

Yitro 5772

BS"D Parashat Yitro

From the book "With All Your Might" Volume 1A

Prior to the revelation at Mount Sinai, the newly freed nation of Israel encamped at a place called Mara, where HaShem revealed to Moshe three out of the pending 613 mitzvot: Shabbat, honoring one's father and mother, civil laws (there is an opinion that para aduma [red heifer] necessary for the removal of tumat met [tuma caused through contact with a corpse] was included at Mara).

The parasha relates that after the Mara experience Moshe served as the sole judge in all halachic matters. Yitro, Moshe's father-in-law, who had gained wide experience in governmental affairs while serving as one of the three closest advisors to Paro, looked askance at the heavy judicial load Moshe was bearing. So, in the spirit of every interested, good father-in-law, Yitro suggested to Moshe that he establish a judicial system composed of judges at various levels of judicial responsibility, with Moshe serving as Chief Judge in cases which were beyond the capacity of the lower courts to decide.

It is obvious that Moshe Rabbeinu did not need his father-in-law's expertise to teach him the ABC's of judicial organization. So why did Moshe wait for Yitro's suggestion in order to implement these necessary changes?

I suggest:

Not only was Moshe unable to change an iota of what HaShem had commanded, but because of his great yir'at HaShem (awe of God) Moshe could not bring himself to even suggest his own opinions. The times that Moshe did try to change HaShem's mind were only those instances when he prayed for atonement

for the sins of Am Yisrael.

At Mara, Moshe was not commanded to create a judicial system, so he could not bring himself to suggest one, even though he was aware of its necessity and benefits. Yitro, however, was far away from Moshe's perception of the Almighty, so he did not have the constraints of Moshe. Moshe knew what Yitro knew, but Yitro was able to suggest the changes without his conscience paralyzing him.

Moshe implemented Yitro's suggestions, but according to the Midrash (Mechilta parshat Yitro) only after he had received nevu'a (prophecy) from HaShem affirming the changes from a single judge to a national judicial system.

There are many things in our religious lives here in Eretz Yisrael which require change.

In my younger years, I never dared to suggest to my rabbis what, in my opinion, needs improvement, but today, I don't feel constrained in the matter.

I suggest a necessary and essential change which would exponentially improve the quality of our religious lives, but is in fact a return to what once was. Interestingly, my suggestions are in opposition to the changes Moshe Rabbeinu brought about when he established Batai Din (courts) in his time. Moshe took the most erudite and esteemed men of the nation and upgraded their status to Dayan (judge), my suggestions are aimed at downgrading certain religious leaders.

My suggestions deal with the issue of: **"Who is a rabbi?"**

The institution of Semicha (rabbinic ordination) began with Moshe Rabbeinu who just prior to leaving this world ordained Yehoshua bin Nun. Ordination invested on the recipient a license to decide on all halachic matters. The ongoing **Semicha**

from generation to generation was limited to Eretz Yisrael, while learned talmidei chachamin (scholars) in the galut who did not receive Semicha were limited in the areas of their halachic rights to decide. Semicha was discontinued at about the 5th or 6th century so that the Semicha rabbis receive today does not entitle them to make wide reaching halachic decisions in all areas. In those areas where we can make decisions, the status of today's rabbis is a shlicai de'kadma'ee (agents of the earlier rabbis who were ordained).

Nevertheless, the mantle of semicha today is an honorable one that permits one to be a spiritual leader of a community. Today's Semicha will continue in its limited form until the authentic Semicha will be again initiated, along the guidelines stated in the Rambam.

Now regarding the Semicha which is in force in our time, I suggest:

1- Semicha (rabbinic ordination) would be conferred only in Eretz Yisrael, as stated in Tractate Sanhedrin, and only after thorough testing of the applicant – in Ivrit.

2- The title Rav or Rabbi may be used only by those who have received ordination in Eretz Yisrael and are involved exclusively in rabbinical matters. This excludes caterers, owners of homes for the aged and hotel owners etc., who use the title to create a perception which is not necessarily accurate.

3- Rabbinic ordination in Chutz La'aretz would not be recognized by the Chief Rabbinate in Israel, thereby rendering the Gittin (divorces) and Gi'yurim (conversions) performed by those individuals who were not ordained in Eretz Yisrael as non binding.

4- The need for spiritual leaders in the communities in the galut is an obvious fact, and those who did not receive *semicha* in Eretz Yisrael would hold the title of Teacher,

Preacher, Moreh or Reverend but not Rav or Rabbi, notwithstanding the erudition of the individual or the post that he fulfills. The great Babylonian Amora'im Shemual and Aba'yai did not have semicha.

Prologue

Anyone involved in halachic matters is very much aware of the chaotic situation that exists in the rabbinic "profession," where anyone can call himself "rabbi" and bring disaster to individuals and communities.

But, for me, the matter came to a head this week when I was invited by Rabbi Chaim Richman head of the international division of the Temple Institute in Yerushalayim, to participate in his weekly internet radio broadcast called "Temple Talk". (<http://www.israelnationalnews.com/Radio>)

Rabbi Richman asked me to refute an internet message sent by Rabbi Ariel ben Tzadok where he voices his opinion against aliya to Eretz Yisrael. It appears he has a large following in the USA and has an influence on many people.

I did not refute his point by point core message, because of my belief gained over the 50 years that my wife and I are in the Holy Land, that **aliya is a boutique, exquisite mitzva that was never performed by masses of Jews but only by the few whose souls felt the spiritual need to be close to HaShem's Holy Land.**

Aliya is an act of love that overrides rationality. I told of a young man who came to discuss with me a shiduch. Having known the young man and the young woman, I tried to dissuade him based on age and different backgrounds, all rational reasons. Then this young man taught me a great lesson. He looked at me straight in the eyes and said, "Rabbi, I'm going to marry her – because I love her."

That in essence is the way I refute all these rabbis who

victimize innocent Jewish souls, who might otherwise have returned to be partners in the greatest miracle for Am Yisrael in over 2000 years – Medinat Yisrael.

Now, in the reality of our lives, it is very difficult to refute rabbis, roshei yeshiva and rebbes who preach that after 2000 years of oppressive galut, when millions of Jews have finally found a safe haven in the United States, it is unthinkable to leave the “good life” in order to engage in the challenges of Medinat Yisrael.

But one way to limit their negative influences on the good Jews of the galut would be for the Chief Rabbinate of Eretz Yisrael to nullify their status as “Rabbis”. Of course they will continue to call themselves “Rabbis,” but the rank and file of Am Yisrael will have reason question their authority to speak in the name of the Torah.

In any event, my suggestion to every good Jew of the galut is to look deeply into your Jewish souls and heart, and find the spark of love for keeping the Torah in Eretz Yisrael that was kept alive by the sacrifices of 80 generations in the galut.

Listen to no man but only to the echo that reverberates in your soul, where you stood at Mount Sinai to receive HaShem’s Torah.

Shabbat Shalom

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