

DIVREI TORAH FROM INTERNET
ON PARSHAS YISRO - 5756

B'S'D' after the Torah was given, displaces the Sinai experience? Of what great importance is Yisro's design that it was able to displace the narrative of the Ten Commandments as the premier story of the week? Why doesn't the portion open with the events surrounding Matan Torah (the giving of the Torah) and end with the institution of the Jewish Court System?

Rav Shmuel of Salant was lecturing to his students when a woman, visibly shaken, interrupted. "Rebbe," she cried, "my cat just ate some meat that I accidentally left on my counter before I had a chance to salt it. (Salting is the process which removes non-kosher blood from meat.) What is the status of my cat that has just eaten treif (non-kosher)?"

The students began to chuckle at the silliness of the question but stopped immediately when they saw the concern on their Rabbi's face. Rav Shmuel pressed his lips together and furrowed his brow. He turned to the woman as he walked toward a large bookcase and removed a large tome. "Please bear with me," he said "I must look up a few sources." After a few moments buried in the volume he raised his head. "I'm sorry," he said grimly, "your cat is treif. I hope next time you will be more careful as to where you leave non-kosher meat."

The woman left, and Rav Shmuel turned to his students. "Of course, you must be wondering why I gave so much time and concern to an obvious non-issue. Let me explain. You must understand something even before you open a Gemorah. A Rav must have the patience to listen and treat even the simplest questions with concern and respect. In that manner, no one will hesitate to return to ask a question. Had I simply dismissed the woman, she would never ask again -- even if the question was very serious."

The Torah prefaces its own historical existence with a very important lesson. Torah is only as valuable as those who teach it properly. Every teacher must devise a method in which he has the ability, patience, and proper system in which Torah -- every minute detail -- can be experienced by the masses. Only then can Torah be given.

The Mishnah in Pirkei Avos (Ethics of the Fathers) tells us that three factors are necessary to keep our heritage alive. The first is being patient in judgment. Only after the Torah lays the groundwork for proper adjudication, it is given to be taught. Torah will survive for eternity only when there is the proper order in the courts. Yisro and his ideas truly merit top billing! Good Shabbos (c) Rabbi Mordechai Kamenetzky

Dedicated by Barry & Ann Eizik and their children Rivka Deena, Ariella Esther, Nechama Aliza, and Yakov Yonathan. In loving memory of their father

and grandfather Mordechai ben Yitzchak Eizik OB"M -- 16 Shevat
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From: "Mordechai Kamenetzky <ateres@ppppmail.nyser.net>"
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Date: 2/6/96 3:23pm
Subject: PARSHAS YISRO -- ORDER IN THE COURT
PARSHAS YISRO ORDER IN THE COURT 2/9/96 by Rabbi
Mordechai Kamenetzky Volume 2 Issue 17

The marquee event in Jewish History deserves top billing. Therefore I am bothered that the portion that contains the premier event of our history -- receiving the Ten Commandments and the entire Torah at Sinai -- is relegated to the middle of the weekly Torah reading. The parsha is not named Moshe, after our greatest teacher, but rather for his father-in-law Yisro, a newcomer to the Jewish faith who was inspired by the miraculous events that forged our Nation. Why do both the receiving of the Torah and the recipient receive less notoriety this week than Yisro and his innovations?

The Parsha begins as Yisro greets his son-in-law, Moshe. After offering sacrifices in gratitude to Hashem's kindness, he sees the hordes of people waiting to ask questions and observes how Moshe struggles, alone, to answer the myriad queries presented to him. Yisro feels that the system is lacking, and institutes an orderly method in which questions -- both large and small -- can be dutifully adjudicated. There would be different levels of judges for different levels of questions, but only the largest and most difficult ones would reach Moshe.

Rashi comments that the entire scenario actually occurred after the Torah was given to the Jews. Only then was Moshe bombarded with an endless assortment of challenges, thus initiating Yisro's system of judicial levels.

A simple question bothers me. Why does a story that occurred historically

From: "Ohr Somayach <ohr@jerl.co.il>"
To: CSHULMAN, " " Highlights of the Torah weekly

port...

Date: 2/5/96 3:21pm

Subject: Torah Weekly - Yisro

* TORAH WEEKLY *

Highlights of the Weekly Torah Portion with "Sing, My Soul!" thoughts on Shabbos Zemiro's Parshas Yisro

For the week ending 20 Shevat 5756 9 & 10 February 1996

Summary

Hearing of the miracles Hashem has performed for the Bnei Yisrael, Moshe's father-in-law, Yisro, arrives with Moshe's wife and sons, reuniting the family in the wilderness. Yisro is so impressed by Moshe's detailing of the Exodus from Egypt that he converts and joins the Jewish People. Seeing that the only judicial authority for the entire Jewish nation is Moshe himself, Yisro suggests that subsidiary judges be appointed to adjudicate the smaller matters, leaving Moshe free to attend to larger issues. Moshe accepts his advice. The Bnei Yisrael arrive at Mt. Sinai where the Torah is offered to them. After they accept, Hashem charges Moshe to instruct the people not to approach the mountain, and to prepare themselves for three days in order to receive the Torah. On the third day, amidst thunder and lightning, Hashem's voice emanates from the smoke-enshrouded mountain, and He begins speaking to the Jewish People, giving to them the Ten Commandments: 1. Believe in Hashem 2. Don't have other gods 3. Don't use Hashem's name in vain 4. Observe the Shabbos 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 Hashem's word to them. Hashem instructs Moshe to caution the Jewish People regarding their responsibility to be faithful to the One who spoke to them.

Commentaries

Close Encounters of the Real Kind

"Remember the day of Shabbos to sanctify it." (20:8)

Have you ever been to the Smithsonian Museum in Washington DC? They have on display one of the Apollo capsules that went to the moon and back. You can't believe how small it is. It's like an oversized garbage can. And squeezed into this tiny space are miles of cable and sophisticated computers and three men who lie for days on couches sculpted to their bodies, with banks and banks of instruments inches in front of their faces. Nothing could be more claustrophobic. And yet if you asked an astronaut what his feelings are as he approaches the surface of the moon, whether eating food from a tube, and the most primitive sanitation are spoiling his excitement, he would reply that he is totally unaware of his physical limitation, so great is the exhilaration of flying through space, about to walk on another world...

People say - "You know, I love cholent. And I think it's great the family getting together on a Friday night without having to compete with the box. But well, not being able to drive, that really cramps my style! And not being able to have a shower...! No Apollo astronaut complained that his style was being cramped when he was flying to the moon.

Every week, the Jewish People have a chance to experience a journey which is even more exhilarating and out-of-this-world than an astronaut. When we keep Shabbos in the way the Torah teaches us, we connect with a spiritual world which is above the stars and beyond time. When a person encounters

the exquisite spiritual beauty and the emotional vastness of the Shabbos experience, all physical limitation becomes insignificant in his 'close encounter' of the real kind.

(Heard from Rabbi A. C. Feuer)

He ain't heavy...

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

A poor villager was trekking the many miles to his destination in the next village. He staggered along under the weight of his enormous pack when suddenly a horse and wagon pulled up alongside him. "Climb aboard!" the driver of the wagon shouted down to him. The villager huffed and puffed his way up onto the back of the wagon, and the driver shook his reins and the horses obediently started to trot. A few miles down the road, the villager said to the driver "I can't thank you enough. This is really very kind of you!" "Not at all" said the driver and turned to smile at the villager at the back of the wagon. It was then that he noticed that the villager was sitting crumpled forward with his heavy pack still on his back. Exclaimed the driver - "Why haven't you taken your pack off, you fool!" The villager replied in all innocence "Well - you've been so kind carrying me, I didn't want to burden you with the extra weight of my pack as well!"

If Hashem can 'carry' us all week - making sure that we have food to eat, clothes to wear, cars to drive, and even air to breathe, He can certainly bear the 'added load' of supporting us on Shabbos, even if we don't go into the office!

(The Dubner Maggid)

Listen! Don't Look!

"Hashem said to Moshe: 'Behold I come to you in the thickness of the cloud, so that the people will hear as I speak to you.'" (19:9)

Impression and Concentration. Two forms of cognition. Impression - the mind forming a composite image, all the senses working together to illustrate and enrich the impression. Sight syncopating with sound, smell with touch. A palette rich in overtone and suggestion and allusion.

Concentration - a stone dropped into a still pond; concentric rings spreading outward, each one a perfect replica of the moment of its inception. A word spoken. A sound wave. Concentric circles emanating uniformly, carrying the moment of speech into the future.

There are times when communication demands precision rather than impression. At these times, the senses can interfere with each other. When the power of speech is being used to communicate the meaning of something, then hearing becomes the essential sense and the other senses distract from the clarity and sharpness of the message of the spoken word. Impression interferes with Concentration.

'Behold I come to you in the thickness of the cloud, so that the people will hear as I speak to you.' Hashem told Moshe that He would speak to him in a cloud so that the people will hear, so that they will not be overwhelmed by the experiential, but will be able to hear clearly.

Hearing, unimpaired by the interference of sight. Concentration unhindered by Impression.

(Based on Admo'r Rabbi Chanoch from Alexander)

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

Living in the Palace

Echoing the theme of the parsha - the revelation of the Shechina (Divine Presence) at Sinai, the Haftorah describes the revelation of the Shechina to the prophet Yeshayahu. In his prophetic vision, Yeshayahu sees Hashem's court surrounded by angels. The prophet Yechezkel also had a similar

vision of the Divine court, but his vision is more detailed, describing the Shechina as a vision of a king seated on a chariot. Does that mean that Yechezkel saw more of the Shechina than Yeshayahu? Our sages teach us that

the reverse is really the case. Yechezkel was like a villager, trying to convince his fellows that he has seen a king. As the king is only rarely seen so far from his capital, the villagers tend to be skeptical. Thus, to corroborate his story, the villager goes into great detail, describing the minutiae of the king's appearance, down to the color of the buttons on his robe, to prove that indeed he must have seen a king. However, a citizen of the capital, where the king is seen quite often, doesn't need to overcome the disbelief of his friends, and so he leaves out the precise details of the king's appearance.

Yechezkel's vision happened outside Eretz Yisrael, when the Shechina was already 'in exile' - It had left the Beis Hamikdash. And so, Yechezkel describes his vision with all the painstaking detail of one who has seen an extremely rare event. But Yeshayahu experienced his vision of Hashem in Eretz Yisrael, in His heavenly throne-room above the earthly Beis Hamikdash. He therefore omitted many of the details, like one who lives close to the King.

(Chagiga 13a; Tosfos; The Midrash Says)

Sing, My Soul! Insights into the Zemiros sung at the Shabbos table throughout the generations.

Kol Mekadesh Sh'vii - "Whoever Keeps Shabbos..."

"Those who seek Hashem, the seed of Avraham, who loved Him, who delay departing from Shabbos and rush to enter it."

Doesn't one first enter the Shabbos and only later take leave of it?

The Shabbos offers two dimensions of pleasure to its observer: 1) the physical pleasure of resting from labor and indulging in food and drink. 2) the spiritual pleasure of observing the laws of Shabbos in order to express his love of Hashem. When one rushes to begin the Shabbos it is not evident whether he is doing so in order to avail himself of the delicious meals awaiting him or because of the holy fire burning within him to do the mitzvos which will bring pleasure to his Creator.

