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Covenant & Conversation

Thoughts on the Weekly Parsha from

Lord Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

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Covenant & Conversation » 5769 Yitro 5769 The Universality Of Wisdom

The structure of Shemot chapters 18-20 is little short of astonishing. In 19-20, we read of the moment in which the Israelites received their constitution as a kingdom of priests and the holy nation. It was a unique encounter. Not only was the epiphany at Mount Sinai never repeated in Jewish history. It has no parallel in any other religious literature. Never before or since has G-d appeared to an entire nation. In chapter 18, by contrast, Israel receives its first system of governance: a structure of delegated authority with Moses at the top, supported by heads of thousands, hundreds, fifties and tens (a structure known today as subsidiarity). This, however, did not come at the bidding of G-d. It was proposed by a human being. More remarkably still, he was not Jewish. He was Yitro, father-in-law of Moses. Indeed, tradition gave him the honour of calling this entire sedra by his name. Why was it that this important development came, as it were, from outside? It is not enough to say, simply, that this is how things happened. Tenakh is history, but not mere history. Seen through the eye of faith, things happen for a reason. Events have moral meaning. We are meant to learn lessons from them. What then was the significance of the fact that it was Yitro, not Moses, who gave the Israelites their first tutorial in how to organise a society? On this, one of the classic commentaries, *Ohr ha-Hayyim* (R. Hayyim ibn Attar of Morocco, later of Israel, 1696-1743) made a striking observation: It seems to me that the reason [that this teaching came from Yitro] is that G-d wanted to show the Israelites of that generation - and of all generations - that there are among the nations of the world great masters of understanding and intellect [gedolim behavanah uve-haskalah]. The example of this was Yitro: his advice and the way he chose to organise a society. For there are indeed among the

nations people who recognise well-authenticated propositions [devarim me'usharim]. The [divine] intention here was to show that the Israelites were not chosen because they were better-endowed with intelligence and discernment than all other nations: the proof is the intelligence of Yitro. G-d did not choose the Israelites because of their wisdom or intellect but because of His supreme kindness [hessed elyon] and his love of the patriarchs. This is all the more compelling according to the view that Yitro came before the giving of the Torah [there is a debate among the sages as to whether chapters 18-20 are in chronological sequence]. That is why G-d in His wisdom arranged that Yitro should give his advice before the giving of the Torah, in order to signal that although there are among the nations more sages than in Israel, nonetheless G-d brought the children of Israel close to Him and chose them [as his special people]. Hence we have all the more reason gratefully to praise G-d for His choice of our people in His loving-kindness. This is a fascinating insight, and points to a fundamental distinction in Judaism, between wisdom [hokhmah] and revelation [Torah]. A midrash puts it sharply: "If you are told, there is wisdom among the nations, believe it. If you are told there is Torah among the nations, do not believe it." Judaism has an unusual dual structure. On the one hand, there is the covenant with Noah, and through him, with all humanity. On the other, there is the covenant of Sinai, specific to the Jewish people. This means that though Judaism is a particularist faith, we also believe that all human beings have access to G-d, and - if they are righteous - a share in the world to come. Corresponding to this, Judaism has a dual epistemology (theory of knowledge). There is hokhmah, wisdom, which is the universal heritage of mankind. It flows from the definition of humanity as the image and likeness of G-d. Rashi translates 'in our likeness' as meaning, 'with the capacity to understand and discern'. On the other hand, there is Torah, the covenant binding Israel to the sovereignty of G-d. There is nothing universal about this. Torah flows from the highly specific historical experience of the patriarchs and their descendants. It sets forth a unique code of sanctity, by which the people were to govern their lives. About this, the Psalm says, 'He has revealed his word to Jacob, His laws and decrees to Israel. He has done this for no other nation . . .' (Ps. 147: 19-20). Among the differences are these: wisdom is the truth we discover, by reason, observation and experience. Torah is the truth we inherit. Revealed at Sinai, it has been handed on from generation to generation. Wisdom teaches us facts; Torah teaches us laws. Wisdom tells us how the world is; Torah tells us how it ought to be. Wisdom is subject to proof; Torah requires something else, authentication, meaning that it has come down to us through the centuries by way of a reliable chain of transmission from sage to sage. That is why Moses Maimonides can write, in his Commentary to the Mishnah: 'Accept the truth, whoever says it.' The sages, by contrast, said 'He who repeats a teaching in the name of the person who first said it, brings redemption to the world.' For the sages, who said it is crucial; for Maimonides, it is irrelevant. There is, however, no disagreement between them, because they are talking about different things: Maimonides about wisdom, the sages about Torah. There is a phrase in current circulation which is profoundly unhelpful: *limmudei chol*, 'secular studies'. Wisdom - which today would include the natural, biological and social sciences, mathematics, logic, history and literature - is not secular in Judaism. To the contrary, wisdom is a biblical category. Several books of Tenakh - especially Proverbs, Ecclesiastes, and Job - are dedicated to it. The sages even coined a special blessing to be recited on seeing 'one of the sages of the nations of the world': 'Blessed are You, O G-d . . . who has given of His wisdom to flesh and blood' (my custom is to recite it on seeing a Nobel Prize winner). Despite the fact that wisdom is not Torah, nor is it (this is the *Ohr ha-Hayyim*'s point) in any way special to the people of Israel, it is nonetheless a profoundly religious phenomenon. The difference between wisdom and Torah corresponds to the two primary aspects of G-d: creation and revelation.

By wisdom, we come to understand G-d through His creation. By Torah, we understand G-d through His revelation. This suggests a quite new way of looking at 'secular' studies and their place in the religious life. They are not secular at all. Instead we can define wisdom as everything that leads us better to understand the universe as the work of G-d, and humanity as the image of G-d. R. Hayyim ibn Attar's remark about Yitro contains within it a profound insight. Wisdom teaches us about creation. Torah tells us about revelation. When we apply revelation to creation the result is redemption, the third fundamental category of Judaism. We cannot transform the world without understanding the world. That is why wisdom - otherwise known as the arts and sciences - has an honourable place in the intellectual landscape of faith. The Unwritten Chapter FutureTense The Jewish Chronicle March 2008

In 1756 Voltaire, self-proclaimed defender of liberty, published a virulently antisemitic essay about the Jews. They had, he said, contributed nothing to the civilization of the world, no art, no science, no philosophy, no original thought even in religion. 'In short', he concluded, 'we find in them only an ignorant and barbarous people who have long united the most sordid avarice with the most detestable superstition'.

Within two centuries after those words were written, Jews had produced a stream of geniuses who transformed the very foundations of Western thought: in physics Einstein, in sociology Durkheim, in anthropology Levi-Strauss, in psychiatry Freud, in politics Marx, in music Mahler and Schoenberg, in literature Proust and Kafka, Bellow and Canetti.

A mere fifth of a per cent of the population of the world, Jews have produced 39 per cent of Nobel Prize winners in economics, 26 per cent in physics, 28 per cent in medicine, nine winners of the Nobel Peace Prize and 47 per cent of world chess champions.

It is an unparalleled achievement, so much so that a former editor of The Times, William Rees-Mogg, wrote that 'any modern man who has not learned to think as though he were a Jew can hardly be said to have learned to think at all.'

Yet it is an achievement tinged with sadness. Many of these figures either renounced Judaism or, like Marx and Wittgenstein, came from families that had done so. It was inevitable. In nineteenth century Europe there were simply too many doors closed to Jews. Heinrich Heine called baptism his 'entrance-ticket to European culture.'

Jewish intellectuals in the age of antisemitism were in effect secular marranos. They hid their identity. In some cases - again Marx and Wittgenstein are examples - they overcompensated by developing attitudes that were themselves antisemitic. They were highly conflicted individuals, and they sought, through their work, to overcome that conflict.

The paradigm case was Spinoza, the first modern Jew. Spinoza, as Yirmiyahu Yovel reminds us, came from a family of marranos, Jews who, under Spanish persecution, publicly embraced Christianity while privately remaining Jews. This left them doubly alienated. They were regarded with suspicion by Christians because they were ethnically Jewish, and with disdain by Jews because they had abandoned their people and faith. It is not surprising that they or their children said, a plague on both your houses, and sought a world in which there were neither Jews nor Christians, but just people. They placed their faith in the Enlightenment, science and a highly abstract form of reason.

Only in such a world could they be free.

There are two kinds of atheist. There are those who simply don't believe in G-d. But there are others who, with an almost religious fervor, seek to create a world in which there is no religion at all. Of the second kind, a disproportionate number have been Jews or ex-Jews, most notably Marx, Freud, and Spinoza himself. Only in a world purged of religion could people be free to be, not this or that, but simply to be.

It didn't happen. The tragedy, whose depth is still not fully appreciated, is that with the exception of Britain, the very countries that gave birth to

the Enlightenment were also those that gave birth to racial antisemitism, and eventually the Holocaust. Nor can this be written off as a nationalist reaction against the Enlightenment, or a revolt of the xenophobic masses against a tolerant elite.

The truth is that for more than two centuries many of Europe's greatest minds, especially its philosophers, were also deeply antisemitic. They include Kant, Fichte, Hegel, Schopenhauer, Nietzsche and Frege. The greatest German philosopher of the twentieth century, Martin Heidegger, was an enthusiastic member of the Nazi party, which he joined not when Hitler came to power, but four years earlier in 1929. Not once, after the War, did he express remorse.

The Enlightenment was not accidentally antisemitic, but essentially and fundamentally so. It valued the universal; it despised the particular. But in nineteenth century Europe Jews were the very embodiment of particularity. Their religion was different; so were their customs, culture, their very way of thinking. The more Jews tried to be like everyone else, the more different they appeared, because if you really are like everyone else, you don't have to try. As the late Reb Shlomo Carlebach used to say, 'If someone says, I'm just a human being, I know he's a Jew.' That chapter in European intellectual history is now closed. For me the image that captures its almost unbearable pathos is of Sigmund Freud in 1939, exiled from Vienna where his people were about to be turned into ashes, frantically writing his last work, Moses and Monotheism, in which he tried to show that Moses wasn't Jewish. By then it was too late to do anything but weep.

