

B'S'D'
INTERNET PARSHA SHEET
ON NITZAVIM VAYEILECH - 5760

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"RavFrاند" List - Rabbi Frand on Parshas Nitzavim / VaYeLech

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissochar Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: Tape# 112, Shoteh: Mental Incompetence in Halacha. Good Shabbos! - Dedicated This Year Le'eluy Nishmas Chaya Bracha Bas R. Yissocher Dov - In memory of Mrs. Adele Frand

'Hakhel' Reenacts the Receiving of the Torah at Sinai

This week's parsha contains the mitzvah of 'Hakhel'. Once every seven years, following the end of the Shmita year, the King gathered all of Israel (who were already in Jerusalem to celebrate the Festival of Succos) and read to them portions from the book of Devorim.

The Sefer HaChinuch writes, concerning any person who neglects this mitzvah (for example a Jew who fails to attend or a King who fails to read the Torah) "...their punishment is very great, for this command is a fundamental pillar of the religion..."

One would probably not have assumed that Hakhel is such an important mitzvah. Hakhel is a positive command (mitzvas aseh) that is only performed once every seven years. We might have assumed that Lulav or Matzah or Tefillin or Krias Shma are more important mitzvos. Yet, regarding those mitzvos, the Sefer HaChinuch does not write "and their punishment is very great..."

What significance does the Chinuch see in this mitzvah? Rav Hutner, zt"l, in a lengthy introduction to a reprint of a sefer of the Ram"o (Darkei Moshe HaAruch) gives us an insight into what the mitzvah of Hakhel is really all about and why it is so important. Rav Hutner bases his thesis on two separate inferences from the Rambam.

The Rambam [Hilchos Chagiga 3:3] lists the sequence of the chapters in Devorim that were read at Hakhel: Read "From the beginning of the book of Devorim until the end of the parsha of 'Shma' [Hear Oh Israel]. Then read 'V-haya im Shamo' [And it will be if you will listen], followed by 'aser t- aser' [You shall surely tithe]. Then, continue in sequence until the end of the 'Blessings and Curses' until the words 'besides the Covenant which He entered into with them at Chorev' and then stop (u'posek).

Rav Hutner asks, why does the Rambam need to write the word "u'posek"? If the Rambam writes that we must read from here to there, specifying the last words, then obviously, that is where we stop. Why does the Rambam make a point of telling us "and that is where he stops"? [Rav Hutner's answer to this question will be explained together with his explanation of the second inference from the Rambam.]

Rav Hutner's second inference from the Rambam is as follows: The Rambam in Hilchos Chagiga [3:7] refers to Hakhel as "Yom Hakhel" [The Day of Hakhel]. This is a strange expression that is not mentioned in the Talmud. What is the Rambam trying to tell us?

Rav Hutner says that the essence of the ceremony of Hakhel is supposed to be the reenactment of ma'mad Har Sinai [the standing at Mt.

Sinai]. It is the reenactment of the Kabalas HaTorah [receiving the Torah]. The Accepting of the Torah is THE seminal event in Jewish History. We are to reenact Kabalas HaTorah every seven years in order to impress upon the people the importance of what Torah means to the Jewish People. We want the people to feel as though they have experienced another Kabalas HaTorah.

A few weeks ago, Baltimoreans celebrated the reenactment of the Battle of Baltimore, a seminal event in American history -- the composition of the Star Spangled Banner. For Baltimoreans, and for all Americans, that was a very important event. How does one commemorate that event? How does one make it live? How does one make future generations feel how important it was "that the flag was still there"? The answer is by reenacting it.

L'Havdil, we have something that is unbelievably important to us. That something is Kabalas HaTorah. We want everyone to relive that 'Standing At Har Sinai'. How do we do that? We gather everyone together and read the Torah.

That is why the Rambam says the word "u'posek" (the first inference). The words immediately prior to "u'posek" are "besides the Covenant He entered into with them at Horeb [Mt. Sinai]". We want those words to remain ringing in the people's ears! We want to conjure up lasting memories of Chorev, of Har Sinai. Therefore, the King must dramatically stop his reading right there. To read one more word beyond 'Chorev' would have diluted the impact, destroying the whole point of Hakhel.

That is also why the Rambam refers to Hakhel as 'Yom Hakhel' (the second inference). Rav Hutner points out that if we take away the vowels of 'Yom Hakhel' it is precisely the same letters as 'Yom HaKahal' [the Day of the Congregation] which the Torah repeatedly uses [Devorim 9:10, 10:4, 18:16] to refer to the ma'mad Har Sinai.

This is Hakhel -- the living and the reenactment of Kabalas HaTorah. Why? Because as Rav Sadyah Gaon tells us, "Our Nation is not a Nation except through Torah". For some, the idea that 'We Are A Nation Because of Torah' is a great novelty (chiddush gadol). There have been thousands and millions of Jews who have not always believed that. There have been Jews who have believed that we are a Nation by virtue of a land -- that without a land we are not a Nation. Says Rav Sadyah Gaon, "No; We are a Nation only through Torah."

There are some people who believe that we are a nation through our language. There were some people that believed that the key to the Jewish people was Yiddish -- Yiddish plays and Yiddish songs and Yiddish events. They are no longer around. The only people who still, in fact, read or speak Yiddish are the people that they thought would never make it.

There are a people who have thought that we are a Nation through our culture. No! Our Nation is not a nation except through Torah. That is what makes us a people. That is what binds us together. The Standing Together at Sinai; Accepting Torah; Learning Torah. The Torah, the mitzvos, nothing else. Not culture, not language, not history, nothing -- except Torah. This is what Hakhel tries to accomplish.

The Centrality of Torah

Now we must wonder... If the point of this mitzvah is to emphasize the centrality of Torah to the Jews, when would we expect to schedule this event which occurs once in seven years?

I'll tell you the year in which I would not schedule Hakhel. I would not schedule Hakhel immediately following the Shmita year. That is seemingly when we need Hakhel the least.

What did Jews do during the Shmita year? What happened to an agrarian society in a year when one could not plant or sow or harvest? Jews spent the entire year learning. That is what the Shmita year was all about. The Jews recharged their spiritual batteries, learning most of the day. There was nothing else to do.

So, after Jews have just finished an entire year of learning and they now recall the importance of learning -- is this the time when they need a Hakhel? Is this the time when we need to read the Torah to them? Is it not enough that they have been learning Torah for this entire year? Is now the time when they need to learn more?

There is a lesson in this. The lesson is that a person, who really loves something, can never get enough of it. One may have learned the entire year, but this -- G-d says -- is when I want you to learn more Torah; it is precisely now that you can learn the lesson that there is never such a thing as getting enough of Torah, or getting tired of Torah.

I hate to give this example, but come and see. "We toil and they toil..."

We know what happens in America on December 31 and January 1. People sit down and watch the first football game. They go to sleep, having just finished one game. Then they get up the next morning and they watch the first Bowl game of the day. Then by 12 o'clock they watch another game and by 4 o'clock another game. And then that night of January 1 -- there is another game! One has seen the Cotton Bowl, one has seen the Sugar Bowl, and one has seen the Rose Bowl. Who really needs the Fiesta Bowl?

And yet millions and millions of people, after having watched football for an entire day, want one more game. And people pay millions of dollars to advertise on that last game because they know that people will watch it! Why? The reason is because if one loves football, one can never get enough of football. If one really loves something, he can never get enough of it.

