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Toras Aish

Thoughts From Across the Torah Spectrum

RABBI LORD JONATHAN SACKS ZT"L

Covenant & Conversation

There's an enthralling story about the Ten Commandments and the role they played in Jewish worship and the synagogue.

It begins with a little-known fact. There was a time when there were not three paragraphs in the prayer we call the Shema, but four. The Mishnah in Tamid (5:1) tells us that in Temple times the officiating priests would say, first, the Ten Commandments and then the three paragraphs of the Shema.

We have several pieces of independent evidence for this. The first consists of four papyrus fragments acquired in Egypt in 1898 by the then secretary of the Society of Biblical Archaeology, W.L. Nash. Pieced together and located today in the Cambridge University Library, they are known as the Nash Papyrus. Dating from the second century BCE, they contain a version of the Ten Commandments, immediately followed by the Shema. Almost certainly the papyrus was used for prayer in a synagogue in Egypt before the birth of Christianity, at a time when the custom was to include all four paragraphs.

Tefillin from the Second Temple period, discovered in the Qumran caves along with the Dead Sea Scrolls, contained the Ten Commandments. Indeed a lengthy section of the halakhic midrash on Deuteronomy, the Sifri, is dedicated to proving that we should not include the Ten Commandments in the tefillin, which suggests that there were some Jews who did so, and the rabbis needed to be able to show that they were wrong.

We also have evidence from both the Babylonian and Jerusalem Talmuds (Bavli, Berakhot 12a ; Yerushalmi Berakhot 1:8) that there were communities in Israel and Babylon who sought to introduce the Ten Commandments into the prayers, and that the rabbis had to issue a ruling against doing so. There is even documentary evidence that the Jewish community in Fostat, near Cairo, kept a special scroll in the ark called the Sefer al-Shir, which they took out after the conclusion of daily prayers and read from it the Ten Commandments (Jacob Mann, The Jews in Egypt and in Palestine under the Fatimid caliphs, I, 221).

So the custom of including the Ten Commandments as part of the Shema was once widespread, but from a certain point in time it was systematically opposed by the sages. Why did they object to it? Both the Babylonian and Jerusalem Talmuds say it was because of the "claim of the sectarians."

Jewish sectarians-some identify them as a group of early Christians but there is no compelling evidence for this-argued that only the Ten Commandments were binding, because only they were received by the Israelites directly from God at Mount Sinai. The others were received through Moses, and this sect, or perhaps several of them, held that they did not come from God. They were Moses' own invention, and therefore not binding.

There is a midrash that gives us an idea of what the sectarians were saying. It places in the mouth of Korach and his followers, who rebelled against Moses, these words: "The whole congregation are holy. Are you [Moses and Aaron] the only ones who are holy? All of us were sanctified at Sinai... and when the Ten Commandments were given, there was no mention of challah or terumah or tithes or tzitzit. You made this all up yourself." (Yalkut Shimoni Korach 752).

So the rabbis were opposed to any custom that would give special prominence to the Ten Commandments since the sectarians were pointing to such customs as proof that even orthodox Jews treated them differently from the other commands. By removing them from the prayer book, the rabbis hoped to silence such claims.

But the story does not end there. So special were the Ten Commandments to Jews that they found their way back. Rabbi Jacob ben Asher, author of the Tur (14th century) suggested that one should say them privately. Rabbi Joseph Karo argues that the ban only applies to reciting the Ten Commandments publicly during the service, so they could be said privately after the service. That is where you find them today in most siddurim-immediately after the morning service. Rabbi Shlomo Luria had the custom of reading the Ten Commandments at the beginning of prayer, before the start of Pesukei de-Zimra, the Verses of Praise.

That was not the end of the argument. Given that we do not say the Ten Commandments during public prayer, should we none the less give them special honour when we read them from the Torah, whether on Shavuot or in the weeks of parshat Yitro

and Vaetchanan? Should we stand when they are being read?

Maimonides found himself involved in a controversy over this question. Someone wrote him a letter telling the following story. He was a member of a synagogue where originally the custom was to stand during the reading of the Ten Commandments. Then a rabbi came and ruled otherwise, saying that it was wrong to stand for the same reason as it was forbidden to say the Ten Commandments during public prayer. It could be used by sectarians, heretics and others to claim that even the Jews themselves held that the Ten Commandments were more important than the other 603. So the community stopped standing. Years later another rabbi came, this time from a community where the custom was to stand for the Ten Commandments. The new rabbi stood and told the congregation to do likewise. Some did. Some did not, since their previous rabbi had ruled against. Who was right?