The intellectual challenge facing Jewry today is quite different. It is to think and write as Jews. We have earned the right to do so, and in the wake of the failure of the Enlightenment we have a duty to do so. A world in which to gain a hearing you have to pretend to be other than you are is intellectually and morally untenable. Rather than reject our heritage we must now give it its full ethical and spiritual dignity. For Judaism really is unique. It is a supreme example of a religion predicated on education, scholarship and the life of the mind. Study, said the sages, is higher even than prayer. The seats of honour in the synagogue were reserved not for the rich or powerful but for the learned. Paul Johnson described rabbinic Judaism as an "ancient and highly efficient social machine for the production of intellectuals".

Judaism is the only religion in which human beings - Abraham, Moses, Jeremiah, Job - argue with G-d Himself. Socrates was sentenced to death by the citizens of Athens for doing what every Jewish parent regards it as his or her duty to do: teach the young to ask questions. Which other civilization could have coined the phrase 'argument for the sake of heaven'?

The point goes deeper. Judaism is unique in having a dual structure that honours both the universal human condition and the particularity of systems of meaning. That duality runs through the whole of Judaism. The Torah begins with humanity as such: Adam and Eve, Cain and Abel, Noah and the Flood, Babel and its builders. Only then does it turn its attention to one family, Abraham, Sarah and their children and the singularity of their mission and faith. It embodies a dual covenant. G-d makes one with Noah and through him with everyone. He then makes a far more specific and demanding covenant with Abraham and later with the Israelites at Sinai, calling on them to become 'a kingdom of priests and a holy nation', and create a society built on justice and compassion.

Judaism recognizes two kinds of knowledge. One is Torah, the other, chokhmah, 'wisdom'. The first is unique to Jews. The second is the heritage of humanity as such. The sages said this explicitly: 'If you are told there is wisdom among the nations, believe it. If you are told there is Torah among the nations, don't believe it.' Torah is the truth we inherit, wisdom is the truth we discover. Torah is what our ancestors received at Sinai and handed on in an unbroken tradition to successive generations. Wisdom is what human beings have discovered for themselves by observation and inference. Most of the books of Tanakh are dedicated to

Torah, but not all. There are entire works that focus on wisdom, most famously Kohelet (Ecclesiastes), Mishlei (Proverbs) and Job.

So high was the sages' regard for 'secular' wisdom that they coined a special blessing to be said on seeing an eminent non-Jewish scholar. They praised Greek astronomy. Maimonides wrote books on logic and medicine. He said that the natural sciences and philosophy are paths to the love and fear of G-d. In Judaism, 'secular' wisdom – the sciences and humanities – is not secular at all. It has religious dignity. It helps us see the universe as G-d's work and the human person as G-d's image. The G-d of revelation, we believe, is also the G-d of creation. The G-d who speaks to us through Torah is the G-d whose wisdom we discover through quantum physics and the structure of the genome.

Judaism is a supreme example of a religion true to its own principles yet open to the wisdom of the world. That is now our intellectual challenge, to think and speak not as secular marranos but as Jews. There are already wonderful examples. I think of psychotherapists like Viktor Frankl, Aaron Beck and Martin Seligman who have explored, in different ways, the psychology of hope. Michael Walzer and the late Daniel Elazar have pioneered in developing a Jewish political theory. Leon Kass, who chaired the President's Council on Bioethics under George W. Bush, is also the author of a fine commentary on Genesis. Robert Winston has brought a Judaic sensibility to the treatment of infertility. When I asked Jeffrey Sachs, the world's leading developmental economist, why he did what he did, he answered without hesitation: Tikkun olam. I have tried in my own work to bring philosophy, sociology, games theory and global ethics into dialogue with Torah.

For two hundred years Jewish intellectuals felt the need to distance themselves from Judaism. That is true no longer. The time is right for a deep, far-reaching conversation between the worlds of Torah and chokmah, the yeshiva and the university, Judaism and the arts and sciences, to create a new generation of religious intellectuals, scholars and poets, who influence the world by engaging with the world. Not since the golden age of Spanish Jewry have we had such an opportunity to create philosophers like Maimonides, poets like Judah Halevi and statesmen like Abrabanel. The time has come to restore the Judaic voice to the conversation of humankind. Martin Luther King was right. 'In the end, we will remember not the words of our enemies, but the silence of our friends.'

Sometimes hate comes not as boiling water, but as a slow heating of the atmosphere, so gentle you hardly know it's happening, with beginnings so mild that if you take a stand, people think you're paranoid, scared by phantoms that aren't really there. But they are. So when I see antisemitism, which I do, I protest. But I protest too when Muslims are targeted, or Hindus or Sikhs, or other groups in our society, for hate is dangerous, whoever holds it and whoever they hold it against. I go to schools to translate the message of the holocaust for us today. When I broadcast I try to speak about tolerance and the need to be vigilant against hate.

We must all take a stand whenever we see hate or prejudice in any form. We can all make a difference.

From: ZeitlinShelley@aol.com Sent: Wednesday, February 22, 2006 11:05 PM To: ZeitlinShelley@aol.com Subject: **The Ten Commandments by Rabbi Moshe Meir Weiss**
The Ten Commandments
By Rabbi Moshe Meir Weiss

Recently we heard in shul the awesome Torah reading of the Ten Commandments. The idea that out of 613 mitzvos Hashem handpicked ten for special highlighting on the two luchos, the two tablets, leads to a

lot of fascinating speculation. Let me share with you some of my musings.

The three most vital relationships for a man are his marital relationship, his relationship with his children, and finally his relationship with his parents. I have always wondered why, of those three vital relationships, the Ten Commandments only mention one, namely, "Kabeid es avicha v'es imecha – To honor your father and your mother." Why is it silent about the spousal connection which is perhaps the closest of all relationships and why does it not make mention of the responsibility of chinuch, to educate our children? Perhaps we can answer that parents are the only one of the three relationships that every person must have, for while some people will sadly never get married and others unfortunately will not have children, everyone must have parents.

[As an important aside, I would like to note that there is a difference between those who don't have children and those who never marry, for while there are some who are divinely slated to be childless, everyone has a mate designed specifically for them. As we are taught, "Arboim yom kodem yetziras havlad, bas kol machreses v'omeret tipa zu l'ploni – Forty days before the creation of one's embryo, the divine echo announces this drop is destined for so and so." If one does not marry, it is only because they didn't do the proper hishtadlus, the proper effort.]

Getting back to our answer, one might wonder about an orphan who never knew his parents like the Talmudic figure Abaye. [We are taught that when Abaye was conceived his father died and he was born his mother died.] The answer is that even when one's parents are no longer living, there is still a mitzvah of kibur av v'eim, to honor one's parents, even after their demise. As a matter of fact, the Zohar teaches that the mitzvah of honoring parents is even greater when they are already in the Afterlife, since at that time they rely solely on our sending them packages of merit through our charity and mitzvos.

A further observation and question I always had is why the Ten Commandments do not include the most important of all mitzvos, the study of Torah? After all, we are taught that Talmud Torah k'neged kulom, the study of Torah equals all of the other mitzvos, and we know that it is the very purpose of creation, as it says in Pirkei Avos, "Ki l'kach notzarta - It is for this [Torah] that you were created." Furthermore, when the Roman general Vespasian told the great Rabbi Yochanan Ben Zakai that he was commissioned to destroy Yerushalaim and he offered Rabbi Yochanan Ben Zakai a boon, Reb Yochanan asked him, "Tein li Yavnah v'chachamehah – Grant me clemency for the yeshiva of Yavnah and her sages." What he was saying is that, upon the destruction of the Temple, the very future of Klal Yisroel hinges upon Torah. As we are taught, "Ein l'HaKodosh Boruch Hu b'olomo ela daled amos shel halachah bilvad," that all that Hashem has in the world is the four cubits of Torah decisions alone."

You might answer that the Ten Commandments are universals and for all mankind, and therefore they don't include the mitzvah of Torah study. However, this is not true for the Ten Commandments include the Fourth Command of Shabbos and Shabbos is reserved only for the Jewish People, as it says, "Goy she'shavas chaiyav misah – A gentile who keeps the Sabbath transgresses a capital offence." Then you might attempt to answer that the Ten Commandments is to be equally applicable to Jewish men and Jewish women while the mitzvah of Torah study is reserved only for men. But, the idea that the ten commandments are totally egalitarian is also incorrect, because the Ninth Commandment, "Lo sa'ane v'rei'acha eid shoker," not to testify falsely about your neighbor, is reserved only for men since women do not give testimony in a Jewish court. So, once again we are left perplexed why the Ten Commandments do not include the awesome mitzvah of Torah study.

Perhaps, you might next suggest that the mitzvah of Torah study doesn't fit into the dual 'thematics' of the mitzvahs of the Ten Commandments, for as we know the First Tablet discusses mitzvahs

‘bein adom l’Makom,’ the commandments between us and Hashem, like belief in G-d, the prohibition against idolatry, Shabbos, etc., while the Second Tablet discusses the mitzvahs ‘she’bein adom l’chaveiro’ those commandments between us and our fellow man, such as the prohibitions against murder, adultery, and kidnapping. You therefore might argue that the study of Torah doesn’t fit into this set up for it’s not a relationship mitzvah. This also is incorrect for the Torah is very much a relationship activity between us and Hashem as we are taught, “Yisroal, v’Orasah, v’Kudsha berich Hu, chad hu – The Jews, the Torah, and Hashem, are One.” The way to become closest to G-d is by embracing His writings, as Chassidim fondly say, ‘When we daven, we are talking to Hashem and when we learn Torah, Hashem is talking to us.’ This is why after saying in Krias Shema the commandment of, “V’ahavta es Hashem Elokiecha,” that you shall love the Lord your G-d, it is followed by the mitzvah of Torah study, namely, “V’dibarta bam,” that you should speak about them [Torah.] So the study of Torah is very much a relationship mitzvah and would have fit quite nicely on the right side of the Ten Commandments so why did Hashem not include it?