That is what Hakhel is all about. Hakhel says "Yidden! Torah is central to being a Jew. Our Nation is not a Nation without Torah. And we need to love it, to almost be addicted to it. Even if we have had a solid year of Torah, still we want another vort [Torah thought], another shiur, another kashe [question] and teretz [answer], we want more -- because Torah is so central to our lives."

At the time of the year when we think, "How can we make next year better?" there is always one area that is open to everybody: One can always find more time for learning. That is what the message of Hakhel is -- there can never be enough of Torah Learning; because it is so central, so vital, because Our Nation is not a Nation except through Torah.

Editor's Note: This shiur was originally sent four years ago. This year's shiur on Parshas Nitzavim / VaYelech is actually on the subject of Rosh Hashanah so it will be sent next week. Transcribed by David Twersky; Seattle, Washington twerskyd@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org

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From jr@sco.COM Thu Sep 25 22:02:59 1997 [From 1997]
Subject: Shiur HaRav Soloveichik on Parshas Nitzavim nitzavim.97

Shiur HaRav Soloveichik ZT"L on Parshas Nitzavim
(Shiur date: August 1972 Yarchei Kallah)

The first verse in Parshas Reay (Devarim 11:26) says: Behold I place before you today blessing and curse. The Torah continues and tells us that blessing will come if we observe the Mitzvos Hashem and curse will follow if we do not observe them. The Torah then relates the procedure of the ceremony that was to take place at Har Grizim and Har Ayyal

when they would enter the promised land.

Rashi comments on the first verse that the blessing and curse that is placed before them are those stated in reference to the ceremony that will take place at Har Grizim and Har Ayyal. This should be obvious, as the Torah tells us about the ceremony within the next few verses. What prompted Rashi to add this comment on the first verse?

In the introduction to the Tephila Zakah that we recite on the evening of Yom Kippur, the author says that Hashem has placed before us today life and good, death and evil. The author used this phrase to convey the concept that Hashem granted man Bechira (freedom of will). This verse is taken from Parshas Nitzavim (30:15). The author did not choose the verse form Reay to demonstrate this concept of Bechira. The reason is that, according to the author, the principle of Bechira is not formulated in Reay, but in Nitzavim. We now understand why Rashi added the comment about the ceremony at Har Grizim and Har Ayyal in Parshas Reay, in order that we should not interpret the verse in Reay as relating to the concept of Bechira. The notion of Bechira is not introduced, according to Rashi, until Parshas Nitzavim.

The Ramban rejects this approach of Rashi and says that the concept of Bechira is mentioned in both Reay and Nitzavim. [The Rav noted that Parshas Reay is Shabbos Mevarchim of the month of Elul. According to the Ramban this co-incidence is appropriate because Reay introduces the concept of Bechira which is the focal point around which Teshuva and Yom Hadin revolve.]

The Haamek Davar quotes the following Midrash on the first verse in Reay: when Moshe told the people that he is placing before them this day blessing and curse, the people responded with the verse from Lamentations (3:38-39): From the one on high does not come forth evil and good; why should man complain over his fate. Man is responsible for his actions; his problems are the result of his sins. This Midrash interprets the first verse in Reay as the Ramban, that it refers to the concept of Bechira.

The Ramban says that both verses, in Reay and Nitzavim, refer to Bechira. Rashi rejected this approach because it would mean duplication of the verses. The Rav presented two interpretations in order to explain why these verses relating to Bechira were not redundant according to the Ramban. [The Rav commented that though the homiletical value of the interpretation would be obvious, he still had some reservations about what he was about to present.]

In Reay the Torah refers to Bechira prior to sin. Moshe tells the people that blessing will come to you if you keep the Mitzvos Hashem. Be careful to hearken immediately to what I say and never involve yourself with sin. However, once someone has embraced sin, he must put forth a heroic effort to become a Baal Teshuva. There is a heroic element involved in doing Teshuva. To repent, to change a way of life and to achieve a rebirth requires not only a strong personality, but a giant. The flow of the verses in Parshas Nitzavim stresses this: And Hashem will circumcise your heart. Teshuva requires a change of personality, a circumcision of the heart. An insensitive, stubborn heart must be changed to one that is sensitive. This requires the personality of a giant. The Torah continues saying that this Mitzvah (according to the Ramban, the Mitzvah of Teshuva) is not distant from you nor is it in the Heavens. No matter how steeped in sin, no matter how successful you were in your sinful life, you can perform the great miracle of Teshuva. The Torah continues: Behold I have placed before you life and death: choose life. It is your decision. If you decide on life you can attain life.

These are the 2 types of Bechira that are mentioned in Reay and in Nitzavim. In Reay the Torah tells us about the Bechira to do the Mitzvos Hashem and not to sin. In Nitzavim the Torah tells us that we have the choice to repent after we have sinned.

The second interpretation, according to the Rav, was alluded to by the Haamek Davar. In Parshas Reay, Moshe demands that the people comply with the Mitzvos. They should observe Shabbos, Kashrus etc.

Some people will give in to their passions and transgress, but most reasonable people would come to the conclusion that it is better to live a pure life than a sinful life, and they would comply with the Mitzvos. Thus, in Parshas Reay, the Torah is not demanding anything superhuman from the individual.

In Parshas Nitzavim, The Torah requires the people to listen to what Moshe is commanding them, and to love Hashem. According to the Rambam in Moreh Nevuchim, Ahavas Hashem, love of Hashem, is the total dedication to Hashem. Whatever I do, whatever I say, must be dedicated to Hashem I may not relinquish this dedication for even the tiniest fraction of a second. This is a very high level and demanding standard. People may think that they can never hope to attain such a level. Moshe told them they can. Not only is Bechira effective in the area of accepting the performance of Mitzvos and to refrain from sin. It is also possible to use as the vehicle for attaining the highest levels of religious life, Dveykus, clinging, to Hashem and Ahavas Hashem, if man desires it.

The Rambam says (Teshuva 5:2) Every man has the potential to be a righteous person of the level of Moshe our teacher. One might think that attaining the same level of righteousness as Moshe, the greatest of all men, would be impossible. However through Bechira and dedication, it is reachable.

Hasidim say in the name of Reb Zusha Anapoler that when he passes on and appears before the heavenly court he will not be asked why he did not attain the level of Moshe Rabbaynu. Rather he will be asked why did he not attain the level of Zusha, to fulfill his potential. The Rav said that this disagrees with the above mentioned Rambam. According to the Rambam, since man has the ability to attain the level of Moshe, he will be judged by that standard. He will be judged by the degree to which he is a Davuk B'Hashem, how close he clings to Hashem and how he loves Hashem. This is up to man to decide, based on the Bechira of Parshas Nitzavim.

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Parshat Nitzavim-Vayelech
RABBI BENJAMIN YUDIN

Ezra legislated that the curses enumerated in Parshat Ki Tavo be read prior to Rosh Hashanah so that "the year may end along with its curses," the Talmud teaches. Nonetheless, Tosafot adds, we read Parshat Nitzavim on the Shabbat immediately preceding Rosh Hashanah to serve as a buffer, so that we do not go from curses directly to Rosh Hashanah.

I'd like to suggest an additional reason for reading Nitzavim before Rosh Hashanah. The Tur, in his commentary on Rosh Hashanah, writes, "Rabbi Chanina and Rabbi Yehoshua taught: Who is like the Jewish nation? Normally, one who is on trial for his life dons black, somber clothes, and does not shave or groom himself, because of the uncertainty of the verdict. In sharp contrast, however, Israel acts differently. They dress in white garments, and shave and groom themselves prior to their day of judgment. Moreover, they eat and drink and exhibit happiness and confidence on Rosh Hashanah, knowing full well that Hashem will provide a miracle on their behalf."

