

The  
Sweetness of Shabbos

## מהיקות השבת

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Based on the lectures of the Rosh Yeshiva, **Hagoon HaRav Menachem Boruch Yaveh shlit"א** talmid of Posek Hador HaRav Shmuel Vosner ztz"l

## Why do people go to gentile court?!

The parsha begins "וְאֵלֶּה הַמִּשְׁפָּטִים" – "And these are the laws". Rashi explains, that the word "וְאֵלֶּה" - "and these" comes to teach us that just like the first ones – the Ten Commandments, were given at Sinai, so too were these laws given at Sinai.

We have to understand why we would think without this word "וְאֵלֶּה" that the laws of Mishpatim were not given at Sinai. And also, why in between the Ten Commandments and Parshas Mishpatim does the Torah bring in the subject of the Mizbe'ach. The Gemara teaches us that monetary laws are the essence of the Torah, as Rabbi Yishma'el said (Bava Basra 175), one who wishes to gain wisdom shall study monetary laws, which there is no better field than this one in the Torah and it is like a wellspring. If so, the laws of Mishpatim should be right after the Ten Commandments?

**To go to court of not???**

"אֲשֶׁר תִּשִׂים לְפָנֵיהֶם", Rashi gives two explanations. The first explanation is: Moshe should explain to Am Yisrael the reasons of the laws that it should be to them as a set table. Second – that we shouldn't go to gentile's courts even if they rule according to the Torah law. Now, we have to understand, do these two answers have anything with each other?

Also according to the first reason Moshe would explain them the sweetness of good character and that would result that there will be no need to go to Bais Din. But, the second explanation of Rashi speaks of a situation that people need to go

to court because they don't have good character. So it seems that the two explanations are completely opposite of each other.

**Is Parshas Mishpatim only bedi'eved?...** 

Last week we learned that Yisro advised Moshe not to stand and judge the people who come with their fights, because it causes Moshe to be belittled in the eyes of the people, especially in the eyes of the guilty party who will then hate Moshe. Also Yisro advised Moshe to teach the nation good middos: kindness with each other, visiting the sick, burial and to act beyond the letter of law (Bava Metzia 30). This way they won't come to disputes with each other.

For example, when they visit the sick they'll remember that they are here on earth only for a limited time and disputes are purposeless.

Therefore we would think that these laws of Parshas Mishpatim which are only relevant when people don't have good character are only bedi'eved, and weren't given at Har Sinai. Therefore the Torah has to tell us that these laws were given at Sinai.

**Why doesn't the menorah have a ramp?**

Regarding the mizbe'ach that the Torah mentions at end of last week's parsha the Torah says "וְלֹא תַעֲלֶה בָּמַעְלָה" וְעַל מִזְבְּחֵי - "do not climb onto the altar with steps" Rashi explains, that's because when a person walks on steps some part of the body might be exposed, and it shames the stones of the mizbe'ach. Now, why isn't it a problem by the menorah where there were three steps?

Perhaps it can be explained; that on the altar the sacrifices are offered and

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**MY STORY!**

The act of humility  
that brought life and riches

My phone vibrated in my pocket, I took it out to check who was calling. It wasn't every day that I got a call in the middle of *seeder*. "Hello?" I answered. It was Chaim, my brother and business partner, sounding upset. "You know that the business is yours too" he started, "it isn't really fair that I am doing all the hard work while you just sit there and learn".

I was shocked and hurt upon hearing his complaint. "What do you mean it isn't fair?!" I asked, "we agreed from the start that you are responsible for taking care of the business. All you wanted from me was to invest half of the sum to get started". But Chaim was upset and wouldn't hear what I had to say, causing a bitter fight to break out between us.

As time passed the tension between us and our families grew. "You know what?" I said to Chaim one day, "This whole fight is just a waste of time. Let's close down the business and break up our partnership". "You're right" he agreed. I felt as if a stone had rolled off my heart, but my relief was short-lived. "I only have one condition" Chaim continued nonchalantly, "When we'll divide the profits, three quarters of it goes to me".

My mouth fell open in shock, "Three quarters?!" I said incredulously, "but we own the business half-half. That was agreed upon in the beginning!". Chaim was steadfast and wouldn't budge from his decision. I wasn't willing to give up that easily either; it was a serious

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one of the Korbanos was the Korban Sotah which comes for lack of morality. It isn't appropriate that a kohen will climb up to it in a way that will show a lack of modesty; and this applies only about the mizbe'ach, but not to the menorah.