I think I’ll give my readers a week to ponder this and indeed, if you have any suggestions, I’d love to hear them (718) 983-7095. In the meantime, in the merit of our Torah study, may Hashem bless us with long life, good health, and everything wonderful.

To be continued.

The Ten Commandments – Part Two By Rabbi Moshe Meir Weiss

Last week, we left off wondering why the Ten Commandments didn’t include the supreme mitzvah of Torah study. I’d like to suggest the possibility that Torah study is indeed included as a very integral part of the Fourth and Fifth Commandments. The Fourth Commandment is to keep the Shabbos day. The Torah dictates to us, “V’yom haShvi’i Shabbos l’Hashem Elokecha – And the Seventh day should be a day of rest to Hashem your G-d.” This means that our Shabbos pursuits should be G-dly ones. In practical definition this translates to spending more time in prayer as we say “Mizmor shir l’yom haShabbos; tov l’hodos l’Hashem – A song for the Shabbos day; it is good to thank Hashem,” for while during the rest of the week we are constantly dashing out of shul to catch a bus or meet a client, Shabbos is the one day each week when we should be able to take our time in shul and linger over the beautiful words of our tefillos. How sad that so many people have become clock-watchers in the synagogues on Shabbos and get tetchy and irritable if the davening is going a few minutes longer than usual. The other pursuit of Shabbos dedicated to Hashem is of course the study of Torah. Hashem wanted everyone to have a chance to dedicate himself to the study of Torah so He gave all of us a one-day-a-week spiritual oasis called Shabbos for Torah study.

The Fifth Commandment, honoring our parents, also includes the mitzvah of Torah study in a very concrete way, for the Kitzur Shulchan Aruch informs us that the best way to honor our parents is to do as many mitzvahs as we can for then the people who see us living righteously will comment, ‘Look what a good job his [or her] parents did in raising them.’ This is especially true when a child studies Torah, as the Gemora comments about a great Torah sage, “Ashrei yuladeto – Fortunate are the parents who gave birth to him.” Thus we see that study of Torah is directly included in the Fifth Commandment as well.

Here’s another fascinating observation about the Ten Commandments. We all know that there is beauty in symmetry. The human face is perfectly symmetrical. Both eyes are equidistant from the nose, which is perfectly centered. Both ears are symmetrically positioned with the mouth perfectly centered as well. Surprisingly, the Ten Commandments are absolutely not symmetrical. The right side of the Ten Commandments, which speak about our relationship with Hashem starts off with belief in G-d, which is a mitzvah of the mind.

Then it goes to not saying Hashem’s name in vain, which is a mitzvah of the mouth, finishing off with Shabbos and honoring your parents, which are mitzvahs of action. Then, surprisingly, the left side, which speaks about our relationship with our fellow man, does just the opposite – starting off with the prohibitions against murder, kidnapping and adultery, which are mitzvahs of action, then it goes on to not testifying falsely which is a mitzvah of the mouth, and finally it ends off with, “Lo sachmod,” not to covet, which is a mitzvah of the mind. Why does It make this switch-a-roo? Why such a reversal?

I once heard a beautiful explanation that, when it comes to the mitzvahs between Hashem and us, there are many people who say, ‘It’s enough to have a Jewish heart. G-d doesn’t need my prayers and rituals,’ to which Hashem replies, ‘That is incorrect. You must progress from believing in Me with your mind to honoring Me with your mouth, and eventually to doing mitzvahs for Me even with your actions.’ On the other hand, when it comes to our relations with our fellow men, many people have the attitude, “‘Sticks and stones can break bones, names won’t every hurt anyone,’ and what I am thinking is surely no one’s business.” To this Hashem responds, ‘Absolutely wrong. Not only must you behave with your fellow man with proper actions, you must also control your speech and even learn to regulate your thoughts.’ Indeed, the Torah practices spiritual mind control. As it says, “Lo sisnah es amicha bilvavecha – You should not hate your friend in your heart,” and, “Lo sisah – You shall not bear a grudge.” This is why, referring to us Jews, the Torah gives us the directive, “Kedoshim tihiyu – You should be holy,” for to be truly holy, one must be pure even in the way they think.

In the merit of our Torah study and observance, may Hashem bless us with long life, good health, and everything wonderful.

To be continued... To receive a weekly cassette tape or CD directly from Rabbi Weiss, please write to Rabbi Moshe Meir Weiss, P.O. Box 140726, Staten Island, NY 10314 or contact him at RMMWSI@aol.com.

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Thanks to hamelaket@gmail.com for collecting most of the following items.

**From Destiny Foundation/Rabbi Berel Wein
<info@jewishdestiny.com>
Subject Weekly Parsha from Rabbi Berel Wein**

**Jerusalem Post :: Friday, January 21, 2011
TORAH :: Rabbi Berel Wein**

Moshe in his final words to the Jewish people describes the Torah as being the inheritance of the entire congregation of Yaakov – of all of Israel. When the Torah was given to the Jewish people at the moment of Godly revelation at Mount Sinai, Jewish tradition posits that all of the souls of all of Israel throughout the generations were somehow present and participated in that grand moment of human and Jewish history. Thus according to Jewish tradition and worldview there exists within all Jews a spark of memory of Sinai and an affinity to Torah and its study and values. It is that spark that lies deep within our souls that makes us Jewish – a people and a nation, a faith and a potential light unto the nations of the world.

The rabbis of the Talmud expressed their confidence in the existence of that Torah spark within Jews by stating that (my paraphrasing) the spark emanating from that memory of Sinai will turn Jews back to good and wisdom. The prophet tells us that the fate of Jews is that eventually no one will be permanently pushed away from one's Jewish identity. The power of Torah is too great to be eternally sublimated or forgotten. It gnaws at us and gives us little peace. It has made us a different people, great and peculiar all at one and the same time. We recognize this fact in ourselves. So does the non-Jewish world - and its reaction to it traverses the entire spectrum of emotion from admiration and acceptance to revilement, hatred and destruction. Be that as it may, it is the Torah, the moment of its revelation to us at Mount Sinai that has made us a distinctive people throughout our history. Torah therefore is a treasure that all Jews have the right and ability to possess, study and analyze. It does not belong to any specific Jew or group of Jews solely. In fact the prophet warns us that "those who hold the Torah closely only unto themselves know not Me." The Torah does not belong only to the Charedim or to the datiyim or to the drossim or to any particular political party or rabbinic group. It belongs to all Jews and its healing and inspirational words, ideas and values are public property.

The error of many in holding the Torah as belonging to only one particular group of Jews is one of the spiritual tragedies of our time and society. It apparently leads those who do not ally themselves with the observant community to believe that they are free from their Torah study obligations. But, in reality, that is not a true assessment of the situation and only polarizes the differences within our society. The Torah belongs to all and should be studied by all, each in one's own way and ability. And we should have confidence that the holiness of the Torah will, in the long run, affect people's lives and behaviors and turn them towards good.

Seventy years ago the great Rav of Ponivezh, Rabbi Shlomo Yosef Kahaneman established a fledgling yeshiva on a barren hill at the outskirts of then Bnei Brak. There were many who were doubtful about the success of this ambitious undertaking. When asked "Who are you building a yeshiva for?" the Rav answered in all seriousness "For the inhabitants of Ein Charod." Ein Charod then was an extremely leftist and anti-religious kibbutz seemingly far removed from Torah study and certainly far from traditional ritual and observance.

This month members of Kibbutz Ein Charod spent a day studying Torah, praying and discussing serious topics with the students and faculty of Ponivezh Yeshiva in Bnei Brak. Ein Charod has been conducting a weekly class in Talmud for the past nine years. The class was established by a young man by the name of Zisling who lives on the kibbutz. Zisling's grandfather, Aaron, was the first Minister of Agriculture of the State of Israel and one of the signers of the Independence Proclamation of 1948.

The Torah belongs just as much to Ein Charod as it does to Meah Shearim. There is a quiet revolution occurring in our country as more and more Jews search for meaning in their lives and a stability of spirit and outlook. Throughout Jewish history the Torah has always made its way and preserved the people of Israel even in its darkest hours. It is available to all and its study by all should be a major goal of our society and its leadership. The words of Rav Saadia Gaon (9th century Iraq) "Our nation is a nation because of the Torah" should ring loud and true in our generation as well. Shabat shalom

From Destiny Foundation/Rabbi Berel Wein
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Subject Weekly Parsha from Rabbi Berel Wein

Weekly Parsha :: YITRO :: Rabbi Berel Wein

The Torah describes for us in detail the visit of Yitro to the encampment of the Jewish people in the desert of Sinai. It also details for us the advice given to Moshe by Yitro as how to organize the justice system of the Jewish people.

Though there is a divergence of view among the rabbinic scholars as to whether Yitro came before or after the revelation and the granting of the Torah at Mount Sinai, there is general agreement that Yitro remains the template and role model for converts to Judaism.

Part of the reason is not only Yitro's sincerity in joining the Jewish people and his abandonment of the pagan gods that he had worshipped earlier in his life but in his willingness to give advice and counsel for the benefit of the administration of justice in his newly adopted society. Many times a new convert is most hesitant to give advice or counsel to the Jewish society. After all, the word "ger"- convert - in Hebrew, has the connotation of being a stranger, an outsider, someone who is only a sojourner and not yet necessarily a full fledged citizen. Therefore it is most understandable that such a person may feel somewhat reticent at giving suggestions and advice to those who have been Jews for generations and since their birth.

Yitro's boldness in asserting himself immediately into advising and improving Jewish society is a testimony to his comfort level, sincerity and commitment regarding the Jewish people and its Torah values and strictures. That is why he is given so much respect and prominence in the Torah of the Jewish people.

Converts bring with them a different range of experience and mindset to Jewish life than do generational and born Jews raised exclusively in a Jewish society. In Yiddish there is a famous phrase that "a guest for a while sees for a mile." Jewish society always needs constant revitalization and freshness. Our Torah is eternal and ageless but the tactics for promoting and teaching it vary from time to time and from locality to locality.