Maimonides had no doubt. It was the previous rabbi, the one who had told them not to stand, who was in the right. His reasoning was correct also. Exactly the logic that barred it from the daily prayers should be applied to the reading of the Torah. It should be given no special prominence. The community should stay sitting. Thus ruled Maimonides, the greatest rabbi of the Middle Ages. However, sometimes even great rabbis have difficulty persuading communities to change. Then as now most communities-even those in Maimonides' Egypt-stood while the Ten Commandments were being read.

So despite strong attempts by the sages, in the time of the Mishnah, Gemara and later in the age of Maimonides, to ban any custom that gave special dignity to the Ten Commandments, whether as prayer or as biblical reading, Jews kept finding ways of doing so. They brought it back into daily prayer by saying it privately and outside the mandatory service, and they continued to stand while it was being read from the Torah despite Maimonides' ruling that they should not.

"Leave Israel alone," said Hillel, "for even if they are not prophets, they are still the children of prophets." Ordinary Jews had a passion for the Ten Commandments. They were the distilled essence of Judaism. They were heard directly by the people from the mouth of God himself. They were the basis of the covenant they made with God at Mount Sinai, calling on them to become a kingdom of priests and a holy nation. Twice in the Torah they are described as the covenant itself: "Then the Lord said to Moses, 'Write down these words, for in accordance with these words I have made a covenant with you and with Israel.' Moses was there with the Lord forty days and forty nights without eating bread or drinking water. And he wrote on the tablets the words of the covenant- the Ten Commandments." (Ex 34:27-28)

"Then the Lord spoke to you out of the fire. You heard the sound of words but saw no form; there was only a voice. He declared to you his covenant, the Ten Commandments, which he commanded you to follow and then wrote them on two stone tablets." (Deut. 4:12-13) That is why they were originally said immediately prior to the Shema, and why despite their removal from the prayers Jews continued to say them-because their recital constituted a daily renewal of the covenant with God. That too is why Jews insisted on standing when they were being read from the Torah, because when they were being given the Israelites "stood at the foot of the mountain" (Ex. 19:17). The Midrash (Pesikta de-Rav Kahana 12, ed. Mandelbaum, p. 204) says about the reading of the Ten Commandments on Shavuot: "The Holy One blessed be He said to the Israelites: My children, read this passage every year and I will account it to you as if you were standing before Mount Sinai and receiving the Torah."

Jews kept searching for ways of recreating that scene, by standing when they listened to it from the Torah and by saying it privately after the end of the morning prayers. Despite the fact that they knew their acts could be misconstrued by heretics, they were too attached to that great epiphany- the only time in history God spoke to an entire people-to treat it like any other passage in the Torah. The honour given to the Ten Commandments was the custom that refused to die. *Covenant and Conversation is kindly sponsored by the Schimmel Family in loving memory of Harry (Chaim) Schimmel **zt"l** © 2025 The Rabbi Sacks Legacy Trust rabbisacks.org*

RABBI SHLOMO RISKIN

Shabbat Shalom

"You have seen what I have done to Egypt… And now, if you will surely hearken to My voice and observe My covenant…then you will be for Me a kingdom of priest-teachers and a holy nation…" (Exodus 19:4–6) In effect, the drama of the Exodus and its aftermath have transformed Israel from a family to a nation-religion, from Bet Yisrael to Am Yisrael. But how do we define the 'Am'[1]? Are we a nation, are we a religion, or are we an amalgamation of both?

In truth, one of the most agonizing problems facing the Jewish people of Israel as well as the Diaspora, an issue which can potentially tear us asunder and make a mockery of the Jewish Federation slogan "We are one," is "Who is a Jew." From a technical, legal perspective, this question expresses itself in the requirements for conversion, the ramifications of which impinge on who qualifies for automatic Israeli citizenship under the "Right of Return," an Israeli law that provides automatic citizenship for

[1] The Hebrew letters ayin and mem may form a word translated as "with," 'together,' or 'collective.'

any "Jew " who desires to live there. This law was enacted as an obvious and proud reaction to the tragic situation in the 1930s and 1940s, when Jews were sent to the gas chambers because virtually no existing country would relax their immigration rules and allow the would-be refugees a haven from Nazi persecution. In a far broader way, however, the "Who is a Jew" controversy speaks volumes about "what is Judaism"; after all, the necessary criteria for entering our fellowship will pretty much define the cardinal principles of that fellowship.