Where does this optimism come from? The Alter of Kelm explains that there are two levels of judgment on Rosh Hashanah. The Jewish nation is judged collectively as a people, and each person is judged individually.

Regarding our national verdict, we are assured that Hashem will always judge us favorably, for we read in Parshat Vayelech that the

Torah "will not be forgotten from the mouth of their offspring." The survival and continuity of our people is a continuing theme in the messages of our prophets. Torah and the Jewish people will survive, hence the optimism on Rosh Hashanah.

At the same time, each individual should experience fear and trepidation of the forthcoming day of judgment. His personal fate is less assured. How will he fare as an individual?

The Alter of Kelm points out that the first verse in Parshat Nitzavim addresses all of Israel: "Atem nitzavim hayom kulchem" You are standing here this day, all of you," Moshe declares to the Jewish nation. He then identifies the various groupings within the nation; everyone from "your elders" to "your water-drawers" is represented. All of these groups together make up kulchem of you.

Therefore, suggests the wise teacher, in order to insure personal survival, one should attach himself to the community by contributing to it. Just as in politics we are familiar with the "coattails effect" whereby lesser known candidates ride the crest of others' success, similarly as the community is granted success and pardon for the forthcoming year, one who is needed by the community will also be included in its success.

In the first paragraph of Shema we are commanded to love Hashem "with all your heart, with all your soul, and with all your resources." The latter is understood to include the talents and capabilities one has, which can be channeled to enhance the Jewish community. Share your knowledge with those who never got a Jewish education. Invite to your Shabbat and Yom Tov table those in need of companionship and religious direction. Contribute to the financial needs of Torah and chessed institutions in your community. Visit sick people in the hospital.

These contributions will not only provide meaning to others in your community, they may turn out to be your greatest merit on the judgment day of Rosh Hashanah.

"Can something be said on your behalf to the King?" the prophet Elisha asked the woman of Shunam, referring to his willingness to pray for her on Rosh Hashanah. She responded, "I dwell among my people."

This woman understood that being one of the people, sharing in communal growth and development, was her greatest achievement, and more valuable than the prayers of a prophet. May we learn from her example and embrace the power of kulchem. By becoming an integral part of the community we insure not only its survival but our own as well.

Rabbi Benjamin Yudin

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Nitzavim / Vayelech

Volume XIV, No. 50 23 Elul 5760 September 23, 2000 Today's Learning: Ta'anit 3:4-5 Orach Chaim 321:13-15 Daf Yomi (Bavli): Nedarim 66

Selichot

The following observations regarding the laws and structure of selichot, the extra penitential prayers which Ashkenazim begin to recite tonight (Motzaei Shabbat), are presented from the work Harerei Kedem by R' Michel Zalman Shurkin shlita, based on the lectures of R' Joseph

B. Soloveitchik z"l.

The origin for the recitation of selichot is the gemara (Rosh Hashanah 17b) which tells that after the sin of the golden calf, Hashem (so-to-speak) wrapped Himself in a tallit and taught Moshe "seder tefillah" "the order of prayer." Hashem said (the gemara relates), "Any time the Jews sin, let them do thus before Me and I will forgive them." (It was at this time that Hashem taught Moshe the Thirteen Attributes of Mercy.) Based on this, we may understand the ruling of R' Moshe Isserless z"l (the "Rema") that the one who leads selichot should be "the most worthy and the greatest in Torah study and good deeds who can be found." Since Hashem was (so-to-speak) the first chazan in the history of selichot, those who follow Him should be the most worthy individuals possible.

Because the gemara refers to selichot as "seder tefillah" - a term usually reserved to describe shemoneh esrei - it is customary to stand for selichot (or at least for the Thirteen Attributes of Mercy). The work Levush explains that this is also the reason that we recite "kaddish shalaim" (with "titkabbel") after selichot, although that kaddish usually is recited only after shemoneh esrei. Similarly, says R' Soloveitchik, this is why we begin selichot with praises of Hashem, just as shemoneh esrei begins with praise of Hashem.

Why are selichot recited at night? (Even the selichot recited every morning during the next week were intended to be recited before sunrise.) Rambam writes: "It is the way of repentance for the penitent to cry before Hashem with tears and entreaties." When is the time for crying? We read in Eichah (1:2), "She weeps bitterly at night." We also read (Bemidbar 14:1), "The people wept that night."

It is customary in many communities that the one who led selichot leads all of the prayers that day. Some commentaries explain: "When one begins a mitzvah, we tell him to finish it." This implies that selichot is not a separate mitzvah; rather, it is part of the day's prayers. If, for some reason, a person recited selichot but did not recite the day's prayers, he would not have fulfilled his obligation to recite selichot. (In this respect, selichot are analogous to ne'ilah on Yom Kippur, which is meant to be an "added" prayer. If one recited ne'ilah but had not recited any of the prior prayers, he would not fulfill the mitzvah of ne'ilah because his ne'ilah would not be "added.")

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Parashah Talk

Parashas Nitzavim

Excerpt from Darash Moshe, by Rabbi Moshe Feinstein

"See \int I have placed before you today the life and the good, and the death and the evil and you shall choose life" (Deuteronomy 30:15,19).

Why did Moses stress that he was placing these choices before the people today?

Perhaps this word's message is that each and every day of our lives, the same choices Moses described stand before us to be confronted anew. Certainly someone whose behavior has been improper until now is obligated to choose the path of good for the future. But even someone who has already chosen that path and remained firmly on it may not rely on his past performance to guarantee that he will continue to do good, and must make his choice afresh today and every day, because every day the path of evil and death also stands before him. Every day, therefore, he must once again consciously choose the good.

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Subject: SICHOT -47: Parashot Nitzavim-Vayeilekh

PARASHOT NITZAVIM-VAYELEKH

SICHA OF HARAV YEHUDA AMITAL SHLIT"A

"Needy and Destitute, We Knock at Your Door"

Summarized by Aviad Hacoen Translated by Gila Weinberg

(This sicha was originally delivered on motza'ei Shabbat Nitzavim-Vayeilekh, the first night of Selichot, 5750 [1990].)

The laws of Rosh Ha-shana in the Shulchan Arukh begin with a custom: We rise, during the final stages of night, and beg God for forgiveness. Sha'arei Teshuva, after criticizing people who recite the evening selichot before chatzot (midnight), adds an intriguing comment: "...on Motzaei Shabbat, the recital of selichot is FORBIDDEN until after chatzot, because of the holiness of Shabbat." A puzzling statement. Havdala has been recited, all work is permitted - why then is the recital of "viddui" (confession) still forbidden?

Perhaps we can divine the answer through the message of the midrash: "I am black and comely, daughters of Jerusalem" (Shir Ha-shirim 1:5). 'I am black' - on the weekdays. 'And comely' - on the Shabbat. 'I am black' - all year long. 'And comely' - on Yom Kippur. 'I am black' - in this world. 'And comely' - in the world to come."

Our personalities contain elements of Shabbat, of Yom Kippur, of the world to come. All is not dark. Bright spots within us abound: morality, spirituality, purity, "me'ein olam ha-ba." However, Chazal remind us, materialism, envy, hatred, lust and selfishness have their share in us as well. Elements of darkness and shadow exist in us alongside the bright glow of Shabbat. We are forbidden to confess our sins on Shabbat, because on Shabbat we are meant to develop and express our own Shabbat-like qualities.

