

BS"D

To: Parsha@YahooGroups.com  
From: crshulman@aol.com



## INTERNET PARSHA SHEET ON NITZAVIM VAYELECH - 5763

To receive this parsha sheet in Word and/or Text format, send a blank e-mail to [parsha-subscribe@yahoogroups.com](mailto:parsha-subscribe@yahoogroups.com) or go to [groups.yahoo.com/group/parsha/join](http://groups.yahoo.com/group/parsha/join) Please also copy me at [crshulman@aol.com](mailto:crshulman@aol.com) Old issues are now archived at [www.teaneckshuls.org/parsha](http://www.teaneckshuls.org/parsha) & at [www.onlysimchas.com/torah/](http://www.onlysimchas.com/torah/) For Torah links see [www.teaneckshuls.org/parsha/links.html](http://www.teaneckshuls.org/parsha/links.html)

---

Support Torah on the Internet. Please send donations to any or all of the following institutions. Thanks. Chaim

- Torah.org (Project Genesis), 122 Slade Avenue, Suite 203, Baltimore, MD 21208
- Dafyomi Advancement Forum, (Rabbi Mordechai Kornfeld), D.A.F., 140-32 69 Ave., Flushing NY 11367
- Ohr Somayach International, Attn. Internet Department, 1399 Coney Island Ave., Brooklyn, NY 11230
- Torah Web Foundation, c/o Judah Diamant, 94 Baker Ave, Bergenfield, NJ 07621
- Rabbi Riskin, Ohr Torah Stone, Executive Director North America, 49 West 45th Street, Suite 701, New York, NY 10036
- Aish HaTorah, American Friends of Aish HaTorah, 400 South Lake Drive, Lakewood NJ 08701-3167
- Yeshivat Har Etzion Virtual Beit Midrash, American Friends of Yeshivat Har Etzion, 160 Broadway, Suite #1000, New York, NY 10038
- Shema Yisrael Torah Network, POB 708, Lakewood, N.J. 08701
- Kerem B'Yavneh (Rav Mordechai Greenberg), American Friends of Yeshivat Kerem B'Yavneh, 6 East 45 Street, Suite 1405, New York, NY 10017
- Yeshivat Hakotel (Rav Nebenzahl & Rav Podolsky), P.O.B. 603, Jerusalem 91006 Israel
- OU Torah Insights, Orthodox Union, 11 Broadway, New York, NY 10004
- National Council of Young Israel, 3 West 16th Street, New York, NY 10011

- Many thanks to Michael Fiskus for helping distribute Internet Parsha Sheets in Jamaica Estates. Send donation to, Belz Institutions in Israel, c/o Michael Fiskus, 85-22 Wicklow Place, Jamaica Estates, NY 11432

- Also, stay tuned for special [www.onefamilyfund.org](http://www.onefamilyfund.org) campaign coming soon on [www.onlysimchas.com](http://www.onlysimchas.com) (web host of the Internet Parsha Sheet archives). OneFamily, 777 Passaic Avenue, 3rd Fl, Clifton, NJ, 07012

This is not an all-inclusive list. See individual divrei torah for other contact information.

---

From: [torahweb@zeus.host4u.net](mailto:torahweb@zeus.host4u.net)  
<http://www.torahweb.org/thisWeek.html>  
RABBI MORDECHAI WILLIG  
HANISTAROS LASHEM ELOKIENU

The hidden (sins) are for Hashem, but the revealed (sins) are for us and our children forever, to carry out all the words of this Torah (Devarim, 29:28). This climax of two lengthy descriptions of the curse which will befall Am Yisroel if it strays from Torah observance delineates the proper response of the observant community to individual sinners.

Hashem does not punish Am Yisroel for the hidden thoughts or sins of individuals. However, we are required to destroy the evil of revealed sins from our midst. Otherwise, the entire community

will be punished. This applies only after we became responsible for one another at Har Grizim and Har Eval (Rashi).

The sense of community, which began in earnest when we crossed the Yarden into Eretz Yisroel, demands a response to deviation from communal Torah norms. Beis din must punish violations of Torah law in the biblically prescribed manner of death or flogging.

At Har Eval, the entire people gathered and cursed twelve types of sinners, whose sins are typically committed in private. As a result, Hashem will punish the sinners, thereby sparing the community at large (Rashbam 27:15).

Failure to punish public sinners, or to curse private sinners, is construed as acceptance of these sins as a legitimate alternative to strict adherence to Torah.

This can cause widespread non-observance. Hashem punishes the people so that they restore communal religious discipline. Nowadays, beis din no longer imposes corporal punishment. Even Talmudic extra-legal measures to eliminate grievous offenders ("moridim") no longer apply. In Talmudic times, people realized that such offenders threatened the well-being of the community, and that their elimination was beneficial. Nowadays, such actions would be viewed as strong-armed thuggery and would be counterproductive (Chazon Ish Y.D. 2:16).

Similarly, cursing wrongdoers would backfire in today's world, when even the more recently practiced cherem has fallen into disuse. In an open society, these curses would not deter potential sinners and would only yield more hatred within our people. Moreover, the majority of those who violate Halacha do so out of ignorance, and are not included in the biblical curses (Ramban 29:28).

How, then, can we maintain our own limited community in a postmodern world which denies absolute truth, at a time when punishing and cursing wrongdoers are not viable options?

First, we must make Torah life exciting and attractive. We can no longer take observance for granted in an open global marketplace of competing ideals and values.

Second, we must adapt the biblical precedent of proclaiming sinful activity as unacceptable. While we can no longer punish or curse offenders, we can, and must, excoriate sinful activity. We must distinguish between the person and the action.

The primary purpose of proclaiming sinful behavior and heretical doctrine as such is the preservation and strengthening of the existing Torah community. The formulation of timeless principles in a trendy world has the additional benefit of proclaiming the essence of Torah Judaism before the entire world. After all, all of the nations (29:23, 24) talk about us and our covenant with Hashem.

Finally, a clear and unapologetic articulation of the Torah's boundaries and its intolerance of deviationist practices projects the image of a serious religious commitment to Jews who are searching for true meaning. "The hidden for Hashem" refers to assimilated Jews as well (Rashi Tehilim 87:6), and we do His work by teaching uncompromising eternal law, even as we show appropriate compassion and understanding for the "tinokos shenishbu" whose kiruv we crave (Rambam Hil. Mamrim 2:2). Hanistaros - evil thoughts (Rashi) and deeds (Rashbam) hidden from the public, sins that are unknown to those who commit them (Rambam), and assimilated Jews - lashem Elokeinu. Let us learn and fulfill our responsibilities for nistaros and niglos - to carry out all the words of the Torah.

---

RABBI ELI SHULMAN  
YOUNG ISRAEL OF MIDWOOD  
[www.yimidwood.org](http://www.yimidwood.org)

[Drasha from last year by Rabbi Eli Shulman ]  
Parshas Nitzavim - Valelech 5762

The Gemara in Megilah 31 says, why do we read the Klalos of the Tochacha - the terrible predictions of calamity in parshas Ki Savo right before Rosh Hashana? "Kidei shetichale shana uklaloseha", in order that the klalos of the past year come to an end, together with the year itself.

Certainly at the close of this very difficult year for the Jewish people, that is a sentiment that we can all echo.