The sages of the Talmud, as interpreted by Rabbi Yosef Karo's sixteenth-century code of Jewish Law, set down three criteria for male conversion, with the latter two forming the criteria for female conversion: circumcision, immersion in a mikva, and acceptance of the commandments (Shulchan Arukh, Yoreh Deah, 268:3).

The casting off of the foreskin connotes the removal of gentile-dom, the separation of the Jew from the licentious practices (especially in the sexual realm) which characterized the pagan world (interestingly enough, the sages saw women as "naturally circumcised.")

Ritual mikva immersion symbolizes rebirth – after all, the fetus is encompassed in fluid and birth is presaged by the " breaking" of the mother's "waters" – into a new family-nation. (A similar ritual was adopted by Christianity in the form of baptism.)

The acceptance of the commandments signals the entry into a religion, a faith community bound together by common adherence to a system of ritual, moral and ethical laws. With this understanding it becomes clear that we are a nation as well as a religion, a nation with a separate language, culture and homeland and a religion with a unique code of law defining our prayer rituals, feasts and fasts, lifecycle celebrations, and ethical behavior.

Fascinatingly enough, the Bible records just such a process of development, a "national conversion," as it were, in the Torah portions in the middle of the book of Exodus. In the Exodus from Egypt, the Israelites separated themselves from the Egyptians, the Egyptian enslavement, the Egyptian concept of slavery as a societal norm, and the immoral Egyptian lifestyle. The Bible suggests that the Jews expressed this removal from "Egyptiandom" with circumcision, since the Paschal lamb sacrifice could only be eaten by males who were circumcised (Ex. 12:48). The Midrash explains precisely when the circumcision took place. The Bible provides for the Israelite preparation for the Exodus, commanding each household to take a lamb on the tenth of Nisan, to guard the lamb until the fourteenth of Nisan, and then to sacrifice the lamb to God (their disavowal of Egyptian idolatry, since the lamb was one of the Egyptian gods) and place its blood on their doorposts. On the night of the fifteenth they were to eat the lamb – their first Seder – and then exit from Egypt.

Asks the Midrash: why take the lamb on the tenth and wait until the fourteenth to sacrifice it? The Midrash answers that the male Israelites were to have themselves circumcised, and by merit of the twofold blood of the sacrifice and the circumcision they would be found worthy by God to be freed from Egypt (Ex. 12:6, Mechilta and Rashi ad loc.). Indeed, in Temple times, a convert was expected not only to have himself circumcised, but to bring a sacrificial offering as well (Maimonides, Laws of Forbidden Relationships, 13:1).

The ritual immersion of the Israelites took place right before the revelation at Sinai, either when God commanded Moses to see that the people " be sanctified and their clothing be washed" (Ex. 19:10, see Maimonides, Laws of Forbidden Relationships, 13, 2–3), or when the Israelites jumped into the Reed Sea before it split ("and the children of Israel entered into the midst of the waters on the dry land…" [Ex. 14:22]).

And of course, the acceptance of the commandments came following the Decalogue and the subsequent legal code, but as a prerequisite to the confirmation of the eternal covenant between God and Israel: "… And the entire nation responded with one voice and declared, 'All that the Lord has spoken, we shall do and we shall internalize'" (Ex. 24:3, 7). Indeed, prior to the formula of acceptance, the Bible not only recorded the Ten Commandments as well as the major civil and ritual laws, but also outlined the eventual borders of the Land of Israel which the Jews would occupy (Ex. 23:20–25).

In effect, therefore, the Israelites were accepting both Jewish nationality and Jewish religion. We came to be bound together ('am' contains the same letters as the word 'im', which means "together") by common genes, land and destiny as well as by a unifying system of laws, values and lifestyle.

Now, does this mean that a person can only convert to Judaism if he/she lives in our Jewish homeland and is observant of all of the commandments? Perhaps the book of Ruth suggests that this be the case, having Ruth say to Naomi, " Where you shall go [to your homeland Israel], there shall I go; your nation shall by my nation, your God [religion] shall be my God" (Ruth 1:16). However, since the Babylonian expulsion of the Jews from Israel (586 BCE), a majority of Jews have lived in the Diaspora – even during the Second Commonwealth. Hence, the rabbis accepted even converts living in the Diaspora. And many religio-legal decisors have also ruled that although acceptance of commandments is a necessary prerequisite for conversion, there is no requirement to teach all of the 613 commandments with their respective rabbinic injunctions and enactments; indeed, the Talmud merely requires "several of the more stringent laws and several of the more lenient laws,"

specifically mentioning the laws of the Sabbath, kashrut and tithing (charity to the poor).[2]