The test comes when it is time to take leave of the Shabbos. If the pleasure of food was his motivation for welcoming the Shabbos early he will have no interest in prolonging the day since all of the food prepared for the day has already been consumed. But if it was the desire to serve Hashem through observing the laws of Shabbos which motivated him he will be reluctant to quickly relinquish this opportunity.

The seed of Avraham, who follow in his ways of doing everything out of a love for Hashem, demonstrate with their delaying of the departure of Shabbos that their motive for rushing to enter it was the spiritual pleasure of showing their love for Hashem by observing His laws.

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Subject: PARSHAT YITRO

PARSHAT HASHAVUA
PARSHAT YITRO
by Menachem Leibtag

Dedicated by the zeiger and ziegler families in honor of: The birth of their grandchild, tehilla chava ziegler; The engagement of shlomit zeiger to chezi ben-michael; The birth of the ziegler grandchildren, kinamon and Netanael ron; and the staff of the virtual beit midrash.

Dedicated by the braun family in honor of:

The bar mitzva of nachum, brother of nasanayl ('92)
Mazal tov to alex waldman and talya melmed (both avid readers)
On their engagement!

PARSHAT YITRO

Parshat Yitro describes the historic event of Matan Torah, but the manner in which it does so is not as simple as meets the eye. This week's shiur contains two parts:

Part I serves as a general introduction to the methodology of analyzing the 'structure' of parshiot to find their 'theme'.

Part II discusses the significance of the Torah's PRESENTATION of the events that take place when the Torah is given at Har Sinai.

PART I - STRUCTURE AND THEME IN CHUMASH

When we study Chumash, we encounter two types of passages:

- (1) narrative, i.e. the ongoing story;
- (2) "mitzvot", i.e. the commandments.

Before Bnei Yisrael arrive at Har Sinai, Chumash contains primarily narrative (e.g. the story of Creation, the Avot, Yetziat Mitzraim etc.). In contrast, beginning with Parshat Yitro, we find many 'parshiot' consisting primarily of 'mitzvot' (e.g. the Ten Commandments, the "mishpatim", laws of the Mishkan, etc.).

Assuming that Bnei Yisrael are to receive all the mitzvot at Har Sinai, and then will continue their journey to inherit the Promised Land, one would expect to find the following order:

I. NARRATIVE

The story of Bnei Yisrael until they reach Har Sinai.

II. MITZVOT

ALL the mitzvot that Bnei Yisrael receive at Har Sinai.

III. NARRATIVE

The story of Bnei Yisrael's journey from Har Sinai to the Promised Land.

However, instead of this clear and structured order, Chumash presents the mitzvot in a much more complicated manner. Together with the description of the events that transpire when the Torah is given, Sefer Shmot records only a select set of mitzvot. The rest of the mitzvot that were given to Moshe Rabeinu on Har Sinai are interspersed amid the ongoing narratives of Vayikra, Bamidbar and Dvarim. Why are the mitzvot not presented in a more organized fashion?

We must assume that there is thematic significance to the order in which the Torah presents the mitzvot. In other words: to fully appreciate Chumash, we must not only study the mitzvot, but we must ALSO study the manner of their presentation. This requires that we consistently pay attention to the 'structure' of 'parshiot' in Chumash, as well as to their content.

CHRONOLOGY IN CHUMASH

It is only logical to assume that the narrative found in Chumash is presented in chronological order, i.e. the order in which the events took place. Sometimes, we may find instances when a certain narrative concludes with details that took place many years later. Although this may seem strange, this too is logical.

For example, the story of the manna in Parshat B'shalach, concludes with God's commandment to Moshe to place a sample of the manna next to the Aron in the Mishkan. This commandment could only have been given AFTER the Mishkan was completed, an event which does not occur until many months later. Nevertheless, because that narrative deals with the manna (which first fell before Matan Torah), related events, even though they take place at a later date, can be included in the same 'parsha'.

[The story of Yehuda and Tamar in Sefer Breishit is another classic example. See perek 38, note from 38:12 must take place AFTER Yosef becomes viceroy in Egypt!]

How about the mitzvot in Chumash? In what order are they presented in Chumash? Do they follow the chronological order by which they were first given?

Because the mitzvot are embedded within the narrative of Chumash, and not presented in one unbroken unit (as explained above), the answer is not simple. A major controversy exists, popularly known as: "ein mukdam u'm'uchar ba'Torah" (there is no chronological order in the Torah). Rashi, together with many other commentators, consistently holds that "ein mukdam u'm'uchar", while Ramban, amongst others, consistently argues that "yaish mukdam u'm'uchar", i.e. Chumash DOES follow chronological order.

Rashi's opinion, "ein mukdam u'm'uchar", should not be understood as some 'wildcard' answer that allows one to totally disregard the order in which Chumash is written. Rashi holds that the mitzvot in Chumash are organized by TOPIC, i.e. thematically, without regard to the actual chronological order in which God gave them to Moshe Rabeinu. Therefore, even the slightest indication that a certain 'parsha' was given at a later date allows Rashi to 'change' the chronological order.

For example, Rashi holds that the mitzvah to build the Mishkan in Parshat Trumah (25:1) was given AFTER the sin of the Golden Calf (32:1) in Parshat Ki-tisa, because of the thematic similarities to that event.

Ramban argues that until there is 'clear cut' proof otherwise, one must always assume that the even the mitzvot in Chumash are recorded in the same order as they were given. For example, the commandment to build the Mishkan was given BEFORE "chet ha'egel" DESPITE the thematic similarities to that event!

Even though this controversy of "mukdam u'm'uchar" relates primarily to 'parshiot' dealing with mitzvot, there are even times when this controversy relates to the narrative itself. A classic example is found with regard to when Yitro comes to join Bnei Yisrael in the desert.

WHEN DID YITRO ARRIVE ?

Parshat Yitro opens with Yitro's arrival at the campsite of Bnei Yisrael at Har Sinai (see 18:5). The location of this 'parsha' indicates that Yitro arrives BEFORE Matan Torah, yet certain details found later in the 'parsha', i.e. Moshe's daily routine of judging the people and teaching them God's laws, indicates that this must have taken place AFTER Matan Torah.

Based on several strong proofs, Ibn Ezra claims that the entire parsha took place AFTER Matan Torah ("ein mukdam u'm'uchar"). DESPITE these proofs, Ramban maintains the opposite: that the entire 'parsha' took place BEFORE Matan Torah ("yaish mukdam u'm'uchar").

Rashi suggests a compromise by 'splitting' the parsha in half. He holds that Yitro did arrive BEFORE Matan Torah (18:1-12), HOWEVER, the details found later (18:13-27), e.g. how Moshe taught the people etc., took place AFTER Matan Torah. [See Rashi 18:13 and Ramban 18:1]

Ibn Ezra (see 18:1), who claims that the entire 'parsha' occurred later, must explain WHY the Torah recorded this 'parsha' here. Therefore, he finds thematic significance in the juxtaposition between this 'parsha' and the story of Amalek.

The dispute concerning 'When Yitro came' illustrates the various approaches we can take when confronted with apparent discrepancies. In general, whenever we find a 'parsha' which appears to be 'out of order', we can either:

- 1) Attempt to keep the chronological order, then deal with each problematic detail individually. [Ramban's approach]
- 2) Keep the chronological order up until the first detail that is problematic. At that point, explain why the narrative records details that happen later. [Rashi]
- 3) Change the chronological order, and then explain the thematic reason why the Torah places the 'parsha' in this specific location. [Ibn Ezra]

MA'AMAD HAR SINAI

With this introduction, we can begin our discussion of the most important event of our history: "Ma'amad Har Sinai" - God's revelation to Am Yisrael at Mount Sinai - the most significant event to have shaped our collective identity.

"Matan Torah" - the giving of the Torah at Sinai, together with the events which immediately precede and follow it, are known as "Ma'amad Har Sinai".

This "ma'amad" includes the following 'parshiot':

19:1-25 [Narrative] The Sinai 'experience', God's revelation

20:1-14 [Mitzvot] The Ten Commandments

20:15-18 [Narrative] Bnei Yisrael's fear of God's revelation

21:19-23:33 [Mitzvot] Additional Mitzvot ("ha'mishpatim")

24:1-11 [Narrative] The ceremonial covenant (na'asseh v'nishma)

Bnei Yisrael declare "na'asseh v'nishma" before receiving the Torah - correct? NOT according to Ramban and, apparently, not according to Parshat Yitro!

Bnei Yisrael's declaration of "na'asseh v'nishma" takes place during the ceremonial covenant recorded at the end of Parshat Mishpatim (24:7). In Parshat Yitro, when Bnei Yisrael accept God's proposition to keep His Torah, the people reply only with "na'asseh" (19:8).

Based on the order of parshiot (see above table), the "na'asseh v'nishma" ceremony takes places AFTER Matan Torah. Nevertheless, Rashi changes the order of the 'parshiot' and claims that this ceremony takes places BEFORE Matan Torah. Why?

Rashi ("ein mukdam u'm'uchar") anchors his interpretation in the numerous similarities between chapter 19 and chapter 24. Therefore, he combines these two narratives together. [However, he must explain the reason why they are presented separately.]

Ramban ("yaish mukdam u'm'uchar") prefers to accept the chronological order of the 'parshiot' as they are presented in Chumash, and explains that this ceremony takes place after Matan

Torah.

This dispute causes Rashi and Ramban to explain the details of chapter 24 differently. For example, during that ceremony Moshe reads the "Sefer Ha'Brit" in public (24:7). According to Rashi, "Sefer Ha'Brit" refers to all of Chumash from Breishit until Matan Torah; while according to Ramban, it refers to the Ten Commandments (and possibly also the "mishpatim").

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PARSHAT YITRO / PART II

Part II of this week's shiur examines the complicated description of "Ma'amad Har Sinai". In our analysis, we will attempt to uncover the biblical source for several popular Midrashim and better understand the reason for the opposing opinions of various commentators.

THE SINAI EXPERIENCE

Although the obvious purpose of Ma'amad Har Sinai is that Bnei Yisrael receive the mitzvot, their experience during that revelation is of equal importance. To uncover the thematic significance of their experience, we must carefully examine the narrative that describes that event (19:1-25).

Chapter 19 can be divided into four distinct sections:

- I. PROPOSITION (1-8)
- II. PREPARATION (9-15)
- III. REVELATION (16-19)
- IV. LIMITATION (20-25)

As we will show, this division helps us understand the importance of each section.

THE PROPOSITION (1-8)

After arriving at Har Sinai (19:1-2), God summons Moshe to present Bnei Yisrael with the following proposition:

"IF: You will OBEY Me faithfully and keep My COVENANT...

THEN: You shall be to Me a "mamlechet Kohanim v'goy kadosh" [a kingdom of Priests and a holy nation]..." (19:4-6)

It is not by chance that God's opening statement to Bnei Yisrael at Har Sinai begins with: "im sha'mo'ah tish'm'u b'koli" - "If you will truly obey Me". As explained in the previous shiurim, it was precisely this call for obedience that Bnei Yisrael did not heed prior to their redemption. After the various incidents in the desert that helped build Bnei Yisrael's spiritual character, God must first verify that they are truly ready to receive the Torah.

In addition to confirming their total obedience, the second phrase in God's proposition: "u'shmartem et briti" - 'and you shall keep My covenant' - suggests that the time has come for Bnei Yisrael to fulfill the next stage of God's COVENANT with the Avot. As we explained numerous times in Sefer Breishit, the purpose of God's covenant with the Avot was for Bnei Yisrael to establish an ethical and just, model nation ["mamlechet kohanim"] in Eretz Canaan that will represent Him. By keeping the mitzvot which they are about to receive, Bnei Yisrael can fulfill this Divine goal.

