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Rosh HaYeshiva, Tsama Nafshi

Rosh HaYeshiva:

Rabbi Hillel Faerman, שליט"א

Magidei Shiur

Rabbi Hillel Faerman, שליט"א

Rabbi Shlomo Furst, שליט"א

Rabbi Tuvia Katzman, שליט"א

Rabbi Reuven Levitt, שליט"א

Rabbi Alexander London, שליט"א

Rabbi Binyamin Moore, שליט"א

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Parshas Yisro : Building Respect

“You should make a ramp for the mizbeach /altar [as] it should not have steps...”

This posuk /verse appears out of place. It is found at the end of this week's parsha and we ask ourselves, what is it doing here at all? Everyone knows that Parshas Yisro is the parsha describing how the Jewish Nation received the Torah. So, how does information about the ramp of the mizbeach help us to receive the Torah properly?

Do the other parts of Parshas Yisro in some way enhance our appreciation of and ability to receive the Torah? The answer is yes! For example, the beginning of the parsha tells us that Yisro heard and came. What did he hear that made him come? Rashi brings two motivators: Krias Yam Suf / the splitting of the Red Sea and

Milchemes Amalek / the War with Amalek. Here we see two different types of events which can inspire us, as with Yisro, to make an extra effort to seek out the Torah, namely seeing the greatness of HaShem Who commanded the Torah (for example, as we saw in the splitting of the Sea), and seeing the lowliness of man without the Torah (as we saw in the attack of Amalek)!

The next section takes place after the giving of the Torah, according to Rashi, because it describes Moshe Rabbeinu sitting and judging various court cases according to Torah law. Yet, it also prepares us to receive the Torah as it shows us one of the main reasons we are given the Torah, namely to instill peace in our nation by settling disputes amicably in Torah courts rather than in hostile private confrontation of the disputants.

Afterwards, we are taught the story of the Jewish Nation's arrival at Har Sinai and the various preparations for the giving of the Torah. All parts of that narration obviously contains vital lessons for receiving the Torah. But the question remains: what lesson can we learn for receiving the Torah from the ramp of the mizbeach / altar?

Rashi to the rescue! First Rashi explains the difference between an altar which requires steps to reach the top and one where a ramp is employed. The man who ascends with steps has to widen the space between his feet more so than the man who ascends using a ramp. So what? Well, says Rashi, even if undergarments are worn (as is the case with the

Jewish priests), the gesture is still somewhat vulgar since it suggests a revealing of one's nakedness, and therefore it is considered disrespectful to the mizbeach. And this, in turn, is further intended to teach us an even more important lesson of respect, namely to respect our fellow men (and women, of course) and to avoid even making gestures of disrespect to them.

Rashi explains that here we employ the reasoning which is called “kal vechomer”/ “all the more so” reasoning. It goes like this: If we must take care not to “offend” even stones which don't have feelings, then all the more so must we take care not to offend our fellow men who do have feelings and they also were created in the image of HaShem. Why do we need a “kal vechomer”? Because sensitivity and respect towards others’ feelings is an area most of us tend to be weak in and therefore needs constant effort to strengthen it and build it.

The kal vechomer is like mortar, ensuring our fortitude and commitment to building respect whenever our patience wears too thin. For example, when someone seems unimportant and undeserving of our respect, we must remind ourselves that even if this person were a mere unfeeling stone, we would be duty bound to show our respect. If so, this person in front of us who does feel embarrassment when mistreated and feels wonderful when he's respected, plus he was created in G-d's image and must therefore be very important to HaShem, ALL THE MORE SO MUST I RESPECT HIM AT ALL COSTS!!!