There is nevertheless a general consensus amongst the rabbinic authorities that circumcision for males, and ritual immersion and a general acceptance of commandments for both males and females, are clear and absolute requirements for conversion. After all, becoming Jewish is not merely an acquisition of a new garment; it is a commitment which connotes sacrifice, a willingness to share a national destiny of yearning for Zion and perfecting the world (tikkun olam) and participating in a tradition of faith and habitual norms which have united Jews from Ethiopia, Yemen, Jerusalem, New York and Melbourne for 4,000 years. And it was these very requirements which the Israelites fulfilled at the very dawn of their history. *The above article appears in Rabbi Riskin's book Shemot: Defining a Nation, part of his Torah Lights series of commentaries on the weekly parsha, published by Maggid.* *© 2025 Ohr Torah Institutions & Rabbi S. Riskin*

RABBI BEREL WEIN

Wein Online

At the revelation at Sinai the Lord set the goal for the Jewish people – "to be a kingdom of priests and a holy nation." These noble goals, like all great ideas and lofty ideals, require definition. What is meant by a kingdom of priests? In Jewish life the priests, the descendants of Aharon, were people who were freed from the daily mundane chores of life and were supported by the masses of Israel who sustained them physically and financially.

Now if the entire nation was to be a kingdom of priests, in those terms of support and life, it obviously was an impossibility to maintain such a kingdom. Therefore the idea of the kingdom of priests must mean a broader reality. It is the challenge of being a kingdom of teachers of others – "for the lips of the priest shall guard knowledge and Torah will be asked to be taught from his mouth."

We are all teachers by example if not by profession. How we act influences our children, our neighbors, our customers and our coworkers. And a priest in the service of the Jewish people was someone who served the public and private needs of Jews. He was someone who was on call to answer the needs of the community, whether in the required Temple service or in the private endeavors meant to enhance the status of the community or of help to other individuals. The priest was the social worker, the peace maker, the cement that binds a community together and gives it its necessary sense of unity and cohesion. Every Jew is obligated to attempt to be such a priest.

A holy nation is also a phrase that requires definition and detail. Holiness in its Hebrew root means dedication, loyalty and an ability to break down the barriers of society that oftentimes prevent us from achieving spiritual satisfaction and nobility of purpose. A holy nation must therefore mean a nation that is able to retain its unique identity. It cannot be swallowed up by the prevailing and ever changing majority cultures that will always surround it.

Holiness requires the ability to care for everyone while remaining apart from everyone at one and the same time. Holiness refers to the body and not just to the soul and the spirit. It speaks to discipline and order, self-control and resisting impulse. The great challenge here is to instill these virtues and traits of character and behavior in an entire nation and not only in a few special chosen, extraordinary individuals.

These goals of probity and correct behavior are to be the national goals of the Jewish people and the hallmark of its society. Other societies look for greatness and morality from the few. Not so the society of the Jewish people, where these demands and goals are laid upon all who are part of the household of Israel.

A holy nation is not restricted to being so only in the house of worship and study. It is to be a holy nation in every walk of life, at home and in the marketplace, in the halls of government - and certainly in its treatment of others. That is the blueprint of Sinai that was set before us millennia ago and still binds us to this very day. *© 2025 Rabbi Berel Wein - Jewish historian, author and international lecturer offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on Jewish history at www.rabbiwein.com. For more information on these and other products visit www.rabbiwein.com*

RABBI AVI WEISS

Shabbat Forshpeis

The last sentence of this week's portion states that ramps should lead to the altar. (Exodus 20:23) Why are ramps used and not steps?

The issue may be one of modesty. In the ancient Near East nudity was associated with ritual activity. This link is rejected by Torah. If there were steps, the robe of the priest would be pushed up when he climbed them, revealing the nakedness of his limbs. As Rashi points out, with ramps, this would not occur.

Another idea comes to mind. The altar symbolizes a central place of spirituality. The ramps connecting the ground with the altar teach that in order to reach the higher world of the spirit one must be in constant motion. Ramps imply perpetual movement, whereas steps can offer rest.

Another important contemporary lesson can be learned. The presence of ramps can be viewed as a symbol of accessibility. Once there is accessibility to the altar or in today's synagogue, it sends a message that all are welcome – everyone, regardless of affiliation, health or station in life is welcome.