### Watch out for stones' respect...?

Rashi says a kal vachomer; if the Torah is so concerned about shaming the stones, how much more so, we have to be careful about others' respect. The mizbe'ach teaches us to have respect for heaven and all holy things and human beings. To be careful of lack of modesty on the mizbe'ach which is shaming Hashem, and to be careful for a fellow man's shame as we learn from the kal vachomer

Being careful with the others' respect – those are the middos Yisro had taught us in last week's parsha. "ואלֹהֵם הַמְשַׁפְּטִים אֲשֶׁר תִּשִׁים לְפָנֵיהֶם" – this Parsha begins with the word "ואלֹהֵם" which always means that it comes to add to the previous. The previous subject mentioned was about the altar where the shechina's presence is, the korbanos are sacrificed teaching us to appreciate all the wonders of our body, and teaches us to respect each other. So if we will be busy with gratitude which is learned from the korbanos, than we will avoid the mishpatim – the laws that are about resolving disputes. And we won't need to use the laws of eved ivri, because no one will steal.

### The positive side of the laws...

That's the meaning of what Hashem commanded Moshe to teach Am Yisrael the reasons of the laws; that when he teach the laws of one who misbehaves, he should teach the good ways that Yisro taught and the kindness of Hashem which

is learned on the altar, and this way they won't have any use of the laws of damages. Because the mizbe'ach is a place that causes life as we see that one who deserves to be put to death cannot be killed if he's on the mizbe'ach. (Makos 12, Yoma 85).

Therefore the Sanhedrin had to be in the Beis Hamikdash, to teach all those who come to the Beis Hamikdash the deep meaning of the mizbe'ach – the knowledge of gratitude to Hashem which brings a person to have a good and compassionate heart, and they won't need to come to resolve any disputes.

### The Jew will stay away from gentile court!

Now we see how the two explanations Rashi gives for the passuk "אֲשֶׁר תִּשִׁים לְפָנֵיהֶם" go along together: If the nation is taught of the sweetness of the law of the Torah – the good middos that Yisro taught us and gratitude which is learned from the mizbe'ach, then there won't be any need for the laws that come to settle fights. People will come to the judges only to learn the good ways to act, the deeper understanding of the laws.

And also when unfortunately they need to come for justice, they for sure won't go to a non-Jewish court, because even if they judge according to the Torah, the gentiles don't have the good character which is taught in the Torah.

But if, G-d forbid, the Jewish judges judge only according to the simple meaning of the law in the Torah without understanding the reason behind them, than the Jew will see no reason not to go to gentile courts especially if they seemingly judge according to the Torah – with their twisted logic.

## The mitzvah of tefillin lengthens one's life...?!

The Tur writes (Orach Chayim 37); "The mitzvah of tefillin is very great and whoever fulfills it merits a long life, as Chizkiyahu said 'ה' עליהם יהיו'. Rava said, one who puts on tefillin and tzitzis is guaranteed a portion in the world to come. Abaye added,

I guarantee the fire of Gehinom will not touch him. Rav Papa said, I guarantee all his sins are forgiven. Anyone who doesn't put on tefillin belongs to the group called "posh'ei Yisrael begufan" [sinners with their bodies]".

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## The sweetness of tefillin

Tefillin are one of the great mitzvos of the Torah, which is compared to water, and the Tefillin teach us appreciation for blood, the heart, the brain and the rest of the organs in the body which consists mainly of water. The tefillin testify that only Hashem has the power to give life and heal a person. Therefore Abaye says, one who dons tefillin, the fire of Gehinom cannot touch him, because if he recognizes Hashem's great kindnesses which are done through water – while putting on tefillin, then the merit of the tefillin extinguishes the fire of Gehinom as water extinguishes fire.

When the goyim see how the Jews, through the Tefillin – recognize Hashem's kindnesses, with trust that only Hashem gives life. Then they also come to recognize Hashem's greatness and fear him. The doctors then understand that they don't have any power to heal the sick and only Hashem heals and this way they succeed in their treatments and heal the Jewish nation.



Now, we know the Torah promises a long life for honoring parents and for shilu'ach haken, but from where does Chizkiyahu learn that also the mitzvah of tefillin merits this?!

### Why do we have four parshios in the tefillin???

The Gemara (Sanhedrin 4) says, Rabbi Akiva learns from the word "למטפח" that we need four parshios in tefillin; because the word "מט" in "Katphei" (name of a place) means the number two, and "פת" in "Afriki" means also the number two. Why did the Torah have to teach us that we need four parshios, from gentile languages?!

### Pidyou haben for all your children...

The first parsha in the tefillin is "קדש לי כל בכור" – to redeem the firstborn. With this mitzvah we declare that only Hashem gives a person children, this mitzvah is only on the firstborn but symbolizes all the children a person has. This mitzvah teaches us to thank Hashem for children, because a person can be infertile and can nothing to do about it.