Actually there is an obvious difficulty, which is raised by Tosafos. We read the klalos last week, in Ki Savo Today is the last Shabbos before Rosh Hashana, and we read Nitzavim. If we want to read the Klalos at the end of the year, then today would be the time to read them.

We have to understand: How does reading the Klalos help to bring them to an end? Is this just a pious sentiment, a wish? There is a joke about patient who comes to doctor - what's wrong with me? You have a virus. Aveiros? I know I have Aveiros, but what's wrong with me?

The truth is that this joke expresses a deep truth. One of our most basic beliefs is that everything that happens in this world - the joyous, and the tragic - is ultimately the result of Hakadosh Baruch Hu's providence, and His Mishpat. We don't always understand that Mishpat, and we don't know all the rules by which it operates. But even in the face of tragedy we affirm Tzidkascha Tzedek, that HKB"H is just, and it is His Mishpat at work in the world.

The Gemara in Sanhedrin 96 relates that when Nevuchadnezar destroyed the Beis Hamikdash he was proud of his accomplishment. A Bas Kol laughed at him and said: "Ama Kitila Katlas, Heichalah Kalya Kalis" - the people you killed were already dead, the Beis Hamikdash you burned was already destroyed. The ultimate cause of their death and its destruction was the Gzar Din in Shamayim, and you had only the dubious privilege of being the instrument.

Our enemies today have no more power to harm us on their own than did Nevuchadnezar, long ago. Without an express decree Min Hashamayim they would not have the power to harm even one hair on a Jew's head. And therefore as we approach the Din of Rosh Hashana we have to realize that that everything that our people have undergone - all of the Klalos that Klal Yisrael has experienced this past year - were conceived - not in the minds of our enemies - but in the Mishpat of Hakadosh Baruch Hu, and in the Din that took place on Rosh Hashana one year ago, when the books of Mishpat last lay open.

And here, lies the meaning of Techaleh Hashan Uklalosehah. This is why we read the Tochachah before Rosh Hashana: To remind ourselves that the Klalos we experience are not random events, but pages out of the Tochachah, part of the Mishpat of Hashem.

That is the lesson of the Tochachah and of Parshas Ki Savo, which we read last week: That what happens to our people, both the good things and the bad, are part of the Mishpat of HKB"H, who is Melech Hamishpat. And that is a lesson we need to remember before Rosh Hashana

But there is another important lesson to remember, and that is the lesson of this weeks Parsha. And that is that the purpose of all this Mishpat, the purpose of the Brachos and likewise of the Klalos, is ultimately to bring us back to HKB"H. As we read today: "Viyaha Ki Yavou Alechah Kol Hadvarim Haeleh Habrachah Vihaklalah... Vishavta Ad Hashem Elokechah."

Here, I would suggest, lies the answer to Tosafos's question: Why, before Rosh Hashana, do we read not only Parshas Ki Savo, which contains the Klalos themselves, but also Parshas Nitzavim.

The answer is that Nitzavim is the parsha of Teshuvah, and it is through Teshuvah alone that the Tochachah achieves its purpose.

It is Parshas Nitzavim which gives meaning to Parshas Ki Savo, and it is our Teshuvah alone, that can give meaning - and closure - to the Klalos we have experienced this past year. The more we realize that, the deeper that realization goes - the more the Tochachah achieves its end, and so the more likely that the Klalos can come to closure. And that is the real meaning of Techaleh Hashan Uklalosehah.

This past year has been one of the worst - perhaps the worst - that the Jewish people have experienced in half a century. It has seen hundred of Jews in Eretz Yisrael murdered, thousands maimed, whole families wiped out. It has seen a virtual explosion of anti-semitism around the world. In England, a respected Oxford professor - who broadcasts for the BBC - suggests that Jews who move to Israel should be taken out and shot, and his comments are considered by the intellectual establishment to be well within the pale of academic discourse. And at the same time a member of Parliament says in public that the Jews have it coming to them, and finally we can say it out loud. And in this climate, Jews in Europe are once again afraid to walk the streets. And, of course, the terrible events of September 11th. And because of that event, we too now live in the shadow of terror. As we stand at the brink of the Yamim Noraim, on this day of Erev Selichos, we need to take these lessons to heart. These are not distant events. The people in Eretz Yisrael are our friends and relatives, our parents and siblings and children. The people who perished in the WTC were our friends and neighbors. The Klalos are very real and very close.

Our response must be that which is spelled out in the Parsha today: Batzar Licha Umatzaucha Hadvarim Haeileh ... Vishavta Ad Hashem Elokecha. We have to look into ourselves and our own lives and take stock, both individually and as a Kehilah. We have to ask ourselves seriously: What can I do, what can we do, to come close to the Ribono Shel Olam? How can we do Teshuvah?

Of course, teshuvah is a very broad concept. Perhaps too broad. It's very hard to even begin to get a handle on it. But perhaps we can use a lesson that R' Yisroel Salanter used to teach. R' Yisroel used to say that a person should choose one area, one specific issue, and focus on that. Just one thing. But that has a ripple effect. Because all of life is connected, all of Judaism is connected. And if we can improve one part, then that will effect the whole.

I would like to suggest, therefore, that we as a Kehilah should try this coming year to work on that one area which is, of course, most central to a shul, namely Tefilah. That, at least, is something specific. Let us try together to find ways to make our davening better; more serious, more heartfelt, more intense. And let us try together to find ways to minimize those things that detract from our davening...

So we pray that, indeed, Techaleh Shana Uklaloseha, these troubles will come to an end, and we will merit a Shana Tova Umesuka for ourselves and for all of Klal Yisrael.

---

From: RABBI YISSOCHER FRAND [ryfrand@torah.org] Sent: September 18, 2003 12:53 AM To: ravfrand@torah.org Subject: Rabbi Frand on Parshas Nitzvim-Vayelech "RavFrand" List - Rabbi Frand on Parshas Nitzavim-Vayelech

-  
Talmud In Chagiga Anticipates Recent Scientific Study Parshas Vayelech contains the mitzvah of "Hakhel", the gathering of the entire nation to the Beis HaMikdash at the conclusion of the

seven year Shmitah cycle. During "Hakhel," the King would read the Torah to the entire congregation. The Torah states [31:12] "Gather the nation -- the men, the women, and the children..." The Talmud questions the purpose of one of the details of this mitzvah [Chagiga 3a]: Granted, the men come to learn Torah and the women come to hear the Torah, but why do the children come? Are the babies going benefit from the experience of "Hakhel"? The Talmud's answer is "in order to bring reward to those who bring them."

In past years we have offered a number of interpretations into this concept of "bringing reward to those who bring them." The Torah is not suggesting that we "bring along a 50 pound sack of potatoes." Even though such a command would make the trip more difficult, and perhaps engender greater reward for those who would nevertheless undertake the trip, the Torah the Torah had other intentions when it instructed us to even bring along the children.

The Nesivos explains the command, putting it into the context of the general rule that the Torah's laws are laws of pleasantness [Succah 32a based on Mishlei 3:17]. If the entire Jewish nation were commanded to come -- both the men and the women, then this would include all the babysitters as well. So what would happen to the children? Obviously they would have to be brought along regardless of whether they were included in the Mitzvah or not. Once they had to come anyway, the Torah made it into a Mitzvah to give reward to those who bring them.

