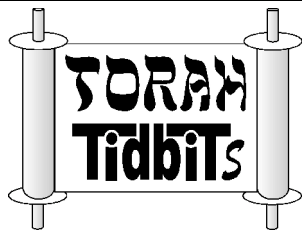




704



שבת פרשת
יתרו
כ' שבט תשס"ו
February 17-18, '06



Shabbat Parshat Yitro is the 138th day (of 354); the 20th Shabbat (of 50) of 5766

זְכוּר אֶת-יְוָם הַשְּׁבִיעִית לְקַדְשׁוֹ: שמות כ"ה

It seems so impossible, yet...

In DAYEINU we sing: Had you brought us near to Har Sinai and not given us the Torah, DAYEINU. There would be sufficient reason to acknowledge and thank G-d. Is that really so? A person who needs a life-saving vaccine would not say, Had you just brought me to the clinic but had not vaccinated me, there would be cause to thank you. What is the big deal of being brought to the clinic, except to receive the live-saving and sustaining medicine?

The answer is, that if something special and significant happened at the clinic, let's say, while you were waiting for the vaccination, then you would be appreciative of coming to the clinic, on its own, without even mentioning the subsequent shot in the arm.

This is what commentators point out about the experience of arriving at the mountain, even not taking into account Matan Torah. They point to the description of Jewish Unity symbolized by the use of the singular term VAYICHAN, not - they camped, but HE camped, all of Israel as one person with one heart, one purpose. It was a moment to cherish, to be proud of... and to strive to recapture, however elusive it has been throughout Jewish History, how elusive it remains today, and how impossible it looks when we take a reality check of the Jewish community in Israel and around the world.

We might say that Rabbi Tarfon had the task, challenge, and goal of Jewish Unity in mind when he said: LO ALECHA... It is not your duty to complete the work, but neither are you free to desist from it.

It would be terrific if we could suggest the way to achieve Jewish Unity. Sadly, it's just not that simple. But we can work in that direction and ask G-d for help along the way. But we have to expend some serious effort too. First, it will help to realize and internalize that the common denominator of being Jewish is (should be) greater than anything that divides us.

Word of the Month



A weekly feature of Torah Tidbits to help clarify practical and conceptual aspects of the Jewish Calendar, thereby better fulfilling the mitzva of HaChodesh HaZeh Lachem...

Not exactly a month topic, but...



There is a very widespread practice for the congregation to stand for the reading of the Aseret HaDibrot on Shabbat Parshat Yitro, Shavuot morning, and Shabbat Parshat Va'etchanan.

There is also strong objection in rabbinic literature throughout the centuries to standing for the 10 Commandments, lest an ignorant person or an apostate think that it was only the Aseret HaDibrot that we received at Sinai and that it is therefore a more important part of the Torah than all the rest.

One should not be "a sitter among standers", especially because sitting in a shul where everyone stands can appear as insulting to this portion of the Torah. It is a good idea to stand at least from the beginning of the Aliya...

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OTHER Z'MANIM
Correct for Jerusalem

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Candle Lighting and HAVDALA
Standard (Winter) time

Correct for TT 704 • Rabbeinu Tam (I'm) - 6:41pm

4:52pm	Jerusalem	6:05pm
5:08pm	Raanana	6:06pm
5:08pm	Beit Shemesh	6:06pm
5:07pm	Netanya	6:06pm
5:08pm	Rehovot	6:07pm
4:48pm	Petach Tikva	6:06pm
5:07pm	Modi'in	6:06pm
5:09pm	Be'er Sheva	6:07pm
5:07pm	Gush Etzion	6:05pm
5:07pm	Ginot Shomron	6:05pm
4:52pm	Maale Adumim	6:05pm
5:07pm	K4 & Hevron	6:06pm
4:54pm	Tzfat	6:03pm
5:07pm	Tel Mond	6:06pm

Ranges are FRI-FRI 19-26 Shvat (February 17-24)

Earliest Talit & T'filin - 5:29-5:22am
Sunrise - 6:19½-6:12am
Sof Z'man K' Sh'ma - 9:06-9:02am (8:21-8:17am)
Sof Z'man T'fila - 10:02-9:59am (9:31-9:29am)
Chatzot (halachic noon) - 11:53-11:52am
Mincha Gedola (earliest Mincha) - 12:24-12:23pm
Plag Mincha - 4:18-4:22pm
Sunset - 5:32-5:38pm (5:27-5:33pm)

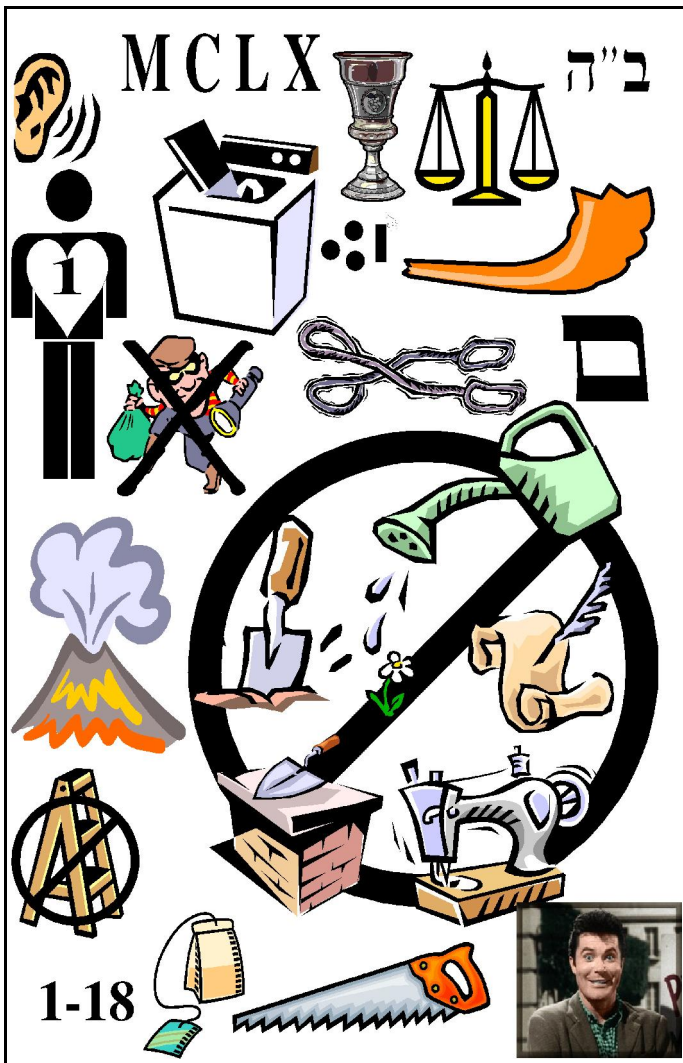
In the Wolinetz Family Shul
OHEL SHMUEL (entrance floor)
Shabbat 3:45pm (Mincha 4:45pm)
Yaakov Peterseil & co.
Motza'ei Shabbat 8:30pm
Rabbi Ephraim Sprecher

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YITRO STATS

17th of 54 sedras; 5th of 11 in Sh'mot

Written on 138 lines in a Sefer Torah, ranks 46th

15 Parshiyot; 4 open, 11 closed

75* p'sukim - ranks 47th

(only 7 sedras have fewer p'sukim)

1105 words, 4022 letters - ranks 46th

Yitro is the smallest sedra in Sh'mot

*Tradition is that Yitro has 72 p'sukim, not 75. This is indicated right after the last word of the sedra in many Chumashim. If we take the 13 p'sukim of the Aseret HaDibrot and count them as 10 (the way they are read sometimes as Commandments rather than p'sukim), the number will work out.

MITZVOT:

Yitro contains 17 of the 613 mitzvot;

3 positive and 14 prohibitions;

(14 of the 17 are within the Aseret HaDibrot)



Aliya-by-Aliya Sedra Summary

Numbers in [square brackets] are the Mitzva-count of Sefer HaChinuch AND Rambam's Sefer HaMitzvot. A=ASEI (positive mitzva); L=LAV (prohibition). X:Y is the perek and pasuk from which the mitzva comes.

[P> X:Y (Z)] and [S> X:Y (Z)] indicate start of a parsha p'tucha or s'tuma respectively. X:Y is Perek:Pasuk of the beginning of the parsha; (Z) is the number of p'sukim in the parsha.

Kohen - First Aliya - 12 p'sukim - 18:1-18

[P> 18:1 (27)] Yitro, Moshe's father-in-law, hears "all that has happened" to the Children of Israel and comes to Moshe with Tzipora and Moshe's (actually, Tzipora's - that's how the Torah describes them!) two sons, Gershom and Eliezer. Moshe, Aharon, and the Elders welcome Yitro with great honor. Yitro praises G-d for all that He has done for the People.

SDT *The straight reading of this portion indicates that Yitro heard about the Crossing of the Sea and of the battle with Amalek. These are the events recorded in the previous sedra. Other commentaries point to certain textual references about Sinai and are of the opinion that Yitro came after Matan Torah, sometime during the almost one year that the People remained camped near Sinai. If this is so, then we have an example of "there is no set order in the Torah's account of what happen(ed/s)". And we can add the events of Sinai to the list of what Yitro "heard and came".*

VAYICHAD YITRO, Yitro was delighted with all of the good that G-d had done for the people of Israel. That's the "plain" meaning of the word. Rashi mentions another possible meaning of the word - of the skin breaking out in "goosebumps", perhaps a subconscious feeling of mortification for the downfall of his former colleagues. One has to be sensitive and careful with what one says to a convert or potential convert.