[Whether this is the same covenant or an additional covenant will be discussed in the shiur on Parshat Ki-tisa.]

Therefore, Bnei Yisrael must receive the mitzvot BEFORE they enter the Land. As these mitzvot will be binding for all generations, they must be given in a covenantal ceremony. [This ceremony will be discussed in next week's shiur. Note also that Matan Torah itself is referred to as a covenant, see Dvarim 4:13 & 5:2-3.]

A covenant, by its very nature, is only binding if both sides willingly agree. Therefore, the Torah must emphasize Bnei Yisrael's collective acceptance of this covenant (19:7-8).

PREPARATION (9-15)

After Bnei Yisrael accept God's proposition, they must prepare themselves for His "hitgalut" (revelation). First, God explains to Moshe that He plans to speak to the people using Moshe as an intermediary:

"And God said to Moshe, 'I will come to you in a THICK CLOUD in order that the people will HEAR when I SPEAK WITH YOU, ... then Moshe reported the people's words to God'" (19:9)

The second half of this pasuk is very difficult. What 'words of the people' did Moshe report?

It CANNOT refer to the people's acceptance of God's proposition, for that was already reported in the previous pasuk (see 19:8). More likely, it refers to the people's response to God's statement in the first half of that pasuk, i.e. that Moshe is to act as an intermediary. Unfortunately, the Torah does not tell us what that response was.

Rashi (quoting the Mehilta) 'fills in' the missing details of that response:

"We want to SEE our King, for one can not compare hearing from a "shliach" (an intermediary) to hearing directly from God Himself!"

Rashi's explanation is based on God's response, as explained in the psukim that follow:

"And God told Moshe, 'Go to the people and get them ready... for on the third day God will reveal Himself IN THE SIGHT OF ALL THE PEOPLE on Har Sinai.'" (19:10-11)

Bnei Yisrael's response can be determined from the apparent change in God's plan as to how His revelation will take place. This change is implicit in the contradiction between 19:9 and 19:11:

19:9 implies that Moshe will act as an intermediary.

From now on, referred to as PLAN 'A'

19:11 implies that Bnei Yisrael themselves will SEE God.

From now on, referred to as PLAN 'B'

According to Plan 'B', Bnei Yisrael will hear the Commandments directly from God. Therefore, this 'change of plan' requires that Bnei Yisrael reach even a higher level of spiritual readiness, as reflected in the three day preparation period (see 19:10-15).

Are Bnei Yisrael capable of reaching this level? Are they truly ready to witness God's Revelation in the manner that they requested? From the psukim which follow, it is not clear that they were.

REVELATION

On the third day, Bnei Yisrael become fearful due to the thunder and lightning that precede God's approaching "hitgalut". Apparently, the people remain in the camp instead of gathering at Har Sinai (see 19:16). Moshe himself must take them out of the camp towards God, to stand at the foot of the mountain (19:17). God reveals Himself in fire on Har Sinai, and the entire mountain is enveloped in a THICK CLOUD of smoke (19:18).

Now that God has revealed Himself, i.e. He has descended on Har Sinai, the next pasuk should describe God's proclamation of the Ten Commandments. Let's examine that pasuk (19:19) carefully:

"The sound of the shofar grew louder and louder, Moshe spoke and God answered him "b'kol" ("b'kol" could be interpreted

as either 'with His voice' or 'with thunder')." (19:19)

According to Rashi, this pasuk describes God's proclamation of the FIRST TWO Commandments. The "M'chilta" (quoted by Ramban) also claims that this pasuk refers to Matan Torah. Thus, one could conclude that Bnei Yisrael actually heard the "dibrot" (at least the first two) directly from God, i.e. PLAN 'B'.

Ramban, together with many other commentators, argue that 19:19 does NOT describe Matan Torah, rather, it describes the nature of the conversation between God and Moshe regarding where everyone is to stand when Matan Torah takes place (19:20-25).

From those psukim, it is clear that only Moshe will witness the "shchina" at the TOP of the mountain [PLAN 'A'], while Bnei Yisrael are not permitted to SEE, lest they die:

"... Go down and WARN the people lest they break through toward God to SEE, and many of them will perish" (19:21)

Once again, Ramban prefers to keep the sequence of events according to the order of the psukim, while Rashi is willing to 'change' the order.

To better understand the "machloket" (controversy) between Rashi and Ramban, we must examine the last set of psukim (19:20-25) which precede the Ten Commandments (20:1-14).

LIMITATION (19:20-25)

The psukim that follow seem to indicate another change in plan. All of a sudden, God decides to LIMIT His revelation to the top of the Mountain:

"And God descended upon Mount Sinai to the TOP of the Mountain, then summoned Moshe to the TOP of the Mountain, and Moshe ascended" (19:20)

Since only Moshe can ascend, the people must be warned ONCE AGAIN to keep their distance. Even the "kohanim" who apparently are permitted to come closer than others, receive a special warning (19:21-25).

[Note that 20:25 refers to Moshe conveying this warning to the people, and NOT to conveying the "dibrot", as commonly misunderstood].

From these psukim, it appears that God will reveal Himself to Moshe alone, and NOT to the entire nation. Has God reverted to Plan 'A' (that Moshe is to act as an intermediary)? If so, why? If Plan 'B' remains, why is God's revelation now limited to the TOP of the mountain? Could this be considered some sort of a compromise, perhaps Plan 'C'? [See Further Iyun.]

A possible solution to this dilemma can be deduced from the change in 'person' that takes place between the second and third commandment.

THE TEN COMMANDMENTS - FIRST OR THIRD PERSON

The first two commandments (20:2-5) are written in first person, indicating that God conveyed them DIRECTLY to the people [as in Plan 'B']. The last eight commandments (20:6-14) are written in third person, indicating a less direct form of communication, i.e. that Moshe conveyed them to the people [as in Plan 'A'].

[This reflects Chazal's explanation: "Anochi v'Lo Yihiyeh Lachem, m'pi ha'g'vurah shma'um", i.e. the first two commandments were heard directly from God (Makkot 24a), see also Chizkuni 20:2.]

This change of 'person' between the second and third commandment supports Rashi's explanation in 19:19 that the people heard the first two commandments directly, i.e. the psukim that describe God's limitation of His "shchinah" to the top of the mountain (19:20-24) take place in the middle of the Ten

Commandments.

Ramban argues that the people heard ALL the commandments through Moshe (Plan 'A'), i.e. NONE of the commandments were heard directly from God. According to Ramban, the people's fear of the thunder and lightning caused them to revert back to the original plan (see Ramban 20:15).

Ibn Ezra (20:15) takes an opposite approach. He maintains that the people heard all Ten Commandments directly from God [Plan 'B'].

In the description of Matan Torah in Sefer Dvarim, we face a similar dilemma when attempting to determine precisely what happened:

"Face to face God spoke to you on the mountain out of the fire [PLAN 'B']. I stood BETWEEN God and you at that time to convey God's words to you [PLAN 'A'], for you were afraid of the fire and did not go up the mountain..." (Dvarim 5:4-5)

Even though Rashi's interpretation appears to be the most logical, the other commentators also present very solid arguments. The "machloket" between the various commentators undoubtedly results from the ambiguity in the psukim themselves.

Why can't the Torah be more precise about such an important detail of the most important event in our history?

AHAVA and YIRAH

One could suggest that this ambiguity is intentional, as it reflects the very nature of man's encounter with the Divine.

Man, in search of God, finds himself in a dialectic. On the one hand, he must constantly strive to come as close to God as possible ("ahava" - the love of God). On the other hand, he must constantly be aware of God's greatness, and recognize his own shortcomings and unworthiness ("yirah" the fear of God), and thus keep his distance (see Dvarim 5:25-26!).

God's original plan for Matan Torah was 'realistic'. Realizing man's inability to directly confront the "shchinah", God intends to use Moshe as an intermediary (Plan 'A'). Bnei Yisrael, eager to become an active covenantal partner, desire to come as close as possible to Har Sinai. They themselves want to encounter the "shchina" directly.

Could God say NO to this sincere expression of "ahavat Hashem"? On the other hand, answering YES could place the people in tremendous danger, for to be deserving, Bnei Yisrael must reach a very high level.

Plan 'A' reflects reality, while Plan 'B' reflects the ideal. One could suggest that by presenting the details in an ambiguous way, the Torah is emphasizing the need to be both realistic and idealistic at the same time.

GOD KNOWS BEST

Although God is aware that Bnei Yisrael are not capable of sustaining a complete encounter with the "shchinah", nonetheless, He concedes to the people's request to hear the Commandments directly. Why?

One could compare this Divine encounter to a parent-child relationship. There are times when a child is growing up and he wishes to do something by himself. Although the child may not be capable of performing that act, his desire to accomplish is the key to his growth. A wise parent will allow his child to try, even though he knows that the child will fall. Better one recognize the limits of his capabilities on his own, than be told

by others that he cannot accomplish.

A child's desire to grow should not be inhibited by an overprotective parent. On the other hand, a responsible parent must also know when to tell his child STOP.

Likewise, God is aware that Bnei Yisrael do not deserve to encounter the Divine at the highest level, nevertheless He encourages them to aspire to their highest potential. As Bnei Yisrael struggle to maintain the proper balance between "ahava" and "yirah", God must guide and Bnei Yisrael must strive.

When studying Parshat Yitro, what actually happened at Ma'amad Har Sinai remains unclear. What could have happened remains man's eternal challenge.

shabbat shalom
menachem

FOR FURTHER IYUN

A. What would have happened had Bnei Yisrael said NO to God's proposition? The Midrash posits that had Bnei Yisrael rejected, the world would have been returned to "tohu va'vahu" (void) - the phrase used in Breishit 1:2 to describe the state prior to Creation! [See Shabbat 88a & Rashi 19:17.] From this Midrash, it appears that Bnei Yisrael had no choice other than to accept. Why then is the covenant binding, if Am Yisrael had no choice?

Any covenant, by its very nature, requires that both parties have free choice to accept or reject. Therefore, according to "pshat", Bnei Yisrael have "bchira chofshit" to either accept or reject God's proposition. Their willful acceptance makes the covenant at Har Sinai binding for all generations. Thus, had Bnei Yisrael said NO (chas v'shalom), Matan Torah would not have taken place! However, such a possibility is unthinkable, for without Matan Torah there would have been no purpose for Creation. Therefore, because the psukim indicate the Bnei Yisrael had free choice, the Midrash must emphasize that from the perspective of the purpose of God's Creation, the people had no choice other than to accept the Torah.

B. Learn the Ramban to 20:15 (after first reading Dvarim 5:19-28). Based on the above shiur, explain why the Ramban changes the order of the parshiot in this specific case.

C. Most all the m'forshim explain that "b'mshoch ha'yovel hay'mah ya'alu b'Har" (19:13) refers to the long shofar blast that signals the COMPLETION of the "hitgalut" - an all clear signal.

One could suggest exactly the opposite interpretation! The long shofar blast should indicate the BEGINNING of Matan Torah.

1. Explain why this interpretation fits nicely into the pshat of 19:11-15, i.e. limiting access to the Mountain is part of preparation for Matan Torah. [What does an 'all clear' signal have to do with preparation?]