The Sefas Emes said that exposing a child to the ceremony of Hakhel -- even a child who does not understand the learning and does not fully grasp what is going on -- has an indelible impression on the child. Why do we bring the children now? Because in the future the parents will reap the rewards of children who they can be proud of by virtue of the fact that they exposed their children to such an environment even at a young age.

The Talmud [Chagiga 3a] cites an incident involving Rav Yochanan ben Beroka and Rav Elazar ben Chisma who went to greet Rav Yehoshua in Pekiin. Rav Yochanan ben Beroka asked them, "What new teaching was taught in the Yeshiva today?" They deflected the question by responding, "We are your students and we drink from your waters". Rav Yehoshua persisted, "Nevertheless, there is never a session in the Beis Medrash without something new being taught. Whose turn was it to lecture this week?"

They responded, "It was Rav Elazar ben Azariah's turn". Rav Yehoshua asked, "And what was his topic?" They responded, "The law of Hakhel". Rav Yehoshua pressed them further, "And what did he expound regarding this law?" They related the above referenced teaching (What purpose was there in bringing the children -- to bring reward to those who bring them). Rav Yehoshua then chastised them, "You had this precious pearl in your possession and you tried to hide it from me."

Regarding what was Rav Yehoshua so perturbed? Why was Rav Yehoshua so upset that they did not blurt out the teaching to him right away? Why did he call it a precious pearl? Why did he find it so enchanting?

The Talmud Yerushalmi in Yevamos [1:6] says that Rav Yehoshua's mother used to bring his crib to the Beis HaMedrah [study hall] so that the young infant's ears would absorb the words of Torah spoken there. This is why Rav Yehoshua was so excited regarding the teaching regarding the reward given to those who bring their young children to the Hakhel ceremony. "Now I know what my mother did for me. When she took me as a baby in the carriage to the Beis HaMedrash and I merely heard the sounds of learning -- that already had a lasting impression on me. I now know that I can credit my mother's actions for the fact that I am a Talmid Chochochom today."

In the September 26, 1997 edition of Science Magazine, a study was published about the effect of reading to an eight month old infant. Parents are cautioned to "watch their language" in front of the crib. Even to an eight month old baby, words make a difference. The study involved repeating words over and over at the crib of the infant. The data showed that there was subsequent recognition of those words, as opposed to other words. The point of the study was that it is very important to read to children when they are young, even though it might seem that they are not grasping what is being read. It does make a difference. This contemporary study from Science Magazine was already anticipated by the Talmud in Chagiga -- "Why are the children brought? To bring reward to those who bring them." Exposing a child to the ceremony of Hakhel leaves an indelible impression that will last a lifetime.

### Stop and Stand

At the beginning of Parshas Nitzavim, Moshe gathered together the entire nation: "You are standing today, all of you, before the L-rd, your G-d" [Devorim 29:9]. Rashi explains that the reason for this ceremony was that the mantle of leadership was now being transferred from Moshe to Yehoshua. The Jewish people were facing a "changing of the guard". Similar national convocations were held, respectively, upon the retirements of Yehoshua and Shmuel.

The entire nation is gathered and told, in effect, that a new day has dawned. This is a tradition we find repeated a number of times in Tanach. Rav Eliya Meir Bloch has two insightful points on this Rashi. First he comments on Rashi's expression "assah osam matzeivah" [he made them stop and stand -- 29:12 d.h. Hayom]. What was the purpose of Moshe gathering the people for a standing convocation? He could have simply sent out messengers throughout the camp to convey the message.

The point is that one of the biggest shortcomings in our Service of G-d, is that we do not "stop and stand". We never take stock. Life is extremely hectic. We get into routines. We get up in the morning; we go through our day; we go to sleep at night. We never inventory our actions and our accomplishments.

By gathering the nation to one spot at one time, Moshe was emphasizing to the people "Ladies and Gentlemen, this is a seminal event. Something is happening over here. When something 'happens', it is important to stop and take stock."

This is really the gift and the beauty of the Yomim Nora'im [High Holy Days]. Shabbos has a profound practical effect on the lives of those who observe it. Shabbos is a break in time. If not for Shabbos, there would never be any stop in our lives. Shabbos allows us to "stop and take stock". What Shabbos is to the week, the High Holy Days are to the year. The High Holy Days are a "Stop" -- a break in time to ask ourselves the question "Where are we holding?"

If we did not have this break in time, we could go through decades without contemplation. We would just keep going, non-stop, year after year like a little gerbil that keeps on running round and round and round.

This is the meaning of Rashi's comment, "You are standing" -- he made them stop and stand still (asah osam matzeivah). Something dramatic is happening here. In order to appreciate what is transpiring, it is necessary to stop and stand still for a moment, take stock, and absorb the significance of the moment.

### The Beginning of a New Era

The second point that Rav Eliya Meir Bloch makes is that the transfer of power from Moshe to Yehoshua (and then from Yehoshua to his successors and from Shmuel to his successors) had the potential for a terrible deterioration. After all, Yehoshua

was not Moshe Rabbeinu. Yehoshua was a great person in his own right but "the face of Moshe was like the face of the sun and the face of Yehoshua was like the face of the moon" [Bava Basra 75a]. Yehoshua paled in comparison to Moshe Rabbeinu.

At the time of this transfer of power, there was a potential for great decline in the spiritual level of the people. Moshe told the people: It does not need to be like that! Yes, it is the end of an era. But at the same time it is the beginning of a new era and beginnings are extremely important. Beginnings give people an opportunity to say "I want to start over".

I teach for a living. It is an amazing thing. The break in the Yeshiva school year is only about four or five weeks long. But in that brief period an amazing transformation takes place. I can remember saying shiurim in July, after 10 months of the school year. The attention span has waned somewhat. The students are not as interested. Five weeks later, I am basically saying the same caliber of shiur. I have not had a metamorphosis and turned into the greatest Talmud lecturer that ever walked the face of the earth. And yet, everybody is interested. Everybody is keen. Everybody is taking meticulous notes. Everyone is on time in the Beis Medrash. It is not necessary to coax anyone to pay attention. Things are terrific! What happened during these four or five weeks? It is an amazing sight!

What happened is that a new year began -- a new school year. Yes, this fellow might have had trouble last year. He might have had a tendency to waste time last year. He might have had a totally negative experience last year. But now is a new beginning. New beginnings offer people hope.

This is what Moshe Rabbeinu was telling the Jewish people. "I am giving you over to a new leader. Everyone now has a chance to start over. Everyone has a chance to begin afresh."

After Adam ate from the Tree of Knowledge, the pasuk says, "And now (v'ata) lest he send forth his hand and eat of the tree of life..." [Bereshis 3:22]. The Medrash says that this teaches that G-d opened the approach for repentance for Adam. The Medrash derives this insight from the word "v'atah" [And now]. The Medrash says that the word "v'atah" always represents repentance.

What does "Now" have to do with Repentance? The connotation of 'Now' is that there is a new beginning. What was then, was then. This is 'Now' -- a fresh start.