Many times it is the newcomer, the former stranger that has newly entered the fold of Judaism and Jewish society that provides that new spark of energy and innovativeness that powers Torah Judaism forward even more. It is no coincidence that the Gaon of Vilna is buried next to the grave of the Ger Tzedek - the righteous convert to Judaism in eighteenth century Vilna.

The Gaon was an innovator, a departure from the other scholars of his time and even from many of those who preceded him. Converts on the whole - those who are sincerely attracted to Judaism and not influenced by other factors or are converted by ersatz methods and insincere and non-observant courts - are an inspiration to Jewish society and a prod for further progress and accomplishments.

This is also an important lesson that we can glean from the events described in this week's parsha. Proper treatment of the convert is mentioned thirty six times in the Torah - more than any other commandment or value. We should take heed of this and assess the new convert correctly and not condescendingly.

Shabat shalom.

From Ohr Somayach <ohr@ohr.edu>
To weekly@ohr.edu
Subject Torah Weekly

TORAH WEEKLY Parshat Yitro
For the week ending 22 January 2011 / 16 Shevat 5771
from Ohr Somayach | www.ohr.edu
by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com
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-enshrined 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

An Offer You Can't Refuse

"Moshe brought the people forth from the camp toward G-d, and they stood under the mountain." (19:17)

Some three thousand years ago, a little-known Middle Eastern people gathered around a small mountain in a trackless wilderness and underwent an experience which changed the history of the world.

For the first time since the beginning of the universe, the Creator spoke to an entire nation. The nation was called Israel. The mountain was called Sinai. At Sinai, G-d gave the Jewish People the Torah, the mystical blueprint of the Creation.

"...and they stood under the mountain."

The Talmud (Shabbat 88a) reveals the hidden meaning of this verse. At Sinai the Jewish People literally stood "under the mountain." G-d held the mountain over them like a barrel and said, "If you accept the Torah, well and good. If not, this will be your burial place."

This seems strange. Could it be that G-d coerced the Jewish People into accepting the Torah? Was the Torah the original "offer you can't refuse?" This is both unpalatable and contradictory, for we know that it was Israel alone among the nations that was prepared to accept the Torah 'sight unseen'. When the Creator offered the Jewish People the Torah they said "We will do and we will hear..." — meaning that we will accept the Torah before we know all of what it requires of us. If they were prepared to accept Torah voluntarily, why should coercion be necessary?

The Sixth Day

At the beginning of the book of Genesis it says Yom HaShishi — 'the sixth day'. When speaking of the other days of the Creation, the Torah does not use the definite article 'the.' It merely says "second day, third day, etc." Translators add the 'the' to make the English more idiomatic, but in Hebrew, only the sixth day is referred to as "the sixth day." Why? The stylistic anomaly of the addition of word 'the' teaches us that on that first sixth day, at the very moment of the completion of the physical world, G-d placed a condition into Creation. G-d made a condition that the universe would remain in a state of flux and impermanence until the Jewish People accepted the Torah at Sinai. And that was to be on another 'sixth day.' The sixth of Sivan — Shavuot — the day of the giving of the Torah.

It's an amazing fact to ponder. The very fabric of existence hung in the balance for two and a half thousand years from the creation of Mankind until Israel's acceptance of the Torah. In other words, the continuation of the entire Creation was predicated on Israel agreeing to accept the Torah.

If they had refused, the entire world would have returned to primordial chaos.

Who's Running The Show?

There's a problem here. How could the whole future of the world depend on the choice of the Jewish People? How can existence itself — reality — be dependent on a created being? A creation cannot dictate the terms of existence; it can only be subject to them. Only one Existence can dictate existence: He who is Existence itself.

G-d held a mountain over the Jewish People not because they needed a little 'encouragement', but because Existence cannot depend on man's volition. Man cannot govern what must be. Existence depends on G-d alone.

It was for this reason that the Torah had to be given through coercion. For even though Israel was prepared to accept it voluntarily, the Torah, the Will of the Creator, cannot be subject to the will of His creations. Just as G-d must be, so the Torah must be. Just as the Torah must be, so must it be given in a way which must be.

As an offer you can't refuse.

Sources: Midrash Tanchuma 1; Talmud Shabbat 88a; Maharal of Prague

Written and compiled by Rabbi Yaakov Asher Sinclair

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From Shema Yisrael Torah Network

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Subject Peninim on the Torah by Rabbi A. Leib Scheinbaum

Peninim on the Torah by Rabbi A. Leib Scheinbaum

Parshas Yisro

You shall be to Me a kingdom of Priests/Ministers and a holy nation. (19:6)

Horav Zalman Sorotzkin, zl, notes that Hashem wants us to be a kingdom of ministers. It does not say, "You shall be ministers," teachers to the world community, emissaries of G-d, agents that are to disperse throughout the world, for the purpose of dispensing knowledge, wisdom, ethics, morality and sanctity. It would then be our mission to reach out to the nations who have strayed, to those that have distorted the designated image of man, to influence them and imbue them with the knowledge that G-d is their Creator.

This type of arrangement would simply not work. The fact is that the nations of the world rejected the Torah outright from "day one." From the "get go," they said that they had no need for the Torah or the way of life it encouraged. If they rebuffed Hashem, they would certainly repudiate any efforts on our part to reach them. On the contrary, the "reward" for our efforts would be permanent enslavement and annihilation at the hands of these despotic nations.

We were, instead, enjoined to be a "kingdom" of ministers, a holy "nation" unto Hashem. It would be the collective duty of Hashem's "kingdom" of ministers to set an example, to serve as the standard for all kingdoms of the world. Its pure faith in the G-d of Heaven and earth, its just and true laws, its statutes that treat citizen and foreigner alike, would serve as a symbol for the world. As justice would reign in this "kingdom of ministers," it would provide the world with an example, a standard to which to conform.

Why is the word Kohanim used? The Kohen ministers to the spiritual needs of the nation. He serves Hashem in the Bais Hamikdash. The Kohen is meant to be a model for the Jewish People. He is the educator who lives a stellar spiritual life, who leads by example, who shows us how to bring Hashem into our lives. The exposure of the Kohen to spirituality imbues him with a deeper knowledge of spirituality and infuses him with a sense of purpose. The Kohen understands that there is much more to life than what we perceive in the here and now.

Aharon HaKohen was an ohaiv shalom v'rodef shalom. He loved peace and pursued peace. He loved people and sought to reach out to all Jews, regardless of their affiliation. Yet, he and his descendants are forbidden from coming in contact with the deceased. Is there a greater act of chesed, kindness, than chesed shel emes, kindness of truth? No one is there to reimburse the favor, the kindness. The Kohen would love to get involved. It is his "thing." The Torah says that he must never come in contact with the dead. Why?

Death is the ultimate reminder that we are not here forever. We are here today and gone tomorrow. Thus, the concept of death would "encourage" us to live for the here and now, ignore the future and think only of the present. The Kohen, whose mission it is to remind people that life has a higher purpose, a loftier goal, is to avoid contact with death. Kehunah and death do not see "eye to eye." The Kohen is, therefore, mandated to go against his natural proclivity to reach out. Instead, he must desist. He is a Kohen, a minister on a mission.

The Kohen represents the idea that we must think about the future. We are not allowed to wallow in the past. We have suffered greatly as a nation, having undergone cruel and debilitating persecutions that have maimed us both individually and collectively as a nation. Yet, we drive on; we continue living, building, thriving, looking to the future. Every time we are knocked down, we arise, clean ourselves off, and forge on. We do not live for the here and now, because we understand that life has a higher purpose. We do not become consumed by momentary anger which only manages to undermine our drive to go on. We are a mamleches Kohanim, a nation whose goals are consistent with Kehunah. As a kingdom of ministers, we understand that there is much more to life than its physical reality. There is a tomorrow. This is our faith; this is our belief. Tomorrow beckons.

The entire people responded together and said, "Everything that Hashem has spoken we shall do." (19:8)

In the Talmud Shabbos 88a, Chazal say that when the Jewish People made their seminal declaration, Naase, preceding Nishmah, "We will do, and we will listen," a Heavenly voice was heard saying, "Who revealed to My children this raz, secret, which is used (exclusively) by the Ministering Angels?" As it is written (Tehillim 103:20), "Bless Hashem, O His Angels; the strong warriors who do His bidding, to obey the voice of His word." First, they act, then they listen. Chazal's use of the word raz, secret, seems strange. Why did they not simply say: "Who informed My children of this concept/idea?" What "secret" is being "revealed"? Horav Yechiel Yaakov Weinberg, zl, distinguishes between raz and sode, which is another word for secret. A sode is a secret in the sense that the one who is aware of it hides it from someone. In reality, however, the secret may quite possibly in its own right be revealed. It is a secret in the sense that the person from whom the information is being withheld is personally unaware of it. He may be unenlightened, but the actual "secret" may not really be a secret. A raz, however, is an idea which by its very nature is concealed from everyone. It is a concept which requires extreme understanding and deduction in order to fathom it. Thus, it remains a secret by virtue of the fact that it is elusive for everyone - even though it was never hidden. It could be in plain sight, but, if no one can figure it out, it remains a secret.

Let us attempt to understand Klal Yisrael's declaration, Naase v'nishma. After all, it makes much more sense to simply say, Nishma v'naase. We will listen, and (when we understand), we will do. That is the natural response. People do not act impulsively. They listen; they think; they act. That is normal! Even Hashem Himself created the world by first looking and contemplating the Torah - then - He created the world. Imagine if it would have been the other way around, when Hashem created the world; first acting, then delving into the Torah!