Levi - Second Aliya - 11 p'sukim - 18:13-23

On the following day, Yitro observes Moshe judging the People from morning until night. He offers suggestions for a more efficient system. Moshe should teach the People what G-d requires of them, and he should also handle the most difficult questions and disputes. But the bulk of the daily judging should be assigned to qualified individuals who will be in charge of groups of ten, fifty, a hundred, and a thousand people. Yitro explains that this new system will not only make things easier for Moshe, but the people too will be benefited.

(This portion of the sedra definitely seems to have occurred after Matan Torah, even if you want to say that Yitro's original arrival was before.)

SDT *"On the following day..." The plain meaning would be, on the day following Yitro's arrival. Rashi, however, quotes the Midrash in saying that the day was the morrow of Yom Kippur, that first Yom Kippur when Moshe came down*

from the mountain with the second set of Luchot. This makes an important statement, that not only is building the Mishkan an essential part of the "getting back to life following the Golden Calf disaster" period, but so is the every day social and civil functioning of the people.

In the big picture, we see that Parshat Yitro with the main description of Matan Torah precedes Mishpatim with its mundane, everyday, down-to-earth laws. Yet at the beginning of Yitro, we find this out-of-sequence portion of the Mishpatim idea. And at the end of Mishpatim, we have the rest of the story of Maamad Har Sinai. So which really comes first - the lofty, spiritual dimensions of Judaism, or everyday life? We can (and should) look at it as a package deal.

However you look at the first part of the sedra, the story of Yitro seems to be an interruption between the events of the Exodus and the Splitting of the Sea on the one hand, and Matan Torah on the other. It isn't an interruption - it is a pre-requisite for Matan Torah. Moshe's view of the judging process, as he explains to Yitro who asks him what he's doing, is that the people come to him LIDROSH ET HA'ELOKIM, to seek G-d. Yitro's point is that there is a lack of civility among the disputing individuals which must be handled BEFORE they can pursue Knowledge of G-d. This interlude about civil justice can teach us that good interpersonal relations allows us to really benefit from Matan Torah. Similarly, DERECH ERETZ KODMA LATORAH.

Here's another way of looking at the "Yitro intro" to Matan Torah. Perhaps the Torah is telling us how to relive the experience of Matan Torah in our own lives. Its suggestion is "be like a convert". Take a fresh view of Jewish life. Marvel at all the things that G-d has done for Bnei Yisrael. Don't take things for granted. Approach your Judaism like Yitro did. Even if you are a Jew by birth, work on being a Jew by choice. G-d put the dramatic stories of the birth of the nation on hold, to let us take a close look at someone who doesn't have the Mountain poised above his head. Matan Torah was the mass conversion of a family-based group that is attaining nation-hood. But the individual still counts. This we can learn from Yitro, the individual.

Shlishi - Third Aliya - 4 p'sukim - 18:24-27

Moshe accepts Yitro's suggestions and selects the judges. Commentaries point out that the actual qualifications of the judges that Moshe selected were more "modest" than Yitro had recommended. In theory, the very highest caliber person should be sought after as judge. In reality, we often have to settle for the best we can find in our society.

Moshe sends Yitro off on his journey to Midyan (to convert his family, says Rashi).

Notice that the first three Aliyot are all part of a single parsha, the parsha of Yitro (not to be confused with weekly Parshat Yitro). Pull that parsha out of the Torah for a moment (don't worry, we'll put it back), and the next thing we read about is Israel traveling from Refidim towards Sinai. This follows smoothly from the battle with Amalek which took place in Refidim. Sequentially, the removed parsha of the Yitro episode is not missed at

all. Therefore, it seems obvious that the Yitro portion is there for its lesson value alone. Which is fine, and is how we understand the EIN SEDER MUKDAM U'M'UCHAR BATORAH phenomenon. The Torah is not just going to put things out of chronological order for no good reason.

R'vi'i - Fourth Aliya - 6 p'sukim - 19:1-6

Here begins the Torah reading for Shavuot morning.

[P> 19:1 (25)] The Torah now returns to the sequence of Y'tzi'at Mitzrayim to Matan Torah. On Rosh Chodesh Sivan (six weeks after leaving Egypt) the Children of Israel arrive at Sinai.

A famous point, worth repeating...

In the third month following the Exodus, on THIS day, they (the Children of Israel) arrived at the Sinai Wilderness. Why THIS day; THAT day is how you tell a story. The Torah isn't a once-upon-a-time-a-long-time-ago story book. The Torah is a living guide for us, to be constantly rediscovered. Every day, each Jew should imagine him/herself at Sinai receiving the Torah anew. Today we have come out of Egyptian bondage; today we stand at the foot of Mt. Sinai eagerly awaiting Divine Revelation and today we commit ourselves to G-d and what He asks of us. Today is the first day of the rest of our lives. The words of Torah which we learn and live should never become stale. They should be in our eyes as if TODAY we have received them. We should learn Torah and do mitzvot with the freshness and enthusiasm of a first-time experience. This too fits well with the "Yitro model". The challenge: Be a true Torah Jew all your life, for as many years as G-d gives you, but have an enthusiasm that is more common with converts and Baalei T'shuva.

After settling in at the foot of Mount Sinai, Moshe ascends to G-d (whatever that really means) and G-d tells him what he is to say to the women and men (sequence is intentional and based on the analysis of the terms Beit Yaakov and then Bnei Yisrael). A clear connection is made between G-d's having taken us out of Egypt and His taking us to Him as His Chosen People - with the condition that we follow Him and His Torah. It is true that a Jew is a Jew regardless of his keeping the Torah or not, but it is clear that G-d has always demanded of us that we be committed to Torah and Mitzvot in order for our relationship with Him to be mutual and actively positive from both sides.

Chamishi - Fifth Aliya - 13 p'sukim - 19:7-19

Moshe presents G-d's words to the Elders (and the People), who answer with a resounding "All that G-d says we will do". Moshe then tells the people to prepare for three days to receive the Torah. During this time, the Mountain was off-limits. On the morning of the third day,

the People gather at the foot of the mountain to the accompaniment of the supernatural sounds and sights of the Shofar, thunder, lightning, and smoke. G-d will speak to Moshe in such a manner that the People will be witness to this direct communication. When Moshe will speak, G-d will answer with a "voice" (and not just via a vision or spiritual telepathy).

SDT *G-d tells Moshe that the People should "sanctify themselves today AND tomorrow". It is relatively easy to sanctify oneself on the day of the great miraculous events of Matan Torah. The challenge to each of us is to sanctify ourselves on the many tomorrows that follow. The days after the wondrous events, the magnificent spiritual experiences. The days when our lives return to "normal". This is what being Jewish is about. We sanctify the mundane. Therefore, there really is nothing that is mundane for us.*

Shishi - Sixth Aliya -

20 p'sukim - 19:20-20:14

G-d descends onto Har Sinai (so to speak) and calls to Moshe to join Him. G-d tells Moshe to repeat the warning against approaching the mountain. Moshe then goes down to the people to tell them G-d's words.

[S> 20:1 (1)] G-d (Elokim) speaks all the following things, saying...

What follows is/are Aseret HaDibrot, the Ten Commandments. They are comprised of 13 p'sukim which contain 14 mitzvot out of the Torah's 613. The Aseret HaDibrot can be viewed as both specific mitzvot as well as "chapter headings" for many of the Torah's mitzvot (e.g. LO TIGNOV is specifically the prohibition of kidnapping, and generally, the category of all prohibitions related to stealing - robbing, burglary, cheating in business, pressuring someone into selling you something that he doesn't really want to sell, moving a boundary marker... and many others).

[S> 20:2 (5)] What we call the first two commandments (or sayings, statements) are combined in a single parsha of 5 p'sukim. They can be seen as two sides of the same coin. You must believe in G-d; you may not believe in other gods...

MITZVA WATCH

The first commandment sounds like a statement by G-d - an introductory remark, perhaps, to what follows, but is viewed by Rambam, Chinuch, and others as a mitzva to believe in G-d **[25, A1 20:2]**. It is as if the Torah had said: "Thou shalt believe in G-d". Following Rambam's approach, this premier mitzva of the Torah requires us to believe in G-d, to work on that belief by strengthening it and eliminating any doubts that we might have. The mitzva is a full-time, dynamic challenge to continually improve the quality and intensity of our belief.

The second commandment contains several prohibitions related to idolatry. Specifically, not to believe in other gods **[26,L1 20:3]** (this mitzva includes the prohibition of having no belief at all - atheism), not making idols **[27,L2 20:4]**, nor bowing to them (even without believing in them) **[28,L5 20:5]**, nor worshiping idols in any manner **[29,L6 20:5]**. Note that this commandment deals with both the thought and actions of Avoda Zara (idolatry).

[S> 20:7 (1)] The third commandment prohibits swearing in vain **[30,L62 20:7]**. This is defined as (1) swearing to the truth of something that is obviously true and well-known - e.g. that the Sun is hot; (2) to swear in denial of an obvious truth - that the Moon is made of cheese (interestingly, this is not considered a lie or a false oath, since everyone (hopefully) knows that the Moon is not made of cheese. Only when the truth of a matter is unknown do we use the term lie and false oath. A vain oath is just as serious as a false one, so this distinction is largely academic, but it emphasizes the seriousness of being flippant in regard to swearing.); (3) to swear to violate the Torah - e.g. that one will eat pork. Such an oath is immediately void since we are considered to have taken a prior oath (at Sinai) to not eat pork. Hence, the oath is in vain and is a disrespectful use of G-d's name; (4) to swear to do something that is impossible - e.g. to stay awake for a full week. The common denominator of these types of vain oaths is that they all "cheapen" the use of G-d's name and threaten the smooth functioning of society which often must rely on the seriousness of a real oath.