The problem is that we tend to emphasize our bright spots, and to neglect our darker sides. The essence of viddui involves highlighting those deeds which require confession. While still immersed in the holiness of Shabbat, with the songs of praise still echoing in our ears, while the taste of Shabbat lingers on, we might fail to notice and consider those thoughts and deeds that we must confess.

Therefore, Sha'arei Teshuva maintains viddui may be recited only after chatzot on Saturday night, for fear that earlier we may yet be steeped in the aspect of "comeliness" of Shabbat, and blind to the element of "blackness" of the weekdays.

Our self-perception during viddui constitutes a central motif of the selichot. "Needy and destitute, we knock at your doors." Needy and destitute!

The Chassidim tell the story of a beggar who came to complain to his rebbe: "Master, how is this possible? When I come before you, you see me for only a few short moments, and yet so-and-so, the rich landowner, remains with you for over two hours!" The rabbi responded, "My precious son, when you come before me, I can immediately discern that you are a beggar. That rich landowner remained in my presence for two hours until I realized that he, too, was a beggar!"

There are times when man views himself as needy and destitute, and other times when he must search and examine himself for hours until he discovers that he is indeed needy and destitute. Outwardly, we have performed numerous mitzvot over the course of the year. Why then do we call ourselves "needy and destitute?" The actions have been accomplished; however, the spiritual worth of those actions is ultimately measured by the degree of awe and love of God which inspired their performance. This is the soul, the essence, of every mitzva.

If we examine all our actions based on their inner spiritual intensity, the results are often strikingly meager. Our state is comparable to that of a man who possesses a tremendous sum of money, however, the currency has become valueless. He is left with a pile of worthless papernotes. We are "needy and destitute" in a similar manner. We have performed mitzvot, but their ultimate worth is meager indeed.

In the Mussaf prayer of the high holidays, we say, "For the remembrance of all actions come before you, ma'aseh ish U-PEKUDATO." What does "u-pekudato" mean? The word should shake us to our foundations! It means one's role, his mission. Each person's mission in life comes before God. We must honestly examine whether we have fulfilled our God-given task.

One hundred thousand Jews have joined us in Israel this year, Jews who are Jewishly needy and destitute. Are God's demands of them equal to his demands of us?

According to the Rambam, God alone is versed in the act of weighing virtue against vice. For the most part, we yeshiva students have been fortunate enough to experience Torah and fear of heaven, belief in God and mitzvot, from infancy. We learned to keep mitzvot from our surroundings. Torah was

presented to us on a silver platter. We must discover the true worth of this tremendous investment!

This week, the yearly budget of one of the largest factories in Israel was published. The incoming revenue was twelve million dollars, and yet the overall balance concluded with a loss of nineteen million dollars. Why? The explanation is quite simple: the factory had debts to pay. So it is with us. Yes, we keep the mitzvot, but how much of the investment do we owe to others? How much is actually the fruit of our own labor? Moshe Rabbenu, the humblest of men, wrestled with this dilemma. Perhaps that simple Jew, crying out for his portion of meat, was on a higher spiritual plane than himself. He was not granted the life of luxury which Moshe took for granted in Pharaoh's palace. Perhaps, if this same Jew had grown up in Moshe's surroundings, he would also have reached the spiritual status of Moshe Rabbenu!

With all of our good deeds, are we not still needy and destitute? "Ma'aseh ish u-pekudato:" who can be sure what mission God has chosen for him, having been privileged to be raised here in Israel, and not in Russia? What are God's demands of you personally?

Thus, without doubts or illusions, we open the book of selichot and proclaim: "Needy and destitute, we knock at your doors. You, God, are righteous, and we are ashamed."

And yet - this very neediness and poverty of spirit can also serve as a source for God's mercy, if we are indeed aware of our spiritual emptiness, and reach the appropriate conclusions.

The midrash (Shemot Rabba 45:6) states: "I will spread all my goodness before you..." At that moment, God showed him all the treasures reserved for the righteous. He asked: Lord of the Universe, to whom does this treasure belong? To raisers of orphans. To whom does this treasure belong? To the masters of Torah. And to whom does this treasure belong? To those who honor the masters of Torah. And so on, for each treasure. He saw a treasure larger than all the others, and asked: To whom does this great treasure belong? He responded: He who has good deeds is paid accordingly; and to he who has none - I give treasures for free."

When a person approaches God with a sense of poverty, and says, "Lord of the universe, I have nothing. I come before you empty-handed" - this is a mainspring of mercy. However, our recognition of our spiritual poverty must be sincere. If we are indeed destitute of mitzvot, we must act. What are the conclusions and ramifications of this sense of emptiness? If the emotion is sincere, it can become the source of bounty.

Let me give you a word of advice for the days of judgment: We have said that mitzvot are measured by the degree of fear of heaven involved. The spiritual content and motivation are the essence of the mitzva. However, some mitzvot have intrinsic worth regardless of the doer's intentions. These are mitzvot between man and his fellow man. This is true to such an extent, that if a person gives charity "in order that [his] son will live," he is considered a totally righteous person.

The Talmud (Sota 46b) deals with the ceremony of "egla arufa" and the elders who declare: "Our hands have not spilled this blood and our eyes have not seen [tmurder]."

"Could we possibly imagine that the elders have spilled blood? [The meaning of the verse therefore is that the elders declare:] It is not the case that [the victim] came to us and we sent him away without food; it is not the case that we saw him but did not accompany him on his way.' R. Meir said, We coerce accompaniment, for there is no limit to the merit of accompanying someone, as it is written (Shoftim 1:24- 25): 'And the watchmen saw a man leaving the city, and said to him, show us the city gate and we will be kind to you... and he showed them the city gate.' What was the kindness? That they slew the entire city, and sent this man and his family to safety." That selfsame man, who showed them the gate, merited the building of the city of Luz, which was never destroyed thereafter, and to which the very angel of death was denied admittance. The Talmud concludes: "This Canaanite, who did not speak with his mouth or walk with his legs, saved himself and his family for generations. How much more worthy is the man who exerts himself to accompany another!"

And the Talmud adds:

"How did he show them [the gate]? Chizkya said, He signaled with his mouth. Rabbi Yochanan said, He showed them with his finger... Because this Canaanite pointed with his finger, he saved himself and his family for generations."

Chazal are trying to teach us something. When a person finds himself in strange surroundings, and someone helps him, even with the smallest thing, by simply pointing his finger - there is no greater mitzva than this.

Ours is a time with many strangers in our midst, who find themselves in

unfamiliar surroundings. Often, all the help they need is a finger to point them in the right direction.

According to Chazal, smiling at someone is equivalent to giving him a glass of milk to drink. This is true both in the yeshiva and outside. There are so many new students who are in unfamiliar surroundings, who have not yet made the yeshiva their home. Chazal tell us: There is no limit to the obligation to help these newcomers find their way, with practical advice and personal warmth.

None of us can be certain of his God-given mission in this world. We all must continue to search. However, one thing is clear: It is part of our role and obligation to help the newcomers in our midst.

If we are looking for points of merit to gather before the day of judgment, this is the easiest type to acquire. There is no need for lofty spiritual intentions - only for positive actions.

Needy and destitute, we approach God. We must make every effort to bring some merit with us. Each one of us must come with the sense of spiritual poverty, and accept upon himself to be better.

"God is close to all who call him, to all who call Him sincerely." With this firm belief, with confidence that God comes close to all who call Him with sincerity, we prepare to stand before Him. We approach the selichot to ask for mercy for ourselves, for all the Jewish people all over the world and especially for our holy land.

May God grant us a year of life and peace, in both material and spiritual spheres. May we be blessed with peace from our enemies without and tranquillity within, for ourselves and all of Israel, Amen.