There are those who believe that a

[2] See Yevamot 45b–47a

synagogue's beauty is dependent on its traditional look, or its ultra-modern structure or a skylight over the ark, For me, the first thing I look for in a synagogue are ramps. If the synagogue is accessible, it is beautiful.

To those who feel themselves far removed from the issue and believe it has nothing to do with them, let it be said that none of us are immune from the misfortunes that befall others. There is no such thing as the sick and the well, there are only the sick and the not yet sick.

A photograph in my office says it all. It is of a man sitting in his wheelchair at the bottom of a flight of steps, leading up to the entrance of the synagogue. Over its door, is emblazoned the sentence, "Open the gates of righteousness for me, I will enter through them." (Psalm 118:19)

The man sits with his back to the doors, unable to enter. As a Jewish community we have failed him. Our task is to learn from the ramps that led to the altar in the tabernacle. They teach that we must make sure that this person can face the door and be welcomed as he makes his way in. *© 2020 Hebrew Institute of Riverdale & CJC-AMCHA. Rabbi Avi Weiss is Founder and Dean of Yeshivat Chovevei Torah, the Open Orthodox Rabbinical School, and Senior Rabbi of the Hebrew Institute of Riverdale*

RABBI DAVID LEVIN

Yitro and the Courts

One of the most important systems of justice that is necessary for every society is the establishment of a court. Interestingly, the court system established in the desert, which became the model for the later system established at the time of the Temples in Jerusalem, was suggested by a non-Jew, Yitro, Moshe's father-in-law. He watched as all the people would line up outside Moshe's tent, awaiting their turn to understand how the Torah Law applied to them. Since the cases were brought from among six hundred thousand men, the waiting time at the entrance to Moshe's tent was unbearable. Yitro's solution to this problem was recorded in the Torah:

"It was on the next day that Moshe sat to judge the people and the people stood by Moshe from the morning until the evening. The father-in-law of Moshe saw everything that he was doing to the people, and he said, 'What is this thing that you do to the people? Why do you sit alone with all the people standing by you from morning until night?' Moshe said to his father-in-law, 'Because the people will come to me to seek Elokim. When they have a matter, one comes to me, and I judge between a man and his fellow, and I make known the statutes of Elokim and His Laws.'"

Yitro understood that the wait in line for Moshe's judgment would cause irreparable damage and bring about injustice. The Ramban explains that, "the result of this is that many of them will rather tolerate the violence committed against them because they have no opportunity to tell it to you (Moshe). They do not want to abandon their work and affairs to wait for a free moment when they will be able to approach you." Yitro offered a solution to the backlog of cases that appeared to Moshe every day.

The Torah states: "The father-in-law of Moshe said to him, 'The thing that you do is not good. You will surely weary –you, as well as this people that is with you – because the matter is heavier than you, you will not be able to do it alone. Now heed my voice, I shall advise you, and may Elokim be with you: You be for the people opposite Elokim, and you convey the matters to Elokim. You shall caution them regarding the decrees and the teachings, and you shall make known to them the path in which they should go and the deeds that they should do. And you shall see from among the entire people, men of means, those who fear Elokim, men of truth, people who despise money, and you shall appoint them leaders of thousands, leaders of hundreds, leaders of fifties, and leaders of tens. They shall judge the people at all times, and they shall bring every major matter to you, and every minor matter they shall they shall judge, and it will ease from upon you, and they shall bear with you. If you do this thing – and Elokim will command you – then you will be able to endure, and this entire people, as well, shall arrive at its destination in peace."

The Ramban explains that Moshe was told to teach the Torah to the people so that they would know the right path to follow. After teaching them, he would be able to see which men to choose as judges of thousands, hundreds, fifties, and tens. HaRav Shamshon Raphael Hirsch responds to the unusually large number of judges based on Yitro's words, such that almost every eighth man would be a judge. He explains that any man who was qualified by having knowledge of the laws of the Torah could be a judge. Only the higher-level judges were those with a greater expertise in the law. All judges were also responsible for teaching the Torah to those who were under their care.

The arrangement of these judges and how the Courts were established is not mentioned directly by Yitro. He only spoke of the different levels involved but not what constituted a bet din, a court. Yitro spoke of judges over thousands, hundreds, fifties, and tens. HaRav Hirsch implies that the judges would be combined in the same form as we find later when the Jews lived in the Land: the lower courts were comprised of three judges who judged the simplest of cases, the more complex court of the hundreds was comprised of twenty-three judges, and the highest court of experts was comprised of seventy-one. In Moshe's time, however, the most serious cases with the death penalty went before an even higher "court," Moshe, who discussed the law directly with Hashem. This direct connection between Moshe and Hashem gave

him greater insight into the truth.