In addition to actual vain oaths, this prohibition is considered by some authorities to include the saying of a BRACHA L'VATALA, and its partner in sin, a BRACHA SHE-EINO TZ'RICHA. Saying G-d's name in vain is forbidden but is not considered part of this Commandment #3. It falls under one or more other prohibitions.

[P> 20:8 (4)] Commandment #4 deals with Shabbat and contains the positive mitzva to remember the Shabbat with Kiddush **[31,A155 20:8]**, and the prohibition of all manner of Melacha, specific categories of creative activities **[32,L320 20:10]**. The mitzva of ZACHOR includes saying Kiddush as Shabbat enters, and Havdala as Shabbat leaves. (Officially, K&H are said in davening as a fulfillment of the Torah command, and again with wine, in fulfillment of a Rabbinic command. It's a bit more complicated than that, but this is the basic idea.) The prohibitions of Melacha are divided into 39 categories, each of which contains other related activities, usually with the same goal. E.g., PLANTING is one of the 39 categories; watering, pruning, fertilizing all help the growth of plants and are TOLADOT of PLANTING, and are also considered Torah violations of equal serious to the parent melacha - Planting.

[S> 20:12 (1)] The fifth commandment is to honor one's parents **[33,A210 20:12]**. Grand-parents, in-laws, older (or possibly oldest) brother (maybe sister too), and teachers are included (with differences). Honor of parents is usually considered to refer to that which one does for one's parents (provide them with food and drink, escort them, clothe them), in contrast to reverence (fear) of parents which include that which should not be done because it would be disrespectful (sitting in their seat, calling them by first names, contradicting them...).

[S> 20:13 (2/11 of a pasuk)] #6 is the prohibition of MURDER [34,L289 20:13], which is considered the antithesis of Belief in G-d, since murder directly negates creation of human being in His image.

[S> 20:13 (2/11)] Commandment #7 against ADULTERY [35,L347 20:13] is the prohibition of having relations with a married woman, but as a "chapter heading" it also points to the other forbidden relations.

[S> 20:13 (2/11)] #8 is LO TIGNOV [36,L243 20:13], which, as mentioned earlier, is specifically defined as kidnapping, but is also the category header of many mitzvot in the Torah. Maybe they can all be summed up as indicating that the person who violates these kind of mitzvot puts himself above other human beings. It is obvious how this is harmful to society, and to the individual's striving for Kedusha.

[S> 20:13 (5/11 of a pasuk)] #9 is the prohibition of "bearing false witness" [37,L285 20:13]. We can see in this mitzva, as well as many others, how important it is to G-d, so to speak, that we be able to function as a society. Both oaths, and to a greater extent, perhaps, testimony, are necessary for the establishment of TRUTH, in the absence of having direct knowledge of the truth ourselves. So much of the dealings between people involves the trust we place in each other's word, especially when backed by an oath, and in the confidence we place in the testimony of witnesses. Without these elements of our inter-personal relationships, we would be incapable of functioning as a society.

[S> 20:14 (4/15 of a pasuk)] #10 is the commandment against COVETING [38,L265 20:14] sort of sums things up in that it focuses on the thought process that can lead to all types of sins. Being part of "The Big 10" points to the significance of thoughts in the whole picture, which usually consists of deeds.

This 10th commandment is contained in two parshiyot, the first prohibits coveting the "house of your fellow", and the second one...

[S> 20:13 (11/15)] specifies the prohibition of coveting one's fellow's wife, his male or female servant, his ox or donkey, or anything that is his.

Notice that one single pasuk, 20:13, contains 4 of the 10 Commandments, while the 4th commandment, for example, takes up four p'sukim.

There are two sets of Torah-notes for the Aseret HaDibrot, known as Taamei HaElyon and Taamei HaTachton (upper and lower notes). Taamei HaTachton treats the Aseret HaDibrot as a set of p'sukim, no different from all the other p'sukim in the Torah. Taamei HaElyon "disregards" the p'sukim of the Aseret HaDibrot, and presents the Aseret HaDibrot as a set of Ten Commandments (which they are - but they are also p'sukim in the Torah). Most Jews around the world and in Israel, read Aseret HaDibrot on Shabbat Parshat Yitro, Shabbat Parshat Va-etchanan, and Shavuot morning, using Taamei HaElyon. It is Minhag Yerushalayim (followed by many Jerusalem shuls, but not all, and by some shuls in other cities) to use Taamei HaElyon on Shavuot morning only, and to use the quieter, plainer, Taamei HaTachton for Yitro and Va-etchanan.

Sh'vi'i - Seventh Aliya - 9 p'sukim - 20:15-23

[S> 20:15 (4)] The People are awe-struck by the supernatural phenomena of the Sinai experience and they keep their distance. They ask Moshe to tell them what G-d wants rather than hearing His Voice directly. Some commentators say that this request came after the first two statements, "I Am..." and "There shall be no other...". Others suggest that G-d "spoke" all "Ten Sayings" first in an incomprehensible manner and then began "spelling them out" one at a time. After the second statement, the People panicked and requested that Moshe tell them what G-d wants, so that they would not hear "G-d's voice" directly. G-d agreed, on the condition (so to speak) that we listen to the word of the prophet, with Moshe as the "chief" among the prophets, and his prophecy - the Torah - having the highest authority.

[S> 20:19 (5)] G-d tells Moshe to remind the People that they heard G-d speak; that they shall make no graven human images (even for art) [39,L4 20:20]; they shall make an altar and offer sacrifices upon it; if the altar be of stone, its stone shall not be cut with metal tools [40,L79 20:22]. Metal implements represent the sword, which shortens life; the Altar represents the lengthening of life. From this rule comes the custom to remove or cover the bread-knife during "benching", since our table is likened to the Altar. (Some authorities say that this minhag applies only during the week, not on Shabbat.) The Altar may not be approached with immodest steps [41, L80 20:23] but rather via its ramp.

Rashi points out that with one of the kohein's 4 garments being pants, there really wouldn't be actual immodesty in walking on steps; nonetheless, it has the appearance of immodesty and is therefore inappropriate as an approach to the Mizbei'ach (Altar). Rashi adds that if the Torah showed concern for inappropriate behavior vis-a-vis stones, how much more so must we be careful not to treat our fellow human beings, who were created in the image of G-d, in a deprecating manner.

The last 5 p'sukim are reread as Maftir.

Haftara - 21 p'sukim - Yeshayahu 6:1-7:6, 9:5-6

Parallel to the Torah's account of the awesome experience at Sinai, this passage from Yeshayahu describes his first awe-inspiring vision of angels proclaiming Kadosh, Kadosh, Kadosh. Both sedra and haftara present us with "visions" of G-d's awe, majesty, and holiness. Additionally, we sense some parallels between Moshe Rabeinu and Yeshayahu HaNavi. (And if not a parallel, then at least the reminder that there is a continuity of prophets after Moshe.)

Another common theme between sedra and haftara is the concept of holiness. In the sedra, G-d tells us that we

will be to Him a kingdom of Kohanim and a holy nation. As Rabbi Jacobs points out in his "A Haftara Companion", it is important to remember the difference between the perfect holiness of angels and the Jews' striving towards holiness, with their Free Will and imperfections.

He also points out that smoke is used to hide the Divine Presence from mortal eyes in both the sedra and the haftara.

THE JERUSALEM INSTITUTE OF JEWISH LAW - Rabbi Emanuel Quint, Dean

Lesson # 320 (Damages, part 8; PIT part 6, STREET, part 2)

Damages caused by placing objects in a street (BOR)

With this lesson we conclude the popular topic of "pit", that is, injuries or damage caused by Reuven placing an object in a public place and Shimon tripping over the object.

At the present time there are usually laws and regulations dealing with all of the matters in these lessons. Under the doctrine of following the law of the land, halacha demands that these laws and regulations be followed.

Assume that Reuven places or throws thorns, glass, or some other hazardous material into the public street. Or Reuven covers up thorns or pieces of glass in a public street. Or he makes a fence of thorn bushes and they protrude into the public street. In all of these situations if Shimon or his animal is injured thereby, Reuven must pay compensation to Shimon. If the fence is entirely on Reuven's property and does not protrude beyond his property line into the street, then he is not liable to Shimon because he is not responsible if Shimon brushes against the fence or wall on Reuven's property.

It is the practice of pious individuals to place hazardous materials in the walls in such places that could not cause subsequent injury, even when the entire wall is inside the property line of its owner. In disposing of hazardous material the pious person does so in a place or fashion that will not cause injury to others, such as burying it deep underground, burning it or sinking it deep in the sea. In every generation and in every environment the pious individual will determine the best way to dispose of hazardous materials.

Assume that Reuven's non-defective wall or tree falls into a public street and cause injuries to Shimon while falling or after it falls. Reuven is exempt from paying for the injuries. The reason for this is that these objects are not similar to a pit in that their original form of creation deems them unlikely to cause damage. This holds true whether or not Reuven abandoned ownership of the wall. If the wall or tree falls because Reuven dug around the wall or the tree, then Reuven is liable.