This is the beauty of the new year. What was is in the past. This past year might have been less than we expected it to be. Maybe it did not turn out as we had wished. But let the old year and its curses be done with. The Talmud says [Megillah 31:b] that we always read Parshas Nitzavim in the old year, to make sure that mention of curses be related to the old, not to the new. Let the new year begin with only hope and potential for blessing, for repentance and for good deeds.

Transcribed by David Twersky; Seattle, Washington  
DavidATwersky@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 429, Treatment of an Invalid Sefer Torah.

Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. RavFrand, Copyright © 2003 by Rabbi Yissocher Frand and Torah.org. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. learn@torah.org

From: Yeshivat Har Etzion Office [office@etzion.org.il] Sent: September 18, 2003 To: yhe-sichot@etzion.org.il Subject: SICHOT63 -44: Parashat Nitzavim-Vayeilekh Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash (Vbm) Student Summaries Of Sichot Of The Roshei Yeshiva Parashot Nitzavim-Vayeilekh SICHA OF HARAV YEHUDA AMITAL SHLIT"A "Your Tribal Heads, Your Elders..." Adapted by Dov Karoll

You stand this day, all of you, before the Lord your G-d: your tribal heads, your elders and your officials, all the men of Israel.

Your children, your wives, even the stranger within your camp, from woodchopper to water-drawer. To enter into the covenant of the Lord your G-d, which the Lord your G-d is establishing with you this day.... (Devarim 29:9-10) Rashi (s.v. zikneikhem) states that the Torah intentionally lists the more important people first, before moving on to the rest of Israel. But shouldn't we be calling the whole nation together as one, with unity? Apparently, even when everyone is called together, those who have greater status bear a greater responsibility. More is expected of the leaders than is expected of the simple Jew. Similarly, more is expected of a person who has studied Torah than of someone who has not.

The Shulchan Arukh (Orach Chayim 565:6) rules that you are not allowed to publicize that you have fasted, for this is unwarranted bragging about your religiosity, and one who does so will be punished. The Be'er Ha-gola (565:30) cites the Yerushalmi (Chagiga 2:2, 11a) [quoted by the Tashbetz 105] as the source for this ruling.

The Yerushalmi tells a story of two chasidim, righteous people. One of these chasidim died, and few people attended his funeral. A short time later, the son of the tax collector died, and the whole city attended that funeral. The surviving chasid was bothered by this phenomenon. The chasid who had passed away appeared to his friend in a dream, informing him that this discrepancy was really justified, for he was punished for a wrongdoing, and the son of the tax collector was being rewarded for a good deed.

What were these deeds? The chasid had once reversed the order of putting on the tefillin, placing the shel rosh, head tefillin, before the tefillin shel yad, hand tefillin. And the son of the tax collector, even though he did not observe mitzvot, once did something good. What was it? There are two versions. The first is that once he made a large feast; when his guests did not turn up, he gave the food to the poor, rather than throw it out. Alternatively, once he dropped a loaf of bread and a poor person picked it up, and he let the person keep it.

A few days later, the chasid who had passed away appeared again in his friend's dream. In the dream, the chasid beheld a woman, "Miriam the daughter of onion leaves," whose ear was on the border to Gehinnom, and was continually crushed by the opening and closing of the door to Gehinnom. What did she do to deserve such a punishment? She used to fast and tell people about it. Alternatively, she used to fast for one day and tell people she had fasted for two.

How long would she be there? She would remain on the border of Gehinnom until the passing of Shimon ben Shetach (the Nasi, head of the High Rabbinic Court); when he died, he would take her place. What did R. Shimon do to deserve such a punishment? He promised that if he were to become the Nasi, he would get rid of the cave of witches from Ashkelon, and he did not do so. The chasid who passed away then charged the chasid still alive with informing Shimon ben Shetach of this ominous punishment that awaits him if he does not act on his

promise. The chasid did not want to challenge the Nasi, but he was told that he must do it, and he was given a sign to perform if the Nasi did not accept it. So he went and told this to Shimon ben Shetach, who immediately accepted it. Shim'on ben Shetach recognized the man to be a chasid, because he had never told anyone that he intended to carry out that plan, but rather had only thought it in his heart. The Gemara concludes that Shim'on ben Shetach proceeded to deal with the problem.

What do we see in this Gemara? More is expected of a person who is of higher status. This we see both with regard to the first chasid in contrast to the son of the tax collector, as well as with regard to Shim'on ben Shetach.

But what else do we see? Why is the woman called Miriam the daughter of onions? Most fruits have a kelippa, a peel, under which you find the fruit. But with an onion, when you get past one peel, you have another peel, until you get all the way to the bottom. Similarly, a person who is interested in people knowing about his religiosity cares more about the impression he makes than about his actual depth of worship; he is more concerned about people seeing his religious acts than about actually performing them.

We must strive to focus on serving G-d, rather than focusing on how people will view us. Our goal must be religiosity without arrogance. Shim'on ben Shetach was judged for being proud internally, without telling anyone about it. Nonetheless, given his level, he was judged severely.

Once, when I was in America with my wife, I attended a sheva berakhot of the grandson of someone we know from Israel.

Someone got up to speak about the other side of the family, and spoke very highly of them. My wife told me that I must say something nice about the family we know. So I got up and spoke about the grandfather, an old Chasid working in Tel Aviv, dressed in full Chasidic garb. He was a truly good person, but allowed himself to be treated like a "shmatteh." He did not demand any respect for himself. When I sat down, my wife told me I had failed at praising the family. For these people, praise would be saying that he was the president of an organization, or something that commands respect. To say that he thought of himself as a "shmatteh"? What kind of praise is that?

May we be merit to come before G-d without any arrogance, bringing ourselves before Him with the proper humility and rising to the demands upon us, and merit a ketiva va-chatima tova, lanu u-le-khol Yisrael.

[This sicha was delivered at se'uda shelishit, Parashiyot Nitzavim- Vayelekh, 5762 (2002).]

If you have any questions, please write to office@etzion.org.il TO SUBSCRIBE send e-mail to majordomo@etzion.org.il with the following message: subscribe YHE-SICHOT Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash is on the world wide web at <http://www.vbm-torah.org>

---

From: owner-peninim@shemayisrael.com Sent: September 18, 2003 5:16 AM

PARSHAS NITZAVIM

PENINIM AL HATORAH

RABBI A. LEIB SCHEINBAUM

And you shall choose life. (30:19)

A poor man came to a businessman and asked for a loan: "I need one hundred dollars, and I am willing to pay seven percent interest on the loan. There is one stipulation, however I can only pay you one dollar a week," said the poor man. "I appreciate your situation, but I cannot help you," the businessman responded. "I must be paid all at once, not in installments." Understandably, the poor man left quite upset. The businessman's associate who witnessed the entire proceedings wondered why his friend would throw away an opportunity in order to make a quick profit.

The businessman explained that in the end all he would have left is one dollar. When he has pocket change lying around, he tends to spend it. If he would take his payment in installments, he would quickly deplete the money and have nothing left.

The Lubliner Maggid, zl, explains that the same idea applies to life. We are here for a short duration: seventy, eighty years, or more. These years are not granted to us in one lump sum, but day by day, week by week, month by month, year by year, until we are suddenly called back to return our soul to its Maker. At any moment in time, our past is long gone, our future is unsure and our present is, at best, fleeting, gone before we know it. Regrettably, man's nature is to ignore his life until his last moments when he has very little time left. He looks back to his past and it is gone, the present is going quickly and the future is only a dream. The one thing he needs the most - time - is almost gone. He realizes now that he has squandered his most precious commodity. Let us wake up while the future is still a reality.