Here we have our answer: what lesson for receiving the Torah does the ramp of the mizbeach teach us? Remember at all times that a crucial purpose in receiving the Torah is in order to develop and build a solid foundation and wall of respect for our fellow human beings. How far does this solemn duty go? We must even build a ramp up to the mizbeach in order to teach, remind and strengthen our respect towards all men who feel and are created in G-d's image!! As Hillel said to the prospective convert: the essence of the Torah is that what is hateful unto you, you should not do unto your fellow men. This means that we must respect all others both in action, speech and even thought, just as we would want others to do, say and think towards us. And, as we learn from the ramp, even our subtle gestures must be respectful!!!

How far reaching is HaShem's desire for us to use all the mitzvos of the Torah to reshape ourselves and build strong respect and love for Him and His creation!! May we gain the wisdom and fortitude to properly fulfill this lofty goal of HaShem---our Father and King---and His Torah!!! And may we all have A GUTEN SHABBOS to properly process this lofty goal!!! **A GUTEN SHABBOS!**

	Rabbi Alexander London Gemara Sunday – Thursday
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BAVA KAMMA 48b
DEAD VESSELS, INJURED GRAIN

The Mishna states; If one brings his ox into a courtyard without permission, and the ox fell into a water cistern and spoiled the water; the owner of the ox is liable.

Rava says that the owner is only liable if the water was ruined immediately upon contact with the ox. However, if the water became spoiled later, the owner of the ox is exempt. Since the ox did the damage passively, it falls under the category of bor (pit). The owner of a bor is exempt from damage to vessels. Rashi explains that all inanimate objects are considered vessels with regards to bor.

Rashi on 10a says that if a donkey laden with a sack a grain falls into a pit, the owner of the pit is liable for damage to the grain. Tosafos says that the owner of the pit is exempt, because all inanimate objects are excluded from the word “donkey” (Ex. 21:23) which excludes vessels. Tosafos brings a proof from our Gemara which treats water like vessels.

The Meromei Sadeh explains why Rashi said that the owner of the bor is exempt for damage to the grain. The Torah states:” If a man will uncover a pit, or if a man will dig a pit and not cover it, and an ox or donkey will fall in, the owner of the pit shall pay” (ibid). From here we derive that the owner of a bor is liable for damage to an ox, but not a person; and to a donkey, but not vessels.

The exemption concerning a person only refers to death. However, if a person is injured, the owner of the bor is liable. The same applies to vessels. The exemption from liability only refers to the “death” of the vessel, not its “injury”. However, the Gemara (54a) considers the breaking of a vessel to be its death. Thus the owner of the bor is exempt from paying for breakage of vessels.

The Meromei Sadeh says that in Rashi’s case were the grain fell into a bor, the grain became dirty, and had to be cleaned. This type of damage is not the equivalent of the grain dying. Rather it is the equivalent of the grain being injured. The owner of the bor is liable for injury to the grain, just as he is liable for injury to a person. Therefore Rashi said that the owner of the bor is liable for damage to the grain.



**Rabbi Reuven
Levitt**

Rabbi Reuven Levitt
Sunday – Thursday, 10:20 –11:15 a.m.

Bircas Cohanim-Recognizing the Good which Hashem Bestows Upon Us

The cohanim bless the congregation every morning at the end of the Chazzan's repetition of Shmoneh Esray. (here in Eretz Yisroel) There are three separate brochos: the first is for material sustenance, the second is for success in learning Torah and the third is in a different category which we will explain.

Why is the bracha for material success given before the bracha of spiritual success? As the Sforno explains, as it is brought in Pirkey Avos (3:21) If there isn't flour to make bread, there is no Torah.

The third blessing states, "Hashem will show favor (favoritism) towards you and will establish peace." The gemorrah relates (Berochos 20b) , the angels ask Hashem, "Does it not say in Your Torah that You do not show favoritism? So how can You show favor Klal Yisroel over the other nations?" Hashem responds, "What? Do you know who Klal Yisroel is? I commanded them to recite Bircas Hamzon only if they ate enough to be satisfied yet they are so careful to even recite this bracha even if they only ate a small amount of bread!" True, Bircas Hamazon is a very nice mitzva but why does this arouse Divine favor more than any other mitzva d'rebonon?

