



# Sha'arei Eliyahu

## Table Talk

## פרשת משפטים

### The Torah is not by the Goyim

Why did Hashem give the Torah to the Jewish People? This week's parasha is all laws. Rav Ovadia Yosef ZT"l tells us that a goy is not allowed to judge a Jew and brings the following story. There was a man by the name of Akilas. He was the nephew of Andrianous. Akilas wanted to become Jewish but knew that his uncle would kill him so he devised a plan. He told his uncle that he needs advice on how to be successful in business. So his uncle told him to be successful do as follows: Whatever people disrespect you cherish, whatever people neglect you run after, whatever people kick with their feet you pick up, and whatever is cheap in the eyes of people you respect. Akilas took this advice and went to the yeshiva to learn Torah. Next to him sat Rabbi Eliezer and Rabbi Yehoshua. They saw him sitting there with his dress-code and

SHABBAT SCHEDULE	
Mincha	5:20 PM
Candle Lighting	5:23 PM
<b>Shiur Shabbat</b>	<b>8:45 PM</b>
Shacharit	8:30 AM
Shabbat Derasha	4:00 PM
Mincha	5:00 PM
<b>SUNSET</b>	<b>5:42 PM</b>
<b>Aravit (Shabbat Ends)</b>	<b>6:24 PM</b>
Rabbenu Tam	6:55 PM

### SHORT & SWEET

It says in this week's parasha (Shemot 23:26) that if the Jewish people keep the Torah then he will have a full long life. "את מספר ימיו אמלא".  
 In Tehillim it says **יְמֵי-שְׁנוֹתֵינוּ כְּקֶהֱם שְׁבָעִים שָׁנָה וְאִם בְּגִבּוֹרֵת אֶשְׁמְרוּהֶם שְׁמֹנִים שָׁנָה** - *The span of our life is 70 years, or, if a person is given strength, 80 years.*  
 If we take the Gematria of **ימיו** we get 80. But from where does the age of 120 come from? By taking the Gematria of the Miluy (hidden part) of the word **ימי** (**יוד מם יוד**) which comes out to 120:  
 יוד=20 מם=80 יוד=20  
 From here we learn that by learning Torah we can get up to 120 years of life.  
 ~ R' Yosef Akilov

hairstyle and asked him where he was from. So he told them who he was and that he wants to become a Jew. They told him that the Torah will not come to him if he did not act and live by it. The message they were telling him was that his dress-code and hairstyle (which was Roman) would prevent him from gaining the true wisdom of Torah. So he made a complete U-turn and changed his hair and outfit. But they told him that this alone would not be enough. He would need to completely change himself by getting a Brit Mila in order to really understand the Torah and all it has to offer. So he did and started learning. He kept learning and growing in his Torah knowledge and observance and eventually was able to render the first translation to the Torah. This man was Onkelous. Then he went back to his town and back to his uncle who asked him what why he had done such a terrible thing and became Jewish. Onkelous told him that he just followed his advice. So Andrianous told him I understand you changing your appearance but why did you give yourself a Brit? So Onkelous tells him the Torah says if someone tells you that wisdom can be found by Goyim you can believe them, but if they say that the Torah is found by the Goyim don't believe them. If I didn't get a Brit then I wouldn't be able to learn as I did.

### Bonus

The Parsha in the 1<sup>st</sup> Aliya says "אִם-בְּגִפּוֹ יָבֹא בְּגִפּוֹ יֵצֵא" - *If he comes [in] alone, he shall go out alone* why is the term **בְּגִפּוֹ** used instead of **לְבָדוֹ** or **עִצְמוֹ** for example?  
 Midrash Hagadol says that when Jewish people don't behave, Hashem says that because of the peoples sins Hashem sends Goyim on wings "אֲגַפִּים".  
 When a Jewish person is sold to slavery they should feel that he is going with wings, meaning do not give up! This is why the Torah says that an Jew cant be a slave forever only for one shmita cycle.  
 This teaches us a valuable lesson in life. Sometimes we go through a difficult time in our lives [that is as bad as slavery] but we need to go through this difficulty **בְּגִפּוֹ** [with wings] and not **לְבָדוֹ** [by himself]  
 ~ R' Yosef Akilov

1. Is one allowed to sue for trauma that he endured in a car accident, G-d forbid?
2. If a thief stole wood and made a chair with it, must he return that chair, or just the value of the stolen wood?
3. On which day of Sivan was the Torah given 6<sup>th</sup> or 7<sup>th</sup>?

Hashem told Moshe give these laws to the people [so that it may be] in front of them. Rav Ovadia tells us that these laws were given to us and only us. If a person has a monetary dispute with his friend (fellow Jew) then he has no right to take that friend to secular court. The Torah wasn't given to the Goyim, they cannot properly rule on the cases between two Jews like the Torah prescribed.



1. One can sue for the pain and suffering that he endured in an accident. Although taking legal action is permitted, a lawyer must be careful not to take more money than is truly deserved (Baba Kama 84a).  
 2. Ideally, a thief should be required to take apart the chair or the house that he made from the stolen hardware. However, the Rabbis felt that this would discourage thieves from returning stolen items and doing teshuva, so they allowed him to pay the monetary value of the stolen item instead (Mishna Baba Kama 9:1, Gemara Succa 31a).  
 3. The Rabbis are uncertain whether the Torah was given on the 6<sup>th</sup> or 7<sup>th</sup> of Sivan (Yoma 4a).