Horav Yaakov Kamenetzky, zl, offers an analogy that teaches a similar lesson. A worker once performed labor for someone, and he was now owed one hundred dollars. The householder was short on cash and, instead, offered the worker fifty lottery tickets each valued at two dollars. The worker could have easily sold the lottery tickets and received his one hundred dollars. Instead, he played the lottery with all fifty tickets - and lost. He now had nothing: no prize and no cash. He returned to the householder and complained that he had no money. Obviously, the householder ignored the foolish worker who decided to waste his pay on a game of chance. In this world, there is only one means of payment - life. A person has to use his common sense in order to enjoy the gift of life in its entirety. Some play the lottery, devoting their life to material pursuits, only to discover that it is all paper, meaningless paper which does not access for him entrance into the World to Come. One who is wise and uses life to amass mitzvos and good deeds will have a treasure chest filled with the admission fee to Olam Habah. The way we live in this world determines what will occur when our time is up.

PARSHAS VAYELECH And I will conceal My face from them...it will say on that day, "Is it not because my G-d is not in my midst that these evils have come upon me?" (31:17)

The Aseres Yemei Teshuvah, Ten Days of Repentance, the first ten days of the New Year, are meant to be the foundation-stone for the coming year. It is the standard upon which our behavior during the year should be based. Hashem is karov, close, to us during this time. Thus, this period is to imbue us to develop a personal relationship with the Almighty - throughout the year. There is no room in Yiddishkeit for intermediaries. One should feel a sense of nearness with Hashem. With this feeling in mind, no Jew should ever feel alone. This idea is alluded to in the Divine warning conveyed to Moshe Rabbeinu shortly before he bade farewell to the nation that he had cared for during these past forty years. The time would come when the people would say "because my G-d is not in my midst," when they would no longer feel Hashem's presence among them. Our first error is in thinking that Hashem has left us. Hashem is always there. It is we who have turned away. The Navi emphasizes, "And know that I am in the midst of Yisrael." I have not turned away My face; you have turned yours away. Come back, return to me. Do not be ashamed. Return to Davening, to Tallis and Tefillin, to Torah study, to Shabbos. You can still walk hand in hand with Hashem as long as you perform teshuvah, repentance.

Shuvah, simply put, means to return. If you turn your back on someone, you have simply to turn around and look him in the face. During the Ten Days of Repentance we are enjoined to "turn around and face Hashem." Teshuvah is never easy, but when one realizes that Hashem is waiting to accept his return, it becomes that much easier. It must be made clear, however, that this only applies to sins that one has committed against the Almighty. For the sins that we have committed against our fellowman, there is only one way out: find the victim of our aggression and beg his forgiveness. If he is no longer on this world, we must take a minyan, quorum of ten men, to his grave and make a public confession. It is not pleasant, and we never know when our time is up. So, why wait? It is a serious mistake to think that we can conduct ourselves during the day as we see fit, as long as we go to shul, daven, maintain a chavrusa, study partner, and give charity. The malignancy that eats away at religious life is our attitude towards separating the sacred from the mundane. We have to sanctify ourselves throughout the entire day and never ignore our relationship with our fellow man.

Much is taken for granted in the world of commerce. Society makes constant demands on our financial resources and, regrettably, people resort to various approaches towards earning the almighty dollar. Most of the time these approaches are scrupulous. What happens when we are up against the wall? Are we as careful with someone else's money as we are with our own? Are we as concerned about someone else's feelings as we are with our own? Do we ever take advantage of another person who is not as financially astute or as aggressive as we are? I am not even talking about the government.

Moshe Rabbeinu laments, "You will do evil in G-d's eyes and provoke Him through the work of your hands." This does not only mean that we will do things wrong to provoke Hashem with our hands. It may also mean that our "hand," the handshake, the word we give someone, will no longer have any value or meaning. A word is no longer a word; a commitment no longer carries any weight.

The Navi exhorts us to Kechu imachem devarim v'shuvu el Hashem - "Take with yourselves words and return to Hashem." Stick to your resolutions; translate them into practice. As the New Year begins, we make resolutions and commitments. Some last until Succos. We give our word, but does it really mean anything? Take the words with you. Make them a part of your life, and, hopefully, your life will change.

Sponsored by Rabbi & Mrs. Harry Mayer and Family Queens, New York  
<http://www.shemaisrael.com/>

---

From: National Council of Young Israel [YI\_Torah@lb.bcentral.com] Sent: September 17, 2003 Parshat Nitzavim-Vayelech 23 Elul 5763 September 20, 2003 Daf Yomi: Zevachim 103  
Guest Author: RABBI RODNEY WEISS Young Israel of Pelham Parkway, NY

The Torah states: "For this commandment that I command you today, it is not hidden from you and it is not distant. It is not in Heaven to say who can ascend to the heaven for us to take it for us, so we can listen to it and perform it? Rather, the matter is very near to you in your mouth and your heart to perform it."

The question is, what are these seemingly vague Pasukim referring to? Rashi, based on the Gemorah in Erubin, states that if the Torah was in heaven we would still have to find a way to obtain it for the sake of study. The Or Hachaim, as well, explains these Pasukim as referring to the Torah in its entirety as a message of encouragement that with the proper effort, we will be able to observe the Torah and all its precepts. Rashi makes the point that we are obligated to go as far as possible and even a little further to make sure that the Torah is being observed and studied. Sometimes there may be obstacles to overcome, but despite that, the Torah must reign supreme in our lives.

The Kli Yakar says that these Pasukim can be explained in two ways: The first way refers to all the mitzvos of the Torah, which are divided into two categories: executing a Mitzvah into active fulfillment, and the intent that we should have in mind as we do a mitzvah. He goes on to explain that the second aspect obligates a person to understand the mysteries that are involved in understanding a mitzvah, which will help him carry out this mitzvah in its entirety. As for the actual performance of a Mitzvah, to this we say, it is not distant from you because HaShem has not commanded you to bring a mitzvah from afar.

The example he gives is the mitzvah of Korbanos, sacrifices. The animals that are included in this mitzvah are accessible animals from an average person's flock. This, as the paradigm of all mitzvos, demonstrates the idea that no mitzvah requires us to go a great distance, its fulfillment is obtainable in our immediate environment. When the Pasuk says "it is not hidden", it refers to the wisdom of the Torah and its understanding. One should not say that only the actual fulfillment but not the comprehension of the mitzvah was given on earth. To refute this notion it states "that it is not in the heavens". The last concept that he explains is what the Torah refers to when it says: "It is in your mouth." The mouth refers to studying Torah. Even a mitzvah that is not in a person's realm of fulfillment i.e. he is not a kohen or does not own land in Israel, when he sits and studies the details of such a mitzvah, HaKodesh Baruch Hu credits him with the actual fulfillment of the mitzvah. This is a concept that we see with Yaakov, when he returned from Lavan and claimed that he performed all of the mitzvos. He must have been referring to the study of Torah. On a daily basis the Gemorah in Taanis says, that by reciting the Parshiyos of Korbanus, it is credited as if they were offered on the alter.

