

Parshat Vaaira: Glorious Gratitude

Based on a Naaleh.com shiur by Mrs. Shira Smiles
Summary by Channie Koplowitz-Stein

While Hashem appointed Moshe to lead *Bnei Yisroel* out of *Mitzrayim*, the actual process of redemption begins in *Parshat Voeyra* with the beginning of the plagues. However, Moshe is not the one who initiates the first three plagues and Rashi explains that this stemmed from a feeling of gratitude toward these inanimate objects. After all, the Nile protected Moshe in the basket and the sand hid the Egyptian that Moshe killed.

Let There Be Rain cites Rav Dessler that the issue facing Moshe was not that he would not be glorifying Hashem's Name, but the effect these actions would have on him. Our actions affect our emotions which deeply affect our middot. As Rabbi Wolbe notes, a refined person maintains a level of respect for everything he comes in contact with. If we accustom ourselves to treat inanimate objects with respect, we sensitize ourselves and are more likely to treat people with respect.

Everything in the world has an "angel" hovering over it, an energy, writes R. Eliyahu Diskin. So even on some incomprehensible level, the object is impacted by our action and we ourselves are also impacted. That's why our Sages suggest that the topic of becoming a *nazir* comes right after the topic of seeing an *ishah sotah*. On some level, anyone who witnessed this was impacted. One can deduce that one must be proactive in maintaining a proper character and extremely

careful in interacting with the prevailing culture.

Sichot Mordechai notes that if we train ourselves to give *tzedakah*, we become more sensitive to the needs of others. Conversely, if a bus driver who closes the door while he sees someone running, he will carry that impatience and cruelty home with him. Rabbi Weinberg suggests that the *Torah* reading of *Rosh Hashanah* focuses on the birth of Yitzchak and the subsequent need to send Yishmael away. It continues with Avraham giving gifts to Avimelech. This suggests that Avraham wanted to counter the effect of a seemingly cruel action by doing a positive action. Just as Avimelech did not deserve the *chesed* that Avraham did with him, so do we not deserve the *chesed* Hashem does for us. We, too, should carry it forward, emulate Hashem, and do kindnesses for others even if we think they are undeserving.

Our goal should be not only to connect to Hashem, but to become a giving person rather than a taker, explains *Omek Haparshah*. Rav Dessler explains that an ungrateful person is a taker. If he says, "Thank you," it's with the expectation that sometime in the future he may receive even more. The giver, on the other hand, in uncomfortable taking free gifts. At the very least, if he cannot reciprocate, he offers a heartfelt thank you. Grateful people are givers.

When we start showing gratitude to others, we

then project that gratitude to Hashem, writes the *Sha'aray Derech*. We must express our appreciation for even small things. One who isn't working on feeling gratitude can come to question his *emunah*. After all, we don't get everything we want, Do we then negate all the good we've received?

Let's start by appreciating our parents, continues Rabbi Fryman. Appreciation of our *em/Mother* leads to *emunah/faith* in Hashem. As we are "guests" in our parents' house, so are we guests in Hashem's house. The Gemara differentiates between a good and improper guest. The good guest appreciates everything while the bad guest rationalizes it's all for the host. We tend to treat Hashem the same way. Even more egregious is when the guests become squatters who eject the owner from his own house. Every time we engage in sin, we are pushing Hashem away.

Everything and everyone we come in contact with was put in our path with a purpose to benefit us. We are obligated to them both, to the person and Hashem for each benefit, particularly for our very souls, writes the *Peninei Chen*. Gratitude is the essence of Judaism. If we have trouble showing gratitude, we are denying our very identity, for we are called *Yehudim/Those who show gratitude*.

Secular Courts

Based on a Naaleh.com shiur by Dayan Shlomo Cohen

If a Jew goes to a secular court instead of *beit din*, it's considered as if lifting one's hand against Moshe and denying the Torah. There are very sharp comments by the sages against people who go to a secular court. Not only is the plaintiff a sinner but anyone who helps him, shares the sin. A Jewish lawyer may not represent a Jewish person who first goes to a secular court.

Where Reuven took Shimon to court against Shimon's will (he would've rather gone to *beit din*), anything Reuven wins more than he would've gotten through *beit din*, is theft and must be returned. But if Shimon also wanted to go to a secular court, then he cannot

demand that he be given back what is coming to him. If the court awarded Shimon a specific sum, Reuven isn't owed anything because he wanted to go court.

If a plaintiff went to a secular court and lost, he can't come back to *beit din* and ask them to judge the case again. *Beit din* is supposed to refuse to take the case. However, in some cases they can accept it if they see Reuven wants to repent. If in the middle of a case in *beit din*, one of the parties decides to run to secular court, they can be forced back because they signed to abide by an arbitration.

if a Jewish company has non-Jewish share-

holders, the Jewish shareholders can't just assume they can go to a secular court. A Jewish plaintiff can take another Jew to *beit din* to judge on his portion of the company.