2. Explain why this would imply that during Matan Torah, Bnei Yisrael should have actually ascended Har Sinai!

Relate this to concept of PLAN 'B' and Bnei Yisrael's request to SEE the "shchina".

3. Use Dvarim 5:5 to support this interpretation.

4. Based on this explain why "kol ha'shofar holaych v'chazak m'od" (19:19) is precisely "b'mshoch ha'yovel".

Relate to "tachtit ha'har" in 19:17!

5. Use this to explain why immediately after 19:19 we find the psukim which describe God's decision to LIMIT his "hitgalut" to the TOP of the mountain.

D. Compare the details of 19:20-24 to the Mishkan! i.e. Rosh

Ha'har = kodesh kdoshim. Har = Mishkan, Tachtit Ha'har = azara etc. Where can Moshe and Aharon enter, the Kohanim, the Am!

Explain how this may relate to our theoretical PLAN 'C'!

From: "listserv@lubavitch.chabad.org (W-2 LIST Chabad
To: CSHULMAN
Date: 2/5/96 3:08pm
Subject: Torah Studies - Yisro

B"H
Torah Studies
Adaptation of Likutei Sichos
by
Rabbi Dr. Jonathan Sacks
Chief Rabbi of Great Britain
Based on the teachings and talks of the Lubavitcher Rebbe
Rabbi Menachem M. Schneerson on the weekly Torah Portion
YISRO

In this elaborate and profound Sicha, two disagreements in interpretation of events connected with the Giving of the Torah are explored.

In both cases the disputants are Rabbi Akiva and Rabbi Ishmael; and their opinions reveal a deep underlying difference in their orientation towards the service of G-d.

The two problems they confront are, what did the Israelites answer to G-d when they accepted the Ten Commandments, and, when the Torah tells us that they "saw the voices (of the thunder)," did they literally see a sound, or did they only hear it? From these apparently slight beginnings, the Rebbe uncovers fundamental themes; in particular, the difference in perception between the righteous man and the man of repentance.

THE ANSWERS OF THE ISRAELITES

As a preliminary to the giving of the Ten Commandments the Torah tells us that "And G-d spoke all these things, saying. The usual meaning of the Hebrew word of "saying" is "to say to others."

For example, the meaning of "And G-d spoke to Moses, saying . . ." is that Moses should transmit the word of G-d to the Children of Israel. But this cannot be the meaning of the present verse, for at the time of the Giving of the Torah, G-d Himself spoke to all the Israelites.

Nor can it mean "for transmission to the later generations," for we have a tradition that all Jewish souls, of past and future lives, were gathered at Sinai to witness the revelation.

Therefore the Mechilta interprets "saying" as meaning that, for every commandment, the children of Israel answered G-d saying that they would do what it demanded to them.

But the Mechilta cites two opinions as to the manner in which the Israelites answered. Rabbi Ishmael says that on the positive commandments they answered "yes" and on the negative, "no" (i.e., that they would do what G-d commanded, and would not do what He forbade). Rabbi Akiva, on the other hand, says that they answered "yes" to both positive and negative commands (i.e., that they would do G-d's will, whatever form it took).

But what is the substance of the disagreement between the two opinions? Surely, they both, in essence, say the same thing?

THE VOICE OF THE THUNDER

There is another disagreement between Rabbi Akiva and Rabbi Ishmael concerning the Giving of the Torah.

We are told that "all the people saw the voices (of the thunder) and the lightning" a problem, for how can voices be seen?

Rabbi Ishmael says: "They saw what is (normally) seen and heard what is (normally) heard," taking the verb "saw" to apply not to the voices of the thunder, but to the lightning. But Rabbi Akiva says, "they saw what is (normally) heard, and heard what is (normally) seen" i.e., that they did indeed see the voices, and did not see, but heard, the lightning.

Now there is a general principle that G-d does not perform miracles for no reason. From which we can infer that the miracles that Rabbi Akiva describes were not extraneous to the giving of the Torah, but were an essential part of it. So elevated were the Israelites by the revelation of the Ten Commandments that their senses took on miraculous powers.

If so, we must understand the verse "they saw the voices (of the thunder) and the lightning" as relating to the ecstatic state of the Israelites. But now we cannot understand Rabbi Ishmael's opinion, for he interprets the verse as relating to a purely natural phenomenon.

RASHI'S QUOTATIONS

Since these two disagreements relate to the same subject and are between the same protagonists, we can assume that their opinions on the answer of the Israelites are connected to their opinions on the seeing of the thunder (that one entails the other).

This would appear to be contradicted by the fact that Rashi, on the word "saying," quotes Rabbi Ishmael's opinion (the Israelites answered "yes" to the positive commands and "no" to the negative); while on the phrase "they saw the voices" he cites (part of) Rabbi Akiva's explanation (that they saw what is normally heard).

Since Rashi's commentary is consistent, it would seem that the two problems are not related if he can cite one side on one question, and the other on the other.

This however does not follow. For Rashi quotes only half of Rabbi Akiva's explanation, omitting "the Israelites heard what is normally seen." And it is this second half which forces Rabbi Akiva to his opinion that the Israelites answered "yes" to the negative command (i.e., his difference of opinion with Rabbi Ishmael).

And the reason why Rashi selects Rabbi Ishmael's answer to one question and one half of Rabbi Akiva's to the other, is because these are the most appropriate to a literal understanding of the text (which is Rashi's concern). How this is so, will be explained later.

SIGHT AND SOUND

As a preliminary, we must understand the difference between "seeing" and "hearing."

Firstly the impression made on a man by seeing something happen is far stronger than that made by just hearing about it. So much so that "an eyewitness to an event cannot be a judge in a case about it" for no counter-argument could sway his fixed belief about what he saw.

Whereas so long as he has only heard about it, he can be open to conflicting testimonies, and judge impartially between them.

Secondly, only a physical thing can be seen; while what can be heard is always less tangible (sounds, words, opinions).

These two points are connected. For man is a physical being, and it is natural that the physical should make the most indelible impression on him; while the spiritual is accessible only by "hearing" and understanding, hence its impression is weaker.

This explains the nature of the elevation that the Giving of the Torah

worked on the Israelites. They saw what was normally heard - i.e., the spiritual became as tangible and certain as the familiar world of physical objects. Indeed, the Essence of G-d was revealed to their eyes, when they heard the words, "I (the Essence) the L-rd (who transcends the world) am thy G-d (who is imminent in the world)."

At a time of such revelations, the world is known for what it truly is - not an independently existent thing, but something entirely nullified before G-d.

If so, how do we know that there is a world and not simply an illusion of one? One by inference, from the verse "In the beginning, G-d created heaven and earth."

In other words, the Israelites "heard what was normally seen" - they had only an intellectual conviction (and not the testimony of the senses) that there was a physical world.

RABBI ISHMAEL'S INTERPRETATION

But if this was so, what elevation was there in the Israelites according to Rabbi Ishmael, who holds that they only heard and saw what was normally heard and seen? How could this be, when the revelation was the greatest in all history?

The explanation is that the main revelation at the Giving of the Torah was that "the L-rd came down upon Mt. Sinai" - the high came low; and the miracle was that G-d Himself should be revealed within the limits of nature. This is why it was so extraordinary that the Israelites should, without any change in their senses, perceive G-d in His Essence and so abdicate themselves that "they trembled and stood far off."

The Priest and the Repentant

Why do Rabbi Ishmael and Rabbi Akiva hold opposing views as to the nature of the elevation brought about in the Israelites at Sinai?

Rabbi Ishmael was a High Priest (a Kohen Gadol) and the nature of a priest is to be "sanctified to his G-d."

His service is that of the righteous, to transmit holiness to this world (to take the high and bring it low). This is why he saw the greatest miracle as being that G-d Himself came down to this world, so far as to be perceived by the normal senses ("they saw what is normally seen").

But Rabbi Akiva was a man of repentance (a Ba'al Teshuvah), whose descent was from converts and who only started to learn Torah at the age of 40. Repentance colors his whole manner of service: The desire to ascend higher than this world (and, as is known, he longed throughout his life to be able to martyr himself in the cause of G-d). So that for him the greatest miracle was the transcending of all physical limitations ("they saw what is normally heard").

Two Faces of Commandment

There are two aspects to every commandment:

- (i) the element which is common to them all that they are commands from G-d; and
- (ii) the characteristics which are individual to each, each involving different human activities and sanctifying a different aspect of the world.

Rabbi Akiva and Rabbi Ishmael each attend to a different aspect.

Rabbi Ishmael, who sees the ultimate achievement in translating G-dliness into this world, with all its limitations, sees principally the details of the commandments, (how each sanctifies a different part of this world).

And thus he holds that the Israelites answered "yes" to the positive ones and "no" to the negative - that they attended to what distinguished one kind of command from another.

But to Rabbi Akiva, what was important was the transcending of the

world and its limitations, and hence in a commandment the essential element was what was common to each, that it embodies the will of G-d which has no limitations. Therefore he says that the Israelites responded primarily to this common element, they said "yes" to positive and negative alike.

THE POSITIVE IN THE NEGATIVE: THE CHARACTER OF RABBI AKIVA

We can in fact go deeper in our understanding of Rabbi Akiva's statement.

When he says that the Israelites said "yes" to the negative commandments, this was not simply that they sensed in them the element common to all expressions of G-d's will; but more strongly, that they only saw what was positive even in a negative thing - the holiness that an act of restraint brings about.

And this follows from the second clause of his second explanation (which Rashi omits in his commentary) that the Israelites "heard what was normally seen." For since the physical world's existence was for them only an intellectual perception and the only sensed reality was the existence of G-d, they could not sense the existence of things which opposed holiness ("the other gods") but saw only the act of affirmation involved in "thou shall have no other gods."

We can see this orientation of Rabbi Akiva very clearly in the story related in the Talmud, that Rabban Gamliel, Rabbi Elazar ben Azariah, Rabbi Joshua and Rabbi Akiva were on a journey and decided to return to Jerusalem (after the destruction of the second Temple). When they reached Mt. Scopus they rent their garments. When they reached the Temple Mount, they saw a fox emerging from the Holy of Holies and they began to weep - but Rabbi Akiva laughed. They asked him, "Why are you laughing?" and he replied, "Why are you weeping?" They said, it is written, "the common man who goes near (to the Holy of Holies) shall die," and now foxes enter it - should we not cry?

He said, "this is why I laugh. For it is written 'And I will take to Me faithful witnesses, Uriah the priest and Zechariah the son of Jeberechiah.' Now what connection has Uriah with Zechariah? Uriah lived during the Now what connection has Uriah with Zechariah? Uriah lived during the times of the First Temple, while Zechariah prophesied at the time of the second. But the Torah links the prophecies of both men. Uriah wrote, 'therefore shall Zion, because of you, be plowed like a field.' And Zechariah wrote 'Yet shall old men and women sit in the broad places of Jerusalem.' So long as Uriah's prophecy had not been fulfilled, I was afraid that Zechariah's would not be. Now that it has, it is certain that Zechariah's will come true."

Even in the darkest moment of Jewish history - when foxes ran freely in the Holy of Holies Rabbi Akiva saw only the good: That this was proof that the serene and hopeful vision of Zechariah would be vindicated.

THE MEANING OF RASHI

The two kinds of service which Rabbi Akiva and Rabbi Ishmael exemplify (the service of the righteous and the repentant) are relevant only to one who is already some way along the path to perfection. But to the "five-year old" (whether in years, or more generally to those at the beginning of the way) to whom Rashi addresses his commentary, he need only quote part of Rabbi Akiva's explanation, that "they saw what is normally heard." For the beginning of worship, stated in the first chapter of the Shulchan Aruch, is "I have set the L-rd before me continually."