The second parsha is "ויהיה כי יביאך" – testifies that only Hashem alone can and did redeem us from Mitzrayim. Only he brought us to the holy land, and if not for his help we wouldn't be able to conquer Eretz Yisrael from the goyim. And also in the future, when we will need to conquer it again from the goyim in the days of Mashi'ach, we will know that it can be done only with Hashem's help.

In the third parsha is "שמע ישראל" – we declare that Hashem is the only G-d and non-other has any power. In the fourth

parsha is "ויהיה אם שמע" we declare that only Hashem alone gives us our food and only He makes the rain that causes grain, wine and olives grow. And as much as one will work plowing and planting, he cannot cause anything to grow without Hashem.

### Belief in half of the tefillin...

Now, there are goyim who know only two of these greatness of Hashem. The gentiles from Africa (Afriki) – descendants of Cham for example [like we say in the davening "העושה" "העושה...לנו...אותות ומופתים בארצות בני חם" "ויהיה כי יביאך"], believe only in the parsha of "ויהיה כי יביאך", that Hashem took us out of Egypt and brought us to Eretz Yisrael. And they also believe in the parsha of "ויהיה אם שמע" that Hashem sustains us with the grain, wine and olives that he causes to grow for us.

Why do they believe in these two parshios? Because they saw and watched when Am Yisrael left Mitzrayim and traveled through the desert for forty years, and they thought all that time that the Jews will eventually come back [as they really said many times "נתנה ראש ונשובה מצרימה" – let us go back to Egypt], but Hashem kept saying "לא תספו לראתם" – you will never see them again. Until they saw the Jews finally conquering the holy land.

They believe in "ויהיה אם שמע", because they saw in Mitzrayim how Hashem struck the grain and crops with the hailstorm and with locust. They knew "bread" comes from Hashem, therefore we learn two parshios from the word "פת", which means "bread" in Hebrew.

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## Do not say 'water water'!...

The Gemara (Chagiga 14) tells of four sages who went into Pardes – a garden of secret knowledge. Ben Azai glanced (at the shechina) and died, Ben Zoma glanced and became insane, Acher glanced and was damaged and went off the derech. Only Rabbi Akiva went in and came out in peace.

Before they went in, Rabbi Akiva told them, when you see the pure marble stones, "אל האמרו מים מים". Meaning – when you see the Torah which is compared to water, do not be misled to think that it's only like physical water in the sense that it quenches a person's thirst, rather the Torah is spiritual water that has many more and deeper benefits than the superficial benefits that physical water has. The mitzvah of tefillin for example teaches us to appreciate the kindness of Hashem that he gave us a wonderful body which consists mainly of water. But Elisha Ben Avuya was misled to think that the Torah only teaches us the actual mitzvos, and he didn't understand that beneath the surface each mitzvah is a way and means for us to recognize Hashem's tremendous love and kindnesses to us, and because of this error he belittled the Torah and became to be a kofer ba'ikar.

Rabbi Akiva explained to his friends, they shouldn't be misled to think the Torah is compared only to water. It is indeed like the water that quenches ones thirst, and it also teaches humility as the water which goes from high place to the lowest, and also like water that causes things to grow, so too the Torah causes good middos grow in a person. But The Torah much more than that, it is also

like a mother's milk which fills a person with vitamins and health, it is like oil which by smearing on the body it can heal a person and improve one's health (Ta'anis 7), so too the Torah heals and strengthens the broken heart of the repentant.

The Torah is also compared to fire as it says "הלוא כה דברי" "כאש נאם ה". The Torah is compared to some of the shivas haminim as well; to bread (made from wheat or barley) and to grapes, as it says "לכו לחמו בלחמי ושתו ביון מסכתי" – go eat from my bread and drink the wine I've poured for you - the Torah. And to dates and its honey which strengthens the immune system from all kinds of germs and sicknesses, as it says "וקמתיקים מדבש" – the Torah is sweeter than honey.



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sum of money. **"We'll go to court"** Chaim said finally. **"No, I will only go to Beis Din"** I protested, but Chaim wouldn't hear it.

Left without a choice and after receiving an approval from a dayan we went to court. The trial was prolonged, and it was decided to set another trial to continue discussing the matter. The day of the second trial arrived, and I walked into the courtroom surprised to find Chaim being led in a wheelchair. **"What happened to him?"** I asked his lawyer. **"He's sick with cancer in his blood, and it's making him very weak"** he answered with a sigh.

Guilt filled my heart, realizing that my stubbornness had caused such a terrible fight between us, eventually leading us to go to court, and my brother was surely being punished now for these sins. With a heavy heart I went home, the different thoughts not leaving my head. I thought a lot about what had happened and to where it had led us.

