covenant: "I am your G-d, who took you out of Ur Kasdim, in order to give you this land as a heritage" [Bereishit 15:7]. However, while there is some similarity, it is only at the beginning of the passage. This is what G-d said when He gave the Torah: "I am the Lord your G-d who took you out of the land of Egypt, from a house of slavery" [Shemot 20:2]. What could be more natural than to continue with a phrase like, "in order to give you the land of Caanan as a heritage?" However, instead, the Ten Commandments continue with other mitzvot, and the land is not mentioned.

This missing concept appears only as part of the commandment to honor parents: "Honor your father and mother, in order for you to have a long life on the land which your G-d is giving to you" [Shemot 20:12]. The promise is not simply for a long life, but that it will take place on the land, Eretz Yisrael. The link between honoring parents and longevity is explained by the commentaries (for example, see what Rabeinu Bechayei quotes in the name of Saadia Gaon). However, a different question is why this is the first place in which the land is mentioned. The reason for the connection may be that Avraham's link to the land came about as a result of his separation from his father's house. "Go ... from your father's house to the land I will show you" [Bereishit 12:1]. It is known that events in the lives of our forefathers are precursors to the history of the nation. However, in this case the Torah emphasizes that the command to Avraham was a unique act, not to be repeated. From then on, it is only through respecting and honoring ancestors that the people will be able to take roots on the land.

According to the Mechilta, the first five commandments were written on one tablet, and the other five were written on the second one. Thus, the commandment to honor parents and the promise of life on the land, which appear at the bottom of the first tablet, form a bridge between the two tablets. This is a conceptual link between the mitzvot honoring G-d and the rules for social contact. "Here are ten commandments, five related to respect for the Creator, and five meant for the good of man" [Ramban, Shemot 5:13].

This, then, is a Torah recipe for peaceful existence on the land: "Honor your father and mother, in order for you to have a long life and so that things will be good for you on the land which your G-d is giving to you" [Devarim 5:15].

NO JUSTICENO PLACE -- DRASHA PARSHAS YISRO by Rabbi Mordechai Kamenetzky Yeshiva of South Shore 516-328-2490 Fax 516-569-7954 Volume 3 Issue 17

The Jewish judicial system was brought into existence after Moshe's father-in-law Yisro criticized the system he felt was wrought with confusion and delay. In that system, Moshe bore the brunt of every minor complaint and grievance. He ruled on everything, and it was too much for him. His father-in-law would no longer allow it. "What you are doing is no good." cried Yisro. "You and the entire nation will wither from exhaustion." (Exodus 18:17)

Yisro devised a plan in which judges were appointed on many levels. The simple cases would be presented to the lower judges, and the more difficult cases would work their way up the system until they finally reached Moshe. It was a workable plan that was received enthusiastically by Moshe and the leadership. It was the foundation for every judicial system from that time on. Yisro ends his ingenious instruction with a blessing and an assurance. "If you do this thing -- with G-d's consent, then you will endure and the entire nation will arrive at their place in peace." (Exodus 18:23)

They are very encouraging words. But they are difficult to relate to. What does expedient adjudication have to do with arriving at one's destination or finding one's place? What could Yisro mean by stating that if you mete out justice everyone will arrive at his place in peace? He should have said, "and the entire nation will live together in peace." The words "arrive at his place in peace" seem to have little meaning.

Rabbi Chaim Kreisworth, the Chief Rabbi of Antwerp, Belgium, tells of a

member of his congregation who approached him obviously quite upset.

"Rabbi," he exclaimed, "I just don't understand." My friend Yankel and I began businesses of the same type at approximately the same time. He is doing remarkably well, while I am just floundering!" "Are you working as hard as he is?" Rabbi Kreisworth asked. "I sure am!" came the reply. "My place is right down the block from his, and I never close my shop until I see his car pull away!" "Perhaps he has more employees?" "Can't be. I checked with his manager, and I have recently added two more than he has!" "Perhaps the decor of his store is more attractive to consumers?" "It just can't be that, Rabbi. He remodeled last year, I checked the lighting, square footage, display cases -- and on each count I outdid him when I remodeled a month later!" At this point Rabbi Kreisworth smiled, "I have it all figured out. The reason Yankel is doing so much better than you is because he is only concerned in running his business. You, my friend, are running two! If you would just stay in your own place, you will also become a success."

One of the Jewish people's greatest assets is their ability to watch their own place. "How glorious are your tents, Jacob" is a reference to the dessert tents whose doorways did not face each other. When Jews argue and there is no justice, each one looks at the other: "what is he doing with my money?" However, when quick and fair justice is meted, each party can go home satisfied and ready to proceed with their own life. Yisro stated it with an exact certainty "and the entire nation will arrive at their place in peace." If you have justice then everyone will truly arrive at his place in peace. No one will be interested in someone else's place! And in that manner they all can find a place in peace. Good Shabbos S1997 Rabbi Mordecai Kamenetzky Dedicated in memory of Morris Propp by the Propp Family Mordechai Kamenetzky - Yeshiva of South Shore Ateres@pppmail.nyser.net Drasha, Copyright (c) 1997 by Rabbi M. Kamenetzky and Project Genesis, Inc.