Rav Weinberg explains that, indeed, a powerful secret is alluded to through this unnatural sequence. If Torah had originated at Sinai, if there had been no Torah in existence until that auspicious moment, then the

process of accepting it would have been through the natural sequence of Nishma v'naaseh. First, one must understand: the mitzvos; how they work; what our contributions are; how we benefit; how mitzvah observance makes a difference. Now we know that Torah pre-existed the world; it preceded the creation of man. Torah was a reality, illuminating, inspiring the creation of the world and man. Indeed, man's 248 limbs and organs, together with his 365 veins and arteries, coincide with the mitzvos of the Torah which preceded his creation. Torah is the only reality with which one must contend with in this world. It, thus, makes sense that the natural response to the reality of Torah is naase - we will do. Torah is an accepted reality; it is here to stay; then we will listen and attempt to understand it.

How does one learn Torah? How does one begin to fathom the essence of Torah? It can only be realized through the medium of living a Torah life. This is no different than one who has never heard-- and thus not yet learned to appreciate-- classical music. As far as he is concerned, it is noise - just as any other noise. It is a commotion that disturbs him. After listening to the sounds on a regular basis, he learns to appreciate the sound of the various instruments in the ensemble, until he becomes attuned to the harmony and melody of the diverse sounds blending together to make a delightful symphony of sound. It took time for this man, who had not been accustomed to music, to learn to appreciate the gift of beautiful sound.

It is likewise, concerning the acceptance of the Torah. In order for us to "listen," we must first "do." In trying to reach out to the unaffiliated, we may often talk ourselves blue in the face and wonder why we are not reaching them. We speak well; we have all the right words, the compelling logic, the enthusiasm and emotion. Yet, they smile and say, "Rabbi that was a good talk, very inspirational." Does it change their lives? No! But it does bring them closer to observing Shabbos, putting on Tefillin, keeping kosher, living as a Torah Jew. Once they "do," their hearts and minds eventually open up. They are now ready to "listen." Klal Yisrael's response, Naase v'nishma, does not seem to coincide with Chazal's depiction of the dialogue that took place during the Revelation. Chazal say that Hashem held the mountain over them like a barrel, and said, "If you accept the Torah - fine, but, if not, there you will be buried." Rabbi Acha Bar Yaakov said, "From here, there is a great rebuttal to the acceptance of the Torah, since it appears that the Torah was accepted under duress Rava added, "Even so, they again accepted the Torah during the days of Achashveirosh." Naase v'nishma seems to be a pretty firm affirmation of the Torah. What do Chazal mean when they say that Hashem held the mountain over our heads?

Rav Weinberg explains that circumstances and impressions greatly influence a man's decision. The things we hear and see, consequences of our actions, all play an active role in determining our outlook on life. One who sees an incredible display of pomp and royalty keeps this image in his mind for a long time. With this in mind, we are able to grasp the meaning of Klal Yisrael's "coercion" to accept the Torah. They stood there at the foot of Har Sinai: the sky went dark; the sounds that they heard were frightening; the lightning, fire and smoke certainly did wonders for their emotions. Added to this was the unimaginable Revelation of the Shechinah speaking to a mortal who continued to live - despite witnessing this incredible experience. Unquestionably, Klal Yisrael were shaken by this spectacle. Now, after being part of this awesome experience, is there a question concerning Klal Yisrael's response to accepting the Torah? This was truly an offer that they could not refuse! Ha shem did not have to hold a mountain over their heads. The actual circumstances surrounding Revelation was, if anything, sufficiently compelling in their own right-- and quite coercive! Man's ability to choose is largely predicated upon the premise that, for the most part, "this world" covers up the truth. If man were able to see Gan Eden; to perceive the awesome reward in store for mitzvah performance; to experience in sight the punishment that awaits one who

sins-- would there be a question concerning which path he would choose? Klal Yisrael experienced the beauty of Gan Eden and the darkness of Gehinom when they stood at Har Sinai. Momentarily, the world was stripped of its facade of dissimulation. The truth glared at them. How could they not accept the Torah? What other choice was there?

Over time, the most phenomenal impression moves to the back of the mind. A person's inclination makes every attempt to expunge the effect of external impressions and outside influences. When the soul knows the truth, however, even though it has had an external experience, it plays itself out and ultimately becomes part of the individual's permanent psyche. This is what occurred concerning Klal Yisrael's rendering of "Naase v'nishma." At first, it was a coercive experience to which they were privy, but, over the centuries, the truth willed out, and it became part of their Jewish consciousness. Thus, during the Purim miracle, when push came to shove, Klal Yisrael was firm and resolute in accepting the Torah on their own, willingly, with love, because the truth had become a part of them.

Moshe said to Hashem, "The people cannot ascend Har Sinai, for You have warned us, saying, 'Declare the mountain off-limits, and sanctify it.'" (19:23)

At times, we become so obsessed with a question that we often ignore the simplicity of the answer. I have always been bothered about why people continue along their merry ways, sinning to their hearts' content, despite their participation in classes, lectures, inspirational speeches, literature. Veritably, we all will present great reasons: the evil inclination; habit; it does not mean "me"; the lecture is about someone else. These are all great and profound reasons, but, what is the core truth, the bottom line concerning why one sins? In his inimitable, profound manner, Horav Mordechai Gifter, zl, interprets the above pasuk in its most simple form and derives from there a compelling lesson. Moshe Rabbeinu told Hashem that lo yuchal, the people were literally unable to ascend the mountain, because Hashem had declared it off-limits. This is seemingly enigmatic, for certainly the people were physically able to ascend the mountain. The only thing preventing them from doing so was Hashem's injunction against doing so. Why does Moshe use the word unable? It is not grammatically correct.

This is where we err in our understanding of Hashem's prohibitions, and, by extension, what our correct attitude should be to sin, in general. To Klal Yisrael, Hashem's commands were not merely words to be kept or disobeyed at one's discretion. They were realities, concrete facts that were unassailable. If Hashem forbade a specific activity, Klal Yisrael truly felt that they were physically incapable, totally powerless, to do what was forbidden. Thus, they were unable to ascend the mountain. Herein lies the answer to our original question. Sin occurs only if one fails to consider the Torah to be an absolute reality in his life. Torah must be a part of him. Thus, if Torah prohibits an activity, the individual is simply unable to do it.

Six days shall you work and accomplish all your work; but the seventh day is Shabbos to Hashem. (20:9,10)

Horav Zalman Sorotzkin, zl, offers a novel explanation of this pasuk. Only the products of the six days of Creation were designated for this world. Shabbos Kodesh, the holy Shabbos, "belongs to Hashem." What does this mean? The six-work days pass away - never to return, just like our whole life on earth. These six days are referred to as chayei shaah, "momentary life." Once the moment passes, it is no more. It ceases to exist.

Not so, the holy Shabbos. It "belongs to Hashem." Taken from Hashem's treasure house, it is an eternal semblance of the World to Come. Because this special section of time comes to us from Above, we go out every Friday night to greet it, to welcome it into our midst with the words, "Come, my friend, to greet the bride," Lecha dodi likraas kallah, likraas Shabbos malkesa, "Let us go greet the Shabbos Queen."

While it may seem that once Shabbos concludes it is also over, it has also passed from our midst, in reality it endures as a day of total and eternal rest for those who observe it, who remember to keep it holy. There is no other "time" like it. It has no "mate" other than Knesses Yisrael, the Assembly of the Jewish People. Since Klal Yisrael endures forever (Malachi 3:6, "You, the sons of Yaakov, never perish), we are its mate.

It is for the above reason that, concerning the creation of Shabbos/seventh day, the Torah does not write the phrase, Vayehi erev vayehi boker, "It was evening and there was morning." From its very inception, every moment of Shabbos kodesh has been sanctified for eternity.

The constraints of time wreaked havoc on the Manna which spoiled on the morning after it was picked. The Manna that fell Friday morning for Shabbos neither spoiled nor became infested throughout Friday night and Shabbos. It was guarded in conjunction with the Shabbos from its onset and was not subject to the constraints of time.

Because Shabbos is not bound by the parameters of time, it does not cease to exist when it is over. Shabbos is preserved as a Heavenly reward for those who observe it: "Whoever delights in the Shabbos shall merit a boundless inheritance." We say on Friday night, V'shamru Bnei Yisrael es ha'Shabbos, laasos es ha'Shabbos l'doreosav bris olam. "Bnei Yisrael shall observe the Shabbos, to make the Shabbos an eternal covenant for their generations." This alludes to the enduring status of Shabbos. We say in the Shabbos bentching, She'lo s'hay tzarah, vi'yagon, v'anachah b'yom menuchaseinu, "May there be no sorrow or grief on our day of rest." We do not add this unusual prayer into the weekday Bentching. It is reserved for Shabbos, because Shabbos lives on. Weekdays pass as soon as they are over, together with their sorrow and grief. Shabbos, however, is eternal. It is feared that even the experience of sorrow and grief will impact the eternal nature of Shabbos. We, therefore, add a special prayer that sorrow and grief not be our lot on Shabbos.

Shabbos is a wonderful gift from Hashem, through which we are availed the opportunity to preserve time and not allow it to pass away. Time is Hashem's greatest gift to man, but it is fleeting, gone, before one even realizes that it has slipped through his hands. By observing Shabbos, one can "keep" a little bit of time and deposit it in his eternal bank. Shabbos will be our source of repose in Olam Habba, the World to Come. Horav Yehudah Leib Potashnik, zl, who was Rav in Cincinnati, explained that by keeping Shabbos we preserve "time" for a day that is eternal. By delighting in it, we save it for an everlasting inheritance and repose.

We rarely look at the spiritual nature of Shabbos. It is a day of rest, a day off, a day to catch up on life, but essentially it is Hashem's sanctuary of time, similar to the Bais Hamikdash, the sanctuary of space. Apparently, the sanctuary of time has proven itself to be more durable. Shabbos has always been, and will continue to be, a summons to the ennoblement of life. During the six days of Creation, we often get so carried away and involved that we forget the true source of our power. Shabbos reminds us that everything is derived from Hashem. Shabbos directs the Jew towards Hashem, enabling him to surmount the challenges and vicissitudes of life.