Rav Eliyahu Gutmacher, zatzal, explains a beautiful idea. Imagine a poor man. He has nothing to eat except a small portion of bread. Yet, he does not complain. He says, "Boruch Hashem! I have what to eat! Thank you Hashem for feeding me."

Of course Hashem favors us. What other nation loves Him so, whatever the situation may be, even just a tiny bit of food, and we respond with such praise and thanks?

Hashem! Help us to see all the blessings and goodness You shower upon us! And also please help us to say Bircas Hamazon with heartfelt appreciation!
AMEN

"Parasha Puzzler"

****~Rabbi Binyamin Moore~****

Here is our question for Parashas Yisro:

The highlight of this week's parashah is the section of the Ten Commandments. Besides appearing in this week's parashah, the Ten Commandments are also stated in Parashas Va'eschanan. However, there are

some differences between the two versions, and the most notable is regarding the mitzvah of Shabbos. In our parashah the mitzvah begins with the word זָכוֹר "Be remembering [the Shabbos day]," whereas in Parashas Va'eschanan the mitzvah begins with the word שָׁמֹר "Be guarding [the Shabbos day]." However, our Sages said that: "זָכוֹר and שָׁמֹר were said in one utterance," i.e. when the Ten Commandments were given at Mount Sinai, both זָכוֹר and שָׁמֹר were pronounced by Hashem at the same time.

Our question is, however, why did the Torah choose to state זָכוֹר in our parashah and שָׁמֹר in Parashas Va'eschanan and not vice versa? Answer on page 5

**... Rabbi Shlomo Furst
Halachah**

Sunday – Thursday, 9:35 - 10:20 a.m.
Shemoneh Esrei

The Mechaber, in Simon 106 of the Shulchan Orach, discusses those individuals who are exempt from saying Shemoneh Esrei. The essence of the mitzva of prayer is primary to understanding the exemptions mentioned in the Mechaber because prayer is considered a "mitzvas ahsay shelo bezman grama — a positive mitzva not bound by time."

The Mishna Berura, in the fourth se'if katan, explains that this statement of the Mechaber, "is all the opinion of the Rambam; that only the times of prayer are m'devrei soferim, but the primary mitzva of prayer is from the Torah..."

The Rambam writes in Hilchos Tefilla (1:1), "It is a positive mitzva to pray each day, for it is written [Shemos 23:25], "You shall serve Hashem your G-d." It has been taught through oral tradition that this avoda is prayer, for it is written [Devarim 10:12] 'Serve Him with all your heart.' The sages have said, 'What is avoda of the heart? This is prayer.'"

Hence, as the Mishna Berura continues, "the format of prayer is not made known by the Torah..." — and therefore Chazal have prescribed and arranged the times and format for prayer. This opinion of the Rambam is in contrast to the opinion of the Ramban, who maintains, in the words of the Mishna Berura, "that the primary mitzva of prayer is m'devrei soferim from the Anshi Kennesess HaGadolah [The Men of the Great Assembly]."

The Anshi Kennesess HaGadolah, as we are taught by the Gemara in Megillah (17b) consisted of "one hundred and twenty elders, among them were many prophets; that they established the arrangement of the eighteen berachos of the Shemoneh Esrei." Thus, as the Mishna Berura continues, the Anshi Kennesess HaGadolah instituted, "the arrangement of the eighteen Berachos, that they should be recited in the morning and the afternoon — as obligatory, and the evening prayers were [originally instituted as] voluntary."

However, a worthwhile comparison — based the previously opinion of the Rambam — results from the Kessef Mishna's observations on that Rambam; as

taught to us by Moreinu v'Rabbeinu HaGaon HaRav Chaim Pinchas Scheinberg, ztz"l.