In other words, it is to strive to make G-dliness (normally only an intellectual notion, something "heard") as real for oneself as if one

had literally seen Him with one's own eyes.

But Rashi does not quote the rest of the sentence, "they heard what was normally seen," for however real G-d may become for one; at the beginning of one's life of service, the world still seems like a tangible reality. And physical acts like eating and drinking are still prompted by physical desires, and are not unequivocally for the sake of Heaven.

And thus, since the physical world still has an independent reality for him, and he can still perceive the bad, Rashi gives Rabbi Ishmael's comment, that the Israelites answered "no" to the negative commandments.

Indeed, though Rashi cites Rabbi Akiva, that the Israelites "saw what was normally heard," this is consistent even with the opinion of Rabbi Ishmael. For his comment speaks to a man already at the level of righteousness when he can perceive G-dliness even within the constraints of the lowest of this world, symbolized by the expression that he "hears what is normally heard" (i.e., where G-dliness is so concealed that it is only affirmed as a result of intellectual proofs). But at the beginning of the path, one must relate to G-d only at a level, when he "sees what is normally heard" (i.e., where G-dliness is readily perceived).

The implication of Rashi for the conduct of the individual Jew, is that when the world still exercises its pull on him, he must strive to make his sense of the presence of G-d as clear as his sense of sight. But this is only a preliminary stage, from which he must take one of the two paths to perfection - Rabbi Ishmael's way of righteousness (bringing G-d into the lowest levels of this world) or Rabbi Akiva's way of repentance (bringing the world up to the highest level of perceiving G-d, so that this world is seen only as an expression of G-dliness). And since both are paths of Torah - both of them are true; therefore, one must combine aspects of both in his spiritual life.

(Source: Likkutei Sichot, Vol. VI pp. 119-129)

From: "Jeffrey Gross
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To: CSHULMAN, " "Halachic Topics Related to th
Date: 2/7/96 11:08am
Subject: Parshas Yisro

By Rabbi Doniel Neustadt

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

"You should not take the name of Hashem, your G-d, in vain (20:7). One who recites a Bracha which is not needed transgresses this prohibition (Brachos 33:1)."

Al Hagefen V'al Pri Hagefen

QUESTION: What is the minimum amount of wine or grape juice that one must drink in order to recite the Bracha of Al Hagefen ?

DISCUSSION: One who drinks a Reviis (3.3 fl. oz.(1)) of wine or grape juice recites the Bracha of Al Hagefen. One who drinks less than a Kzayis (1.1 fl. oz.) does not recite any Bracha afterwards.

There is a dispute among the Rishonim as to whether or not an Al Hagefen is recited if one drank more than a K'zayis but less than a Reviis. Some require an Al Hagefen while others forbid

it. The Halacha is that L'chatchilla, one should avoid this gray area and take care to drink at least a Reviis or less than a Kzayis(2).

It is important to remember this when making Havdala or when Bentching over a Kos. Theoretically, it would be enough to drink a M'lo Lugmov (cheekful -1.6 fl. oz.) of wine or grape juice [the minimum required for Havdala(3) or Bentching(4)]. According to the Halacha just stated, however, one should L'chatchilah avoid drinking merely a M'lo Lugmov, because a cheekful is more than a Kzayis but less than a Reviis.

B'dieved, if one drank a M'lo Lugmov, he cannot recite the Bracha of Al Hagefen(5).

QUESTION: If one drinks less than a Reviis, can he add the words "Al Hagefen" to the Bracha of "Al Hamichya?"

DISCUSSION: In the above case, where the amount drunk was between a Kzayis and a Reviis, one should add the words Al Hagefen if he is reciting Al Hamichya anyway over cake, etc. Indeed, it is correct to do so in order to be able to recite Al Hagefen which he would otherwise have to omit(6). If, however, one drank less than a Kzayis (as is common at a Kiddush), he should not add the words "Al Hagefen"(7).

The same Halacha pertains to a questionable amount of Mezonos eaten together with a Reviis of wine. If it is doubtful whether the Mezonos is a K'zayis, he should add the words "Al Hamichya" to the "Al Hagefen". If he ate a piece of Mezonos smaller than the questionable size, he should not add those words.

QUESTION: Is one required to say Borei Nefashos in addition to Al Hagefen if he drank wine along with other Sheakol beverages?

DISCUSSION: A Borei Pri Hagafen said over a Reviis of wine exempts all other beverages from a Shehakol, provided that the other beverages were on the table, or that one had in mind to exempt them(8). Similarly, Al Hagefen said after the wine exempts the other beverages from Borei Nefashos(9).

Even if one drank just a cheekful of wine, he need not recite Sheakol on other beverages(10). He will, however, need to recite Borei Nefashos over them, since he will not be able to recite an Al Hagefen on this small amount of wine as stated earlier(11).

There is a dispute among the Poskim as to whether one recites Sheakol over other beverages if he drank less than a cheekful of wine. Some Poskim advise that a Sheakol be said on other foods(12), while other Poskim do allow Sheakol to be said on other beverages(13).

If one drank a Reviis of wine or grape juice, and then realized that he does not know the Bracha of Al Hagefen by heart and has no way of finding a Siddur before the time span for a Bracha Achrona elapses, he should say Borei Nefashos instead. This rule applies to all foods, even bread(14).

HALACHA is published L'zchus Haya'el Doniel Meir ben Hinda.

FOOTNOTES:

1 This amount is based on the ruling of Harav Moshe Feinstein, Harav S.Y. Elyashiv and Harav S.Z. Auerbach.

2 OC 190:2. The Same Halacha holds for all other beverages as well.

3 Mishna Berurah 296:9.

4 Mishna Berurah 190:12.

5 Mishna Berura 190:14.

6 Chayei Adam 50:20; Igros Moshe OC 2:109.

7 Harav S.Z. Auerbach (quoted in Shmiras Shabbos K'hilchasa 54:71); Harav S.Y. Elyashiv (quoted in V'zos Habracha p.27).

Although Igros Moshe, ibid, argues, V'zos Habracha, ibid, quotes a reliable source that he later changed his ruling.

8 Mishna Berura 174:3.

9 Mishna Berurah 208:72

10 Biur Halacha 174:2.

11 Eimek Bracha, Brachos 5; Igros Moshe OC 1:74 See also Shaar Hatzion 208:70 who remains in doubt on this Halacha.

12 Biur Halacha 174:2

13 Harav Y.Y. Kanievsky and Harav S.Y. Elyashiv (quoted in V'zos Habracha p.50).

14 Igros Moshe OC 1:74. See also Kaf Hachaim 102:79.

From: "Project Genesis <genesis@j51.com>"
To: JHURWITZ, CSHULMAN, " Project Genesis LifeLine <...
Date: 2/8/96 2:48pm
Subject: * PG LifeLine - Yisro

This week's LifeLine is dedicated to commemorate the Yaahrtzeit of Moshe Ben Yakov Baruch a"h (Michael Leigh), 22nd Shevat, and his wife Yetta Freida Bat Avraham Gutman a"h (Nettie Leigh), 26th Shevat.

Please pray for the speedy healing of AvShalom ben Shashana, BenYamin Ephriam ben Shana, Esther Miriam bat Ali za Geula, Sarit bat Esther, and Yitzchak ben Tzivia.

"I am HaShem your G-d, who brought you out of the land of Egypt." [20:2]

This is not the first Mitzvah in the Torah. The first commandment is "Be fruitful and multiply." [Gen. 1:28] The Sefer HaChinuch (Book of [Mitzvah] Education) enumerates the commandments in order of appearance, and this is number twenty-five. Nor is it the first of the Ten Commandments - because there are no ten commandments; there are fourteen! (Rabbinic humor, but true: there are fourteen commandments in the ten "dibros," or statements).

But we certainly consider the existence of G-d to be the first and fundamental principle of Jewish belief. Maimonides begins his Halachic Encyclopedia, the Mishneh Torah, with "The foundation of foundations and pillar of all wisdom is to know that there exists a First Being, and He brought into existence all that exists..." Maimonides also lists this as the first Positive Commandment in his Sefer HaMitzvos (Book of Commandments).

The Sefer HaChinuch says that "the roots of this commandment need no explanation - it is known and revealed to all that this is the foundation of religious belief."

On the other hand, there are those who argue that this is not one of the Mitzvos at all - see the Ba'al Hilchos Gedolos, the commentary of the Ramban

on the Sefer HaMitzvos, and the commentary Kina'as Sofrim there as well. This last source offers the reason: "It was difficult to many writers - how can it be correct to count the belief in the existence of a commander among the commandments, for it is impossible to have commandments without first clarifying that a commander exists!"

This comment helps us to better understand why belief in G-d's existence is called the foundation of all the Commandments, and not simply the first, greatest, or most important. To have "commandments," we must have a "commander." The translation of Mitzvos as "good deeds" is fundamentally inaccurate. It is true that Mitzvos are good deeds, but only because we know

that G-d is good and His commandments are good. The word "Mitzvos" means "commandments," from the same root as "Metzaveh" (Commander).

Judaism does not trust man. Philosophers have attempted to create systems of morality that depend upon human wisdom to determine what is correct and good, and to do those things. Judaism says "the inclinations of the heart of man are evil from his youth." [Gen. 8:21] We know that external compulsion is not always successful (have you never violated a national law?) - but it is far more powerful than our own imaginings.

There is a story told that Aristotle was caught by one of his students doing something that was, well, not in accordance with Aristotelian philosophy. Said he, "now I'm not Aristotle!" Whether true or merely a parable, the point is sound: when humans make up values, they can decide not to follow them. Our well-conceived notions are frequently no match for our base desires - just ask anyone who has attempted to diet! And similarly, a renowned professor of philosophy in Israel was recently revealed to be an absolute terror in his family life.

The commandment to know of G-d's existence is thus not merely a religious value, but a moral obligation - that which compels moral behavior even when it is difficult. "These are the things which Hashem commanded you, that you shall do them..." [35:1] - even when it's not easy!

I am (of course) behind on logging recent donations, but I believe we are about halfway to the \$5,000 matching grant for an Internet server. Every donation will be doubled, so please help us to "serve" you better!

In the meantime, we need a bit of PERL programming for a CGI script. It's a short but very important project, so if you have the knowledge and time, please be in touch...

Several people have asked about donating from England - I am certain that we have subscribers familiar with currency exchanges and International banks, and any advice would be appreciated.

Wednesday night, February 14, there will be a teleconference with Rav Michel Twerski of Milwaukee on promoting Torah learning on campus, sponsored by

American Students to Activate Pride (ASAP) and the Orthodox Union. Please

send e-mail to davidfel@ix.netcom.com if you are interested and available to be called by their operator Feb. 14th at 8pm, and provide your phone number. Good Shabbos,

Rabbi Yaakov Menken Project Genesis, the Jewish Learning Network

From: "Dovid Green <dmgreen@skynet.net>"
To: CSHULMAN, " Dvar Torah <dvar Torah@torah.org>"
Date: 2/8/96 2:48pm
Subject: Parshas Yisro

In this week's parsha we are allowed a peek into the mind and attitudes of Moshe Rabbainu. The Torah tells us the reasoning Moshe used when naming his two sons. I would like to focus on the first. Moshe was in Midyan when they were born. His first son he named Gershom, which means "a foreigner there", to remind himself that he was away from his source and that he should take extra care to uphold his standards, until he will return to his source where he can let his guard down.