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From: Yated-Usa [SMTP:yated-usa@yated.com] Yated Neeman Parshas Nitzavim: The Ultimate Chesed of Teshuva by RAV AHRON RAPPS

The main concept that permeates Parshas Nitzavim is the reality of the ultimate Teshuva of Klal Yisroel. The Posuk says "Veshavta"-and you will repent-which represents that as we come closer to "The End of Days," the phenomenon of Teshuva that we are experiencing will become more of a reality. Beyond the general concept that is promised in this Parsha, there also exists keys to understanding the ultimate Chesed of Hashem in creating Teshuva.

Rav Elchonon Wasserman, zt"l, in his sefer, Kovetz Maamorim, asks a profound question with regard to Teshuva. Basically, he doesn't understand why Teshuva is considered an immense Chesed that Hashem has bestowed upon us. We are taught that the Chesed of Teshuva is that regret over one's actions can wipe away those very actions. Physical reality cannot be altered, but with regard to the realities of the soul remorse can alter the facts. This is similar to the Halacha regarding the Din of "Toheh Al Harishonos." Namely, when one regrets the Torah and Mitzvos that one has performed, remorse about the good actions performed has the ability to wipe those actions away. So what is the novelty of Teshuva?

Rav Yitzchok Hutner, zt"l, in his sefer, Pachad Yitzchok, teaches us a "Yesod" in Teshuva, that he uses to portray the remarkable Chesed of the ability of remorse to wipe away one's Aveiros. The Posuk in the Parsha says, "Re'ay Nausati Lefaunecha Hayom Es Ha'chayim Ve'es Ha'tov Ve'es Hamuves Ve'es Harah"-See, I have placed before you today the life and the good, and the death and the evil. The Torah is establishing spiritual parallels. That which is deemed good by Hashem, Torah and Mitzvos, is compared to life. Those deeds which Hashem considers evil, Aveiros, are equated to death. If a person does an Aveira, then in a sense, he has now connected to that which is considered death. If a person performs a Mitzvah, then it is as if he has now connected to life. Since the Mitzvah relates to life, it becomes totally understandable why "Toheh Al Harishonos"-the Mitzvos cease to exist.

We all know that life depends on sustenance. The moment that sustenance ceases, is the instant that the life created, dies. Rav Hutner, zt"l, explains that the sustenance for the life created by the performance of the Mitzvah is the appreciation of the value of the Mitzvah. Therefore,

when one regrets the Mitzvos that one has done, he isn't valuing them, and hence, without Parnasa, they die. This is the natural order of things. But if a person has done a Chet, he has now related to death. Death, as we all know, needs no sustenance, and merely through Teshuva, regretting one's actions, we should not have the ability to wipe away those Aveiros.

It is here where we can now appreciate the unbelievable Chiddush of Teshuva. It is against natural law. When Mitzvos are lost, they are not being removed but rather they are dieing. There is nothing to keep them alive if you don't value them. But how is one able to remove a Chet? They aren't dieing, but rather they are being removed. In a sense, it can be considered a form of "Techias Hameisim," where that which is dead (Aveiros) can be uprooted to once again live. Where does the power to eradicate the physical reality of the Chet come from? It is this aspect that portrays the ultimate Chesed of Teshuva. Anyone involved in the Avodas HaTeshuva is privy to his own private Techias Hameisim. In Hashem's will to do Chesed, He has gone against natural law. He has simply removed a physical existence from being. He has given us the Chesed of Teshuva.

The days of Elul are unique in the respect that Klal Yisroel's complete focus is Teshuva. When we Daven, we are Davening for Teshuva, and when we reflect upon the spiritual quality of our lives, we are actually involved in the performance of Teshuva. These days are a serious time, when people have to delve into themselves and try to understand what they really are. All facades are gone, and to be able to truly evaluate one's existence requires much thought and a hefty dose of courage.

May Hashem give us the ability to clearly see the truth of what we are, and grant us the awesome power to actually change it.

From: riskin@lists.virtualjerusalem.com
[SMTP:riskin@lists.virtualjerusalem.com] Subject:[riskin] Shabbat Shalom: Parshiot Nitzavim - Vayelech by RABBI SHLOMO RISKIN
Shabbat Shalom : Parshiot Nitzavim-Vayelech (Deuteronomy 29:9-31:30) By Shlomo Riskin

Efrat, Israel -- "It's my nature to be jealous; it's part of my make-up to become angry and shout invectives; no matter what I do, I'll never be able to go on a diet and keep the weight off."

How often do we hear such statements from others - and even from ourselves! Such complaints are understandable enough, and certainly fit very well with a deterministic or Calvinist philosophy of life and religion. But Judaism, especially during this Elul period of Repentance leading up to Rosh Hashanah and Yom Kippur with their message of freedom of choice and ability to change, seems to be imparting a very different expectation of human nature. Is it really fair to ask individuals to do what may very well be beyond their ability to achieve? Do we really have the power to overcome our weaknesses?

My Rebbe and mentor, Rav Yosef Soloveitchik ztz"l, suggests a fascinating interpretation of the following verse (as well as of the entire contextual passage) in this week's Torah portion: "I bear witness against you this day the heavens and the earth: life and death do I set before you, the blessing and the curse. Choose life, in order that you and your seed may live." (Deuteronomy 30:29). After all, argues the Rav, we have already received the charge to choose commandment and blessing rather than transgression and curse some twenty chapters earlier (in the portion Re'eh), the Torah has already declared: "Behold, I give you this day a blessing and a curse: the blessing, when you shall obey the commandments of the Lord your G-d... and the curse if you do not obey the commandments." (Deuteronomy 11:26-28) Why does G-d present us with this choice again in the portion Nitzavim?

The Rav suggests that there are in actuality two separate experiences of choice, two different expressions of free will: one is the ability of the

individual to choose the correct path before he/she has sinned, and this is the interpretation of the first passage Re'eh; the other is the ability of the individual to accomplish that which is almost impossible, to go against his/her basic nature and choose the correct path even after he/she has succumbed to a character weakness and has already sinned - and this is the interpretation of the second passage in Nitzavim (see Doresh Tzion, Jerusalem 5760, pages 344, 345).

I would however go one step further in order to take into account the human difficulty in overcoming one's weakness. Indeed, our Torah portion in Nitzavim still presents the choice - and insists on the individual's power of freedom of choice -after he/she has already transgressed, "saying it will fare well with me even when I follow the (evil) stirrings of my heart" (Deuteronomy 29:18). But our Torah portion also adds one more dimension to the choice, which does not appear previously in Re'eh. While the individual is expected to begin the process of repentance, to start to re-direct his passions even after he has transgressed ("And you shall return to your heart among all the nations where the Lord your G-d has scattered you there, and you shall return to the Lord your G-d and obey His voice" Deuteronomy 30:1,2), G-d Himself -as if aware of the almost insuperable difficulty of changing one's nature and overcoming one's inherent weakness - will step in and complete the process on behalf of the penitent ("And the Lord your G-d will circumcise your heart and the heart of your seed to love the Lord your G-d with all your heart and with all your soul in order that you may live." Deuteronomy 30:6)

From the perspective of the Sacred Zohar, the mystical interpretation of the Bible, this is precisely the higher meaning - and the difference between Rosh Hashanah and Yom Kippur. Rosh Hashanah falls on the first day of the month of Tishrei, when the moon - symbol of G-d's light and grace - is hidden and barely visible (alma d'it kasia); the individual approaches the Synagogue with trembling anticipation, aware, when the moon is evolving and is glowing brightly in order to imbue the darkened skies with light and hope (alma d'it galia); the individual is then ecstatically reborn, cleansed, transformed and purified by the grace of Divine love and forgiveness.