Every Shabbos we renew our covenant with the Almighty and rededicate ourselves to His purposes, thus achieving renewed enlightenment, enthusiasm and strength. Shabbos has always been an intrinsic part of the Jew. Even the early immigrants to these shores, simple Jews who lacked the spiritual stamina to completely triumph over the demands of the American secular way of life, still continued to observe Shabbos in whatever manner that they could. While this thesis is not here to commend, justify or excuse their erroneous-- but not malicious--behavior, it is an attempt to demonstrate how committed Jews were to Shabbos. The Bostoner Rebbe, zl, muses about the mindset and character of such Jews. It was the early 1950's, and a fellow appeared at the Rebbe's shul to say Kaddish for his father. He was a fine, simple Jew, who succumbed

to the challenges of American life, causing him to compromise on his religious commitments. While he might have distanced himself from religious practice, he was not going to renege on saying Kaddish for his father. Coming to shul on a daily basis leaves an impression, and the man slowly gravitated towards religious observance. There was one problem, however: Shabbos. For thirty-years he had been a deliveryman for the local newspaper, dropping off newspapers at the newsstands all over Boston. This six-day a week job did not allow for Shabbos observance. While he knew that what he was doing was wrong, how could he give up his seniority and pension by quitting now? He was not on the level to realize that it was no question.

The man came to the conclusion that he would "satisfy" both his job and Shabbos. He worked all morning, ran home, changed into Shabbos clothes and joined the shul for Mincha. This was his Shabbos observance. Eventually, he became a full-time Shabbos observant Jew. Regrettably, this type of behavior was not an anomaly. Many Jews in the 1930's would attend an early minyan at 6:00 or 7:00a.m., so that they could daven, hear Krias HaTorah, say Kaddish - before taking the streetcar to work. We cannot judge these people, because we have no idea of the challenges they confronted. We can only look at the positive: Shabbos meant so much to them that they would arise early to daven. Their logic was perverted; their reasoning was totally not in line with the Torah, but it shows that, although they deferred to the pressures of the day, they never forgot that Shabbos is Hashem's island in time. Shabbos must in some way remain a part of life. I repeat: they were wrong, but we are not in the position to judge them.

I could not pass up the following vignette. Stephen Klein was more than an observant Jewish philanthropist. He saw to it that his money inspired Jewish observance, Jewish spiritual growth, Jewish idealism. Klal Yisrael was as much a part of him as every organ in his body. At a time when Shabbos observance was a rarity, he would close his stores in Manhattan on Erev Shabbos in the late afternoon. This was more than strange; it was ludicrous. Yet, he acted according to his convictions and inspired thousands of Jews with his courage and resolution. He would take out full-page ads in the New York Times before the Yamim Tovim and teach the masses of assimilated Jews about their noble heritage and the Festivals that celebrated this heritage.

His son, George Klein, who in his own right has had a distinguished career of serving Klal Yisrael, related the following incident. As one of the individuals who spearheaded the construction of the U.S. Holocaust Museum in N.Y., George Klein delivered a major address at the dedication ceremonies. Following his speech, he was approached by an elderly couple who asked to speak to him. When he acquiesced, they took out what appeared to be family pictures of two separate families: "These are our children and grandchildren. As you can see, they are leading devoutly religious lives." Mr. Klein was impressed, but could not understand why they would make a point of sharing this information with him.

"We are here because of your dear father. We remember one Friday afternoon, walking down the streets of Manhattan with our young children, when we chanced upon one of your father's stores that was shuttered for Shabbos. We could not believe that in a main street in America, in one of the most populated areas, someone could close his store on Shabbos, which is one of the busiest business days of the week. We were so impressed that we decided to raise our children as observant Jews, sending them both to religious schools. These pictures represent the fruits of our decision. We just wanted to say thank you."

In 1974, someone approached Stephen Klein and said, "Imagine if the New York Times listed the weekly z'man, time for lighting Shabbos candles. The awareness of-- and pride in-- Judaism that would occur as a result of this endeavor would be incredible. Mr. Klein was sold on this idea. It cost him almost \$2,000 per week, which was a considerable amount of money 35 years ago. For the next five years, each Friday,

Jews around the world would see: "Jewish women: Shabbat candle lighting time is: _____."

In June 1999, the notices stopped appearing in the paper. In never appeared again - except for once - and that is what I would like to share with the reading audience.

On January 1, 2000, the N.Y. Times ran a millennium edition. It was a special issue that featured three full pages. One had the news of January 1, 1900; the second was the actual news of January 1, 2000. The third page was fictional. It projected the future news of January 1, 2100. In addition to the many articles, there was one added feature. Down on the bottom of the year 2100 front page was the candle lighting time for New York on January 1, 2100. No one had paid for this ad. It was placed there gratis by the N.Y. Times.

When the production manager of the N.Y. Times, an Irish Catholic, was queried about the ad, he answered, "We have no idea what will happen in the year 2100. It is impossible to predict the future. One thing you can be certain, however, is that in the year 2100, Jewish women will be lighting candles."

Va'ani Tefillah

Sus v'rochvo ramah ba'yam. A horse and his rider He cast in the sea.

Interestingly, no mention is made thus far of the multitude of miracles which occurred at the sea. All that is mentioned here is: Hashem was elevated because He drowned the enemy. This might be impressive in its own right, but, in comparison to the myriad acts of directing an entire universe, this seems to be small praise. Horav Avigdor Miller, zl, derives an important principle from here: One additional grain of true knowledge, something that one sees and experiences with his own two eyes, outweighs a mountain of vaguely-possessed knowledge. The Navi Yeshayah (40:26) declares, "Lift up your eyes on high and see Who created these." The marvels that are near to us -- which we see and feel-- are much more effective in awakening one's mind to recognizing the Creator. Furthermore, when these marvels also include our personal deliverance from immediate great peril, then the enthusiasm of the joy inherent in sudden salvation becomes more intense and engenders within us a greater re

cognition of Hashem. While drowning the Egyptians might not be that significant in comparison to a tsunami, a volcanic eruption, or an earthquake, its suddenness occurring in front of their very eyes, catalyzed a colossal awareness of Hashem.

In memory of Meir Bedziner R' Meir ben Betzalel HaLevi z"l niftar 24 Shevat 5764 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
The Bedziner and Meltzer Families

From Rabbi Yissocher Frand ryfrand@torah.org & genesis@torah.org

To ravfrand@torah.org

Subject Rabbi Frand on Parsha

Rabbi Yissocher Frand Parshas Yisro

Remembering from Whence One Came

As an aside to the mention of Yisro's arrival in the camp, the Torah records the names of the two sons of Moshe, and the reasons why they were called by these specific names. Gershom was called Gershom because Moshe declared, "I was a stranger (ger) in a strange land." Eliezer was called Eliezer because Moshe declared, "The G-d of my father helped me (b'Ezri) and saved me from Pharaoh's sword". [Shmos 18:3-4] This seems out of place and superfluous.

The Ramban comments: Even though this is not when they were born (and the Torah already mentioned at least some of this information when

they were born [Shmos 2:22]), the Torah mentions it here because Moshe wanted to express gratitude – now that he in effect became the King of Israel – for the earlier kindnesses the Almighty had done for him.

Rav Simcha Zissel Brody, in his sefer *Sam Derech*, elaborates upon this Ramban. When Moshe was a fugitive and was running away for his life from Egypt and was able to escape to Midyan, get married, and have two sons – at that point – he felt a great deal of gratitude toward the Almighty and named his sons accordingly. However, it is the tendency of human beings to have the attitude, "that was then and this is now". At this point, Moshe is in an entirely different world and in very different circumstances. Then he was an anonymous fugitive, a poor shepherd in a foreign land. Now he is the King of the Jewish nation. Moshe stood up to the most powerful empire in the world, and with G-d's Help, he bested Pharaoh. He brought Pharaoh and the Egyptians to their knees. To top it all off, he led his people through the Yam Suf and they witnessed the total destruction of their enemies. Suddenly, Moshe Rabbeinu became "big stuff". The Torah nevertheless tells us that even when he reached the zenith of his career, he still had the same recognition of gratitude (*hakaras hatov*) that he had when he was a fugitive.

"I still remember when I was not considered a significant person. I remember back then how G-d saved me from the sword of Pharaoh and how he protected me in a strange land." Moshe constantly reviewed the names that he gave his children and the reasons for those names so that the gratitude he felt back then would never leave him.

This is a challenge. All too often, we find that someone was down on their luck and then received a job or a big break from a benefactor. At the time, of course, there is great appreciation for that employer. However, as time goes on, as one thing leads to another, and this formerly unemployed worker now becomes the CEO of a multi-million dollar corporation, how likely is it that he will still show gratitude and *Hakaras Hatov* to that benefactor of so many years ago? Most people forget the people who gave them the ir first break. They expressed gratitude at that time, but "what have you done for me lately?" Moshe's greatness was that he did not act like this. It is for this reason that the Torah repeats the reasons for naming his sons at the beginning of *Parshas Yisro*, the zenith of Moshe's career. He always kept that original gratitude on his lips and in his consciousness. This attribute of "remembering from whence one came" is indeed an attribute worth emulating.

Eishes Chayil" Sheds Light on "Anshei Chayil"

Yisro observed that the people were lined up and seeking counsel from Moshe Rabbeinu from dawn until dusk. Yisro told his son-in-law that it was not a good situation that he should be the sole adjudicator of justice amongst the Jewish people. Therefore, Yisro advised MOSHE to set up a system of courts, so that people had ready access to justice at the "local level" with Moshe being the ultimate arbiter of appeals if they could not be resolved at the "lower levels". Yisro advised Moshe to appoint judges who would have the following characteristics: *Anshei Chayil*; *Yirei Elokim* [G-d fearing people]; *Anshei Emes* [men of truth]; *Sonei Batzah* [people who despise money, i.e. – people who will not take a bribe]. It is clear what the last 3 terms mean, but what exactly does "*Anshei Chayil*" represent?