Assume that Reuven has on his property a defective tree or wall that becomes defective. Beth Din upon discovering this fact should determine a time for Reuven to cut down the tree or demolish or repair the wall. Under ordinary circumstances the time should not exceed 30 days. In case of emergency, Beth Din may order the tree or wall to be cut down or repaired immediately. A warning by a private individual is not considered ample warning to make Reuven liable for injuries if the tree or wall falls. After the determined time, Reuven is

liable for injuries caused to Shimon while the tree or wall is falling or after it has fallen. If prior to the expiration of the time fixed by Beth Din, or if no warning was given to Reuven, the tree or wall falls down and causes injuries to Shimon while falling or afterwards, Reuven is exempt from liability. This exemption only holds true if Reuven is not aware of the occurrence or if he becomes aware but does not abandon or remove the fallen object. However, if he becomes aware and does not abandon or remove the object, he is liable. There is also an opinion that holds if there was no warning given to Reuven, he is not liable even if he becomes aware of the latter condition and does not abandon the fallen objects. This opinion holds that since the tree or wall was not created to cause damage, it not like ordinary pit, and thus there is no liability without a warning from Beth Din. If the wall was built defectively and falls down, Reuven is liable for injuries to Shimon even without warning.

Reuven may not throw stones cleared from his domain onto a public domain or street. If he does and Shimon and/or his animal are injured thereby, while the stones are in the air or after they have rested on the ground, Reuven is liable for damages. The Talmud relates a story (Baba Kama 50b): Reuven was throwing stones from his property into a public street. A pious man asked him why he was throwing stones from property that did not belong to him onto property that did belong to him? Reuven scoffed at the pious man. Sometimes later Reuven became poor and was compelled to sell his property. He was walking in the public street and tripped over one of the stones that he had thrown there. Reuven was then heard to say, "How well did that pious man say to me 'Why did you remove stones from ground that did not belong to you to ground that is yours.'"

Reuven may not dig a cavity under a public street. Nor may he dig cisterns or trenches or other openings, even if a truck loaded with stones is able to pass over them. The reason is that since it is not visible from above ground the cavities may become defective without Reuven's knowledge. Reuven may not do so even if one of the openings is on his own domain. He may not do so even if he agrees to compensate the person who is hurt thereby. He is not liable if the cavity is covered with such strong material that it is unlikely to collapse under the weight of a heavy truck carrying a heavy load, and nevertheless someone is injured.

It is stated in chapter 410 of Shulhan Aruch, Choshen Mishpat, "Reuven, as a good citizen digs a pit in an area on the side of a public street so that it will be filled with rainwater, so that passersby will have water to drink or to water their animals. Once he advises Beth Din of what he has done or if he gives it the cover to the cistern, he is no longer liable for the pit. If he digs a pit in the same location for his own uses and then grants it to the public and he notifies Beth Din of the fact and/or gives it the cover, he is no longer liable for the damage that the pit causes. This assumes that Beth Din accepts the cistern on behalf of the community. If Reuven digs the cistern with the permission or request of Beth Din, he may dig it in the middle of the public street and is not liable unless he leaves it uncovered without notifying Beth Din.

Reuven is constructing a house on his property that abuts on a public street. Construction materials are delivered to the site and placed in a public street. Reuven, unless he has permission from the local authorities, must remove the materials from the street. If left on the street and they cause injury, he is liable even if he received permission. If Reuven is building a house

and the foundations are being dug on Reuven's domain but close to a public street and Shimon's ox falls into the hole, all hold that Reuven is not liable. There is authority that if while building a foundation the hole extends into the public street, Reuven is not liable if Shimon's animal falls into the hole.

Halacha provides for special rules regarding the mixing of concrete and the making of bricks on the street.

The subject matter of this lesson is more fully discussed in volume X chapters 415, 416, 471 of A Restatement of Rabbinic Civil Law by E. Quint. Copies of all volumes can be purchased via email: orders@gefenpublishing.com and via website: www.israelbooks.com and at local Judaica bookstores. Questions to quint@inter.net.il

Meaning in Mitzvot

Each week we discuss one familiar halakhic practice and try to show its beauty and meaning. The columns are based on Rabbi Meir's Meaning in Mitzvot on Kitzur Shulchan Arukh by

Rabbi Asher Meir

Bringing Joy to the Bride and Groom

The Tur (EHE 65) writes: "It is a great mitzva to bring joy to the bride and groom, and dance before her... And it says in the Midrash: "Why didn't the dogs eat the feet of Izevel (Jezebel)? Because she used to dance with them before the bride and groom".

The source for the Tur is in Pirkei deRebbe Eliezer (ch. 17). There it adds that her hands also merited burial because she used them to clap them in sorrow when a funeral procession passed by, and her head because she used to wail in mourning.

The story of Izevel's burial is a topsy-turvy one. Of course one would expect that like anyone else she would be buried. However, Eliahu prophesied that "Of Izevel Hashem spoke, saying, the dogs will eat Izevel in the stronghold of Yizreel" (Melakhim alef 21:23). Izevel meets her death as she encounters the rebel Yehu, who has just assassinated her son, Yehoram. She prepared herself for his arrival by dressing up and waiting at the window; yet her own guards listened to Yehu's order and threw her out the window to her death (Melakhim bet 9:30-37). It seems that Yehu was also in no hurry to bury her, as he then went into the palace to eat and drink. Evidently he preferred she should be cast in disgrace. But on second thought he ordered to have her buried, "for she is a king's daughter".

This is now a reason she should be buried. However, Yehu's men informed him that the dogs had eaten her; Yehu understood that this was a fulfillment of Eliahu's prophecy, for which he then gives a reason: "The corpse of Izevel should be like dung in the field in the portion of Yizreel, so that no one should say, This is Izevel". A grave is also a monument, yet Izevel's memory is not worthy of preservation.

Yet despite the prophecy, the feet, hands and head were brought to burial, in merit of Izevel's acts of kindness.

There is a direct connection between the reason these limbs were buried and the prophecy of Eliahu as interpreted by Yehu. Izevel was eaten by dogs because her amazing cruelty effaced even her more basic human dignity; she was not worthy of any memorial that people should say "This is Izevel".

Yet in her acts of kindness to newly-weds and mourners, she overcame this quality; she transcended herself, and was no longer the "Izevel" cursed by the prophecy.

The Kli Yakar explains that the prophecy that she should be like dung is related to her name, Izevel, which is like the Hebrew word "zevel", meaning dung. This reinforces the idea that the limbs, which gain aid her character and her name, were not really her; they were not zevel. Thus, they were not subject to the prophecy that was meant to deny her a memorial.

There is another thematic connection in the story. The description of Izevel "glancing out the window" in this story echoes the description of Michal, the daughter of Shaul, "glancing out the window" at King David dancing before the ark (Shmuel bet 6:16). Michal disapproved of David's rejoicing, thinking it unbecoming for a king. However, Izevel used her palace window to await newlyweds to do them kindness. (The Midrash doesn't say this explicitly, but mentions that she had her house next to the marketplace and awaited them; the image of her waiting at the window is thus appropriate.) She thus overcame her regal reserve to rejoice in God's service. Thus those limbs which overcame Izevel's cruelty and haughtiness were no longer the same "Izevel" referred to by the prophecy.

Rabbi Asher Meir has two wonderful books in print - Meaning in Mitzvot (ask for it at your local s'farim store) and The Jewish Ethicist, available at some bookstores and through the Business Ethics Center of Jerusalem, (02) 632-0222. Both works are highly recommended

TANACH

SPIRITUAL AND ETHICAL ISSUES IN THE BEREISHIT STORIES by Dr. Meir Tamari

"To find a wife for my son, for Yitzchak" [2]

The shidduch for Yitschak is reported in the Torah with the same respect to detail and ethical behavior as the negotiations for the sepulcher for Sarah, the first Matriarch, as befits Rivka the second of the Matriarchs.

First, there is the oath that Avraham requires of Eliezer who is his disciple but also major domo of all his household and affairs. In it he was to go to Avraham's family to bring back a wife for Yitschak but also to promise that he would not send his son there on any count. The oath was taken by placing his hand under the thigh of Avraham, either as Rashi explains because an oath requires an article of mitzva like the Mila (Sh'vuot 38b) which was observed both by Avraham and Eliezer with much physical pain, or as Ibn Ezra and Abarbanel teach was a sign of submission to his master. In contrast, Yosef, when asked by Ya'akov to swear not to bury him in Egypt, never placed his hand beneath Ya'akov's thigh, both because it is immodest for a son to witness his father's nudity and because the submission did not befit a king, and therefore his promise alone sufficed.

Nowhere in the story is Eliezer mentioned by name. Accordingly, Chazal see this as evidence of his devotion to Avraham, a devotion that led to the sublimation of his whole being to merely be his servant; so reflecting his master's learning and his ways that his features even resembled those of Avraham. In that case why was an oath necessary? "Everybody has within themselves strengths and power of which they are often unaware, that they can draw upon in times of crisis to

overcome them. Avraham knew that Eliezer's task would be beset by great difficulties and pitfalls so that he could in good faith and sincerity decide that he had no chance of success. The oath would provide Eliezer with the spiritual strength, selflessness and power to overcome his doubts and succeed in his task" (Shem Mi Shmuel). Perhaps, there was the potential danger of greed? "Avraham feared that after his death, perhaps a Canaanite, coveting Avraham's great wealth and status would bribe Eliezer to agree and marry his daughter to Yitschak" (Abarbanel). There is in all people the rationalizing away of our self interest, so, "There was the danger that Eliezer, himself a scion of Canaan, would desire after Avraham's death to arrange a marriage between his own daughter and Yitschak" (Or Hachaim).