The Kessef Mishna based on the Sifrei, suggests that the Rambam should have cited the verse in Devarim 10:20 instead of the verse in Shemos. This is because, the verse in Devarim also refers to serving Hashem, as it states “Fear and serve Hashem, your G-d.” Nevertheless, the Kessef Mishna concludes that since this verse also refers to limud, the verse that the Rambam cited is a better source, since it refers exclusively to prayer. Inherent in the Kessef Mishna’s suggestion is the fact that limud haTorah is essentially considered avoda, devotion to Hashem!

Thus, we see that if limud haTorah is considered avoda, it is far more than a scholarly endeavor, for scholastics has no relationship to avoda. Scholastics and research have nothing to do with prayer, and if Torah and prayer are comparable, Torah obviously is much more than mere academics. Like prayer, limud haTorah is avoda. Prayer is clearly an act of devotion. Prayer by definition is a relationship based on a bond between the person and his Creator, HaKadosh Baruch Hu. When we stand before the King of kings and pray from the depths of our heart by praising Him and beseeching His compassion, this is an act of respect and faith.

Rabbi Shlomo Furst

AVOS

The first Mishna in Pirkei Avos states, “Moshe received the Torah from Sinai and transmitted it to Yehoshua, Yehoshua to the Elders, the Elders to the Prophets and the Prophets transmitted it to the Anshi Kennesses HaGadolah — The Men of the Great Assembly.” The Mishna continues, “They [the Anshi Kennesses HaGadolah] said three things, ‘Be deliberate in judgment, establish many talmidim, and make a fence for the Torah’.”

Establishing many talmidim is essential to the preservation and continuation of Torah from one generation to the next. Hence, we can understand why the Gemara in Makkos (10a) teaches us that if the Rav goes to a city of refuge, his yeshiva accompanies him to exile as well. The Rambam, based on this Gemara, explains, “Those who are sage in wisdom and those who seek wisdom — without the learning of Torah, are as if they were dead. Likewise, a Rebbe who is exiled, his yeshiva is exiled along with him” (Hilchos Rotzeiach 7:1). Likewise, a Rebbe is obligated to join a talmid who must flee for his life.

The Gemara in Makkos (10a), based on the verse in Yirmiyahu (50:36) explains that there is a very severe penalty for those people who learn alone: “A sword is upon the necks of the enemies of talmidei chachamim, for they sit alone and learn Torah. Not only that, but they become foolish.” If a person learns by himself, he is not merely missing the opportunity to express his thoughts to

someone else. The consequence is much worse, for it will result in foolishness.

This foolishness results from the lack of discussion. When a person sits alone and learns, he thinks that he correctly grasps the matter at hand. He assumes that his mind is active and believes that what he has learned is correct. He has no partner to verify his assumptions and conclusions, therefore foolishness can creep into his thoughts. He ponders about possibilities that may be false and mistaken. The only way to reveal truth and reach the depth of the matter is through the help of others, with partners and with groups.

It has been said in the name of the Chofetz Chaim, ztz"l: “At the time the matter is in the mind — everything is true.” In the mind’s eye, everything seems clear. Likewise, Rav Chaim Volozhin has said, “The tongue senses the flaw in a thought just as the fingernail senses the nick in the blade of a sharpened knife.” As long as the idea remains in the mind, it seems sensible and correct. However, we cannot detect our mistakes, because the flaw is not realized until the thought is spoken out and expressed.

The Rebbe needs his talmidim and the talmidim need their Rebbe. Torah must be learned in this way, for as we are taught in Pirkei Avos (2:7), “The more yeshiva, the more chochma.” The more one sits in the presence of others and learns, the more wisdom he will acquire. Rabbeinu Yona, in his commentary on Avos, explains: “This means to say that there will be wisdom in thought and dispute, which results in an increase in discussion. Since the talmidim will come to hear novel ideas, to become astute along with him and to learn the premise of the novel ideas for this is a chochma in and of itself.