In the *Medrash*, Rav Elazar HaModai identifies *Anshei Chayil* with "*Baalei Avtacha*" [people you can depend on]. Rav Berel Povarski, in his sefer on *Chumash*, claims that Rav Elazar HaModai's source for this is the well-known *pasukim* of "*Eishes Chayil*" [*Mishlei* 31:10-31], traditionally recited in many homes on Friday night. Apparently, based on the opening lines of this recitation, the attribute of "*Chayil*" seems to be a rare commodity. "Who can find a woman of '*Chayil*'"? Yet there is a contradiction at the end of "*Eishes Chayil*": "Many daughters have done acts of '*Chayil*'. Which is it? Are there many such women or are they hard to find?"

Rav Povarski says that we must distinguish between the many daughters who have "*DONE Chayil*" and a woman who is described as an "*Eishes Chayil*". Indeed, thousands of women can do wonderful and even heroic acts – occasionally. It is one thing to infrequently rise to the occasion and do a wonderful act of valor. However, the term "*Eishes Chayil*" defines a person who is a "*bale-bosta*" [manager] over *Chayil* -- an entire enterprise of activities of valor. She consistently does acts of valor. It is part of her nature, part of her essence. Finding a person whose essence is defined by such actions is in fact hard to do. Such a person is a rare commodity.

A woman who is such an "*Eishes Chayil*" gains the implicit trust of her husband. "Her husband has confidence in her" [*batach bah lev ba'alah*]. There are very few people about whom we can say, "I trust my life to them." I hope that we can at least confidently say that about our spouses. Through years of acts of valor, our wives have gained our trust to earn the vote of confidence of – *batach bah lev ba'alah*.

This term, *batach bah lev ba'alah*, reveals to us Rav Elazar HaModai's source for the term "*Ba'alei Avtacha*" [people you can depend upon], which in turn explains the term "*Anshei Chayil*" in Yisro's list of requirements for judges. We need people who have earned not only our respect, but also our trust and confidence as well.

Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD
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<http://www.torahinmotion.org/>

Parshat Yitro - Message For Mankind A Thought for the Week with Rabbi Jay Kelman

What kind of book is the Torah and who is it meant for? Rashi in his opening comment presupposes that the Torah is primarily a legal book - instructing the Jewish people how to lead their lives. This is the premise of his query as to why the Torah does not start from the first mitzvah given to the Jewish people. In answering his question Rashi fundamentally changes our understanding of the goal of the Torah. He explains that the creation story is meant to teach the world that G-d is the creator of the heaven and the earth. He can thus apportion the earth to whatever nation He desires, for example, giving the land of Israel to the Jewish people. This message of the supremacy of G-d is a message, not only for Jews but for mankind as a whole. In fact it will take 20 generations for the first Jew to appear.

Unlike many other religions Judaism teaches that all of mankind can reach the level of the righteous, even if they do not embrace the Jewish religion, provided they acknowledge the existence of one G-d and live by a basic moral code. In fact it is easier for the non-Jew who has only 7 categories of mitzvah to follow, to attain such a level. The fact that the Torah was given in a desert, a barren place belonging to no one and everyone indicates that Torah has a message for all of mankind.

None of this should be novel. The entire concept of the Jewish people rests on the notion that we are a model nation, one that must be part and parcel of the world around us, influencing it for the better. Our historic experience forced us into a ghetto, both physically and mentally, forcing us to focus on our survival and abandoning our universal mission. That was a distortion of the role of the Jewish people, the punishment of exile where the Torah itself was unable to be fully implemented.

Our ability to influence others is directly linked to us being a strong people who can earn the respect and admiration of those around us. It was the awesome power of the Jewish people; escaping Egypt, the splitting of the sea, the defeat of Amalek that motivated Yitro the heathen priest to join the Jewish people. Our Rabbis claim that Yitro had

been one of Pharaoh's advisors; even cruel idolaters can, under the right circumstances, be influenced for good.

Rav Soloveitchik often said that our ability to influence others is directly linked to our honesty, integrity and ethical sensitivity. It is not stricter observance of Shabbat and Kashrut that will impact on the growth of others. Those crucial mitzvot are a reflection of our special relationship with G-d, a relationship that must motivate us to emulate G-d, by following His attributes or kindness, mercy, patience and forgiveness. This dual role of the Jewish people, to develop a special relationship with G-d and to build on that relationship by being a light unto the nations is reflected in a most interesting comment by the Kli Yakar Rav Ephraim Lunshitz (16 th century). He notes 10 differences between the aseret hadibrot in parshat Yitro and Moshe's repetition of them 40 years later in parshat vaethchanan . He attempts to explain all of these differences by noting that the first set was said not just to the Jewish people but to mankind as a whole - hence the famous midrash that G-d offered the Torah to the nations of the world. The second recording of the dibrot , however, were specifically meant for the Jewish people. Thus for example in Yitro the reason for Shabbat is to acknowledge G-d as the creator of the world a notion of crucial importance for all of humanity. All must remember (zachor) the Shabbat. In va etchanan the reason given, that we should remember our slavery in Egypt is one specific to the Jewish nation. Only we are to observe (shamor) the Shabbat; there is actually a prohibition against non-Jews observing the many details of Shabbat.

To cite just one more example: The last of the dibrot , lo tachmod is usually translated as don't be jealous. In parshat vaethchanan the Torah adds the phrase lo titaveh , do not desire. The kli yakar explains that lo tachmod is only violated when one acts on their jealousy by devising a scheme (even if legal) to get that which they desire. The desiring itself is not sinful. This standard of not trying to manipulate a situation to take something from someone is a standard expected of all human beings. However lo titaveh adds an additional component, the prohibition of the desire itself, one violated not in the hand but in the heart. Such a level of self control can only come about by observing the many mitzvot of the Torah meant to teach us to be happy with our lot, mitzvot that are not incumbent on non-Jews.

By living up to these high standards and with the Jewish people sovereign in the land of Israel we have an opportunity we have not had for 2,000 years; to set up a model society that will enable all to reach their potential. " Zion will be redeemed through justice and her converts by righteousness" (Isaiah 1:27). Shabbat Shalom!

Rabbi Kelman, in addition to his founder and leadership roles in Torah in Motion, teaches Ethics, Talmud and Rabbinics at the Community Hebrew Academy of Toronto.

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Rav Kook on the Torah Portion

Psalm 105

Tu B'Shvat: Our Ties to the Land of Israel

After bringing the Ark to Jerusalem, King David appointed the Levites to play their lyres and harps and sing God's praises. He instructed them to thank God for His many kindnesses, including the special gift of Eretz Yisrael.

וַיִּזְמְרוּ לְיַעֲקֹב לְחֹק, לְיִשְׂרָאֵל בְּרִית עוֹלָם. לֹא מָר, לֵךְ אֶתְּנוּ אֶת אֲרָץ כְּנָעַן, חֶבְלֵי
נְתַן לְחֶבְלָם. " (תהילים ק"ה:י"א)

"[God] established it to Jacob as a statute, an eternal covenant to Israel, saying: To each of you I give the land of Canaan, the portion of your inheritance." (Psalms 105:10-11; I Chronicles 16:17-18)

The Hebrew text contains a grammatical difficulty not apparent in the translation. The verse opens with God's promise to give each individual (lecha, in the singular) a portion of the land of Israel. But the verse concludes by referring to the land of Israel as nachalat-chem, using the plural 'you' - your collective inheritance. Why this switch from singular to plural?

Double Ties

Rav Kook explained that we connect to the land of Israel on two levels. Our first connection is through the ties that connect the Jewish people as a whole with the land of Israel, an eternal bond throughout the generations.

But there exists an additional layer, a special connection between each individual Jew and the land of Israel. There exists an exact match between each individual - according to one's talents and traits and unique soul-qualities - and Eretz Yisrael. This is our special cheilek or portion in the Land.

In a letter to his uncle in 1906, Rav Kook discussed this personal connection to Eretz Yisrael. The special distinction of Jerusalem, the great mitzvah to live there and build up the city, is well known. But if this is the case, why do we find great tzaddikim who chose to live in other cities in Israel? Why didn't they all make their home in Jerusalem? Rav Kook answered that every location in Israel has its own unique facet of holiness. As an example, Rav Kook noted some of the special spiritual qualities of Jaffa (where he then lived), the place where the prophet Jonah visited, and its role in the building of Solomon's Temple. "Even though Jerusalem is highly cherished, and its holiness is a comprehensive holiness, and its settlement takes precedence [over other cities in Israel]; nonetheless, each tzaddik perceived in his specific inner soul that he belongs to the unique holiness associated with that place. Therefore he established his residence there." (Igrot HaRe'iyah vol. I, p. 35)

Rav Kook added that this was certainly true for the various tribes of Israel. Each tribe was prophetically assigned an area in Eretz Yisrael that corresponded to its own unique spiritual qualities.

(Of course, one's special ties to the land of Israel do not have to be expressed geographically. Each person may find his connection and contribution to Eretz Yisrael in a particular sphere of occupation, building up the Land physically or spiritually.)

Both Specific and Eternal

This then is the intent of the prophetic statement. The verse starts with the individual - "to each of you I give the land" - and ends with the collective - "the portion of your [collective] inheritance." Our bonds to the land of Israel include both own personal connection to the Land, as well as the nation's eternal ties, throughout the generations.

This double connection is also reflected in the phrase chevel nachalat-chem, 'the portion of your inheritance.' The phrase appears to be oxymoronic, for chevel means a set, measured area of land, while the word nachalah indicates an inheritance that is boundless, for all times. Is our inheritance both measured and boundless?

In fact, our ties to Eretz Yisrael encompass both aspects. We have a specific portion in the Land, our chevel, according to our unique soul-qualities. And we also share eternal binds to the Land, our nachalah as members of the Jewish people, party to God's eternal promise to Israel.

"He confirmed it to Jacob as a statute, an eternal covenant to Israel."