Indeed, we repent again and again throughout the penitential prayers of the Day of Forgiveness the words of the Prophet Ezekiel: "And I shall sprinkle upon you the purifying waters and you shall be purified... and I shall give you a new heart, and a new spirit shall I place in your midst .." (Ezekiel 36:25,26)

With this understanding we can appreciate anew the enormous power of the Day of Forgiveness, the one time during the year when the Almighty grants us not only forgiveness, but also the renewed inner strength to overcome our inborn weaknesses and foibles. And so we may better understand the terse interpretation of Rav Menachem Mendel of Kotzk on the verse immediately following the command - as well as our ability - to repent after one has transgressed: "This commandment which I have commanded you today is not ... faraway from you." (Deuteronomy 30:11) Says the Kotzker, "It requires only one small turn" (Yiddish: nur ein klein dreier). What he apparently meant was that the penitent is only expected to make a change in direction, to turn his back on his temptations and begin to face G-d and His Torah. The penitent must merely take the first step; the Almighty will then give Him a hand to help him/her complete the journey. As we recite during the Closing Prayer: "Your right hand is extended to accept the penitent."

An individual once came to a Rebbe, bitterly complaining that he beat his breast each Yom Kippur for a litany of transgressions, only to continue to repeat the same sins all over again once the new year got underway. The Rebbe smiled sympathetically and walked the petitioner over to a window. "Do you see the baby playing in the yard? He is my grandson, just learning to walk; he continually attempts to get up only to fall on his face. Eventually, however, he will stand by himself. And if he will only cry out to his father, and turn to him for a helping hand, he can

shorten the process considerably!"

Shabbat Shalom

You can find Rabbi Riskin's parshiot on the web at:
<http://www.ohrtorahstone.org.il/parsha/index.htm>

Ohr Torah Stone Colleges and Graduate Programs Rabbi Shlomo Riskin, Chancellor Rabbi Chaim Brovender, Dean
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From: jgross@torah.org Weekly-halacha for 5760 Selected Halachos Relating to Parshas Nitzavim

BY RABBI DONIEL NEUSTADT

A discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

SELICHOS and EREV ROSH HASHANAH: Common Questions and Answers

QUESTION: May the Selichos prayer be recited at night before going to sleep or must it be recited only upon awakening in the morning?

ANSWER: Ideally, Selichos should be said at the end of the night, since that is an *eis ratzon*, a "time of appeasement." But it is permitted to recite Selichos anytime from midnight on. Before midnight it is prohibited to recite Selichos(2). Under extenuating circumstances ??if one cannot recite Selichos at any other time ??Selichos may be recited once a third of the night has passed(3). But this leniency should not be relied upon on a regular basis.

QUESTION: Must Birchos ha-shachar be recited before Selichos?

ANSWER: Birchos ha-Torah should be recited before Selichos(4). The other blessings need not be recited before Selichos, but may be recited then even though it is before *alos ha-shachar*(5). [If *Al netilas yadayim* is recited before Selichos ??as recommended by some poskim(6) ??one should be sure not to repeat it after Selichos from force of habit.]

QUESTION: Are women obligated to recite Selichos?

ANSWER: Since the recitation of Selichos ??even for men ??is not an obligation but an ancient custom which has been practiced for many centuries, we are not obligated to do more than what custom dictates. Customarily, women did not go to shul to recite Selichos. If they wish to do so, however, women may go to shul to recite Selichos, or they may recite Selichos at home. But the following rules apply when reciting Selichos without a minyan [for both men and women]: 1) When reciting E-l melech, some poskim hold that the words *Zechor lanu ha-yom bris shelosh esrei* are omitted(7). 2) The 13 *midos* are omitted(8). 3) *Machei u'masei* (recited towards the end of the Selichos) and any other segment which is in Aramaic is omitted(9).

QUESTION: Must a person who fasted [half a day] on erev Rosh Hashanah in the past, continue to do so every year(10)?

ANSWER: The Shulchan Aruch(11) writes that it has become customary(12) to fast on erev Rosh Hashanah(13). Many people, especially during their younger years, adopt this custom but find it difficult to maintain as they get older. The process for giving up fasting on erev Rosh Hashanah depends on how the custom was adopted originally. There are three possible cases: If the custom was accepted initially as a lifelong commitment, one must annul his vow.

If the custom was accepted initially on a year-by-year basis, no *hataras nedarim* (annulment of vows) is required.

If the custom was accepted initially without specifying the length of the commitment, then one follows the general principle that any proper custom which was accepted without a *b'li neder* stipulation, automatically becomes a *neder* and may not be dropped without *hataras nedarim*.

[Note that this halachic problem is not unique to the custom of fasting on erev Rosh Hashanah. Any proper custom, once accepted and followed, may not be dropped without undergoing *hataras nedarim*.

People who adopt even "simple" customs which they are not really obligated to practice, like reciting Tehilim daily or studying the *daf yomi*(14), without making the *b'li neder* stipulation, require *hataras nedarim* should they decide to discontinue their practice.

An exception to this rule is when one undertakes a practice which he thinks is obligatory, but later finds out that it is not. In that case, he may drop his practice without *hataras nedarim*(15). For instance, a person who ate *chalav Yisrael* butter only because he thought it was absolutely required, but later found out that this is not the case, may discontinue his practice without being *matir neder*.]

A possible solution to the problem of discontinuing a custom may be found in the concluding declaration that is recited after the *hataras nedarim* ceremony that takes place every year on erev Rosh Hashanah. The declaration states that "I cancel from this time onward all vows and oaths that I will accept upon myself... and that all of them are totally null and void, without effect and without validity." Harav S.Z. Auerbach rules that this declaration can also cover any proper custom that was undertaken without a *b'li neder*(16).

QUESTION: Can anyone be a member of the court for the purpose of annulment of vows (*hataras nedarim*)?

ANSWER: Any male adult(17) can be a member of the court, even if he is related to the other members or to the petitioner(18).

Three judges suffice for *hataras nedarim*. Some poskim prefer ten judges(19) and some insist on eleven(20), but it has become customary to have only three.

QUESTION: Must women officially annul their vows on erev Rosh Hashanah?

ANSWER: *Hataras nedarim* on erev Rosh Hashanah(21), even for men, is a custom, not an obligation. It was never customary for women to annul their vows on erev Rosh Hashanah, and there is no compelling reason to begin such a custom now.

Many men are accustomed to include their wife's vows at the time that they annul their own(22). *L'hatchilah*, a wife should appoint her husband to be her emissary for annulling her vows. If, however, she forgot to do so, her husband may annul her vows for her without being expressly appointed as her emissary, as long as he is absolutely certain sure that she wants him to annul her vows for her(23).

A woman who has a specific vow that she must annul should do so in front of a court of three judges. Although her father and brother [or any other relative] may be members of that court, her husband may not(24).

A daughter cannot appoint her father [or anyone else] to petition the court on her behalf (25).

For the annulment to be valid, the petitioner and the members of the court must understand exactly what is being said. A woman [or a man] who does not understand the published Hebrew text, should annul her vows in English(26).

Minors, even a boy over the age of 12 and a girl over 11, need not perform *hataras nedarim*(27).