Mustering my courage I called up Chaim. **"I give up"** I told him, "I'm willing to forgo my part of the profit and receive only a quarter. Chaim was very happy to hear my decision, and peace reigned once more between our families.

The story does not end here; Hashem with his great kindness didn't leave me. I used my part of the money to purchase an eight story building. A few years went by when an unexpected thing happened; the price of the building went up extremely high, something that I hadn't even dared to dream of.

My brother also recovered *baruch Hashem* from his illness. Turns out not only I merited peace from my *vatranus* and reward in the world to come, but I also merited to see its fruits in this world; being able to marry off my children with respect and spend of the rest of my days learning in peace. **"נְשֹׂאָה עוֹשֶׂה שְׁלוֹם בְּקִרְוָתוֹ הוּא יַעֲשֶׂה שְׁלוֹם עֲלֵינוּ"** – The One who makes peace above should bestow peace upon us.

\*Names and details have been changed in order to protect the privacy of the writer.

**Is the science a punishment?...**

But they didn't believe in the parsha of pidyon haben, because they were knowledgeable in science and medicine and they thought that children are a natural phenomenon and are not a miracle of Hashem. They didn't understand that medicine and science are only in order to show us Hashem's greatness and the fact that medicine can heal a person is also only from Hashem. Those cases that medicine is needed is actually a punishment from Hashem and the fact that Hashem gave us the power to heal and treat different medical problems is His gift to us. We are meant to recognize this and not be misled into thinking that we have any power.

They also don't believe in the parsha of "shema" – which teaches loyalty to Hashem because they don't believe in one G-d. Rather they believe also that other powers are independent of Hashem, such as the sun, stars etc.

**The Arabs believe in the other half...**

So also, in Katfei they believe only in the other two parshios of tefillin. Like the Arabs who believe in one G-d and that Hashem is the one who creates a person. By circumcising their children they show that they recognize this. But they don't believe that Hashem gave Am Yisrael his holy land, nor do they realize that only Hashem is the one that brings rain and causes our crops to grow.

Some other nations don't believe in any of the parshios, so they have to watch and view the Jews wearing tefillin, and this way the passuk will be fulfilled; **וְרָאוּ כָּל עַמֵּי הָאָרֶץ כִּי שֵׁם ה' נִקְרָא; וְעָלְיָהּ יִירָאוּ מִמֶּנּוּ** – And all the nations on earth will see Hashem's name upon you and they will fear you – they will learn to fear and trust only in Hashem.

**A successful operation but the patient is dead ...**

The tefillin shel rosh symbolizes the brain and therefore it has to be exposed – to declare that all the wisdom the gentiles have of how to heal people's hearts and brains are not their wisdom but Hashem's alone. And He gave it to them for the benefit of his special nation. So with the tefillin we announce that no doctor has any power to heal the

sick or to lengthen their lives, it is only in Hashem's hands. No matter how successful they are they have no power over the results, like people say *"the operation was successful... but the patient is dead"*. That's because only Hashem gives life.

**The merit of longevity...**

So that is what Chizkiyahu Hamelech was saying **"ה' עָלֵיהֶם יִחְיֶה"**, he came to awaken the Jews, that when they put on tefillin they recognize that Hashem is the only one who gives them life. And because of this recognition the tefillin lengthens one's life. When a person learns to appreciate the great wonders Hashem is performing in his body; the constantly flow of the blood, with the exact thickness and pressure, the coagulation when there is a cut, and the marvelously functioning heart. When a person recognizes these kindnesses of Hashem, he merits a long life and doesn't need any doctors to take care of him. So that's **"ה' עָלֵיהֶם יִחְיֶה"** – a person who puts on tefillin in a way that *"Hashem is upon him"* and he appreciates and thanks Hashem; *"will live"* and merit a long life.

**How will the surgeon be successful?**

This faith when putting on tefillin, that only Hashem gives life to a person – gives the doctors the power to heal, a Jewish doctor as well as a gentile doctor. Therefore Rabbi Akiva learned that the tefillin has to have four parshios especially from the gentile languages, because the tefillin has to teach the gentile doctors that only Hashem himself gives life to a man, and only this way will they succeed in their surgeries and treatments, and their patients will live long.

**Water extinguishing the fire of Gehinom...**

Tefillin are similar to water; they are a great mitzvah from the Torah which is compared to water, and they remind a person to appreciate his blood and all the organs in his body which consist mostly of water. Therefore Abaye guarantees ones who's careful with this mitzvah; that the fire of Gehinom won't touch him, because this great mitzvah which brings a person to appreciate water will act like water and extinguish the fire of Gehinom.

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