**“When Adar Begins, Happiness Increases”**

The Gemara in Masechet Ta’anit (29a) tells us, “Rabbi Yehuda son of Rav Shmuel ben Shilat taught in the name of Rav: Just as when the month of Av begins happiness is diminished, so too, when Adar begins happiness increases. Rav Papa says, therefore, if a Jew has a court case with a gentile pending, he should avoid having it in the month of Av when the Jewish nation’s fortune is bad, and try to have it held during the month of Adar when the Jewish nation’s fortune is good.”

The source for this is based on a verse in Megillat Esther which states, “And the month which was switched for them from tragedy to joy,” which teaches us that the good fortune of this month brings about salvation and goodness for Israel, for indeed their fortune is very good during this month. The commentaries ask: How can the Gemara say that during the month of Adar the fortune of the Jewish people is good, does the Gemara (Shabbat 156b) not say that the Jewish nation has no fortune, which means that they are not under the influence of various stars and constellations as are the other nations of the world, rather they under the direct supervision of Hashem? There are several answers to this question.

The Ritba (Rabbeinu Yom Tov ben Avraham) writes that although the Jewish nation has no fortune, in the months of Av and Adar they are indeed under the influence of the constellations, for this was the way it was decreed by Hashem. He adds that it is possible that the Jewish nation is never under the influence of the constellations and what is meant by the Gemara that Adar is auspicious etc. is that during the month of Adar, good things are decreed upon the Jewish people. (These decrees are directly from Hashem, blessed is He, and not from the constellations or stars for the Jewish nation is not influenced by them.)

The Maharsha explains that what our Sages meant when they said that “the Jewish nation has no fortune” is that if it was decreed in Heaven that no punishment befall Israel or that a certain good thing happen to them, it will surely happen as such, regardless of any stars or constellations. However, if, G-d forbid, something bad was decreed on a specific person, it will usually befall him during times when his fortune is not the best. Thus, many tragic experiences have befallen the Jewish nation during the month of Av and especially on Tisha Be’av (the Ninth of Av). Similarly, when good things are decreed upon a specific person, they will usually befall him when his fortune is good and the month of Adar is especially auspicious for the Jewish people.

However, Hagaon Chatam Sofer writes that this law that a Jew who has a pending court case with a gentile should try to have it fall out during the month of Adar, is halachically incorrect. His reasoning for this is because the Jewish nation has no fortune. It is for this reason that the Rambam omits this Halacha from his great work, for the Halacha is that one should not pay any attention to these matters, as Israel has no fortune. Maran Harav Shlit”a disagrees with this opinion, for it is quite clear from the words of the aforementioned authorities that although the Jewish nation has no fortune, nevertheless, it is still possible that during the month of Adar their overall fortune is better. We can explain that the reason why the Rambam omits this law from his work is because this matter is not of halachic nature; rather it is only a wise piece of advice.

**Purim is Included in the Thirty Days before Pesach**

Since we are nearing the holiday of Pesach and the laws of Pesach are vast indeed, we will thus review all of the main laws of this holiday based on what has been written in previous years with additional new insights, such that anyone who learns these Halachot daily will become fluent in most of the laws that are crucial for one to know before this upcoming holy festival.

The Gemara in Masechet Pesachim (6b) writes that one should begin to inquire about the laws of Pesach thirty days before the actual holiday. Maran HaBet Yosef (Chapter 429) asks that the Gemara in Megillah (32a) says that Moshe Rabbeinu instituted that the Jewish nation should expound the laws of Pesach on Pesach, the laws of Shavuot on Shavuot, and the laws of Sukkot on Sukkot. If so, it would seem that there is only an obligation to learn the laws of Pesach specifically on Pesach and not thirty days beforehand! Maran HaBet Yosef answers that this does not actually mean that one must inquire about and expound the laws of Pesach thirty days beforehand, rather this is in regards to the ruling that if two students come to ask the Rabbi a question, one asks about a matter at hand and one asks about an unrelated matter, the Rabbi should answer the one who asks about a matter at hand; the Gemara teaches us that asking a question about Pesach thirty days before the holiday is considered a matter at hand. The Ran (Rabbeinu Nissim, one of the great Rishonim) explains like wise.

Hagaon Mishnah Berura in his Be’ur Halacha writes that the Halacha does not follow the opinion of the Ran and there is actually an obligation to “expound” the laws of Pesach thirty days before the holiday and not merely to “inquire”. However, Maran Harav Shlit”a in his Responsa Yabia Omer (Volume 2, Chapter 22) writes lengthily to defend the ruling of Maran HaShulchan Aruch that there is no obligation to halt one’s usual study routine before Pesach in order to delve into the laws of Pesach, rather only regarding the law about “one who asks about matters at hand” do we rule that if one asks a question regarding the laws of Pesach before Pesach we must answer him.

The day of Purim itself is also considered part of the “thirty days” before Pesach. However, if two people come to ask a question to the Rabbi, one asks about a law pertaining to Purim and one asks about a law pertaining to Pesach, the Rabbi must respond to the former first since this is the obligation of the day and a Mitzvah at its proper time is indeed dearer.