HaRav Sorotzkin points out that each judge over thousands supervised ten judges over hundreds. The same was true for judges of hundreds who supervised ten judges over tens. The problem comes with the judges of fifties, which does not match our pattern. HaRav Sorotzkin explains that the lower judges (over tens and fifties) were average men who enforced the law, shotrim. They were also deemed capable of deciding minor cases, ones which did not require an extensive comprehension of the intricacies of the law. The more knowledgeable judges, shoftim, were those who presided over hundreds and thousands. Their knowledge needed to be greater than the lower judges because they dealt with higher levels of punishment or more subtle differences within the law. Since the lowest court was the least knowledgeable, the judges of fifties were inserted to supervise them more carefully to prevent a miscarriage of justice. Each level of judge was considered capable to judge within his level based on his knowledge.

We know that to qualify as a proper society, there must be a court system. Yitro's inspired suggestions made our court system functional. Hashem is the ultimate judge, but we must also do our part to bring Justice to the world. Some cases appear to go unpunished, but we must remember that Hashem allowed Man to punish that which was clearly guilty and punishable according to Man's limitations. Man can also make mistakes, and punishments may be handed out unjustly. We must have faith that Hashem will be our final judge, where true reward and punishment is handled by the Heavenly Court. Any mistakes caused by human courts will certainly be reversed by Hashem, the embodiment of Justice. *© 2025 Rabbi D. Levin*

ENCYCLOPEDIA TALMUDIT

Deriving Laws from Pre-Sinaitic Sources

Translated by Rabbi Mordechai Weiss

"Anything we prohibit or practice today is only because of the commandments which G-d gave to Moshe Rabbeinu...." We do not undergo circumcision just because Avraham Avinu circumcised himself and the members of his household, but rather because G-d commanded us through Moshe to circumcise our sons just as Avraham circumcised his sons (Rambam, *Peirush Ha-Mishnayot*, *Chullin*). The Torah was given at Sinai, and Jewish law was established then. Whatever our forefathers did, they did of their own volition and not because they were given a Torah mitzva.

As a result, even though G-d said to Avraham, "Your name shall be Avraham" (*Bereishit* 17:5) and our Sages derive from this that anyone who calls Avraham by his former name Avram is transgressing a positive commandment, such a mitzva is not included in the list of the 248 positive commandments. This is because Avraham's story took place before the Torah was given at Sinai.

This principle, however, presents us with numerous difficulties. How is it that our Sages derive that one must be quick to perform a mitzva from the episode of Avraham arising early in the morning to fulfill the directive of G-d to sacrifice his son Yitzchak? How did our Sages learn from Lavan that we do not mingle *semachot*? (See the first essay in Parshat Vayetze.) How could our Sages derive the requirement of using a knife to slaughter an animal from the story of the sacrifice of Yitzchak, where the Torah says, "And he took the knife to sacrifice his son" (*Bereishit* 22:10)? There are many more examples.

A number of solutions have been proposed:

1. We do not actually derive *mitzvot* from stories about our forefathers. We do, however, derive details of how to fulfill them.

2. The only types of laws we derive from pre-Sinaitic times are those that are logical and have clear reasons behind them. We do not derive laws which are simply divine decrees (*gezeirat ha-katuv*) from this material.

3. If we have no other way to derive a law, and it does not appear among the laws given at or after Sinai, we may derive the law from material that appears before the giving of the Torah.

4. We derive the law from pre-Sinaitic sources only in cases where we can explain why this specific mitzva went into effect even before the giving of the Torah.

5. We can use pre-Sinaitic material to clarify words and other details of laws given at Sinai. *© 2017 Rabbi M. Weiss and Encyclopedia Talmudit*

RABBI JONATHAN GEWIRTZ

Migdal Ohr

"And Yisro… heard all the things G-d had done to Moshe and his nation Israel, that Hashem took Israel out of Egypt. (Shmos 18:1) The obvious question is what the difference is between what happened to Moshe and what happened to the people of Israel. While one could simply say that as Moshe's father-in-law, Yisro saw Moshe's experiences with more personal interest, while he viewed what happened to the Jews from a slightly more distant perspective. But this is not what Chazal teach us.

Rashi tells us, quoting the Mechilta, that this verse teaches us Moshe was equivalent to the entire nation. Since he was set apart from the nation, we see that he wasn't merely an individual within that group, but a person who was viewed as being as great as all the others combined.

