



Ohr Yerushalayim News

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News This Week

מזל טוב

Mazel Tov to the Rov & Rebbetzen on the recent engagement of their grandson Eliezer Moller to Bayla Cohen from Yerushalayim.

Mazel Tov to Mr & Mrs Bobbie Graham on the birth of a grandson born to Mr and Mrs Itzik Goldman. The Sholom Zochor takes place at 91 Cavendish Road.

Arbitrary adjudication or de jure mafia Dani Epstein

Note: if you read this article and learn something from it, please dedicate it to Josh for a **רפואה שלמה**

If we cast our minds back to the halcyon days of 1980, when the Ford Fiesta was still available in two-tone coffee-and-chocolate and Margaret Thatcher had been swinging her handbag for less than a year, a seminal event in British Broadcasting took place: the inaugural episode of "Yes Minister".

Hacker: "Who else is in this department?"

Sir Humphrey: "Well briefly, sir, I am the Permanent Under Secretary of State, known as the Permanent Secretary. Woolley here is your Principal Private Secretary. I too have a Principal Private Secretary and he is the Principal Private Secretary to the Permanent Secretary. Directly responsible to me are ten Deputy Secretaries, 87 Under Secretaries and 219 Assistant Secretaries. Directly responsible to the Principal Private Secretaries are plain Private Secretaries, and the Prime Minister will be appointing two Parliamentary Under-Secretaries and you will be appointing your own Parliamentary Private Secretary."

Hacker: "Can they all type?"

Sir Humphrey: "None of us can type. Mrs Mackay types: she's the secretary."

Minister: "Pity, we could have opened an agency."

This rather droll take on the complexities of governmental organisation is a reflection on the natural propensity of bureaucratic systems to mimic gases in their ability to expand and fill an available volume. Fortunately for comedic writers, every society that wishes to govern itself in an equitable manner will inevitably create a systematic hierarchy of satraps, nabobs and Grand Panjandrums, and in this way we are no different.

When Yisro turned up to the desert encampment with Moshe's wife and kids in tow, he was greeted with great honour by the most powerful man on Earth at the time. One can barely imagine the scene as Moshe strode out to the edge of the vast array of tents, with perhaps thousands of curious on lookers in tow, and greeted his father in law with a deep bow; coming from Moshe this was about as much respect as many man could ever receive from another. Moshe clearly loved his shver as well, since he kissed him, enquired after his welfare and took him to his own tent.

No doubt Yisro was a wonderful fellow, but bearing in mind the vast numbers of people Moshe ruled, the tremendous supernatural powers he wielded and the army he now spearheaded, the last thing Yisro should have offered was his advice. Even if we were suppose to imagine that he was a management consultant with a dozen Mesopotamian Fortune 500 companies in his portfolio, Moshe was one smart cookie and had managed quite nicely up until now, thank you very much. How

לעלו נשמת דוב יצחק ב"ר אפרים אלחנן ז"ל

But I Am Sooo Hungry! Part 2

We mentioned last week that the Kiddush obligation on Shabbos morning begins when one concludes Shacharis. This applies also to women who are accustomed to Daven Shacharis every day. However, a woman who is in the habit of eating breakfast on a weekday after she has said just a short Tephila e.g. Modeh Ani, on Shabbos must make Kiddush before eating or drinking anything after she has said her Tephila.

It should be noted that anyone who is under doctor's orders to take medication may do so even with a drink of water before making Kiddush.

exactly would Yisro come up with something that Moshe could not?

Actually, that is a very good question. If Moshe was so smart, how come he didn't think of this himself? It's a pretty obvious solution. Delegation, after all, is key to managing any large enterprise, let alone some three million people wandering around a wasteland.

:There is another side to the picture, though. In Mishlei (28:2) we read **בְּפֶשַׁע אֶרֶץ, רַבִּים שָׂרִיף -** "When there is rebellion in the land, many are its rulers" but with a man who has understanding" - **וּבְאֵדָם מְבִינֵי יָדַע, כֹּן יִתְרִיד -** "rulers and knowledge, stability will last". A powerful leader has the ability to .keep things pretty much together

This raises yet another question: which system is better? A complex hierarchical bureaucracy, or one Benevolent Dictator For Life (well, almost for life).

Since Moshe heeds his father-in-law and carries out the plan, we might assume that he was not aware of this concept, which is a bit of a reach. But even if we are to assume that Moshe hadn't gone to management school, if this idea was so good, why didn't Hashem suggest it to Moshe?

We can glean a glimmer of light from the conversation Yisro and Moshe held the day after the former arrived at the encampment.