Even in its strictest sense, *dina d'malchusa dina* means *beit din* will decide in accordance with the law if it doesn't conflict with halacha. For example, there's no source in the *Torah* for severance pay but every *beit din* will give severance pay because it's the law of the land and it has become accepted business practice. First, a decision has to be made whether the employee deserves severance pay, and if yes then a lawyer or accountant would decide the amount given. When we say *dina d'malchusa*,

Continued on Page 2

Secular Courts

Based on a Naaleh.com shiur by Dayan Shlomo Cohen

Continued from Page 1

beit din will go by how they understand secular law not by a judge's decision.

Batei dinin do not have the power to deal with criminal cases and dangerous situations should be given straight over to the authorities. Beit din will call the defendant three times before giving the plaintiff permission to take the *sarvan* to court. When beit din calls, you have to come right away, and if not the defendant has to pay expenses for not coming. This is called *garmi*-indirect damage.

Where we know beforehand that the case will not be able to be judged in *beit din*, then there's no need to wait three times and you

can go straightaway to a secular court. However, it's always worth asking before. Once the defendant refuses to come to beit din, you can take him to secular court. Neither side has to pay the other's expenses, only in a case where one side refused to come to beit din and caused the other side to incur expenses. Where you forced one side to go to secular court, it's considered *garmi*-damages and you would have to reimburse him the expenses.

Sometimes the two parties might sign a contract that any disputes will be decided in a secular court. That clause is invalid. The only exception is a case where a Jew and a

non-Jew had a contract between them and it said any dispute will be decided by a secular court. If afterwards the non-Jew sold his share to a Jew he would be obligated by that clause but it would have to be decided in a beit din who would decide according to the law of the land.

If a secular court orders you to come and give testimony against a Jew, you must go and say what you know, but you shouldn't necessarily volunteer to give evidence. A non-Jew can be chosen as an arbitrator as long as it's not in court, it's not considered going to a secular court.

Tehilim 99- Kadosh, Kadosh, Kadosh Hashem's Kingdom in Zion

Based on a Naaleh.com shiur by Dr. Esther Shkop

As part of the symphony celebrating the kingdom of Hashem in the latter days after *Milchemet Gog U'Magog*, this *mizmor* is a continuation of *mizmor* 97 and 98. In this *mizmor*, it is clear that Hashem has already vanquished the enemies of Israel and has established His reign on earth. Here the focus is on the seat of his holy monarchy, Jerusalem, among the Jewish nation with whom He renews His special covenant as they crown Hashem again.

In this psalm, all the elements of the preceding chapters 90-98, come to a musical crescendo where the choir sings a three-fold refrain, "*Kadosh, kadosh, kadosh*," between each stanza. The psalm divides into three distinct parts- verse 1-3, 4-5 and 6-9 and at the end of each of these stanzas the choir declares "*Kadosh hu*" and finally, "*Ki kadosh Hashem Elokeinu*." Undoubtedly, this song is meant to be sung at the dedication of the third final *bet hamikdash*. Then the past present and future will meld together as Hashem sets right the injustices committed against *Bnei Yisrael*.

The psalm opens, "Hashem has and continues to reign..." But instead of evoking

universal joy at Hashem's revelation, the nations will tremble in trepidation. *Ibn Ezra* and Rashi take note that the word *yirgzu* comes from the verb *raguz* which implies consternation as well as fear at the prospect of their eradication. Redak explains that those who wreaked moral devastation will be profoundly threatened by the reestablishment of Hashem's law on earth. Only after the evil doers are eliminated can the nations be at peace and rejoice in Hashem's monarchy. Both Rashi and Seforno, quote the 14th chapter of Zecharaya which describes *Milchemet Gog U'Magog* and the plague that will attack all the nations that besieged Jerusalem. When Hashem will again rest His presence between the cherubs on the holy ark in the rebuilt sanctuary indicating His return to Jerusalem, the earth will tilt, quaking, as evil is eradicated.

Hashem's judgment is not limited to other nations as He demands obedience and moral rectitude among Jews as well. Therefore, in the second stanza we read, "You founded equity, judgment and righteousness. Hashem established moral law as the condition of the covenant with Avraham and he declared so in Bereishit, "*Ki yedatav l'maan asher yetzaveh et banav ...*"

We find the term *meisharim* mentioned again here. Rashi interprets it as ethical behavior beyond the letter of the law and cites two examples from the *Torah* about how one should treat enemies with humane kindness. If your enemies' animal gets lost in the field you must return it. Later on, we read- "Should you see the donkey that belongs to your enemy crouching under a heavy burden, you must help unburden him." This ethic is reiterated in Devarim, "*V'asita et hayashar* which demands *mentchlikeit* and the benefit of the doubt extended to all including our enemies. Ethic rises above and beyond 613 *mitzvot*. In fact, according to some of the great *Baalei Mussar*, it's a condition that comes before the acceptance of the *mitzvot*.

"Moshe and Aharon among His priests, and Shmuel among those who call in His name, would call out to Hashem, and He would answer them." Redak suggests that these great men who heard Hashem's voice through the clouds, who could be assured that their prayers were answered, nevertheless subjugated themselves to Hashem's ordinance even when they couldn't understand.