The Gur Aryeh offers an intriguing understanding of how this might work, that Moshe was

considered equal to the whole nation. He explains that Moshe was equal to the whole nation because he completed them – in Torah and in other ways – and the item that completes a unit is comparable to the whole unit. Imagine a necklace is being made. Without the clasp, the necklace cannot be worn. The final link completes it and makes all the others usable. That last step is the equivalent of adding all the others.

So it was with Moshe. He enabled the Jews to accomplish and connect to Hashem by taking them from Egypt, teaching them the Torah, and guiding them in the Wilderness. This is why Yisro looked at all that Hashem did for the Jews, but just as importantly, for Moshe, who made them whole.

The Gur Aryeh asks, though, why Moshe was only considered equal to the nation at that time, and not the equal of all Jews throughout history. He answers that in order to complete something, the mashlim, the completer, must be actively involved with that which he is completing. Though future generations would be complete because of the teachings of Moshe and his legacy, he could not be called actively involved in their completion.

This leads to a powerful message and reality. If a necklace had been made, but a link broke, when that link was replaced, the new link would be "completing" the necklace. In a sefer Torah, whichever letter is written last, completes it. If an error is found and fixed, then the fixed letter is the one which makes it Kosher.

Yisrael is said to be an acronym for, "Yesh shishim ribo osios baTorah, there are 600,000 letters in the Torah," corresponding to the 600,000 souls that stood at Sinai. Each of us is able to complete the rest of us, by actively doing what we can and what is needed. Just as Moshe was equal to the entire nation, Yisro marveled that any of us could rise to that level and be equal to the rest of Klal Yisrael, simply by helping make them whole.

Baron Rothschild had purchased five apples from a grocer and as he walked down the street with his young grandson, a beggar asked for some food. Mr. Rothschild handed the man two apples then asked his grandson, "How many apples do we have?"

The boy, proud to show off the math he was learning, said, "We had five apples and gave away two, so we have three." His grandfather corrected him.

"We have two apples," he said. "The apples we will eat will be gone in a few moments, but the apples we gave to that poor man will live on as a merit forever." He paused for emphasis as he looked into the boy's eyes: "We only have what we've given away."
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RABBI PINCHAS WINSTON

Perceptions

Does judaism believe in reincarnation? Those who quote Saadia Gaon say no. But it is hard to imagine how, if he had a copy of the Zohar, which had yet to be published, because it speaks about gilgulim extensively at the beginning of Parashas Mishpatim.

Certainly had the Gaon lived in the Arizal's time, he would have changed his opinion. Sha'ar HaGilgulim and Seder HaGilgulim, two versions of the Arizal's teachings on the topic from two of his students, provide explicit and exquisite details on reincarnation. How could such a great Torah leader question such a central concept in Judaism? It's a different discussion for a different time.

What is relevant now is, how Yisro alluded to Moshe Rabbeinu how he was the gilgul of Kayin, the murderous brother of Hevel who had reincarnated into Moshe. So, on a Pshat level, Yisro's arrival was the reunion of a father-in-law and son-in-law, but on the level of Sod, it was the happy reunion of two long lost brothers.

Where is this alluded to in the verse? When Yisro announces himself with the words, "Ani chosenecha Yisro -- I am your father-in-law, Yisro" (Shemos 18:6). The first letters of each of the words -- Aleph-Ches-Yud -- spell achi -- my brother," as if to say to Moshe, "If you won't come out because I'm only your father-in-law, come out and greet me as the reincarnation of your brother!"

Wait. It gets better. Yisro's daughter, Tzipporah, who was Moshe's wife, was also Hevel's twin sister, at least after reincarnation. As the Midrash explains, Kayin killed his brother for Hevel's twin sister, of which he had one more than Kayin. In those very distant and rather unusual days of human history, sisters became wives, giving Hevel two and Kayin only one. Perhaps that added fuel to the jealousy Kayin felt after God rejected his sacrifice.

When Yisro gave his daughter Tzipporah to Moshe as a wife, it was Kayin making amends for his actions by returning Hevel's twin sister. And he could do that, because Yisro "inherited" Kayin's level of Neshamah which was always good. It was Kayin's levels of Nefesh and Ruach that required rectification. The former had gone to the Egyptian that Moshe had killed back in Parashas Shemos, and the latter went later to Korach. Killing the Egyptian with a Name of God, the Arizal explains, rectified the Nefesh, and when Korach was swallowed up by the earth the Ruach had its rectification as well.