FOOTNOTES:

1 O.C. 581:1 and Mishnah Berurah.

2 Mishnah Berurah 565:12. One who finds himself in a shul where Selichos are being recited before midnight should not recite the Thirteen Attributes along with the congregation; Sha'arei Teshuvah 581:1 quoting Birkei Yosef.

3 Igros Moshe O.C. 2:105. See Yechaveh Da'as 1:46, who advises reciting Selichos before Minchah as the better alternative.

4 Mishnah Berurah 46:27.

5 Rama O.C. 47:13. See Mishnah Berurah 31 who writes that *asher nass an la-sechvi binah* should *l'hatchilah* not be recited before *alos ha-shachar*.

6 Sha'arei Teshuvah 6:5; Aruch ha-Shulchan 4:5; 6:10. Chayei Adam 7:6 and Mishnah Berurah 4:4 and 6:9, however, recommend that it be recited right before davening, after using the bathroom.

7 Be'er Heitev 565:6; Mateh Efrayim 581:21; Kitzur Shulchan Aruch 128:9.

8 O.C. 565:5. It is permitted, however, to read them as if reading from the Torah, with the proper cantillation marks. See also Igros Moshe Y.D. 3:21 who allows them to be chanted to any melody, as long as it is different from the melody used in davening.

9 Based on O.C. 101:4, quoted by Mateh Efrayim 581:21. Even when reciting Selichos with a minyan, the Aramaic segments should not be recited unless there are ten men present in

the shul and at least six of them reciting this segment; Harav S. Y. Elyashiv (quoted in Nitei Gavriel, pg. 27).

10 If one is not feeling well, he is exempt from fasting on erev Rosh Ha-shanah. It is proper to mention this problem to the members of the court who are going to annul his vows on erev Rosh Hashanah after Shacharis.

11 O.C. 581:2.

12 Although Mishnah Berurah 16 writes that women also fast, this is not widespread today.

13 In most communities the fast is only for half a day, or until after Minchah Gedolah.

14 See Teshuvos Ohr ha-Meir 75 (Harav M. Shapiro), who remains undecided as to whether one may switch his study schedule from the study of daf yomi. See also Yechaveh Da'as 6:52, who rules that one who switches from studying the daf yomi to studying practical halachah does not need any hataras nedarim, since he is raising his level of learning.

15 Y.D. 214:1. See Igros Moshe Y.D. 1:47.

16 Minchas Shelomo 91 based on Teshuvos Salmas Chayim 2:38. See also Yabia Omer 2:30 and 4:11-9 who relies on this as well. [Although women do not customarily petition for hataras nedarim on erev Rosh Hashanah, as discussed later, it would be advisable for any woman to recite this declaration, even to herself, thus preventing questionable situations in the future.]

17 An adult is defined as being over thirteen if he has visible beard growth, and at least over eighteen if no beard growth is noticeable; see Magen Avraham, Shulchan Aruch Harav and Pri Megadim 39:1, and Chayei Adam 14:1. See also Beir Halachah 39:1, who is even more stringent. See also Shevet ha-Levi 4:54-4.

18 Y.D. 228:3.

19 Since vows which were undertaken during a dream can be annulled only by ten judges; see Mateh Efrayim and Elef ha-Magen 581:49.

20 Since a court should not be made up of an even number of judges; see Mishnas Ya'avetz O.C. 53.

21 If not done on erev Rosh Hashanah, it may be done anytime during the week, even at night (Y.D. 228:3), until Yom Kippur; see Mateh Efrayim 581:49.

22 This is the custom in Israel and other places. Harav S. Vosner is quoted (mi -Beis Levi, Tishrei, pg. 18) as dismissing this custom.

23 See Hebrew Notes, pg. 576-581, for an explanation of this halachah.

24 Y.D. 234:57.

25 Y.D. 228:16.

26 Chayei Adam 138:8; Kitzur Shulchan Aruch 128:16.

27 She'arim Metzuyanim b'Halachah 128:24. See Shevet ha -Levi 5:129-3. See Hebrew Notes, pg. 580.

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ABSTRACTS FOR TSC SHIURIM ON NITZAVIM / VA'YELECH
[SHIURIM BY MENACHEM LEIBTAG,
ABSTRACTS BY DAVID SILVERBERG]

PARSHAT NITZAVIM - abstract for shiur #1

Between Gan Eden and Eretz Yisrael

The conclusion of Parshat Nitzavim marks the conclusion of Moshe Rabbeinu's last speech to Bnei Yisrael in Sefer Devarim. His final words contain a powerful message for the nation on the brink of entry into the Land of Israel, a message that comes to life through a subtle but clear reference to Gan Eden: "See, I set before you today CHAYIM (life) and TOV (prosperity), MAVET (death) and RA (adversity). For I command you today to love God and walk in His ways and to keep His chukim u'mishpatim that you may thrive and increase and that God will bless you in the Land that you are about to conquer... Should you turn your heart (not listen)... I declare today that you shall certainly perish and not endure on the Land... that you are to conquer." (30:15-18)

The concepts of "chayim & tov" and "mavet & ra" were first introduced in the story of Gan Eden. The Torah describes the forbidden tree as the "etz hachayim" (the "Tree of Life") and the "etz hada'at tov vara" (the "Tree That Knows Good & Evil"), and Hashem declared death as the punishment for partaking of the tree. What does Gan Eden have to do with Bnei Yisrael's establishment of a nation in Eretz Yisrael?

Gan Eden represents the closest possible relationship with God, the potential for the greatest level of "life": closeness and intimacy with the Creator. However, this relationship requires an immediate association between "good" and "life" as well as between "evil" and "death." As emerges from both the Gan Eden story and Moshe's parting words to the people, a close relationship with the Almighty means greater accountability. Should Adam and Chava (or later Bnei Yisrael)

disobey Hashem's commandment, they are punished with "death" - banishment from Gan Eden (or Eretz Yisrael).

This explains why the punishment of "galut" - exile - is so prominent in the "tochecha" of Ki-Tavo and Nitzavim. Conversely, in this same section Moshe promises prosperity as a reward for proper observance of the mitzvot, just as God awarded Adam the luxuries of Gan Eden so long as he remained a loyal servant.. Chumash has thus come full circle, ending right at the point from where it started. Life in the garden - just as life in the Land of Israel - offers the opportunity for an intense relationship with God, but it therefore requires strict obedience to His mitzvot. For this reason, the "keruvim" guarding the path back to Gan Eden (Bereishit 3:24) do not bar reentry altogether. Rather, they preclude the possibility of undeserved return to the garden. The "keruvim" that hover over the ark in the "kodesh hakodashim" of the Bet Hamikdash (see Shmot 25:18-20) serve a similar function. They guard the "luchot ha'briit" - the tablets of the covenant, the symbol of the laws that we received at Har Sinai and the guidelines of our relationship with the Almighty. Whereas the Torah begins with the banishment from Gan Eden, it concludes with the opportunity granted to each and every one of us to find our way back in.

PARSHAT NITZAVIM - abstract for shiur #2

Moshe Rabeinu's final speech

Parshat Nitzavim contains Moshe Rabbeinu's concluding address to Bnei Yisrael. In our shiur we attempt to explain each section of this address and how it relates to TOCHACHA [rebuke] speech that preceded it (i.e. chapter 28).

After his opening remarks in 29:1-8, the first section of the speech (29:9-28) Moshe warns Bnei Yisrael concerning the binding nature of the covenant (detailed in the TOCHACHA) for ALL generations and of the catastrophic consequences should an individual (or group or tribe) attempt to 'break out' from that covenant.