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"eramm@jen.co.il" "peninim@shemayisrael.com" parsha - penninim Rabbi A. Leib Scheinbaum Hebrew Academy of Cleveland Parshas Yisro "And Yisro rejoiced over all the good which Hashem had done for Yisrael." (18:9) Rashi cites the Talmud Sanhedrin 94a which suggests that the word alludes to the word, prickles. The reference to prickles could have one of two connotations. They might be prickles of joy, indicating that Yisro was overwhelmed with happiness. Alternatively, they could be prickles of distress. Although Yisro was filled with happiness for the Jews, he still felt uneasy over what had happened to the Egyptians. Chazal go on to say that one should neither humiliate a gentile, nor speak disparagingly in the presence of a ger, convert, even up to ten generations after his conversion. Horav Yechezkel Levenstein, zl, notes that Chazal recognize a strong innate attachment to one's roots, to the point that ten generations later one might still be sensitive to a negative reference to his biological ancestors. Certain traits remain inherent in a person's character, unaffected by time or superficial environmental changes. Horav Levenstein continues to posit that if we learn of tzaros, afflictions, which our brethren in another part of the community or anywhere in the world -- are enduring, we are responsible to act on their behalf. If we do not feel a strong sensitivity towards them, it is not simply a deficiency in the middah of chesed. Rather, it represents a blemish in our personality, a lack of humandecency. A person should have a natural inborn attachment to his own people. If he does not, if he has somehow divorced himself from his heritage, then he is not a mentch! He is missing that ingredient which determines his ability to be an adam, a connected human being.

"And the father-in-law of Moshe said to him, 'The thing that you do is not good. You will surely become worn out - you as well as this people that is with you... Now listen to my voice. I will advise you and may Hashem be with you.'" (18:17,18) Yisro, Moshe's father-in-law, gave him advice which was included in the Torah, setting the standard for the entire judicial

system in Klal Yisrael. Was this advice so unique that Moshe could not have thought of it? Why did Moshe not suggest appointing officers for individual groups? What happened to the zekeinim, elders, who probably had served as magistrates in Egypt?

Horav Avigdor Miller, Shlita, establishes two reasons for Moshe's initial reluctance to employing the old system - in which appointed magistrates rendered decisions instead of Moshe himself. First, the original code of laws had been based primarily upon human logic, a system which would now cede to Divine dictate. This change in directive would effect a transformation in everyone's lifestyle, a transition - which Moshe predicted would present difficulties. Moshe would train new judges, imbuing them with a different type of approach - Torah logic. Everything was to be framed by a new form of reasoning, one that would supersede any previous form of human dialectic. This plan motivated Moshe to take the unusual step of temporarily proclaiming himself the sole interpreter and adjudicator of the law, until others that he had trained were ready to establish their new roles.

Second, Moshe's goal was to teach the people to govern themselves without coercion from higher authorities. To be a mamleches Kohanim, a nation of priests, means that the people have an inborn nobility, conscience and self-esteem. It was not Moshe's intent for Bnei Yisrael to be scrutinized by a system of magistrates unless it was necessary. A nation of "priests" should be predisposed to self-government. Yisro once again countered pragmatically. Moshe would be correct in establishing a system of self-government if these people had not recently begun to live by a totally new and unfamiliar set of laws. These people had previously been permitted to eat whatever they pleased, and to perform labor during all seven days of the week; they were not prepared to obligate themselves to these new laws in a vacuum. They required encouragement and supervision in order to prepare to become a great and noble nation. Moshe understood all of this. Hashem gave Yisro the honor of voicing that which Moshe himself understood.

"I am Hashem your G-d Who has taken you out of the land of Egypt." (20:2) The Kuzari explains why Hashem identifies Himself as the one Who took us out of Egypt, rather than as the Creator of the universe. The Exodus was a phenomenon that was clear for all to see. Hundred of thousands of Jews witnessed this unprecedented break with the course of natural events. While everyone was aware that there had been a creation, no man had been present. It, therefore, makes sense to refer to an event that would have greater credibility in the eyes of man.

Horav Yaakov Neiman, zl, offers an interesting response to this famous question. He claims that it simply is not necessary for the Torah to inform us that Hashem created the universe. After all, who else could have created it? Surely we did not create it! He cites the Chafetz Chaim who relates an analogy in the name of the Dubno Maggid. Two people were traveling together when one checked his wallet and discovered that his money was missing. Immediately, he grabbed hold of his companion and demanded that he return his money. "Why do you accuse me?" screamed the companion. "What proof do you have that I stole your money? Did you see me in the act of stealing?" The victim responded emphatically, "Why do I have to produce proof? Who else could it have been? Obviously I did not steal from myself. By default, it must have been you."