If there were good reasons for imposing an oath on Eliezer, the question of why Avraham was so determined that his son Yitschak should not marry one of the daughters of Canaan still remains. We continue to be puzzled as to why the wife of the heir to the spiritual and national Divine Promise of the Abrahamic Mission should have to come from Aram Na'ariim - Mesopotamia but not from Canaan.

"Avraham's descendants were to inherit the Land as a result of the Divine promise that Yitschak would inherit him. Now should Yitschak marry a daughter from Canaan it would appear instead that the Land came to them as an inheritance from Canaan" (Chizkuni). Furthermore, "Bnei Canaan were accursed stock (B'reishit 9:25) and it was not fitting to merge blessed seed with them, for the descendants of Avraham were to inherit the Holy Land and how could accursed seed be partners in that inheritance?" (Abarbanel).

Avraham himself, in accordance with Hashem's commandment, left Ur of the Chaldees where he had been born, and from Haran where, together with his father Terach and Nahor his brother, he had settled before going to Eretz Yisrael. "In the verse (7), describing how Hashem had taken him from his home, Avraham refers to Hashem as " G-d of heaven" rather than of heaven and earth, since before Avraham appeared men had forgotten about His sovereignty over earth as well. That is why in the first b'racha of Shemonei Esrei we do not say "Master of the World but immediately G-d of our fathers" (Chizkuni). So why should he now instruct Eliezer under oath to go back to Haran and find a wife for Yitschak there? Perhaps, the question would not have existed had the people of Haran and the Abrahamic family there not been idolaters just like the Canaanites, yet they were, so why were they more suitable for Yitschak? However, we find that despite the seeming similarity between them, the Canaanites were substantially different from Avraham's family, and it was those differences that made them unsuitable for Yitschak.

Ham and his descendant Canaan were immoral and perverted (B'reishit 9:22). We know how evil and sinful, both socially and sexually, the people of Sodom and her neighbors were, so that they merited destruction. Canaanites, especially those conquered by the Tribes of Israel were far more corrupt than the any other nation (Vayikra 18:3, Rashi). In contrast, the people of Haran, the descendants of Shem despite their idolatry had moral and social merits.

"You should know that the mitzvot and the aveirot that are written in the Torah are of two kinds, one the deeds and midot that are reflected in both the body and the nefesh, whereas the other like beliefs and ideologies that are reflected only in the nefesh. Now the effects of the former are easily transferred to

the future generations whereas those that affect the nefesh only remain with each generation. So the evil traits of Ham and Canaan were transmitted from generation to generation whereas the philosophy of idolatry of Bethuel and Lavan were not passed on to their children but their good midot were" (Rabbeinu Yona). Of all the good midot to be found in Avraham's family, that of chesed pre-dominated. Indeed, we find even in Sodom, his nephew Lot, at risk to his safety and that of his family, concerns himself with the welfare of strangers; an inheritance passed on to Ruth of Moav. "Idolatry is an error of the intellect and the mind; as such it can be corrected by logic and wisdom. However, chesed and other good midot cannot be taught by scholarly study, but rather they are something inbred in us through the generations, a spiritual inheritance from our mothers and fathers. So while Rivka could unlearn the idolatry of Beit Betuel, the chesed of Avraham and Sara she brought to Yitschak from her inheritance" (Shem Mi Shmuel).

It is fitting to Avraham, whose merit is chesed, that his servant's test of the suitability of the bride should be an act of chesed. It is equally fitting that he should pray: "Hashem do chesed with my master Avraham".

This is the 116th installment in Dr. Tamari's series on "Tanach and its messages for our times"

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[1] From the virtual desk of the OU **VEBBE REBBE**

The Orthodox Union – via its website – fields questions of all types in areas of kashrut, Jewish law and values. Some of them are answered by Eretz Hemdah, the Institute for Advanced Jewish Studies, Jerusalem, headed by Rav Yosef Carmel and Rav Moshe Ehrenreich, founded by HaRav Shaul Yisraeli zt"l, to prepare rabbanim and dayanim to serve the National Religious community in Israel and abroad. Ask the Rabbi is a joint venture of the OU, Yerushalayim Network, Eretz Hemdah... and the Israel Center. The following is a Q&A from Eretz Hemdah...



I had friends over; I didn't notice that one of them brought a music CD, which she left in my CD player. A week later she inquired about its whereabouts. We found it outside its case, among an assortment of family CDs. I

might have taken her CD out, thinking it was one of the kids'; perhaps my kids (under bar mitzva) did so. My friend later told me that it was scratched and ruined. She did not ask me to pay her, but should I offer?



As we always preface such monetary questions, we cannot tell you for sure that you are exempt without formally hearing your friend's version of the story. We will give our thoughts according to your perspective. This is sufficient since your friend has not demanded payment, and you want to know if you should volunteer it.

There are two issues to consider. One is whether you are obligated to pay for failing to watch the CD properly. The other is whether you are obligated as one who might have damaged it.

In general, a person is not obligated to watch something and pay for damages stemming from negligence unless she consented on some level to accept that responsibility (see Bava Kama 47b). Since you were unaware that your friend's CD was in your possession, that certainly did not happen.

This case, though, is more complicated because this may be a case where the laws of HASHAVAT AVEIDA (returning a lost object) apply. It is unclear from your description whether your friend realized quickly that the CD was by you (and thus it was not lost) or whether she wasn't sure where it was, and it was an AVEIDA. Let us assume the latter. The Torah obligates one who finds an AVEIDA in the laws of a watchman even if he did not intend to become responsible (Shulchan Aruch, Choshen Mishpat 267:16). The question of whether he is like a paid or a volunteer watchman (ibid.) is irrelevant here because either way it is negligent not to put a CD in its case, and all watchmen are obligated to pay for negligence.

One usually becomes obligated in the laws of HASHAVAT AVEIDA, including the obligation of a watchman, at the time he lifts up the object (see Bava Metzia 26b; Pitchei Choshen, Metzia 4:(2)). What happens, though, if one picks up an object without realizing that it is an AVEIDA? There are related discussions on whether one who physically had control of an AVEIDA without fully understanding the scope of his obligation becomes a full-fledged watchman. The Ketzot HaChoshen (291:4) was unsure whether one who found something he thought was cheap is obligated in its full value when it turned out to be more expensive. The implication is that if he had not even realized that the object was a lost one, he would not have been obligated. Similarly, the Machane Efrayim (Chatzer 5) proves from the Rambam that one who unknowingly has an AVEIDA on his property is not yet considered one who found an AVEIDA. Therefore, in your case, you did not have a watchman's obligation.

However, even without a watchman's responsibility, you may be obligated for scratching the CD. In general, one who physically damages an object, even with little personal blame, must pay the damages (Bava Kama 26a). However, we do not know for sure that you scratched the CD. Something could have fallen on it when it was exposed. Your friend could have scratched it, if not before someone in your house moved it, then perhaps after she took it home. Your kids could have done it, and minors and their parents are exempt from paying for the minors' damages (Shulchan Aruch, ibid. 424:8). Therefore, a Beit Din could apparently not obligate you to pay because there is a doubt if you damaged the CD. Poskim discuss whether children who damage should pay when they grow up (see Pitchei Choshen, Nezikin 10:(115)), and parents often pay for their children's damages. However, a CD's scratching is

common; even proper care does not always prevent it. Therefore, you do not even seem to have a strong moral obligation. On the other hand, it is likely of value to offer your friend at least partial payment and see what she says.

Ask the Rabbi Q&A is part of Hemdat Yamim, the weekly parsha sheet published by Eretz Hemdah. You can read this section or the entire Hemdat Yamim at www.ou.org or www.eretzhemdah.org. And/or you can receive Hemdat Yamim by email weekly, by sending an email to info@eretzhemdah.org with the message: Subscribe/English (for the English version) or Subscribe/Hebrew (for the hebrew version). Please leave the subject blank. Ask the Vebbe Rebbe is partially funded by the Jewish Agency for Israel

[2] **Candle by Day**

We find it difficult to keep from being swayed by almost anyone who is fervently interested in almost anything; such is the inspirational power of enthusiasm.

From "A Candle by Day" by Rabbi Shraga Silverstein

A Candle by Day • The Antidote • The World Of Chazal by Rabbi Shraga Silverstein • Now available at 054-209-9200

[3] **CHIZUK and IDUD**

(for Olim & not-yet-Olim respectively)

Why was the Torah given on Mount Sinai in the middle of the desert? It may be suggested that this was done in order to impress upon us that the mitzvot are relevant and meaningful in all geographical locations in the world.

The Sifrei, however, offers a diametrically opposed understanding. It calls our attention to the contiguity of two passages in the book of Devarim. The end of verse 11:17 reads: "And you will swiftly be banished from the goodly land that God gives you." This is immediately followed by: "Put these words of Mine upon your heart and upon your soul."