(Adapted from Olat Re'iyah vol. I, p. 203)

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**From Jeffrey Gross <jgross@torah.org>
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Subject Weekly Halacha - Parshas Terumah
by Rabbi Doniel Neustadt (dneustadt@cordetroit.com)
Yoshev Rosh - Vaad HaRabanim of Detroit**

**Weekly Halacha
by Rabbi Doniel Neustadt**

Priority Rules for Chiyuvim

Shulchan Aruch¹ records the long-standing and widely practiced² custom for the son of a deceased parent to lead the weekday³ prayer services as the sheliach tzibbur. This obligation is in addition to the recitation of Kaddish, and is practiced throughout the eleven months when Kaddish is recited.⁴ A son in mourning should do his utmost to observe this custom, for Chazal teach that when a son serves as the sheliach tzibbur, he is actually fulfilling the Biblical commandment of kibbud av v'eim⁵ by honoring the soul of his departed parent and alleviating its suffering in Gehinom.

One who does not read a sidur fluently or has difficulty pronouncing Hebrew words correctly should not lead the congregation even if he is a mourner.⁶ If a son feels that he will have to rush his davening and compromise the level of his kavanah (concentration), he should not serve as sheliach tzibbur either.⁷

It is not uncommon to find several mourners, called chiyuvim, who wish to lead the same services in the same synagogue. In addition to them, a person observing a yahrzeit for a parent may also be present and he, too, is obligated to serve as sheliach tzibbur. In order to avoid disputes between the various parties claiming the right to lead the congregation — particularly since filial devotion is a very emotional matter⁸ — the poskim set detailed, precise rules as to who takes precedence. Basically, there are two factors which determine priority, the first of which depends upon the specific chiyuv period being observed by each of the chiyuvim:

Chiyuv Periods

* Sheloshim — the first thirty days⁹ after the burial of a parent (as long as the burial took place before sundown, that day is day number one).

* Year — the eleven months immediately following the burial day of a parent.

* Yom hafsakah — the day on which the eleven-month period of being a chiyuv ends.

* Yahrzeit — the anniversary of the parent's day of death.

The other factor which determines chiyuv priority is the "residency" — or membership — status of the chiyuv in that particular synagogue:

* Member — A member is one who pays membership dues, is employed by the congregation, or is a regular mispalle¹⁰ in this particular synagogue but is assessed by its administration as being unable to pay membership dues.¹¹ An unmarried son of a member also has the status of a member.

* Guest — any non-resident of the city in question.

* Non-member — any local resident who is not a member of this particular congregation.

General rules:

1. It is a mitzvah for a congregation to allow any chiyuv, even a guest or a non-member, to serve as sheliach tzibbur.¹²
2. Any member chiyuv has priority over any non-member chiyuv.
3. One may become a member even after his chiyuv begins and will from that time have priority over a non-member chiyuv.¹³
4. A chiyuv who has priority according to halachah should not readily relinquish his right to be the sheliach tzibbur, for the right is not really

his to surrender; rather, it belongs to the soul of his parent. If, however, the other mourner will be greatly distressed if he is denied the opportunity to be the sheliach tzibbur, he may give up his right.¹⁴ The rav should be consulted.

5. A chiyuv who does not have priority according to halachah but intimidates or forces the other mourners to give up their rights to him, is described as "gaining nothing for the soul of his parent, nor detracting from any merit that was due the other mourner."¹⁵

6. When there are several mourners of equal status, they should divide the sheliach tzibbur's duties among themselves in a fair and equitable manner.¹⁶ Since Shacharis may be divided into two parts, there can be up to four chiyuvim dividing the three daily prayer services.¹⁷

7. Some poskim maintain that it is improper to divide a large minyan into two in order to enable a second mourner to have a minyan for which he can serve as sheliach tzibbur.¹⁸ Other poskim, however, do not object to this.¹⁹ There are various customs.

8. A mourner who davens regularly in one shul, but whose opportunities to serve as sheliach tzibbur will be curtailed because of the other chiyuvim in that shul, is neither required nor advised to switch shuls during his eleven months of mourning. On a Yahrzeit of a parent, however, one should see to it that he does serve as sheliach tzibbur, even if it means davening elsewhere.²⁰

9. A grandson should serve as sheliach tzibbur if his grandparent died without leaving a son. If there are other mourners at the same shul, a grandson shares his slot with them but not on equal footing as would a son. The particulars regarding the grandson's rights are left to the rav's discretion.²¹

10. It is appropriate that a son serve as sheliach tzibbur after the passing of an adoptive parent. The standard rules of priority, however, do not apply and he does not take precedence over other mourners.²²

11. During the twelfth month of the mourning period, the mourner is no longer required to serve as sheliach tzibbur, but may do so if he wishes.²³ While some poskim recommend that he do so, he has no priority over any other mourner.²⁴

12. One who is in mourning for both his father and his mother does not have more priority than one who is mourning for one parent.²⁵ *The following rules of priority apply to chiyuvim of comparable membership status (i.e., member vs. member, non-member vs. non-member, guest vs. guest):*²⁶

1. A Sheloshim has priority over all other chiyuvim. Although the basic halachah holds that he has priority over a Yahrzeit as well,²⁷ it has become customary in many places to give priority to a Yahrzeit, since the Sheloshim could continue fulfilling his obligation the next day while a Yahrzeit could not.²⁸

2. A Yahrzeit has priority over a Yom hafsakah and a Year.

3. A Yom hafsakah has priority over a Year.

The following rules of priority apply between a member and a guest:

1. A Yahrzeit member has priority over a Yahrzeit guest or a Sheloshim guest.

2. A Sheloshim member has priority over a Yahrzeit guest.²⁹

3. A Sheloshim or Yahrzeit guest and a Year member are equal chiyuvim.³⁰

4. A Yom hafsakah guest has priority over a Year member.

1 O.C. 53:20; Rama, Y.D. 376:4

2 Among Ashkenazim — many Sefaradim do not practice this custom; Halachah Berurah, O.C. 53:35.

3 On Shabbos, Yom Tov, Chol Ha-Moed and Purim, a mourner does not serve as sheliach tzibbur. There are various customs concerning Rosh Chodesh, Chanukah, Tishah b'Av, Aseres yemei teshuvah and erev Pesach.

4 The "eleven months" period is always calculated from the day of burial, even if several days elapsed between death and burial; Beir Halachah 132:1, as explained by Igros Moshe, Y.D. 4:61-19.

5 Chayei Adam 67:6. The poskim debate whether a parent may excuse his child from according him this honor and whether the child is obligated to listen to his parent; see Pischei Teshuvah, Y.D. 344:1; Chelkas Yaakov 2:93; She'arim Metzuyanim b'Halachah 26:1.

6 Mishnah Berurah 53:60.

7 Halichos Shlomo 1:18, note 28.

8 Note that priority rules for chiyuvim or yahrzeit apply only to sons observing a chiyuv or a yahrzeit for a parent. Those observing a yahrzeit for other relatives, e.g., a grandfather, a father-in-law, a wife, a son, etc., have no priority at all over a son who is a chiyuv or a yahrzeit for a parent.

9 While Yom Tov mitigates some of the restrictions of sheloshim, it does not lessen the sheloshim obligation of serving as sheliach tzibbur; Gesher ha-Chayim 30:10-2.

10 "Regular mispallel" is defined as one who davens in this synagogue on Shabbos and Yom Tov on a regular basis; Teshuvos Binyan David, 12, quoted in Tefillah k'Hilchasah 24, note 194.

11 Beir Halachah 132:1.

12 Mishnah Berurah 53:60.

13 Rav Y.S. Elyashiv (Tefillah k'Hilchasah 24, note 194).

14 Eimek Berachah (Aveilus), pg. 143. See also Halichos Shlomo 1:18, note 51.

15 Chasam Sofer, Y.D. 345, quoted in Pischei Teshuvah, Y.D. 376:7.

16 One who has a choice of being a sheliach tzibbur for Minchah or for Ma'ariv, should choose Ma'ariv over Minchah; Kitzur Shulchan Aruch 26:1.

17 Igros Moshe, Y.D. 4:61-5. Several brothers, even though they are davening for the same parent, have separate rights as individual mourners; Rama, Y.D. 376:4.

18 Chazon Ish, quoted by Rav C. Kanievsky in Ma'aseh Ish, vol. 5, pg. 24; Igros Moshe, Y.D. 4:61-4. See also Tefillah k'Hilchasah 24:54 quoting Rav S. Ha-Kohen of Vilna.

19 See Piskei Teshuvus 132:28, note 148, quoting a number of contemporary sources. See also Halichos Shlomo 1:5-1.

20 Emes l'Yaakov, Y.D. 376:4, note 224; Halichos Shlomo 1:18-24.

21 Halichos Shlomo 1:18-15.

22 Rav S.Z. Auerbach (Nishmas Avraham, vol. 5, pg. 141).

23 Mateh Efrayim, Kaddish 4:2.

24 Igros Moshe, Y.D. 4:61-17. See also Shevet ha-Levi 2:161. See, however, Chut Shani, Ribbis, pg. 172, where Rav N. Karelitz recommends that a mourner should not serve as sheliach tzibbur during the twelfth month.

25 Kitzur Shulchan Aruch 26:16. See also Emes l'Yaakov, Y.D. 376:4, note 224.

26 Unless otherwise noted, the rules of priority are based on the decisions of Kitzur Shulchan Aruch 26 and Beir Halachah 132:1. See also Yesodei Semachos 9:7 and 12:11.

27 Shach Y.D. 376:10; Kitzur Shulchan Aruch 26:6; Igros Moshe, Y.D. 4:60-1; 4:61-20.

28 See Piskei Teshuvus 132, note 117. During Shacharis, the Sheloshim leads until Ashrei-U'va l'Tziyon, and the Yahrzeit takes over from there.

29 During Shacharis, the Sheloshim leads until Ashrei-U'va l'Tziyon, and the Yahrzeit takes over from there.

30 "Equal chiyuvim" means that neither has priority. During Shacharis, one should daven until Ashrei-U'va l'Tziyon, and the other should continue from there. Minchah and Ma'ariv should be divided between them.

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