The same concept applies to Brias Ha'Olam, the creation of the world. Man did not do it, so it makes sense that Hashem was the Creator of the world. When we are addressing the areas of human endeavor, we are making ourselves vulnerable to problems. We might forget about the "Hashem factor" in the miracles which we perceive. People often overlook Hashem, forgetting that it was He Who wrought the miracles, He Who brought about the healing, He Who saved us from disaster. It was necessary for Hashem to declare to Bnei Yisrael, "It was I Who took you out of Egypt," in order to ensure that we do not err in believing that human intervention was responsible for Yetzias Mitzrayim.

"For in order to elevate you Hashem has come." (20:17). The word "nasos" is translated by Rashi as "to elevate." The fact that Hashem Himself has revealed Himself to you will elevate your position in the eyes of the nations. The Rambam and Ramban translate the word "nasos" as "to test." Hashem has come to test Bnei Yisrael. They differ,

however, in regard to the time of this trial. According to the Ramban, the emphasis is upon the present. Hashem is telling Bnei Yisrael, "At Har Sinai, you were thoroughly prepared to meet Hashem. You had no doubt concerning His sovereignty. Now we will see if you will pass the test. Will you observe His mitzvos? Will you love Him? Will you repay His kindness to you?" The Rambam, on the other hand, feels that the test will occur in the future. The unprecedented events which took place on Har Sinai, the unparalleled experience of which Bnei Yisrael were a part, should have galvanized their trust in Hashem, so that they will be able to overcome the challenges of the future. Nothing should be able to undermine Bnei Yisrael's faith in the Almighty.

According to the Rambam, the experience has strengthened Bnei Yisrael, tempering their faith. They should have developed the fortitude to withstand all challenges to their faith.

The Ramban posits a different idea. His statement, "Will you repay His kindness to you?" implies that we owe loyalty to Hashem. Without a sense of hakoras ha'tov, appreciation and gratitude, we have no relationship with Hashem. Horav Yitzchok Hutner, zl, derives a fascinating lesson from the Ramban. We have always placed hakoras ha'tov among the fundamental character traits that a decent human being must possess. A noted axiom of Chazal is that "derech erez kadmah la'Torah," character development, moral and ethical behavior, are pre-requisites to Torah study. Gratitude to Hashem is no different. Before one can properly study Torah, he must be refined in middos. Hakoras hatov to Hashem should be no different. We glean a more profound aspect to this expectation from the Ramban. Hashem arranged the revelation at Har Sinai as a test to see if Bnei Yisrael would repay His kindness to them. Hakoras ha'tov is not simply a character trait - it is the foundation for establishing avodas Hashem, it is a pre-requisite for serving Hashem. Indeed, Hashem brought about the entire spectacle of maamad Har Sinai as a test, to assess Bnei Yisrael's level of gratitude. If they are lacking in their sense of appreciation, then their relationship with Hashem will accordingly be inadequate.

"And wherever I permit my Name to be mentioned I shall come to you and bless you." (20:21)

It is significant that this pasuk follows immediately after the Har Sinai experience. No code of law, regardless of man's acquiescence, will be binding - unless he views that law as the direct result of the spiritual foundation of life. Horav Moshe Swift, zl, cites the Talmud Succah 53a which quotes Hillel's interpretation of this pasuk. "If you will come into My House, I will come into yours." Hashem tells Bnei Yisrael that My relationship with you is not merely a reward. It is the product of a natural sequence of events. If you will come to Me - I will come to you. If you will mention My Name and make Me the basis of your life, I will reciprocate with reward and blessing. Horav Swift continues with an exposition on the concept of prayer, indicating the appropriate approach toward reaching Hashem via the medium of prayer. The essence of prayer is not merely supplication. Rather, prayer represents the establishment of a relationship between man and Hashem. It shapes the spiritual basis of life. It is the foundation upon which one builds his day. Prayer used to be a uniquely spiritual experience in which one could pour his heart out to Hashem in praise, in joy and in sorrow. Through the vehicle of prayer, we have brought Hashem into every aspect of our lives. Morning, afternoon, evening, Shabbos, Yom Tov, the various milestone occasions of the life-cycle, all these are included in our Siddur. Our prayer book is our guide in offering praise to Hashem during all the moments of our life.

Regrettably, prayer has taken on a new form. It has become self-centered. We petition Hashem when we are in need. We pray with kavanah, proper intention, only when we need something from Hashem. We complete our prayers and wait to see if they have been effective. Jewish prayer means much more than praying for health during moments of illness, peace when we are at war, sustenance when our situation is bleak. Prayer is the communion between man and Hashem. Man offers praise as he proclaims the sovereignty of Hashem. He feels "good" knowing that he has just spoken to his Creator. He has poured out his heart to Him, rendering praise as well as supplication. He has, however, communicated for the primary purpose of relating to his Father in Heaven. Hashem asks that we come to Him, and He will then

respond to us. Only after we establish a relationship, can we petition for favors.