Expounds the Sifrei: "Even when I shall exile you from the Land of Israel to the Diaspora, prepare yourself for the return to Israel through observance of the mitzvot so that when you return they shall not be new to you. This may be likened to a mortal king who became angry with his wife and sent her back to her father's house. Before her departure, he warned her. 'Do not remove your jewelry, so that when I send for you they shall not be unfamiliar to you.' This is the meaning of the words of Yirmiyahu 31:21 - 'Set up markers for yourself.'"

This passage in the Sifrei led the Ramban, the arch-Zionist of the Middle Ages, to formulate his revolutionary theory concerning the observance of mitzvot, as he writes in his commentary to Devarim 4:5 (and several other places): "To hint at the basic truth that the true observance of all mitzvot can only be fulfilled in Eretz Israel."

Those who live outside Israel fulfill mitzvot only as practice for their long-awaited journey home.

Rabbi Sender Shizgal, Ramot, Jerusalem

TORAH THOUGHTS as contributed by Aloh Naaleh members for publication in the Orthodox Union's 'Torah Insights', a weekly Torah publication on Parshat Ha'Shavuah

[4] **A Touch of Wisdom, A Touch of Wit**

When R' Yaakov David of Slutsk was the Rav of Bobroisk, there were two other rabbis in town: R' Shemarya Noach, who was the rabbi of the chasidim, and another rabbi, who had been appointed by the government - without the people's approval - and knew almost nothing. The government appointee, though, dressed and acted like a chasid.

R' Yaakov David used to say: "There are three rabbis in Bobroisk: a rabbi with a shtreimel, a rabbi without a shtreimel, and a shtreimel without a rabbi."

Shmuel Himmelstein has written a wonderful series for ArtScroll: Words of Wisdom, Words of Wit; A Touch of Wisdom, A Touch of Wit; and "Wisdom and Wit" — available at your local Jewish bookstore (or should be). Excerpted with the permission of the copyright holder

[5] **Parsha Points to Ponder - YITRO**

1) Moshe names his first son, Gershom, connoting that he was a stranger in a foreign land and his second son, Eliezer, to describe that G-D saved him from the sword of Pa'ro (see 18:3-4). Given the fact that Moshe was saved first and then became a stranger in a foreign land, shouldn't his first son have been named, Eliezer, and the second, Gershom?

2) Why does Moshe say LAHEM, in plural, referring to the disputing parties but then say BA, in singular, when referring to the two parties actually coming before him for judgment? (see 18:16)

3) Why does the Torah mention the Jews arriving in the desert of Sinai prior to the description of their leaving from Refidim? (see 19:1-2)

THESE ARE THE ANSWERS

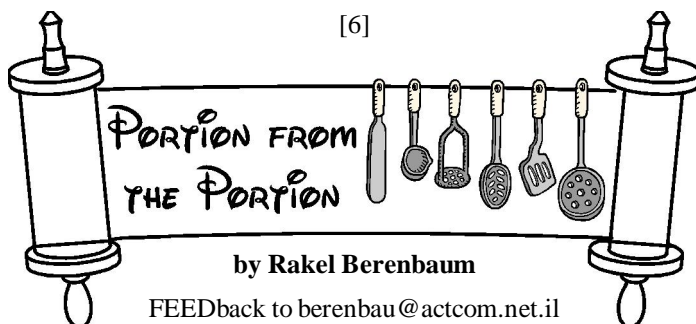
Ponder the questions first, then read here

1) The Chafetz Chayim explains that Moshe, sitting amidst the pagan culture and immoral values of Midian, must have been very concerned for the upbringing of his children. How was he to shield them from the influences surrounding them? When his first child was born this was on his mind and he took the step of cementing into this son's name that they were strangers in a foreign place and should fight against the influences around them. Once that critical name was in place Moshe could focus on the aspect of G-D having saved him from Egypt in the name of his second son.

2) The Meshech Chochma answers that this teaches us that when Moshe judged a case, he had the presence of mind to completely ignore who the two parties were to make sure this did not impact his judgment. From Moshe's perspective, it was the case that came before him and not the people. Thus, Moshe used the singular, BA, to describe what came before him, referring to the case, itself, which was the only thing he noticed in front of him.

3) The Ohr HaChayim says that G-D wrote it this way to demonstrate the anticipation that all of creation had for the moment that the Jewish people would arrive at Sinai and receive the Torah. This was the moment when all of creation reached its fulfillment and purpose and the Torah jumped out of order to demonstrate the anticipation and excitement for this great event.

Parsha Points to Ponder is prepared by Rabbi Dov Lipman Mashgiach Ruchani, Yeshivat Yesodei HaTorah in Bet Shemesh, author of "DISCOVER: Answers for Teenagers (and adults) to Questions about the Jewish Faith", soon to be republished by Feldheim - ppp@israelcenter.co.il



Eating Bread with Yitro - Conversion Celebration or Thanksgiving Dinner

What is so special about Yitro that he deserved to have a whole parsha named after him? How did Yitro become the guest of honor at a meal with Aharon, and all the elders of Israel (18:12)?

Our sages teach that Yitro, a priest of Midyan, had tried all types of idol worship. When he heard what Hashem had done for Bnei Yisrael he decided to leave it all and join Bnei Yisrael. In this parsha he brings Tzipora and her children to Moshe in the desert.

Some midrashim say that from these verses we see that Yitro himself converted. The conversion process includes brit mila, immersing in a mikva, and a korban in a time when we are able to bring sacrifices. (Bnei Yisrael did all these things to be ready to get the Torah as well.) Here Yitro brought OLAH V'ZVACHIM, "burnt offerings and other sacrifices". The meal that everyone ate with Yitro was in celebration of his conversion.

The sages say that Yitro was worthy of all these people eating with him because he had offered food in the past. When his daughters told him how Moshe rescued them from the shepherds and had watered their sheep for them, Yitro said "Why did you abandon the stranger? Call him, and let him have something to eat" (Sh'mot 2:19-20) VAYOCHAL LECHEM. There he had given bread and here everyone eats bread with him. There we see Yitro's quality of thankfulness. Moshe had done a kindness for his daughters and he wanted to thank him.

We see this same quality of thankfulness in our parsha. The Meshech Chochma says that Yitro's korban here was a Korban of thankfulness, KORBAN TODAH. Yitro saw all Bnei Yisrael alive and Moshe told him everything Hashem did to Par'o, about the splitting of the sea and the war with Amalek (Rashi). Yitro, who the Midrash says had been one of Par'o's advisors and knew exactly Par'o's strength and what he wanted to do to the Jews, realized the immense miracles that had been performed. He (and not bnei Yisrael) blessed Hashem for these miracles: BARUCH HASHEM ASHER KITZIL ETCHEM MIYAD MITZRAYIM (18:10). We learn from here that a person should say a blessing at the place where a miracle happened (Sanhedrin 94a). But sometimes the person who receives a miracle can't realize the extent of the miracle.

KI EIN BAAL HANES MAKIR B'NEISO

They need someone from the outside to bring to their awareness the extent of the miracle that happened to them. That is what Yitro did. He blessed Hashem for the miracles and he brought thanksgiving sacrifices, SHALMEI TODAH, to thank Hashem for all these miracles and to reawaken in Bnei Yisrael this thankfulness. They joined him for this thanksgiving meal and while they ate the meat and bread they were able to relate and ponder the miracles of Hashem again.

[When there is a Beit HaMikdash, the Korban Toda is brought with 40 breads LACHMEI TODA, consisting of 30 matzot (10 chalot baked in the oven, 10 r'kikin smeared with oil after baking, 10 murbechot, deep fried in oil) and 10 chametz loaves.]

The thanksgiving sacrifice had a lot of food in it and had to be eaten quickly so the person could invite others to share it with him. They could sit together, eat and relate Hashem's miracles. This Shabbat instead of concentrating on all the bad things around us let's try to follow in Yitro's footsteps and relate all the miracles.

Here's a recipe for an "American Thanksgiving" bread.

Thanksgiving Pumpkin Bread

1 cup cooked mashed pumpkin
1/2 cup oil
1/2 cup honey
2 eggs
1 and 3/4 cups flour
1 tsp. baking soda
1 tsp. baking powder
1/2 tsp. salt
1/2 to 1 tsp. cinnamon
1/4 to 1/2 tsp. nutmeg
1/3 cup water
1/2 cup chopped nuts

Beat oil & honey together. Add eggs. Mix well.

Combine dry ingredients in another bowl.

Add dry ingredients and water to honey mixture.

Mix in pumpkin and nuts.

Bake 1 hour for loaf or 20-25 min. for cupcakes at 350°F

[7] Micro Ulpan

In automotive English, it's the CLUTCH, the device in a car that engages and disengages the motor from the gears. Israelis call it the KLOTCH. But that's not Hebrew.

The "real" word is... MATZMEID

מצמיד

[8] Torah from Nature

Although it is a member of the squirrel family and closely related to the prairie dog, chipmunk, woodchuck, and ground hog, this particular species - the Vancouver Island Marmot is possibly the rarest mammal in the world, numbering 29 known

individuals. It is a house-cat size burrowing rodent with a diminishing habitat and numbers. It has rich chocolate brown fur with white patches. These monogamous, herbivorous mammals hibernate for about 8 months of the year. They are obviously, critically endangered.

[9] Divrei Menachem

Parshat Yitro concludes dramatically the story of Yetzi'at Mitzrayim, culminating with a freed nation of slaves receiving the Torah with all the attendant miracles. We must thus ask how a parsha that contains such a momentous narrative could be named for Yitro, an ex-high priest of Midyan.