Rabbi Yisroel Meir HaKohein, of blessed memory, known as the

Chofetz

Chaim, uses the following analogy to apply Moshe's reasoning to life in general. In Europe, merchants often depended on the "y'rid", which was an event which would take place at certain times during the year. There they would buy merchandise in large quantity to bring back to their smaller cities to sell or process. Perhaps one could compare it to a modern day convention for buyers where all of the newest fashions or technologies are displayed, and sold. Every moment is very valuable to the merchant, because his year's livelihood depends on his getting the best merchandise at the best price.

Along comes someone to a busy merchant and says "why don't we go out and have a good time?" The merchant retorts with disbelief, "are you kidding? Every moment's delay is a great loss! I travel hundreds of miles to come here, at great expense, just so I can provide for my family in the year to come, and you're saying you want to go out and have a good time?"

The meaning is as follows. The soul comes to earth from its dwelling place in higher realms. It comes here with a specific purpose, to make spiritual acquisitions until it will go back to its source to reap the rewards for its deeds. Come along the temporary pleasures and excitements of the material world, and only too easily it can become distracted from its true purpose, and go in hot pursuit. At that point we need to say "I'm here for just a short time. Every moment is precious. How can I waste valuable time that I need in order to prepare for my eternity!?" If I would spend the time dedicated exclusively to having fun in this world, I would return home to my heavenly abode emptyhanded! What will I say to the One Who sent me here to begin with?

We are all strangers in a place which is foreign to our souls. However, here is where we were sent to become involved in pursuits which are the basis for our eternal life. From Moshe we learn that we constantly need to remind ourselves of this and act accordingly.

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From: "Bircas Hatorah <bircas@jer1.co.il>"
To: CSHULMAN, " " Weekly Words of Torah from Bircas H...
Date: 2/8/96 1:13pm
Yisro

Selected arranged and translated by Rabbi Dov Rabinowitz
"And Yisro the father in law of Moshe, took Tzipora, the wife of Moshe, after he had sent her away." (18,2)

The Midrash (quoted by Rash"i) relates that when Aharon encountered Moshe he said "We have (enough) problems from the first ones, and you are coming to add to them?"

This would seem to refer to his bringing Tzipora into the bondage of Mitzraim.

Rav Yonasan Eibeshitz (Tiferes Yonasan) questions this interpretation, as the tribe of Levy were never subjected to the bondage, and in addition, the time of their redemption was imminent with the return of Moshe to Mitzraim.

He explains in terms of the assertion of Zimri (BaMidbar 25,14), when he came to take the Midianite woman: "Who permitted the daughter of Yisro to

you?" He did not wish to recognize that Tzipora had converted with pure motives, while his Midianite had entirely selfish motivation.

In Mitzraim, the Jewish people had contravened their Covenant with regard to their failure to practice circumcision. However, they did not actually abrogate the Covenant by marrying Mitzri women. Aharon was afraid that if Tzipora would come there, and the Israelites would see that Moshe had married a Midianite woman, they too would start to marry Mitzri women, claiming, in anticipation of Zimri, that there was no difference. They would completely nullify this Covenant, and it would bring the wrath of HaShem upon them.

This is what Aharon claimed: "We have enough problems from the first ones - who transgressed the Covenant by not circumcising, and you are coming to add to them, - and cause them to want to marry the local women?"

Thus Moshe sent her back to Midyan.

"And all the Nation saw the sounds ..." (20,15)

Rash"i (quoting the Mechilta) explains that they saw what was normally heard, what could not be seen at another place (occasion).

Rav Chaim Volozhin (Nefesh HaChaim 3,11 in a footnote) elaborates that their physical, material qualities were nullified to such an extreme, and their perception was refined to such an extent, that the total existence of everything perceived physically, which they had previously seen with their physical vision, was now negated for them, to the extent that they could no longer witness it.

We can understand this by considering that if someone had wanted to explain to them something tangible, he would have to describe it to them, so that they could hear about (a concept which they could not now experience). But the spiritual revelation, which originally they could only grasp through verbal depiction, they now saw with their very eyes, as a consequence of their enhanced perception.

"RavFrاند" List - Rabbi Frاند on Parshas Yisro

Gershom and Eliezer's Names Hint at the Insecurity of Golus

In this week's parsha, Moshe Rabbeinu explains the names of his two children [18:3-4]. One was Gershom -- "for I was a stranger (Ger hayisi) in a strange land". The other was Eliezer -- "for the G-d of my father helped me (Elokei Avi b'Ezri) and saved me from the sword of Pharaoh".

The Pardes Yosef explains the specific reason why Moshe Rabbeinu called his children these names. The Pardes Yosef says that Moshe was faced with a

problem that is similar to a problem which we, in America, also have to face. Moshe was in Midyan, safely tucked away from the troubles of Egypt, trying to raise a family. Moshe foresaw that these children could perhaps think that Midyan was the "Promised Land".

In Midyan, these children have parents, a grandfather, livelihood, and security. Everything that one could want, they had in Midyan. Moshe wanted to instill in his children the concept that for a Jew, as long as he is not living in an Eretz Yisroel with a Beis HaMikdash, no matter where he's living, he's in Golus.

This is why Moshe Rabbeinu chose these names. Know my son, that it may be good here and comfortable here but you are a stranger -- a Ger. This is a foreign land (eretz nochriya). Know my child that I grew up in Pharaoh's house. I had everything. But what happened? Pharaoh changed his mind and

now I'm a fugitive. I had to run away from the person in whose house I grew up. The G-d of my father had to save me from the sword of Pharaoh.

The Pardes Yosef (who died before the outbreak of the second World War)

goes on to write that there were people in Spain who grew up in the Golden Age of Spain when Don Yitzchak Abarbanel was the Foreign Minister of Spain

and people had money and influence and fame. And then on one Tisha B'Av in

1492 it was all lost. There is no security. No matter how good a government is, a Jew must know that as long as he is not in Eretz Yisroel, under the "Wings of the Shechinah", he lives in Golus.

Without getting into the discussion of whether, nowadays, one must live in

Eretz Yisroel or not, everyone must agree to this point -- a person must REALIZE that he lives in Golus.

A Talmudic "Fish Story" teaches us the Lesson of Golus

There is an interesting gemara in Bava Basra [73b]. One who is learning this type of gemara, often has difficulty understanding its meaning.

Fortunately, the Maharsh"א elaborates on the gemara's interpretation.

The gemara states as follows:

Rabba bar bar Channa says, "we were once traveling on a boat and we saw what turned out to be a fish, but it was so huge that sand collected on the back of the fish and we thought it was an island. We got off the boat and went on to what we thought was the island. We baked and cooked, but when it got too hot for the fish he rolled over and we fell off. If not for the fact that we were still close to the boat, we all would have drowned."

The Maharsh"א explains this story as an analogy: We were in a sea, called Golus, and we were on a ship. We knew we were in a stormy sea, but we found

what we thought was an island, an oasis of security in the middle of this sea. We cooked and baked and bought houses and made weddings and bar mitzvahs. We had children and grandchildren and great-grandchildren and it was wonderful! We said, "This isn't Golus. This is a land flowing with milk and honey!" And then the fish turned over and we wound up back in the sea. This, Rabba bar bar Channa tells us, is the nature of Golus -- the best of Golus.

R. Meir Simcha writes in the Meshech Chochma (Parshas Bechukosai), which was published years before World War II, "There are Jews here who say that Berlin is Jerusalem". Jews were respected and powerful. They had positions in science and in culture and in every aspect of German society. And then what happened? As the Meshech Chochma predicted, the fish turned over!

As Rav Schwab zt"l said so eloquently at a past Agudah convention, "America is a Government of Chessed and we must appreciate America. America is wonderful for us, it is perhaps the biggest supporter of Torah in the history of the world. We have to recognize a favor and pray for the welfare of the country."

My father, Mr. David Frاند, of blessed memory, was a true and honest Jew. I remember as a child that he would buy United States Savings bonds... when they were paying 3.5%. I always wondered, "you can't get a better rate than that?" My father would tell me that in 1939 when he was running away from Frankfurt, there was no other country that would take him. He felt obligated to recognize the favor (hakaros haTov) and was happy to buy the 3.5% bonds... and that is the feeling that we must have!

But, at the same time, we must remember and recognize that America is Golus. Let us only hope that we will walk upright to our land (Komemiyus l'artzeinu) and that what happened in Spain and in England and in Germany and in France and in all the other countries should never, G-d forbid, happen to us. But we have to know that even if Baltimore is the 'Jerusalem of America', it is 'of America'; it is not the real Jerusalem!

That is what Rabba bar bar Channa is telling us and that is what Moshe Rabbeinu was trying to teach his children. Never become complacent in the Golus.

Protest Chillul Shabbos but "Make Kugel, Not War"

The Mechilta reconciles the version of the Ten Commandments in Yisro where it says 'Remember (Zachor) the Shabbos day to keep it holy' and the Ten Commandments in Devorim where it says 'Observe (Shamor) the Shabbos day to keep it holy' by telling us that "'Shamor' and 'Zachor' were spoken with one utterance."

The Mechilta goes on to list a number of instances where two things were said with a single utterance (b'Dibur echad): The prohibition of shatnez (wearing clothing made of a mixture of wool and linen) and the mitzvah of tzizis (fringes) were spoken with one utterance. The prohibition of marrying a brother's wife and the mitzvah of yibum (levirate marriage) were spoken with one utterance. The prohibition of Chillul Shabbos (Desecration of the Sabbath) and the mitzvah of the Daily Offering were spoken with one utterance.

We can understand why shatnez and tzizis have to be said in a single utterance because shatnez contradicts tzizis. "You cannot wear shatnez" contradicts "You must wear tzizis (even though it consists of a wool-linen mixture)" -- that is why they must be given simultaneously.

So too, Yibum is a contradiction to the command you cannot marry your sister-in-law. Therefore it must be spoken in one utterance.

Again, Sabbath observance and the slaughter of the Daily Offering is a contradiction -- it must be said in one utterance.

But why do 'Remember' and 'Observe' have to be said in one utterance? Zachor and Shamor do not contradict each other! What is the linkage that necessitates their being said together?

The Be'er Yosef interprets that the word Shamor (Observe) means 'Guard', like one is a Shomer (a watchman) for an article. When one is a watchman, not only does he have to watch that nothing happens to the article because of him, but he has to watch that nothing happens to the article because of anyone else either.

Zachor means one has to keep the Shabbos personally. Shamor means the Shabbos must be kept and watched over like one would watch a precious deposit -- it is equally important that everyone else keeps the Shabbos as well. That is the linkage between Zachor and Shamor -- not only is there a personal responsibility to keep Shabbos but Shabbos must be kept by other people as well. That is why they had to be spoken in one utterance.

The Gemara in Tractate Shabbos [54b] says that, "the cow of R. Elazar ben Azariah would go out with a strap and the Sages were upset with him." The Talmud asks, "Do you really think that R. Elazar ben Azariah's cow would go out carrying something on Shabbos?" The gemara concludes that it was his neighbor's cow, but because R. Elazar didn't protest, it was considered as if it was his own cow.

The lesson is that regarding Sabbath desecration, we are all responsible for each other. If one's neighbor does not observe the Shabbos, it is as if one fails in his own. That is the halacha of 'Shamor' -- not only must

Shabbos be kept personally, but one must guard the Shabbos. If other people are desecrating the Shabbos, something is lacking in one's own Shemiras (Guarding/Observing) Shabbos. That is why they were said in one utterance.

