



MISHNAS CHAYIM

משנת חיים

MISHNAH ON THE PARSHAH

פרשת יתרו תשס"ט א 5769 Parshas Yisro

THE "UPS" AND "DOWNS" AT THE MOUNTAIN

UNLIKELY NEIGHBORS

Our *parshah* begins with a recounting of Yisro's arrival at the Jews' encampment. Hearing of the wondrous events wrought by Hashem on behalf of the Jewish people, Yisro journeys to meet his son-in-law, Moshe Rabbeinu, where he is debriefed on the miraculous salvation that the Jews have experienced.

During this fateful visit, Yisro gets a first-hand look at the dealings of his son-in-law. In what can possibly be described as a precedent-setting move, Yisro takes the liberty of providing free advice.

In his view, the judicial system employed by Moshe at the time was in need of a comprehensive overhaul. Moshe had been hearing all cases himself, which resulted in a huge caseload. Civil grievances were presented in front of Moshe from morning until night. "You – as well as all of the people – will become worn out," Yisro warned his son-in-law (*Shemos 18:18*). He advocated instead for a system of appointed subordinates who would assist in bearing the burden. In what also might be viewed as a precedent-setting move, Moshe heeded his advice.

The second half of the *parshah* deals with the momentous events at Sinai, where the Jewish people receive the Torah amidst the awesome spectacle of the Divine Revelation.

At first glance, the juxtaposition of these two episodes appears somewhat baffling. What connection could exist between the comparatively low-key narrative describing the justice system on the one hand, and the earth-shattering experience at Har Sinai?

A closer look at the judicial account should prove to be quite "revealing." In an extremely nuanced approach to this section, the Chofetz Chaim (*Chayav U'poalav, Vol. I pg. 46*) demonstrates that these "trials" being held in front of Moshe Rabbeinu were actually a *total sham*.

SHOW TRIALS?

Of course, this idea is not meant to convey any negative connotations of the Jewish people in the desert, *chas v'shalom*. On the contrary, the very notion actually points out their merits and reveals their worthiness of receiving the Torah.

The Chofetz Chaim arrives at his novel interpretation by pointing out what should be an obvious difficulty. The Jews were traveling through the desert at this time, en route to their ancestral homeland in Eretz Yisrael. In their transient state, no one owned property or could be too heavily involved in any major business ventures. How, then, was it possible for there to be so many civil disputes requiring immediate attention? How could people involved in virtually no legal activities encounter so many legal difficulties?

In actuality, the Chofetz Chaim explains, there *were* no real disputes. All of these "trials" were, in fact, merely staged. The purpose? The Jewish people were interested in mastering the myriad and intricate *halachos* governing all areas of life, which would be effective in their future homeland. In order to become thoroughly knowledgeable of Hashem's Will, they "acted out" all kinds of hypothetical scenarios, which they portrayed in front of Moshe Rabbeinu. He would then instruct them as to the pertinent laws for each case. In essence, they were "rehearsing" the *halachos* that would apply in the future when they *really would* own property and engage in business activity.

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משנת היום

פרשת יתרו תשס"ט Parshas Yisro 5769

The Mishnah in Avos (2:14) states:

רבי אֶלְעָזָר אָמַר, הָיִי שְׂקוּד לְלַמּוֹד תּוֹרָה.
“R’ Elazar states: One should be eager to study Torah.”

It was this eagerness that characterized the actions of the B’nei Yisrael as they took part in these “trials.” In their zeal for proficiency in Hashem’s Word, they were unable to merely wait for these scenarios to become actually relevant. Instead, they went to great lengths to discover the Truth. As Moshe described to his father-in-law: “The people approach me to seek out Hashem,” (*ibid.*, v. 15).

This thirst for Hashem’s Torah could very well have been the catalyst for the Revelation at Sinai.

MAKING THE CONNECTION

The Maharal (*D’rush Al Hatorah, s.v. V’od*) takes note of an interesting detail contained in that latter section of the *parshah*, which describes the giving of the Torah. During the period when the Jews were encamped around Har Sinai, Hashem issued numerous directives and commands to Moshe Rabbeinu concerning communication with the Jewish people and the preparations necessary for the impending Revelation. The episode begins, however, with an action undertaken by Moshe from his own initiative. As the verse states (*Shemos 19:3*), “And Moshe ascended to Hashem...” This ascension was not preceded by any specific command to this effect.

What happened here? Apparently, Moshe was simply too eager to await a command. His yearning to hear Hashem’s Word was so strong that he found the urge to ascend the mountain irresistible.

Moshe’s love for Torah – as demonstrated in this instance – was more than merely praiseworthy. As the Maharal explains, it was actually an essential component in receiving the Torah. A burning desire for Torah is a precondition to its acquisition. Moshe “ascended to Hashem,” (v. 3), an outgrowth of his yearning for Torah. As a consequence “Hashem

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descended (to appear) on the mountain” (v. 20) to present the gift of Torah.

The connection between the seemingly disparate sections of this *parshah* should now be clear, as they demonstrate the cause-and-effect relationship described above. By “rehearsing” the *halachos* of property ownership – well before these laws were actually relevant – the Jewish people displayed a great love and yearning for Hashem’s Word. And so they merited experiencing the events of the second half of the *parshah*: the giving of the Torah on Har Sinai.

What still remains to be examined is the exact mechanics of this cause-and-effect scenario: why and how does love for Torah automatically translate into acquiring Torah knowledge? This we will attempt to clarify next week, *im yirtzeh* Hashem.

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