The Hebrew name Yitro conveys the notion of addition. Our rabbis teach us that in honor of Yitro's far-reaching and fatherly advice in the matter of Moshe's judgment of the people, the Torah incorporated the episode as part of the unfolding drama of the Exodus. Moreover, in recognition of his wise counsel Yitro also gained the addition of the Hebrew letter 'vav' to his former name of Yeter (see Shmot 4:18).

Like the wicked Amalek (who preyed on Israel's weaknesses), so did Yitro, "hear what G-d did for Moshe and his people Israel." However, each heard his "own version". What Yitro heard caused him to embrace Judaism and to be recognized repeatedly in our parsha as the father-in-law of Moshe.

The Ohr HaChayim understands that Yitro's greatness lay not only in his recognition of G-d's role in punishing Egypt. From Israel's victorious battle with Amalek, Yitro also learned of and internalized Hashem's direct intervention on behalf of Bnei Yisra'el (see ibid, 17:8-16). This, no doubt, was Yitro's long-lasting legacy for all of us.

Shabbat Shalom, Menachem Persoff

Towards Better Davening and Torah Reading

Towards the end of the sedra we find the prohibition of making images - ...ELOHEI CHESEF VEILOHEI ZAHAV... This phrase will help us review a few different DIKDUK rules. First, notice that the DAGESH KAL in KESEF drops out, leaving CHESEF, because the word follows a word ending with YUD within the same phrase.

Second, notice that the word ELOHEI has a CHATAF-SEGOL under the ALEF, which disappears when the VAV is prefixed to it. Not V'ELOHEI, but VEI-LOHEI. No vowel under the ALEF and no contribution to the sound of the word from the ALEF.

Third, whereas ELOHEI is accented MILRA (last syllable), when it precedes a word with two syllables that is MIL'EIL, it too becomes MIL'EIL. eLO-hei CHE-sef vei-lo-HEI za-HAV. Doing this wrong does not change the meaning and therefore need not be said over correctly by the BAAL KOREI, but listen carefully on Shabbat to see if your BK is meticulous (and knowledgeable) about such things.

This pasuk helps us see things clearly.

SHEYIBANEH BEIT HAMIKDASH...

A series of articles on Beit HaMikdash-related topics by Catriel Sugarman intended to increase the knowledge, interest, and anticipation of the reader, thereby hastening the realization of our hopes and prayers for the rebuilding of Jerusalem and the Beit HaMikdash.

The Chavitin of the Kohein Gadol

Like most other Menachot, meal offerings, the 12 Chavitin ("unleavened loaves") that the Kohein Gadol offered with the daily morning and afternoon Temidim, were prepared from the finest well-sifted wheat flour mixed with olive oil and accompanied by frankincense. The Chavitin were baked in the Lishkat Osei Chavitin - "Chamber of the Griddle-Cake Makers" - which was located in the Ezrat Yisrael (the Court of the Israelites), to the south of the Nicanor Gate in the eastern side of the Azara. Early every morning, "the Kohanim entered (into the Azara) after him (the Segan - Deputy Kohein Gadol) carrying two lighted torches and they separated into two groups, one going along the colonnade eastward and the other going along the colonnade westward. As they went, they kept diligent watch until they came to the Lishkat Osei Chavitin. When both groups came there, they called [one to the other] 'Is it well?' 'All is well' There they left them who made the Chavitin to make the Chavitin" (Tamid 1:3). Tiferet Yisrael (47) explains that these Kohanim who "were left there" were assigned to begin heating up water necessary for the baking of the Chavitin. The amount of flour required for the Chavitin was one ISARON, a tenth of an Eifa. The Kohanim-bakers first placed this amount flour in a Mikdash- measuring vessel whose capacity was exactly 1 ISARON to ascertain that they had the correct amount. The very act of placing the flour in a Mikdash vessel, Hakdasha, sanctified the flour and permitted it to be utilized for an offering. After the flour was removed from the measuring bowl, the Kohanim divided it into two portions... enough for six Chavitin. Then the Kohanim took three LOG of oil and divided it into twelve, one quarter of a LOG for each loaf (Menachot 88b). They poured the flour into another vessel (a procedure called Matan Solet) and proceeded to knead it with lukewarm water (Lisha). Lisha was one of the unique features of the Chavitin of the Kohein Gadol and the similar Minchat Chinuch of the Kohein Hedyot. The resultant paste was mixed with oil. The oil and the flour for each loaf was mixed separately (Belila). The priestly bakers then poured boiling water on the mixed flour and oil. This act is called Chalita. The commentaries vary widely as to the order and the exact procedure of Chalita and the Rambam in his commentary on Mishna Challa 1:6, differentiates between the process of adding the dough to boiling water and adding the boiling water to the dough. The first is called Me'isa and only the second process is called Chalita. Unlike the Chavitin, other Menachot required oil to be placed in the pan before the placement of flour (Matan Shemen). Then oil would be added a second time and mixed with the flour and oil. Then oil was poured on the mixture yet a third time after Belila.

However, oil was added only once to the Chavitin-"paste" (and the Minchat Chinuch) and then mixed. Since the Torah ordained that the Chavitin were to be unleavened, the Kohanim had to be very careful that the dough did not begin the leavening process (Vayikra 6:9). With the exception of one of a variety of loaves offered with the Korban Toda (Vayikra 7:13) and the Shte HaLechem brought on Shavu'ot (Vayikra 23:17), all other Menachot were unleavened. The Kohanim then made from the resulting mixture 12 loaves and placed them directly

on the floor of the metal oven located in Lishkat Osei Chavitin (Zevachim 95b). No container or cooking utensil was used (Tiferet Yisrael, Chomer BaKodesh 2:42). The Chavitin were not fully baked (Ma'asei HaKorbanot 13:3). Quoting "opposing" sources, R. Chiya bar Abba maintains that the baking preceded the frying and R. Assi maintained the opposite view. Rambam ruled that baking preceded frying but that the baking should be minimal - perhaps only sufficient to insure that the oily dough which had just been mixed with boiling water would be solid enough not to splatter into the fire. Rashi (Menachot 50b) maintains that the Chavitin were baked yet a second time after frying.)

After baking, the Kohanim placed the Chavitin in a pan over an open fire and fried them in oil. They removed the Chavitin from the pan and placed them in the Mikdash vessel that would be used to convey them to the Mizbei'ach. The other Chavitin were put aside until the time of the afternoon Tamid. They were folded over twice but not broken. However, the Gemara asks, "Does not the Mishna teach us that the Chavitin were not folded? The Amora Rabba said that they were not folded into four like other Menachot; they were only folded in two. Moreover, neither the Chavitin of the Kohein Gadol nor any Menachot of other Kohanim were broken into pieces" (Menachot 75b). (Today Matzot are made very thin and cannot be bent without breaking, but in Mikdash times, they could be quite thick and could easily be folded without breaking. Even today, traditional Yemenite Matzot are like that.) Granules of frankincense were placed on the side of the Chavitin (Menachot 108b). Before taking the Chavitin to the top of the Mizbei'ach, the Chavitin similar to all other Menachot, required Hagasha, which meant that the Kohein first carried the vessel containing the Chavitin to the southwest corner of the Mizbei'ach and touched it with the vessel containing the Chavitin before conveying it to the top of the altar. Hagasha completed, a Kohein carried the Chavitin up the ramp to the top of the Mizbei'ach at the same time that other Kohanim were carrying the Netachim - dismembered parts of the sacrificial animal (Tamid 3:1). One of the four "lotteries" held in the Mikdash among the Kohanim was to determine who would participate in offering the Tamid and bring it to the Mizbei'ach. "The second lot [was to determine] who should slaughter, who should toss the blood... also [who should take up] the fine flour, the Chavitin, and the wine..." (Yoma 2:3). The Chavitin, similar to all other Korbanot, needed to be salted. A pile of salt was positioned at the southwest corner of the top of the Altar so that Menachot (and bird offerings) could be salted. (Animal sacrifices were salted from another pile of salt located on the west side of the ramp leading up to the top of the Mizbei'ach.) The Kohanim first cast the Netachim of the Tamid into the large fire on the southeast corner of the Altar. The Chavitin were only added to the flames (Haktara) after the casting of the Netachim.

Even though the Chavitin were the personal offering of the Kohein Gadol and he even had to pay for the flour, he was not required to participate in their preparation or convey them to the Mizbei'ach. He was not even required to be present when the Kohanim consigned his Chavitin to the flames. Despite the fact that these Chavitin was a personal Korban of the Kohein Gadol, since the Chavitin had to be brought at a "fixed time" (i.e., together with the Temidin), they were also brought on Shabbat. Even the kneading and baking took place on Shabbat because the Chavitin of the Kohein Gadol had to be crisp and fresh.

Catriel's book in progress: The Temple of Jerusalem, A Pilgrim's Perspective; A Guided Tour through the Temple and the Divine Service

from page 3 PARSHA PIX



Upper-left is the hearing ear of VAYISHMA YITRO, and Yitro heard. You can ask and/or answer the famous question, what did he hear that brought him to Judaism.

B"H in upper right was said by Yitro when he heard all the things that G-d had done for Israel. From that we are taught that one makes a bracha on miracles. Who else said BARUCH HASHEM in the Torah?

The scales represent the justice system, Yitro's suggestions, Moshe's response, etc.

One of the outcomes of Yitro's advice was the assignment of "captains" of groups of 1000, 100, 50, and 10 - represented by the Roman numerals M,C,L,X.