It may seem as if I'm saying that this is the source for the people in Eretz Yisroel who demonstrate against Chillul Shabbos and that therefore they are right. In one way they are. If there has been a law on the books in Jerusalem for the last 40 years that places should be closed on Shabbos, and if there was a law dating from the time of the British Mandate that movie houses should be closed on Shabbos, and someone wants to break that status quo -- that is not right, and therefore protest must be made!

But, we must consider another factor that Rav Pam recently explained so beautifully. The way to help people keep Shabbos is not to throw stones at them. People will keep Shabbos if they are offered an education in the beauty of Shabbos, free of negative overtones. You can throw stones from today until tomorrow, but that is not going to create Shabbos observance.

If someone has never had the opportunity to learn about the beauty of Shabbos, then he will ask questions like an Israeli cab driver asked me, "Why can't I drive to visit my relatives on Shabbos?" I had no answer for him -- and there is no short answer for him. Because, if a person does not know what Shabbos is, does not know what Torah is, and does not know what

Judaism is, then you have to educate from the beginning. Throwing stones will not bring him any closer.

We cannot protest in a way that treats the symptom alone -- a good doctor must treat the sickness. The sickness in Eretz Yisroel is not that people want to keep the movie houses open on Friday night. The sickness is that they do not know what Shabbos is. They do not really know what Judaism is. They do not know how beautiful our Heritage is, and they do not know what the Geshmak of Shabbos is! That is where the protest has to be made. That is the major battle that has to be fought -- not on Shabbos, but on Sunday! We must get them into the schools, and draw them nearer. We must give them a piece of kugel, rather than throw a stone.

I am not saying that to protest is wrong; sometimes one must protest. If the Torah Sages in Eretz Yisroel say that one must protest, then one must protest. And if the Gedolim say do not protest, then do not protest. And it need hardly be mentioned that one must never throw stones! But, we also must realize that the only long term solution is to educate the generation so that they themselves will understand. They must realize that Shabbos is not a day to go to the beach or the movies, but a day to enjoy and reach for spirituality. That is where our major efforts must lie.

Personalities & Sources:

Maharsh" a -- Rosh Yeshiva and Rav in a number of leading Polish communities [1555-1632]. Author of monumental commentaries on legal and aggadic portions of Talmud. According to Art Scroll Chumash the acronym Maharsh" a stands for Morenu HaRav Shlomo Eidels, according to Aryeh Kaplan Chumash it stands for Morenu HaRav Sh'muel Eliezer (ben Yehuda haLevi). Throughout the Yeshiva world he is known strictly by the acronym.

R. Meir Simcha (HaKohen) of Dvinsk (1843-1926) author of Meshech Chochma commentary on Torah and Or Sameach on the Rambam's Mishneh Torah.

Rav Shimon Schwab -- Late Rav of the Breur's Kehilla in Washington Heights

Be'er Yosef -- written by Rav Yosef Salant, a prominent Rav in Yerushalayim during the early 20th century.

Rav Avrohom Pam -- Current Rosh Yeshiva of Mesifita Torah Vodaath, N.Y.

Transcribed by David Twersky; Seattle, Washington twerskyd@scn.org

From: "Menachem Leibtag <ml@etzion.org.il>"
To: CSHULMAN, " " Chumash shiur focusing on theme and...
Date: 2/6/96 5:32pm
Subject: Questions for preparation - Yitro

In case you have time, below are some questions to consider which should help you understand the 'sugya' of Matan Torah. [It will also make this week's shiur easier to understand.]

PARSHAT YITRO / MISHPATIM - "MA'AMAD HAR SINAI"

I. FTP SITE

For those of you have FTP capabilities, I have place last year's shiurim on Parshat Dvarim and Ve'etchanan on the main directory this week, since they cover topics connected to this week's Parsha. To reach the FTP site, at a unix prompt simply send this command : FTP parsha.etzion.org.il and follow the instructions.
login : parsha passwd: parsha

II. QUESTIONS FOR PREPARATION

It is not easy to figure out the sequence of events that took place at Matan Torah. There are several accounts of Ma'amad Har Sinai in Chumash, and several disputes exist among the various commentators in regard to the correlation of these accounts.

In order to help understand this complicated "sugya", read each of the following 'units' and then attempt to determine the actual sequence of events.

The comments on the right column should help you on some key points worth noting.

UNIT TOPIC PAY ATTENTION TO:
(and see m'forshim on:)

SEFER SHMOT

A) 19:1-19 Preparation for Matan Torah 19:19 -moshe y'daber...
is this Matan Torah?

B) 19:20-25 Who can stand where? 19:25 - what did he tell them?

C) 20:1-6 First 2 dibrot / first person see chizkuni's explanation why

D) 20:7-14 last 8 dibrot / third person note 3rd person/ explain why.

E) 20:15-18 The people's fear When did this take place?
before, after, or during dibrot
See Ramban, Chizkuni, Ibn ezra

F) 20:19-23:33 Mitzvot for Moshe to tell When were these given?
Bnei Yisrael after Matan Torah before he ascends for 40 days?

G) 24:1-11 The Brit at Har Sinai
["na'aseh v'nishma] Was this before or after Matan Torah
See Rashi/ Ramban + others

24:3 - what are 'divrei Hashem' + Mishpatim

24:7 what is Sefer Ha'brit ?

relate (G) to (B) above !!

H) 24:12-18 Moshe ascends Har Sinai How long does MOSHE tell the
for 40 days people he is going for?

(Is this the last event prior to chet ha'egel?)

SEFER DVARIM

I) 5:1-5 Intro. to Matan Torah explain pasuk 4 & 5 carefully!

Is there a discrepancy between them?

relate them (C), (D) & (E) above !!

[these psukim are the key in my opinion]

J) 5:6-18 the DIBROT How shabbat is different?

What other mitzvot are different?

K) 5:19-28 the people's fear to hear directly from Hashem
asking Moshe to be intermediary

Hashem's approval ...

Is this the same as (E) above? See all m'forshim!

If you follow all the above carefully, you should be able to understand the m'forshim much better. For 'extra credit' see the Rambam's explanation of Ma'amad Har Sinai in Moreh Nvuchim. v'ha'maskil yavin.

From: "Seth Ness <ness@aecom.yu.edu>"
To: CSHULMAN, " Yeshiva University s weekly devar
Tor...
Date: 2/9/96 2:01pm
Subject: enayim latorah -- yitro

Enayim LaTorah - Parshat Yitro

Publication of Student Organization of Yeshiva University

candle lighting: 5:04 pm
shma (morning) (Magen avraham): 8:58 am
shma (morning) (GR"A): 9:34 am
zman tfila: 10:26 am
chatzot: 12:10 pm
mincha gedola: 12:40 pm
motzei shabbat: 6:06 pm
motzei shabbat (Rabbeinu Tam): 6:36 pm

On Emunah and Chinuch
by Rav Eliyahu Ben-Haim

Ramba"m Hilchot Yesodei HaTorah 8:1

The Jews did not believe in Moshe because of the signs that he performed because one whose belief is founded on signs remains unsure in his heart, for it is possible to perform the sign with some form of magic . . . But rather, what was the basis of their belief in him? It was based on the revelation at Sinai, for it was our own eyes that saw (and not a stranger's) and our ears that heard (and not someone else's) the fire, thunder, and lightning . . . And from where do we see that only the revelation at Sinai was the exclusive and sufficient proof to the truth of the prophecy of Moshe that does not leave doubt? . . . Because it says, "Behold, I will appear to you in the thickness of a cloud so that the nation will hear when I speak with you and in addition, they will believe you[r prophecy] forever.

The powerful belief in Hashem that remains within our nation even after we have faced difficult times, exemplified by our ability to confidently proclaim that we are the Am HaNivchar - chosen people, is a result of Ma'amad Har Sinai. When Hashem gave us the Aseret HaDibrot, he started with "Anochi Hashem Elohecha Asher Hotzeiticha Me'Eretz Mitzrayim" - "I am Hashem your God who has taken you out of Egypt" rather than "Ashe Bara'ti Et Ha'Olam" - "who created the world." We believe in our tradition not because it can be proven philosophically, but because of the continuous and long-lasting belief that Eineinu Rau Ve'Ozneinu Sham'u - we witnessed the revelation at Sinai. This, however, is very perplexing. Only forty days after Ma'amad Har Sinai, Bnei Yisrael could make a golden calf and proclaim "Eileh Elohecha Yisrael" (Shmot 32:4) - "these are your gods, Israel." How could it be that after the tremendous spectacle of Har Sinai they would succumb to their yetzer hara and worship an idol? From here we see the imperative of Chinuch - the continuous teaching of Torah to Am Yisrael. The Chinuch in Egypt was encroached upon by Avodah Zarah - idolatry, as is evidenced in Chazals understanding of "Mischu U'kechu" - "Mischu Yedeichem Me'Avodah Zarah U'Lechu Ivdu Et Hashem" - "withdraw your hands from idolatry and go serve Hashem." Although Ma'amad Har Sinai had a tremendous impact on Bnei Yisrael, it did not totally rid them of the pernicious influences of their Avodah Zarah surroundings. We establish a firm foundation for ourselves through a rigorous Chinuch devoid of all harmful foreign influences. Then we will be better prepared to remain loyal to the values of Torah for the rest of our lives in order to succeed in furthering our constant growth both as B'nei Torah and B'nei Adam.

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Sun Feb 4 - 1:30 PM-11:00PM *
 Tues. Feb 6 - 10:00AM-12:00PM; 6:30PM-10:00PM *
 Thurs Feb 8 - 6:30PM-11:00PM *
 Sun Feb 11 - 1:30PM-11:00PM *
 Wed. Feb 14 - 10:00AM-12:00PM; 6:30PM-10:00PM *
 Thurs. Feb 15 6:30PM-11:00PM *
 Sun. Feb 18 - 1:30PM-11:00PM *
 Mon. Feb. 19 - 3:00PM-11:00PM *
 Thurs Feb. 22 - 6:30PM-11:00PM *
 Sun. Feb 25 1:30PM-11:00PM *
 * = Ma'ariv follows

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The Weekly Internet

P * A * R * A * S * H * A - P * A * G * E
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 by Mordecai Kornfeld

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This week's Parasha-Page had been dedicated by Harav Uri Sondhelm, in celebration of the marriage of his daughter Sara Lea to Yisroel Baruchov. Please excuse me for not replying to any letters you may have sent recently. There's been trouble again with my network, and I haven't been able to access my mail.
 *** Would you like to dedicate a future issue of Parasha-Page and help support its global (literally!) dissemination of Torah? If so, please send me an email note. Contributions of any amount are also appreciated. Help spread Torah through the farthest reaching medium in history!

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Parashat Yitro 5756

READY TO DO, READY TO HEAR

"And [Moshe] said, 'Hashem came from Sinai...'" (Devarim 33:2)
 When Hashem offered us the Torah, He did not offer it to the Jews alone, but to all of the nations. First He approached the children of Esav and asked them, "Do you wish to accept the Torah?" They replied, "What is written in it?" "Do not murder." They said, "...Our father [Esav] was assured [by his father, Yitzchak] that, 'By your sword will you live (Bereishit 27:40)'" [In other words, "We cannot accept such constraining laws."]
 Next Hashem went to the children of Ammon and Moav, and

asked,

"Do you wish to accept the Torah?" They asked, "What is written in it?" "Do not commit sexual immorality." They responded, "Master of the Universe, our very existence is based on an immoral act!" [These two nations are descended from the daughters of Lot, who were impregnated by their father (Bereishit 19:37-8). Thus they also refused the offer].