The Week Ahead

שבת פרשת יתרו

Candle Lighting	4.38pm
Mincha & Kabbolas Shabbos	4.43pm
Seder HaLimud	8.40am
Shacharis	9.00am
סוף זמן ק"ש	10.07am
1st Mincha	1.30pm
Rov's Shiur	3.58pm
2nd Mincha	4.28pm
Shalosh Seudas	Following
Maariv & Motzei Shabbos	5.48pm
Ovos uBonim	6.48pm
Sun	7.15am / 8.20am
Mon / Thurs	6.45am / 7.10am / 8.00am
Tues / Wed / Fri	6.45am / 7.20am / 8.00am
Mincha & Maariv	4.50pm
Late Maariv	8.00pm

The next day had Moshe sitting from the morning until the evening judging the people, and everyone was hanging around for their turn, and Yisro upbraids Moshe for his lack of management skills. At least, this is what it looked like; but the Abravanel wants us to examine the relevant verses closely, in order to understand exactly what transpired.

“מה” :Over dinner, Yisro leans across the table and asks his son-in-law “what are you doing to the people – **הַדָּבָר הַזֶּה אֲשֶׁר אַתָּה עוֹשֶׂה לָעָם** – why do you sit by – **מִדּוּעַ אַתָּה יוֹשֵׁב לְבִדְדָךְ וְכָל־הָעָם נֹצֵב עֲלֶיךָ מִרֶבֶקַר עַד־עֶרֶב** – “yourself with everyone standing around from dawn till dusk

Fair question. But what is he asking? Is he questioning why Moshe is the only one judging, or is he asking what exactly is Moshe’s job description? If he wanted to know why there was only one judge – Moshe – he should have asked **מִדּוּעַ אַתָּה שׁוֹפֵט לְבִדְדָךְ** - why do you judge alone. Who cares whether Moshe was sitting, standing or sprawled out on a chaise longue? Why didn’t Yisro vent his opinion a little earlier in the day, for that matter? If he was so concerned, he should have made his point ten minutes into the morning.

Moshe’s answer seems a little repetitive. “**כִּי־יָבֹאוּ אֵלַי הָעָם לְדַרֵּשׁ אֱלֹקִים** – they come to me to seek Elokim. **כִּי־יִהְיֶה לָהֶם דָּבָר בָּאֱלֹהִים** – if they have an issue, they come to me, **וְשִׁפְטֵתִי בֵּין אִישׁ וּבֵין רֵעֵהוּ**, and I judge between one man and his friend, **וְהוֹדַעְתִּי אֶת־חֻקֵּי הָאֱלֹקִים וְאֶת־תּוֹרֹתַי**, and I make known the laws of Elokim and His teachings.” Simple enough; I, Moshe, am the judge of all the Bnei Yisroel.

The story is not so simple. First of all, the very next day Yisro arrived, Moshe went straight back to his job, rather than take off a week to entertain the family he had not seen for quite a while. Yisro, smart fellow that he is, decided to stand on the sidelines and observe his son-in-law in action. In fact, he spends the whole day watching him, since Moshe is clearly a brilliant fellow, patient, kind, understanding and practical. What he sees, however, is not what he expected; he is a little confused as to exactly what Moshe was doing all day and it took him an entire day to realise that he failed to understand exactly what the job entailed. Why was he confused?

Look closely, says the Abravanel, and you will see that there is a lot more to the reply of Moshe. Four “a lot mores”, in fact, which will explain Yisro’s framing of his question using the word “**יוֹשֵׁב** - sitting” instead of “**שׁוֹפֵט** – judging”.

כִּי־יָבֹאוּ אֵלַי הָעָם לְדַרֵּשׁ אֱלֹקִים - they come to me to seek Elokim. In times of yore when neviim strode the land, the people would approach them for all manner of answers. Will I be cured from this illness? Why did I lose all that money in that deal? Where are my car keys? Remember how Shaul’s initial encounter with Shmuel occurred when the former was seeking the latter in order to find his lost animals, and the novi told him: “These are not the donkeys you are looking for”?

That was the first component of Moshe’s job; he was a novi, and did novi things, and the people went to him for answers from Hashem.

Next he says: “**כִּי־יִהְיֶה לָהֶם דָּבָר בָּאֱלֹהִים** - if they have an issue, they come to me”. This was for communal issues, the encampment, zoning laws, parking regulations, that sort of thing. With a vast population, there are many practical issues that have to be resolved on a daily basis, and no-one had any previous experience with all that. Moshe, on the other hand, came from royal stock. He had first-hand experience of observing Empire Management in action, so he was the only one to go to.

Then we come to the obvious one: “**וְשִׁפְטֵתִי בֵּין אִישׁ וּבֵין רֵעֵהוּ** - and I judge between one man and his friend”. No surprises there. How was anyone supposed to judge without any previous training? Where was the legal framework that any judgement could be based upon? Again, the only man equipped for the job was Moshe.

Finally there were those who wanted to study the mitzvos Hashem had given them in Moroh, and they came to Moshe to ask their questions regarding that. “**וְהוֹדַעְתִּי אֶת־חֻקֵּי הָאֱלֹקִים וְאֶת־תּוֹרֹתַי**” and I make known the laws of Elokim and His teachings.”