Mishanyos – Phil Sevrinsky

We now begin the fifth perek of Mesachet Eduyos where the first five mishnayos states additional laws where we note the more lenient rulings of Beit Shammai and the stricter rulings of Beit Hillel. The first mishna gives the six rulings that Rebbe Yehudah gave regarding Beit Shammai and Beit Hillel to illustrate that point. The first case involves the blood of a neveilah, carrion, which is an animal of a kosher species that died without ritual slaughter. Beit Shammai holds that one who touches that blood does not become unclean. However, Beit Hillel states that one does become unclean by touching the blood. The Talmud in Mesechat Menachot qualifies and explains the reason of Beit Hillel. The amount of blood needed to make one unclean according to Beit Hillel is a revi’is since this quantity when congealed will become the size of a cazayit, olive, and that is the amount which will make a person unclean.

The second case is that of an egg of a neveilah that was found inside the dead bird when it was slaughtered but not done properly. If the egg inside the fowl had as hard a shell as those sold in the market, then it is permitted according to Beit Shammai otherwise it is forbidden since it would be considered part of the fowl. Beit Hillel holds that is always part of the original fowl and is thus forbidden even though it

could be sold in the market. However, if the egg was found after slaughtering in a treifah, an animal which after examination had a defect, both Beit Shammai and Beit Hillel agree that it would be forbidden even if the shell is hard enough to sell in the market because the egg grew in a time of prohibition since a treifah hen could not lay eggs and the egg was completed during that time period so it always remained unfit for use.

We learn from this various matters. We learn the importance of studying the laws of ritual slaughtering, neveilah, treifah, and uncleanness. We again see how we should always carefully try to avoid any source of uncleanness whether physical or spiritual. We learn how we should be careful in purchasing from reliable sources and from Hashem fearing individuals to insure the proper laws of kashrus are followed. Again we are taught to respect the rulings of Beit Shammai and Beit Hillel as representing valid ideas in their own way fulfilling the dictum "these and those are the words of the living G-d". We again see how we cannot assume which school we should emulate, no matter who is strict and who is lenient, but rather must follow the chachamim to ascertain the final halachic ruling. Finally, we should be thankful to Hashem for enabling us the ability to perform the correct actions in our daily lives, thus making it easier for us to observe all the mitzvos.

"Parasha Puzzler" – Answer: **~::~~With Binyamin Moore~::~**

Answer:

The answer to this question I heard from my Rosh Yeshivah, Rabbi Leib Gurwitz zt"l, based on an explanation by Meshech Chochmah (Rabbi Meir Simcha of Dvinsk):

In the mitzvah of Shabbos there are two concepts: One is to testify that Hashem created the world, and in this aspect we positively make Shabbos a holy day, by making Kiddush, eating festively, and dedicating more time to praying to Hashem and learning Torah. This is expressed by the mitzvah of נָכוֹר.

The second is to recognize that we are first and foremost servants of Hashem and not slaves to our work and material pursuits, which is the main reason why Hashem took us out from Mitzrayim. In this aspect, we refrain from occupying ourselves with worldly pursuits, i.e. not doing any forbidden actions, and concentrate on being servants of Hashem. This is expressed by the mitzvah of שְׁמֹר.

When the Jewish People came out of Mitzrayim and were in the desert, they lived a miraculous existence. They did not need to prepare any food, for they ate the manna, which had the taste of almost any food they wished; they drank sweet water from the well of Miryam; they never needed to wash or mend their clothes, for they always stayed clean and immaculate; and the children's clothing grew with them, so they

never required new clothing. Therefore, they had almost never any need to do any of the actions (melachos) that are forbidden on Shabbos. Thus, for them the mitzvah of Shabbos was primarily observing its positive aspect, expressed by the term נָכוֹר.

However, when the Jewish People were about to enter the Land of Israel, where their utopian existence as in the desert was no longer to continue and they would now be required to occupy themselves with worldly pursuits, Hashem had to command them specifically about the aspect of refraining from forbidden actions on Shabbos, and this was expressed by the term שְׁמֹר.

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