Hashem then went to the children of Yishmael, and asked them, "Do you wish to accept the Torah?" They asked, "What is written in it?" "Do not steal." They responded, "Master of the Universe, the essence of our father was to be a bandit, as it is written, 'And he will be a man of the wild; his hand will be in all...'" (Bereishit 16:12). [They also refused.]

...There was not a single nation on whose door Hashem did not knock to ask if they were willing to receive the Torah.

(Sifri, Ve'Zot HaBracha #343)

Our Sages tell us that before giving the Torah to the Jewish people, Hashem first gave all of the other nations in the world a fair chance to receive

it. They all refused. Rashi in Devarim points out that the Torah (Devarim 33:2) hints at two of the places where Hashem made His offer: "Hashem came from Sinai, and shone from *Se'ir*; He appeared from the mountain of *Paran*." Se'ir is the dwelling place of Esav, and Paran the home of Yishmael. The verse is saying that Hashem shone on us and appeared to us *after* first approaching Esav and Yishmael to offer them the Torah. Only after they refused, did He come to Sinai to give the Torah to the Bnai Yisrael.

Why does the Torah only mention the two nations of Esav and Yishmael? Perhaps this is to allude to the concept discussed in Kabbalistic literature (see Kol Eliyahu, #100) that these two nations are the dominant powers in the world. All of the rest of the seventy nations come under the sway of one of these two. The verse mentions explicitly that Hashem came to Esav, in order to imply that He came to all of Esav's constituents as well. Likewise, it mentions that He came to Yishmael to imply that He came to all of Yishmael's constituents as well.

When the Jews were offered the Torah, they responded unanimously, "Everything that Hashem requests of us we will do [Na'aseh] and we will hear [Nishma]" (Shemot 24:7). The Vilna Gaon ("Aderet Eliyahu," Devarim 33:2) suggests a deeper meaning behind the words Na'aseh and Nishma based on the above Rashi. The word "Na'aseh" and the name "Esav" both come from the same root: "Aseh," or "Do." The Jews were telling Hashem, "We will take upon ourselves to *do* that which the children of *Esav*, whose very name hints at doing, refused to do." Similarly, "Nishma" and the name "Yishmael" both come from the root: "Shma," or "hear." The Bnai Yisrael agreed to *hear* that which the children of Yishmael, whose very name hints at hearing, refused to hear. In reply to Hashem's offer to give them the Torah, the Bnai Yisrael announced their willingness to take upon themselves that which the children of Esav and Yishmael had refused.

II

According to the Sifri, when the children of Esav, Yishmael, Ammon and Moav asked Hashem what the Torah contained, He gave them the examples of "Do not murder," "Do not commit sexual immorality," and

"Do not steal." These are commandments which were binding on all of the nations even *before* the Torah was given. They are three of the Seven Noachide Laws -- the seven general commandments which are binding to all of mankind, regardless of whether they accepted the Torah on Mount Sinai or not (Sanhedrin 48a). Why should Hashem mention *these* Mitzvot when offering the nations the Torah? It would seem much more appropriate for Hashem to mention Mitzvot such as Shabbat, Tzitzit and Tefillin, which would apply solely to those who would accept the Torah!

A similar question may be asked regarding a statement made by Rashi at the end of Parashat Mishpatim (Shemot 24:3). The Torah tells us that before the Bnai Yisrael received the Torah, Moshe listed for them a sampling of the Mitzvot. The Jews responded, "Everything which Hashem has spoken, we will do." Rashi (loc. cit.) informs us that this sampling included: the Seven Noachide Laws, observing the Shabbat, honoring one's parents, and the other laws that they had been commanded at Marah (see Shemot 15:25). The Mitzvot of Marah were given more than a month before the rest of the Torah. If so, Moshe's list only including Mitzvot with which the Bnai Yisrael were already familiar! We may ask here the same question that we asked earlier, on the Sifri. What was the point of mentioning to the Jews Mitzvot that they were *already* given, if they were deliberating whether they should accept new and *different* Mitzvot?

I once heard an answer to these questions from my father-in-law, Harav Gedalyah Rabinowitz (dean of Mosdot Oholei Yitzchak, in the old city of Jerusalem). Rav Rabinowitz suggested that the answer to our questions may lie in a passage from Gemara Bava Kama. The Gemara in Bava Kama 38a cites the verse that we quoted above: "Hashem came from Sinai, and shone from Se'ir; He appeared from the mountain of Paran." The Gemara derives from this verse that Hashem reviewed whether the nations of the world were keeping the seven Mitzvot which they had been commanded. When Hashem saw that the gentiles were *not* observing their Mitzvot, He punished them accordingly.

Perhaps this, then, is the intention of the Sifri. The dialogue the Sifri records as taking place between Hashem and the nations may not have been an actual conversation. Rather, the Sifri is telling us the reason that Hashem didn't give the Torah to the other nations of the world. The Sifri concludes that none of the other nations had kept the original seven Mitzvot. Obviously, it would be futile to offer them *more* Mitzvot if they weren't even observing the Mitzvot that they already had! The only nation who kept the seven laws in their entirety was the Bnai Yisrael. Because the Bnai Yisrael eagerly accepted upon themselves the Divine will, they showed that they were ready to receive the rest of the Mitzvot of the Torah.

Along the same lines, when Moshe wanted to give the Jews a preview of the Torah, he reviewed for them the Mitzvot that they had already received. He was asking them, "Did you keep all of these Mitzvot eagerly and with love? If so, you can receive the rest of the Torah!" The Jews replied, "Everything which Hashem has said, we will do." They were proudly keeping the Mitzvot that they already had, and were ready and waiting to hear the rest.

Rabbi Rabinowitz's explanation is actually alluded to in the words of the Sifri itself. As quoted above, the Sifri states that Hashem offered the Torah to every nation of the world, and they each refused in turn. The Sifri continues, "Even the Seven Mitzvot which were accepted by all of the children of Noah, the other nations could bear no longer. They unburdened themselves of them and gave them, too, to the Bnai Yisrael." The other nations were disloyal

even to their original promise to keep the seven Noachide laws. They rejected them, saying, "Let the Jews keep them."

The concluding words of the Sifri explain the earlier dialogue. Since the nations rejected the Mitzvot that they had already been given, they were not fit to receive the new Torah. The Bnai Yisroel, on the other hand, who had kept the earlier Mitzvot, were proven fit to receive new ones.

III

This reading of the Sifri may shed light on an enigmatic passage in Gemara Shabbat. As the Gemara tells us:

Rebbi Chama son of Rebbi Chanina said: What is meant by the verse, "[He is] like an apple tree ("Tapuach") amongst the trees of the forest..." (Shir HaShirim 2:3)? Why were the Jews compared to an apple tree?

Just as an apple tree reverses the natural order and produces its fruit before its leaves, so too the Jews reversed the natural order [when they accepted the Torah on Mt. Sinai] by saying "We will do [what you request of us]" before saying "We will hear [what you request of us]". (Normally, one must first hear what to do, and only then can he do it -MK.)

(Gemara Shabbat 88a)

The implication of the Gemara is that the apple tree is different from all other trees. While other trees produce leaves before producing fruit, the apple tree produces its apples before sprouting its leaves. As Tosafot points out, however, this claim would seem to have no basis in reality. The apple tree has never been witnessed to produce its fruit in a manner different from any other tree!

In order to solve this problem, Rabbenu Tam (one of the Tosafists; grandson of Rashi) suggests that the word "Tapuach" in this Gemara does not mean an apple tree, as it usually does. In some cases, he points out, the word Tapuach is used for the fruit of the Etrog [= citron] tree. (The literal meaning of the word Tapuach is "swollen," or "spherical.") Perhaps here, too, it

refers to the Etrog. But still, the Etrog itself doesn't produce fruit before sprouting leaves! How does Rabbenu Tam's suggestion explain the Gemara's enigmatic statement?

Rabbenu Tam sends us to a Gemara in Sukkah. The Gemara (Sukkah 35a) tells us that the fruit of the Etrog remains on its tree from year to year. The Gemara in Shabbat means, Rabbenu Tam tells us, that *last* year's Tapuach (= Etrog) precedes *this* year's leaves!

This explanation sounds, at first, rather forced. The fruit that precedes the leaves of an Etrog is not at all a reversal of the natural order of things. When last year's fruit first began to grow, it indeed followed last year's leaves, just like the fruit of all other trees! How can this be compared to the Jews' saying "We will do [what you request]" before "We will hear [what you request]?"

Our discussion of the above Sifri may help us understand the deeper meaning hidden in Rabbeinu Tam's interpretation. As we explained, the Bnai Yisrael merited to receive the Torah because they had meticulously kept the seven Noachide Laws that preceded the Torah. This, perhaps, is why they said the words "We will do" before the words "We will hear". How can one "do" a request that he has not yet heard? Perhaps what the Bnai Yisrael meant to say was, "Hashem, see that we continue to *do* what You have commanded us in

the past. This demonstrates that we are prepared to *hear* more Mitzvot!"

If this is true, we can understand why the Jews who reacted in such a manner are compared to the Etrog tree. The Etrog tree still has fruit from the previous year hanging on it when it sprouts the next year's leaves. So too, the Bnai Yisrael still were performing the old Mitzvot that they had already been given, when Hashem asked them to take on more Mitzvot. As the Etrog tree, they proudly showed their old "fruit" [= actions], when new "leaves" [= commandments] were forthcoming. This was what the Jews by declaring "We will do" the Mitzvot, before saying "We will hear" the Mitzvot. And this is what made them truly worthy of receiving the new Torah!

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

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

Yisro asked Moshe what his program was for dealing with the people. He understood that Moshe had great potential to fulfill his great mission. However he saw Moshe falling into the trap of the person with great potential who is demoralized when having to perform mundane tasks that are beneath his capabilities and best left to others of less potential. Moshe responded that he had 4 responsibilities: 1) Ki Yavo Aylay Ha'am Lidrosh Elokim. The Targum Yonasan Ben Uziel and the Ramban explain this as Moshe expressing his responsibility, indeed the responsibility of the leader or king (Moshe was considered a king, Vayhi B'yeshurun Melech), to pray for the needs and welfare of the people. Take the Mitzvah of Bikur Cholim as an example. The Rav quoted a Gemara in Berachos that praying for the sick helps a person focus and concentrate on his prayers for his own needs

as well as those of the sick person. He also quoted a Gemara in Nedarim regarding Rabbi Akiva who entered the home of an individual who was close to death and nursed him back to health. Bikur Cholim consists of 2 parts:

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

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

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

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

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

4) Last and most important: V'Hodati Es Chukay Elokim Ves Torosav. The most critical task of a Manhig Yisrael is to be the Rebbe of Klal Yisrael, to teach the people the details behind the laws and ways of Hashem.

Yisro could not comprehend a leader that would be capable of all these tasks that Moshe described. He saw the roles of prayer, involvement in the pain of the people and day to day judging as to debilitating distractions for Moshe. He believed that Moshe needed to reset his priorities with regards to his involvement with the people.

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

Rabbeinu, as it took away too much of his time. Moshe, of course, could not relinquish his title of Rebbe.

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

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

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