The second possibility, says the Kli Yakar, is that these Pasukim refer to the aforementioned mitzvah of Tshuvah, repentance. There is an important message here. True repentance requires a person to come to the conclusion that they were wrong and they must completely change their ways. Upon reflection on the situation a person may feel hopeless, and say, how can I rise again after sinking into such an abyss? The Torah is teaching us that there is no reason to feel hopeless; it does not require you to ascend to the heavens or cross over a sea. The fact of the matter is that it begins in your mouth as a simple idea to discuss. From an idea it blossoms into full fledged action, until you truly repent in your heart. In fact, the Kli Yakar says, your mouth is the place of confession and your heart is where you regret everything that you have done wrong. It is all up to you, it requires great introspection but the ability is close by and can be accomplished, if you so desire.

Perhaps one can suggest that both of these approaches are really representative of the same idea. When people look at us from the outside they see a very restrictive life without seeing its beauty. They might feel a sense of being overwhelmed. How can you perform and observe so many different laws? The Torah is comforting us, fear not, the Torah is on Earth, consult your Rabbis, teachers and mentors and they will guide you in the performance of mitzvot. And when they are finished you will realize that you don't have to cross the sea or ascend to heaven to study Torah. In today's world we can certainly appreciate this idea. There are thousands of seforim, including the Gemorah, that been translated into English and we see how thousands of people are learning today when it was unthinkable before. A person who today wants to grow in learning has the ability at his fingertips and even for people starting anew, there is no longer that sense of being overwhelmed and hopeless.

As far as the idea of Tshuva, ultimately it means complete observance of the mitzvos with kavanah, comprehension of the purpose of the mitzvah, and what you should have in mind when you fulfill the mitzvah. When one opens his eyes and repents, he realizes the beauty of Torah and how that's the best way to live life.

Just about every year the reading of these Parshiyot coincide with the beginning of Selichos. Each day at the beginning of Selichot we say that "as paupers and beggars we come knocking at Your door". What right do we have to approach You, G-d, at this time? The period of the Yomim Noraim can be a very traumatic time for an individual who is trying to return and become a better person from that point on. Can you truly make up for lost time? The message of Selichos is absolutely yes. When the Kohen Gadol entered the Holy of Holies there was fear and trepidation of the outcome but when he came out, unharmed and in peace, there was celebration among the people. This is the message that the Torah is trying to send us. No matter how low we think we have sunk we can indeed rise up again. It begins, perhaps, with the recitation of Selichos, a commitment to do Tshuva and an unyielding commitment to a life filled with Torah and the observance of mitzvos.

NCYI's Weekly Divrei Torah Bulletin is sponsored by the Henry, Bertha and Edward Rothman Foundation - Rochester, New York; Cleveland, Ohio; Circleville, Ohio

---

From: Jeffrey Gross [jgross@torah.org] Sent: September 17, 2003 To: weekly-halacha@torah.org Subject: Parshas Nitzavim WEEKLY-HALACHA FOR 5763

By RABBI DONIEL NEUSTADT Rav of Young Israel in Cleveland Heights  
A discussion of Halachic topics. 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(1)." 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:

- 1.If the custom was accepted initially as a lifelong commitment, one must annul his vow.
- 2.If the custom was accepted initially on a year-by-year basis, no hataras nedarim (annulment of vows) is required.
- 3.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'chatchilah, 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 - either in person or through her husband - 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).

Rabbi Neustadt is Rav of Young Israel in Cleveland Heights. He may be reached at 216-321-4635 or at jsgross@core.com

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 nassan la-sechvi binah should l'chatchilah 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 1:91 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 Be'ur 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. Wosner 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.

Weekly-Halacha, Copyright © 2003 by Rabbi Neustadt, Dr. Jeffrey Gross and Torah.org. The author, Rabbi Neustadt, is the principal of Yavne Teachers' College in Cleveland, Ohio. He is also the Magid Shiur of a daily Mishna Berurah class at Congregation Shomre Shabbos. The Weekly-Halacha Series is distributed L'zchus Doniel Meir ben Hinda. Weekly sponsorships are available - please mail to jgross+@torah.org . Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. [learn@torah.org](mailto:learn@torah.org)

From: Ohr Somayach [ohr@ohr.edu] Sent: September 18, 2003 1:30 AM To: [weekly@ohr.edu](mailto:weekly@ohr.edu) Subject: Torah Weekly - Parshat Netzavim - Vayelech  
TORAH WEEKLY - For the week ending 20 September 2003 / 23 Elul 5763 - from Ohr Somayach | [www.ohr.edu](http://www.ohr.edu) Parshat Netzavim - Vayelech -- <http://ohr.edu/yhiy/article.php/1218>

How's Your Standing?

"You are standing today, all of you, before G-d... (29:9)

Fearing G-d is out of fashion right now. It's acceptable to be in awe of His Majesty, to sit on the top of a mountain and commune with Beyond. But fearing? Come on, G-d's a nice G-d. He won't really punish me for speaking lashon hara slander or for adjusting my income tax a little. All that punishment stuff is really for kids

anyway. Why do I need something so crass as fear when I have awe?

There can be no true awe without real fear.

The essence of fearing G-d is to accustom ourselves to be aware that He is watching us all the time; that He knows what we are thinking; that He sees every move we make - every move that we don't make but would like to.

If there is a time in the day when we visualize standing in front of the Creator more than any other, it is during the Amida prayer that we say three times daily. (Amida, quite literally means, "standing.") If there is a day in the year when we try to visualize standing in front of the Creator more than any other, it is Rosh Hashana.

Rosh Hashana, a day that should strike fear into our hearts, "...who will live, and who will die ...who by water, and who by fire." Who in a bus, and who in a restaurant...

And yet are we really frightened about what sort of year this will be for us? I don't think so.

Why not?

A true story:

Jerusalem has its fair share of parking problems for which one fellow had his own unique solution. After driving round the block a couple of times, he would pull up to a curb with red stripes.

Getting out of the car, he would reach for his trusty can of black mat spray-paint, and proceed to black out the red stripes the entire length of his car.

How much of the time do we do just that in our relationship with G-d? How much of the time do we try and alter the rules to suit ourselves and our own ideas of right and wrong?

Rosh Hashana is a time to come clean, to clean off the spray paint from the sidewalks of our lives.

Before we get more than a ticket.

Source: - Story heard from Rabbi Dov Brezak

Written and compiled by RABBI YAAKOV ASHER SINCLAIR

(C) 2003 Ohr Somayach International - All rights reserved.

<http://www.ohr.edu>

---

From: RABBI MENACHEM LEIBTAG [tsc@bezeqint.net] Sent: September 18, 2003

To: Pareg; Lite1; NEW1 Subject: [par-new]Parshat Nitzavim - shiur

This week's TSC shiurim are dedicated by Rachel and David Kirshenbaum in honor of the Bat Mitzvah of their daughter Avital Meira.