Now that Yisro had a clearer picture of the situation, he was able to reply with a considered opinion. Watch very carefully what he says.

“There is no way you can carry this load yourself; you will wear yourself out and so will everyone else hanging around waiting for you. You can’t do this all yourself”.

“**עַתָּה שָׁמַע בְּקוֹלִי אִיעָצְךָ וַיְהִי אֱלֹקִים עִמָּךְ** - listen to me now, and Elokim

will be with you.” That is to say that if you are settling squabbles, dealing with travelling arrangements and teaching as well, how much time do you think you will have for talking to Hashem? Only you are his messenger, so you have to make as much free time for Hashem as possible and then “Elokim will be with you”.

“**הֲיִהְיֶה אַתָּה לָעָם מוֹל אֱלֹקִים וְהִבַּאת אֶת־הַדְּבָרִים אֶל אֱלֹקִים** – you stand represent the people to Hashem, and bring to Him the various issues that require prophecy.” Since no-one else can do that job, you have to be the go-between.

“**וְהִזְרַתָּה אֶת־הֵחָקִים וְאֶת־הַתּוֹרָה** – and you shall inform them of the laws and teachings.” Again, only you can do that, since you are the only source.

“**וְהוֹדַעְתָּ לָהֶם אֶת־הַדְּרֹךְ יֵלְכוּ בּוֹ וְאֶת־הַמַּעֲשֵׂה אֲשֶׁר יַעֲשׂוּן** – you shall inform them of the way they should go, and the things they should do.” Without a directive from Hashem, they will not know which path to take and when, so this of course you, Moshe, must deal with.

When it comes to justice, however, that’s something you can offload to a team of judges, adjudicators and law enforcement officers. There is no need for you to deal with that all by yourself.

“**וְאֶת־תַּחֲזֵה מִכָּל־הָעָם אֲנָשֵׁי־חַיִל** – you seek out from all the people strong men.” You have Ruach Hakodesh, and using that you can find people who are tough enough to stand up to anyone. The problem is that the biggest and strongest people don’t usually come with other attributes necessary for the job as well.

So, you have to make sure they are not bullies. “**יִרְאֵי אֱלֹקִים** – G-d fearing.” If they are not singing off the same page as you are, you might as well not bother since they will end up becoming a de jure mafia. So, look into their hearts and see if they are really trustworthy.

“**אֲנָשֵׁי אֱמֶת** – men of truth.” Even if they are honest, they might have all kinds of cheshbonos why they rule one way or another, that have nothing to do with the matter at hand. They might favour the indigent over the affluent, even when the former is in fact guilty. You need people who revel in the truth.

“**וְשִׁמַּת עֲלֵהֶם** – place them over them (the people).” You have to assign them the power so everyone accepts their authority.

Then he finishes off with a moderately odd statement:

“**וְאִם אַתָּה הַדָּבָר הַזֶּה תַּעֲשֶׂה** – if you do this, **וְצִוָּךְ אֱלֹקִים** – and Hashem commands you thusly, **וְיָכַלְתָּ עֲמָד וְגַם כְּלֵהָעָם הַזֶּה** – you will be able to keep going, **וְעַל־מִקְמוֹ בָּא בְּשָׁלוֹם** – and everyone will live happily ever after.” Surely Yisro had no need to tell Moshe to check with Hashem? Would Moshe have done anything of this magnitude without asking first? What did he mean by **וְצִוָּךְ אֱלֹקִים**?

Well, in reality he was not instructing Moshe but telling him: “If you do this, you will make more time for Hashem to communicate His instructions to you and an added bonus is that everyone is going to be a lot more chilled.”

So, why didn’t Moshe have the ingenuity to initiate this initiative?

Here the Abravanel explains that Yisro arrived a matter of a few days before the Sinaitic Revelation (that’s Matan Torah to the rest of us) and consequently the only person authorised to pasken any shailos was Moshe. He had not been instructed to hand over any of these laws to anyone else, and therefore was in a holding pattern for a matter of weeks, until Matan Torah. He was perfectly well aware that after Matan Torah he was going to have to instruct and train up a judiciary, law enforcement and everything that came with it, and consequently figured that he could hold out for a brief period with his ad hoc system.

At the time Yisro made his suggestion, he had no idea that the Torah was going to be presented to the Bnei Yisroel in a short while, so he thought that the current modus operandi was permanent, hence his considered advice. Out of respect to his father in law, Moshe agreed to do exactly what he was told. Well, not quite exactly but largely along the same lines. There was just going to be a short delay to allow Matan Torah to take place, then the ball was going to get rolling. Obviously, he did not tell Yisro all that but simply said something to the effect of: “Yo dad, that is well bling advice. High five.”

Yisro figured that it will take a couple of weeks at least to interview 48,000 people, put them on the payroll and negotiate a medical insurance package, so he was one happy camper as well.