When Bnei Yisrael arrived at Har Sinai, they displayed a unity that is captured by the word VAYICHAN, and as Rashi puts it, we were like one person with one heart. That's the graphic under the ear.

The Shofar is one of the symbols of the Sinai experience, as we more than mention on Rosh HaShana.

The washing machine is for the people to clean their clothes during the preparatory days for Matan Torah.

Wine cup is for Kiddush (ZACHOR) and the negation circle is for the prohibition of Melacha, including writing, watering plants, digging, sewing, building.

Do not steal (the Xed out thief) and do not go up to the Mizbei'ach with steps (the negated ladder) are two other prohibitions in the sedra.

The volcano represents Har Sinai all smoking from the fire of G-d's presence "upon" it.

The tongs are from the haftara. An angel flew to the Heavenly Mizbei'ach and picked up a glowing coal in a pair of tongs. He then touched the coal to Yeshayahu's lips, representing a purifying process that would allow the prophet to speak on behalf of G-d.

The MEM SOFIT, which is better called a "Closed" MEM, appears in the haftara in the middle of a word, rather than at the end, where we are used to seeing that kind of MEM. Not a bad idea to point it out to the Maftir in your shul before he reads the haftara, so he won't mistakenly read it as a SAMACH.

We then have a former visual TTriddle: four dots (should be only three dots) and a short vertical line. Graphically, these are the additional marks needed for the 4-mitzva/commandment pasuk to transition between the TAAMEI TACHTON form and the TAAMEI ELYON.

Here's the pasuk (Sh'mot 20:13) as it looks in a Torah scroll. Note that two words of the previous Commandment (parsha) and the first word of the following one are added to show the reader that each of the 4 commandments in the pasuk is its own Parsha S'tuma.

לֹא תִתֵּן כֶּךָ
לֹא תִנָּאֵף
לֹא תַעֲנֶה בְרַעַךְ עַד שִׁקְרָה


Here's the pasuk in TAAMEI TACHTON, then in TAAMEI ELYON.

לֹא תִרְצֹחַ לֹא תִנָּאֵף לֹא תִתֵּן כֶּךָ
עַד שִׁקְרָה


לֹא תִרְצֹחַ לֹא תִנָּאֵף לֹא תִתֵּן כֶּךָ
בְרַעַךְ עַד שִׁקְרָה

Note that the first 3 parts change TROP and as a result, the DAGESH KAL returns to the TAVs. And the TZADI of TIRZACH gets a KAMATZ instead of a PATACH, because the word now is at a SOF-PASUK. Hence the three dots and short vertical line. Note also that in Israeli S'fardit pronunciation, there are no changes. In Ashkenazit, SIRTZAWCH becomes TIRTZACH. SIN-AF/TIN-AF; SIGNOV/TIGNOV.

That leaves two new unexplained elements, which therefore are visual TTriddles.




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TTRIDDLES...

are Torah Tidbits-style riddles on Parshat HaShavua (sometimes on the calendar). They are found in the hard-copy of TT scattered throughout, usually at the bottom of different columns. In the electronic versions of TT, they are found all together at the end of the ParshaPix-TTriddles section. The best solution set submitted each week (there isn't always a best) wins a double prize a CD from Noam Productions and/or a gift (game, puzzle, book, etc.) from Big Deal

New format for TTriddles. Let us know if you like it this way or the "And the envelope please" old way

Last issue's (B'SHALACH) TTriddles:

[1] XLXXLXXLXXLXXLV

Are these sizes? XL, extra large and XXL, extra-extra large? No. Someone went with that and actually tied it with something in the sedra, even though the knot was so loose that it opened by itself. How about Roman numerals? Yes. So let's insert spaces to make the numbers more obvious. XL (that's 40) then X, which is 10. Again XL, X, which is another 40 and 10. And again. And again. And finally, a V, which is 5. So we have 40,10,40,10,40,10,40,10,40,5. Now let's convert the Roman numerals to Jewish ones. That gives us MEM, YUD, MEM, YUD, MEM, YUD, MEM, YUD, MEM, HEI. Separate this string of letters into two words that appear in the sedra and you get the unusual phrase MIYAMIM YAMIMA. Which appears only once in Tanach, in the book of Sh'mot, in Parshat Bo. So you must be wondering what it's doing as a TTriddle for B'shalach. Excellent question. We have no idea. Actually, we have a very good idea. It was put in by mistake. Sorry. Still, it is an unusual sequence of letters. Maybe unique. We searched for HEI and YUD alternating, but only found a smaller sequence.

[2] Lavan, Nevayot, Nachshon, Aharon; What and who else in NACH?

In Chumash, there are four people who identify their sisters. That is, Rivka is called ACHOT LAVAN. One of Eisav's wives was MACHALAT b. Yishmael, the sister of NEVAYOT. Aharon married Elisheva b. Aminadac, ACHOT NACHSHON. And Miriam is called ACHOT AHARON when she takes the TOF in her hand to lead the women in songs of praise and thanks to G-d for the splitting of the Sea. These four are the WHO in Torah. The WHAT you just saw. The other WHO are in Nach. The following are people in the rest of Tanach whose names follow the word ACHOT. NACHAT, ACHAZYAHU, TACHP'NEIS, AVSHALOM, and TZ'RUYA. Of these 9 people where were the sister of someone- all are brothers, except for TZ'RUYA, who, herself was a sister of David HaMelech.

[3] G-d/Chava, kings/Avraham, Yaakov/Lavan, people/Moshe

WHAT DID YOU DO?!? MA ZOT ASITA or ASIT? G-d asked Chava, to which she answered that the NACHASH enticed her to eat from the Tree. Both Par'o and Avimelech asked Avraham what he did by saying that Sara was his sister. What I almost did! Yaakov said it to Lavan when he realized it wasn't Rachel he married. To which Lavan answered that in these parts, it doesn't work to marry off the younger before the older. And the people challenged Moshe with that same phrase - why did you take us out of Egypt...

[4] Torah is not the only thing it precedes [l'havdil]

We turn to Pirkei Avot for that which "precedes" the Torah. DERECH ERETZ KODMA LATORAH. Manners, proper behavior. Perhaps, earning a livelihood. The words DERECH ERETZ also come before the word P'LSHTIM, l'havdil, in the beginning of Parshat B'shalach. The words do not mean the same thing in these two contexts, but that's the way TTriddles work.

NachKay Jewish Trivia Question: What Brachot that are said only once a year? Prizes for the best lists.

Many solutions received to this question, but two individuals stand out among the many, having gone above and beyond with their solutions.

The original answer to this question consisted of four brachot that are said once a year by Jews all over the world. That means making no distinction between Eretz Yisrael and Chutz LaAretz. After we present these four, we will mention other brachot that are said once a year by the Jews of Israel, and twice by the Jews outside of Israel.

Lighting of candles for Yom Kippur is accompanied by a bracha that is said only once a year: L'HADLIK NER SHEL YOM HAKIPURIM.

Searching for Chametz, nullifying it, and burning it are covered by the bracha we say right before we begin B'dikat Chametz on the eve of the 14th of Nisan. AL BI'UR CHAMETZ.

Upon seeing fruit trees in bloom during the month of Nisan, there is a bracha to recite. This is said only once a year. SHELO CHISAR BA'OLAMO DAVAR...

The Jerusalem bracha of the Amida has a different and unique text for Mincha on Tish'a b'Av. M'NACHEIM TZIYON UVONEI YERUSHALAYIM.

Aside from these four, for Eretz Yisrael we add AL ACHILAT MATZA and AL ACHILAT MAROR. These are said twice each in Chutz LaAretz.

The Geula bracha at the Seder right before we drink the second cup is also a once a year bracha for Jews living in Eretz Yisrael. (Or, according to some poskim, for Jews celebrating Pesach in Eretz Yisrael, regardless of where they usually live.)

Once we get past those brachot, the question cracks wide open. One of this week's winners (HC) submitted a list of 105 brachot. Some can be argued away, but the vast majority have to qualify.

Are we to count the first bracha of the repetition of the Amida of Yom Kippur Shacharit, for example, because the PIYUT makes it different (and once a year) from all other first brachot of the Amida? If we allow it, then there are many, many more like it. And since we asked people to be creative,

I guess we have to allow them. So HC and EB take this week's honors. The question really needs to be reworded to prevent so many technically correct answers.

Speaking of technicalities... we should really disqualify L'HADLIK NER SHEL YOM HAKIPURIM, since when YK is Shabbat, the bracha is modified. So it is not said once a year (on average). It is said "no more than once a year". If the wording of the question includes that phrase, YK candles are in.

A personal favorite is AL S'FIRAT HA'OMER, when the person forgot to count the second day. But of course, that one is

disqualified for obvious reasons.

Let's leave matters at that. Enough said... for now.

On another note, several people have already responded to our request for more questions. Because this feature was initiated by Nachman Kay, we will continue to call the question of the week the NachKwestion, regardless of who submitted it.

This week's TTriddles:

[1] All of ours in general, hers in particular

[2] In the year that who what?

[3] G-d, Yitro, Micha, David HaMelech

[4] The others are Naomi, Machlon and Kilyon

[5] There is a hidden TTriddle hiding in plain sight at the end of one of the TT features

This week's NachKwestion was submitted by Shmaya - prize to him, and to the best answers.

Find three different consecutive words in the davening that have the same root (There are several possible answers)