THE TANACH STUDY CENTER [<http://www.tanach.org>] In Memory of Rabbi Abraham Leibtag Shiurim in Chumash & Navi by Menachem Leibtag PARSHAT NITZAVIM

Can man return to Gan Eden? Even though Parshat Breishit may have left us with the impression that the Garden's gates (guarded by the "keruvim" and a fiery sword /see Breishit 3:24) remain inaccessible to man forever, Parshat Nitzavim may allude to the possibility of 'return'. To explain how (and why), this week's shiur discusses the significance of the speech delivered by Moshe Rabeinu in Parshat Nitzavim, and how it fits beautifully into the rubric of Sefer Devarim.

**INTRODUCTION** In case you hadn't noticed, Parshat Nitzavim contains yet another speech given by Moshe Rabeinu, the last of his four speeches in Sefer Devarim. In fact, this final speech actually began at the end of Parshat Ki-tavo (see 29:1-8, noting how 29:1 forms the introduction to this speech). In the following shiur, we first discuss how this final speech relates to the "tochacha" (in Parshat Ki-tavo); afterwards we will focus on what's so special about its 'finale'.

**FOUR SPEECHES** The following table will help clarify the location of Moshe's Rabeinu's speech in Parshat Nitzavim in relation to the rest of Sefer Devarim, as it summarizes his four speeches:

**CHAPTERS TOPIC** 1) 1->4 Introductory speech (why 40 years have passed) 2) 5->26 The main speech - the "mitzvot" to keep in the land 3) 27->28 Brit Har Eival and the Tochacha 4) 29->30 The final speech = Parshat Nitzavim

Even though our shiur will focus on the 'final speech' (#4), to appreciate its content, we must first review the primary topic of speech #3. Recall how chapter 27 described a ceremony that Bnei Yisrael are instructed to conduct on Har Eival, upon entering the land. That ceremony was to include both the teaching of the laws (i.e. those of the main speech) and some festivities. The Torah's description of that ceremony continued in chapter 28 with the "tochacha", i.e. the 'blessing and the curses', as they were to be read in public at the conclusion of that ceremony. Hence, the order of Sefer Devarim up until this point makes perfect sense. Speech #2 details the laws that Moshe taught, while speech #3 explains how these laws were to be

taught once again when Bnei Yisrael enter the land, at a special ceremony that concluded with a public warning of both the reward and punishment should Bnei Yisrael obey/or disobey these laws. However, when one reads the fourth speech, it appears to be superfluous, for in it we find once again Moshe's rebuke of Bnei Yisrael - in a manner which doesn't differ much from the numerous rebukes in his earlier speeches. [For example, compare 29:11-14 with 5:2-3; 29:4-5 with 8:4; and 30:1-3 with 4:26-29.] However, if we take a closer look at its content, we can explain its function and the reason for its location.

**THE STARTING & FINISH LINES** Our first step is to delineate more precisely where this speech begins and ends. Note how it begins at the end of Parshat Ki-tavo in 29:1 and concludes at the end of Parshat Nitzavim (as indicated by the sudden shift to third-person narrative right at the beginning of Parshat Vayelech (31:1). Using a Tanach Koren, note as well how it contains five distinct 'parshiot': 29:1-8; 29:28; 30:1-10; 30:14 & 30:15-20. Let's take a look at each one of these parshiot, and explain what is problematic about each. Afterward, we will explain the logic of their internal progression, and how each of these parshiot relates to the previous speech, and overall theme of covenant in Sefer Devarim.

**PARSHIA #1 (29:1-8)** Moshe's opening statements in this 'parshia' raise numerous questions. To understand these difficulties, let's take a look: "Moshe called together Bnei Yisrael and said to them: You have seen with your own eyes what I did to Pharaoh in the land of Egypt... YET, until this day, G-d has not given you a 'heart to know,' 'eyes to see,' or 'ears to listen.' I led you for forty years in the wilderness...[Therefore] observe faithfully the words of this covenant [DIVREI HA'BRIT HA'ZOT] in order that you succeed in all that you now undertake." (see 29:1-8)

First of all, why is he talking to this generation as though they themselves left Egypt? Granted, some of the elder members of the nation may have been under the age of twenty at the time of the Exodus (and hence not included in the punishment). However, the vast majority of the current generation did not witness those events. But even more puzzling is 29:3. How can Moshe possibly say, "Until this day, G-d has not given you a 'heart to know,' 'eyes to see,' or 'ears to listen'?" To what could Moshe Rabeinu possibly be referring? Finally, why does Moshe conclude these comments by once again reminding Bnei Yisrael of the "brit" (see 29:8)? Was that not the topic of his previous speech? [See 5:2-3!]

**PARSHIA #2 - see 29:9-28** In this section, Moshe reiterates the purpose of this gathering - i.e. to establish the covenant through which Bnei Yisrael are to become G-d's nation. He then emphasizes the eternal nature of this covenant, i.e. its mandatory application to all future generations as well (see 29:9-14). But once again we must ask, is this not the same point that Moshe Rabeinu had already stated in the opening remarks of his main speech? (See 5:2-3, read carefully.) Furthermore, why does Moshe suddenly raise the possibility that an individual, family, or possibly an entire tribe may consider 'breaking out' of this covenant (see 29:17-25)?

**PARSHIA #3 - see 30:1-10** Moshe now 'comforts' Bnei Yisrael, telling them that even in the event of exile, there will always remain the possibility for "teshuva" and the nation's return to the Promised Land. Why would Moshe, while addressing the people prior to their entry into the land, prematurely inform them of their return to the land from exile? They haven't reached the land yet, and already they are being promised the ultimate gathering of the Diaspora? Furthermore, why aren't Moshe's earlier comments on this topic (see 4:25-31 & Vayikra 26:41-45) sufficient?

**PARSHIA #4 - see 30:11-14** Here we find Moshe Rabeinu's famous insistence that keeping the Torah is 'not as hard' as it seems. Again, although this constitutes a most critical message, the question remains: why now and why here in Sefer Devarim? **PARSHIA #5 - see 30:15-20** As we will explain in Part Two, these soul-stirring psukim depict life in Eretz Yisrael as comparable to the ideal, spiritual environment of Gan Eden. But once again, why is this topic mentioned specifically in this speech, and at its conclusion?

**POTENTIAL 'CONCLUSIONS'** To resolve these questions, we must consider the centrality of the concept of 'covenant' ["brit"], which has emerged thus far as a primary theme in every speech thus far in Sefer Devarim. Recall that Moshe Rabeinu began his main speech by underscoring the relevance and application of the covenant of Sinai to the present generation: "The Lord your G-d made with you a COVENANT at SINAI. It was not [only] with your fathers that G-d made this covenant, but with US, those of us who are HERE, ALIVE TODAY..." (see Devarim 5:1-3) [Notice that the opening phrase of that speech (5:1) is identical to that of ours (29:1), thus suggesting a thematic connection between the two.] In both his main speech and finale, Moshe Rabeinu addresses the new generation as though THEY themselves left Egypt and stood at Har Sinai. He emphasizes their inclusion in the covenant of Har Sinai. Yet, in his third speech Moshe had instructed Bnei Yisrael to enter into a similar covenant at this time (see 28:69 - the final pasuk of that speech!). Why is another covenant necessary if 'everyone' was considered to have participated in the covenant at Har Sinai? In fact, this 'extra' covenant at Arvot Moav, as detailed in chapter 27 in Parshat Ki-tavo, could easily lead Bnei Yisrael to several incorrect conclusions:

- 1) The necessity of a new covenant for this generation implies that the covenant at Har Sinai does not bind all future generations. Why else would they require a 'new' covenant at Arvot Moav? Evidently, one could conclude, the laws of the Torah are binding only upon a generation (or individual) who formally accepts this covenant, but not upon subsequent generations (unless formally accepted)!
- 2) An individual (or possibly even a larger group) may decide that he doesn't want either side of the covenant - neither its reward NOR its punishment! Some people may gladly forego any potential reward for keeping the mitzvot of the "brit", so long as in turn they would not be bound by its strict demands or threatened by the harsh punishment for its neglect. In other words, Bnei Yisrael may conclude that each



person or family in any generation has the 'option' to either be part of the "brit" or to 'back out' ("chas veshalom!").