Hevel's soul has had quite the journey as well. His life was short but the path of his soul has been long and spans all of history: In fact:

"Once all the souls will have been separated out completely then Adam d'Klipah, which is the waste, will not need to be removed through [some kind of] action, because on its own it will collapse and be absorbed [to the point] of not being visible or present, since holiness, which is life [itself], will become separated from the spiritual waste which is called

death. [The Klipos] will no longer have any life at all and will disappear like smoke, as it says, 'Death will be extinct forever' (Yeshayahu 25:8). They will not become extinct, however, until all of the souls will have been separated out. Thus, the initials of [the Hebrew words of] 'Death will be extinct forever' are the letters of 'Hevel' (Heh-Bais-Lamed) to hint that [this will not occur] until all of the reincarnations of Hevel are completed, which are happening by Moshe Rabbeinu reincarnating in every generation to separate out the souls from among the waste. When this has occurred then Moshiach will come and death will be extinct forever." (Sha'ar HaGilgulim, Introduction 20)

I know, I know, there is a lot of kabbalah in this that needs explanation, which I provide in my translation of Sha'ar HaGilgulim. But, as fascinating as it is, it is not necessary to understand, to make the point we're making now, which is that you can't outrun biblical history. Atheists, agnostics, and bible believing folk are all in the same historic boat, know it or not, like it or not. We might consider history to be a function of current politics and modern technology, but the backdrop of all of that is as old as man himself.

And why not? It's the same earth, isn't it? It's the same Creation. As Shlomo HaMelech said, "There is nothing new under the sun," just what we know of it from generation to generation. No matter how advanced mankind becomes, it will always be within a closed reality of Creation that we share with every generation to have ever lived, or will live.

Thus, as Moshe Rabbeinu and the entire Jewish nation readied themselves for one of the most spectacular historic events since Creation, Yisro showing up with his daughter and hinting to his reincarnated past reminds all of us that the Present is just the Past reinventing itself. So when people look at history today and ask, "Is there anything biblical about this?" the answer is, how can there not be? *© 2025 Rabbi P. Winston and torah.org*

RABBI AVI SHAFRAN

Cross-Currents

I've long fixated on a phrase Yisro uses. When he rejoins Moshe and joins Klal Yisrael, he declares why, although he had been a guru in countless cults, he came to the conclusion that "Hashem is greater than all the powers."

"Because," he explains, "of the thing that [the Mitzriyim] plotted against them [i.e. Klal Yisrael]" (Shemos 18:11).

Rashi, in explanation, cites the Mechilta: "... the Mitzriyim thought to destroy Yisrael by water and they were themselves destroyed by water." And he quotes Rabi Elazar (Sotah 11a), punning on the word "plotted," which can also mean "cooked," that "in the pot that they cooked up they ended up being cooked."

What strikes me is that it is irony -- here, that the means the Mitzriyim employed to kill Jews ended up as the agent of their own downfall -- that moves Yisro to perceive the Divine hand.

It is such a Purim thought. In Megillas Esther, too, although Hashem's name is entirely absent, His hand is perceptible through the irony that saturates the story: Haman turns up at just the wrong place at just the wrong time, and ends up being tasked with arranging honors for his nemesis Mordechai. All the villain's careful planning ends up upended, and he is hanged on the very gallows he prepared for Mordechai. Haman's riches, according to the Book of Esther, were given to Mordechai. V'nahafoch hu, "and it was turned upside down."

Amalek may fight with iron, but he is defeated with irony.

Shortly after Germany's final defeat in WWII, an American army major, Henry Plitt accosted a short, bearded artist painting on an easel in an Austrian town and asked him his name. "Joseph Sailer," came the reply.

Plitt later recounted: "I don't know why I said [it, but] I said, 'And what about Julius Streicher?'" -- referring to the most vile and antisemitic of Nazi propagandists.

"Ya, der bin ich," the man responded. "Yes, that is me." And it was.

A reporter later told Major Plitt that, had only "a guy named Cohen or Goldberg or Levy... captured this arch-anti-Semite, what a great story it would be."

Major Plitt, in fact, was Jewish.

Stars and Stripes in late 1945 reported that Streicher's possessions were converted to cash and used to create an agricultural training school for Jews intending to settle in Eretz Yisrael.

And when Streicher was hanged at Nuremberg in 1946, his final words, shouted just before the trap sprang open, were: "Purim Fest 1946!" -- a rather odd thing to say on an October morning. *© 2025 Rabbi A. Shafran and torah.org*