The reason for this warning is quite simple. Because this generation must enter a new covenant, in addition to the covenant at Har Sinai, one might erroneously conclude, the "new" covenant is not binding upon subsequent generations. Furthermore, from the way that the TOCHACHA was worded: should you obey God, then you shall be rewarded... should you not follow his laws, you shall be punished.... - one could conclude that a third option may exist. One could say: don't give me any reward, and don't give me any punishment; basically just leave me out of the entire 'deal'. Towards this possibility God answers in this section: "don't even think about it..."

The next section (30:1-10), Moshe comforts the people, promising the availability of teshuva and ultimate redemption. This also follows from the 'bottom line' of the Tochacha. Bnei Yisrael may conclude that should they sin so terribly - to the point that God expels them from His land - they are no longer 'partners' in this covenant. Moshe reminds them that no matter how bad they will be, Am Yisrael will forever remain His nation, and ultimately they will return to Him and to the Promised land. In the next section (30:11-14), Moshe emphasizes that Torah observance lies within the reach of every individual. Once again, the apparent stringency of the TOCHACHA may lead individuals to conclude otherwise.

In the final section (30:15-20) Moshe summarizes this covenant, explaining how the people are presented with the choice between obeying ("life") or disobeying ("death").

The choice between "life" and "death" lies in no one's hands but their own. They can and must devote themselves to upholding the covenant, "for thereby you shall have life and shall long endure upon the soil that Hashem your God swore to your ancestorsB"

PARSHAT VA'YELECH - abstract

HAKHEL - the final mitzvah of Sefer Devarim

The mitzvah of "hakhel" (the public gathering and Torah reading once in seven years) appears in Parshat Vayelech suddenly and unexpectedly. Moshe has concluded his series of monologues of Sefer Devarim - as evidenced by the sudden shift to the third- person narrative at the beginning of Vayelech - and now makes his final remarks before his death. He hands over to the Levi'im the "official copy" of the Sefer Torah and charges Yehoshua with the responsibility of national leadership. Why does Moshe decide to add the mitzvah of hakhel specifically now, after he has completed teaching the people all the mitzvot of Sefer Devarim?

Should he not have included this mitzvah among the others laws relevant to the Bet Hamikdash (and shemitta), in Parshat Re'ay? The answer emerges from a closer look at the purpose and very nature of this special mitzvah. This gathering of the entire nation to hear the Torah - men, women and children, conducted "in order that they will LEARN and fear their God, and they will faithfully keep all the words of this TORAH" (31:12) serves to recreate the experience of Ma'amad Har Sinai. Recall as well that earlier, in Parshat Va'etchanan, Moshe had admonished

the people, reminding them: "B take utmost care ... NOT TO FORGET the things you saw with your own eyes so that they do not fade from your memory as long as you live, and MAKE THEM KNOWN TO YOUR CHILDREN AND CHILDREN'S CHILDREN - The DAY YOU STOOD BEFORE GOD AT HAR CHOREV ("ma'amad har sinai") when Hashem told me GATHER THE PEOPLE TOGETHER that I may let them hear My words..." (Devarim 4:9-11).

The mitzvah of hakhel helps ensure that Ma'amad Har Sinai, its eternal message and paramount significance, will never be forgotten. Note the numerous parallels between hakhel at that historic event. The people are "gathered together" to "hear My [=Hashem's] words," and the children learn and inculcate the ideal of "yirat Shamayim" (31:13). This assembly occurs on Sukkot, when the people come to the Mikdash to offer "olot" and "shlamim," just as these sacrifices were offered at the foot of Har Sinai at Matan Torah (Shmot 24:5). Just as Moshe read the Torah before the people at Har Sinai (Shmot 24:3-7), so does the king conduct a public reading of Sefer Dvarim at hakhel (Devarim 31:11 - see Rashi).

This, perhaps, may clarify the location of the mitzvah of hakhel. As Moshe entrusts the Sefer Torah to the Levi'im, charging them with responsibility of ensuring compliance to its mitzvot, he impresses upon them the need to recreate the experience of Matan Torah. Once in seven years, the nation comes together to reaffirm their acceptance of the Torah and unwavering devotion to its laws. They are reminded of their national destiny, to represent God before the other nation, and hence their obligation to keep His mitzvot.

The Midrash claims that every Jewish soul in every generation stood at Mount Sinai to receive the Torah. As members of the Jewish nation and eternal destiny, we were all included in that momentous revelation and acceptance of the Torah. The mitzvah of hakhel recognizes our everlasting connection to Ma'amad Har Sinai and thus serves to reinforce our awareness of the obligations ensuing therefrom. In the absence of the Bet Hemikdash, we gather in Batei Keneset and join together with the rest of K'lal Yisrael in our firm declaration of commitment to the ideals and laws charged upon us at Har Sinai.

From: shabbat-zomet@lists.virtualjerusalem.com Subject:
[shabbat-zomet] Shabbat-B'Shabbato: Nitzavim-Vayeilech 5760
NOTES ON IBN EZRA: THE BEGINNING OR THE END OF
SHEMITTA

BY RABBI URI DASBERG

"At the end of seven years" [Devarim 31:10], refers to the mitzva of "hakhel," gathering Bnei Yisrael. Ibn Ezra interprets this as, "the beginning of the year." That is, he feels that the mitzva should be observed in the beginning of the Shemitta year, during Succot (about two weeks from now). This is not the accepted halacha, which rules that "hakhel" is at the end of the seventh year, at the beginning of the eighth year. According to Ibn Ezra, the reading of the Torah during this ceremony should be linked to the beginning of this special year, when every man is free of obligations to the land and can devote all his time to studying Torah. And that is why the verse continues, "so that they will study" [31:12]. According to Ibn Ezra's "long" commentary on Shemot (20:8), Shabbat should similarly be considered as the beginning of the week and not the end. This gives a person an opportunity to store up the energy required to face the coming week.

Ibn Ezra brings a proof of this interpretation in his "long" commentary, Shemot 21:2, where we are taught that a Hebrew slave "should work for seven years, and go free in the seventh year." In Yirmiyahu, it is written, "Set them free at the end of seven years" [34:14] (using the same wording as in our verse in the Torah, "mikeitz sheva shanim"). As Ibn Ezra explains, "Every object has two ends ... sometimes the word 'keitz' refers to the beginning, and sometimes it means the end." In Yirmiyahu and with reference to Shemitta, the meaning is the beginning.

Ibn Ezra gives a similar explanation with respect to canceling loans on Shemitta, which is also described with the same phrase, "At the end of seven years" [Devarim 15:1]. Here again he feels that this refers to the beginning of the year and not the end. Thus, according to his ruling, we should write a "pruzbul" to avoid cancellation of debts this week and not wait another year.

The ROSH has an approach which seems somewhat similar.

According to this, the cancellation of debt occurs at the end of the Shemitta year, but from the beginning of the year it is already forbidden to make a claim for a debt. However, his source for this is evidently not "mikeitz," which he interprets as the end of the year, just as the other sages do. Rather, it is the verse, "Let him not pressure his colleague ... for it is called Shemitta for G-d" [Devarim 15:2]. When Shemitta has been declared, that is, at the beginning of the year, it is forbidden to make a claim.

According to the "Knesset Hagedola," Ibn Ezra and the ROSH both agree. In order to satisfy this opinion, some people write a "pruzbul" before the beginning of Shemitta, in addition to writing one at the end of the year. For example, on Friday, Chabad Chassidim will give a "pruzbul" to the "judges" at the ceremony of annulling their vows, saying or writing the following: I hereby transfer to you all debts owed to me, so that I will be able to collect them whenever I want to.