3) Just as any given individual may reserve the right to 'back out' of the covenant, G-d as well may be enabled to exercise His right to 'retract' His covenant should He see fit. In other words, Bnei Yisrael could potentially infer from the closing section of the Tochacha in Ki-tavo that exile signifies the very annulment of this covenant. In other words, if exile is understood as G-d 'nullifying' His side of the covenant, then Bnei Yisrael (once in exile) could reach the logical conclusion that their 'special relationship' with G-d is over (chas veshalom!). [See Yechezkel 20:32 and its context, where Bnei Yisrael in the Babylonian Exile raise this very possibility!]

**PUTTING THE PIECES TOGETHER** With this background, let's now take another look at the various components of Moshe's final speech in an attempt to explain why they from this 'finale'. In PARSHIA #1, Moshe Rabeinu first explains WHY this 'new' covenant (as described in the third speech) is necessary. True, a covenant had already been made with the previous generation. However, because of their sins and subsequent demise in the desert, it is only now that the original intention of BRIT SINAI becomes applicable. To emphasize upon this new generation that THEY must fulfill the destiny originally planned for their parents, G-d recreates the 'atmosphere' of Har Sinai, allowing the new generation to 'relive' the experience. Although most of them were NOT at Har Sinai, it is important that this entire generation feel as though they actually stood at the foot of the mountain. They will soon enter the land and face the challenge of establishing G-d's special nation, and they must therefore bring with them the Sinai experience and covenant. As Seforno on 29:3 explains, it is only NOW that Bnei Yisrael are finally ready to, for the first time, fulfill G-d's covenant. Moshe thus explains to this generation that 'this is THE day' for which He has been waiting. Now, G-d has a nation that can truly KNOW, SEE, and LISTEN (see 29:3, Seforno and Rashi). Thus, there is nothing 'new' about this covenant. In fact, it serves an opposite function: i.e. to reaffirm the relevance and application of the original covenant at Har Sinai. With this in mind, we can now explain the need for the second parshia. Once this 'renewed' 'brit' becomes necessary, Moshe Rabeinu must disaffirm the possible conclusion that every generation and every individual has the option of accepting or refusing the terms of the covenant (as we explained above). Therefore, in PARSHIA #2 Moshe reminds Bnei Yisrael of the purpose of that covenant (to become G-d's nation, see 29:9-14) and then threatens severe punishment for any person or group considering the option of 'backing out' (see 29:17-25). Afterward, in PARSHA #3, Moshe Rabeinu reassures Bnei Yisrael that just as this covenant is binding upon Bnei Yisrael for ALL generations, so is it eternally binding upon G-d Himself. Therefore, even in the advent of exile, G-d will (sooner or later) ensure Bnei Yisrael's return to their land to keep His mitzvot and become His nation. [Note that other religions (which evolved from Judaism) reject specifically this point!] Moshe then proceeds to repudiate another likely conclusion of one who hears the terms of this covenant (and its almost innumerable obligations), the claim that it's simply 'impossible' to be an 'observant Jew.' Moshe Rabeinu explains in PARSHIA #4 that in truth, it's not as hard as it may seem. For if one has the proper attitude of 'ahavat Hashem' (the opening theme of the main speech), then the 'way of life' which the Torah demands lies well within his reach. Finally, in PARSHIA #5, Moshe concludes his speech with the axiom of "bechira chofshit" (freedom of choice), the G-d-given ability to choose the 'path of life' [or 'death'], which will now be discussed in Part Two.

**PART TWO - Between Gan Eden and Eretz Yisrael** Before we begin Part Two, review 30:15-20, and notice that this 'parshia' forms the concluding section of this speech. As you read, note how Moshe Rabeinu summarizes in this conclusion some of the primary themes of the main speech (which we have discussed in previous shiurim): "See, I set before you today CHAYIM (life) and TOV (prosperity), MAVET (death) and RA (adversity). For I command you today to LOVE G-d and walk in His ways [referring to the MITZVAH section/ 6->11] and to keep His CHUKIM u'MISHPATIM [referring to the 2nd part of the main speech/ 12->26] that you may thrive and increase and that G-d 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." (see 30:15-18)

Clearly, Moshe refers once again to the two sections of the main speech. However, these verses may relate as well to a fundamental theme in Sefer Breishit, as suggested by several key phrases in this section. Let's explain. Recall the usage of the terms 'CHAYIM and TOV' and 'MAVET and RA' in 30:15, cited earlier. Let's identify the precise definition of these expressions in the final two psukim: "I call Heavens and Earth to testify that I am presenting you the CHOICE of CHAYIM or MAVET - the "bracha" or "klalla" - and you should choose CHAYIM in order that you live... on this Land that I promised to your ancestors..." (30:19-20)

In this beautiful finale, the Torah equates the concept of BRACHA & KLALLA, as detailed by the 'tochacha' (see 28:1-7, 15-20!), with CHAYIM & MAVET: BRACHA = CHAYIM (life); KLALLA = MAVET (death). Recall however, that the concepts of CHAYIM & MAVET as well as TOV & RA were first introduced in the story of Gan Eden: "And G-d brought forth from the ground every tree... and the ETZ HA'CHAYIM [the Tree of Life] in the middle of the garden, and the: ETZ HA'DAAT TOV V'RA [the Tree of Knowledge of good and evil...] and from the ETZ HA'DAAT TOV V'RA do not eat, for on the day you eat from it - MOT TA'MUT - you will surely die!" (see Breishit 2:8-9, 2:15-17) This textual parallel is strengthened by yet another resemblance to the story of Creation. Note that the Heavens and Earth - SHAMAYIM v'ARETZ - are called upon as witnesses to this covenant (see 30:19, as well as 31:28 & 32:1). This special call upon "shamayim"

and "aretz" to witness the "brit" may relate not only to the introduction of the story of Creation (Br. 1:1), but also to the opening pasuk of the Gan Eden narrative in Breishit - see 2:4!

**A GAN EDEN CLOSE TO HOME** This textual parallel suggests a conceptual relationship between life according to the Torah's ideals in the Land of Israel and existence in Gan Eden. In fact, the spiritual environment of Gan Eden strongly resembles the spiritual environment that Sefer Devarim wishes to create in the Land of Israel. Recall how the Gan Eden narrative described a special environment between man and G-d, with an emphasis on "schar v'onesh" [reward and retribution]. G-d promises Man a prosperous physical existence [CHAYIM] should he OBEY, while threatening death [MAVET] should Man DISOBEY (see Br. 2:15-17). In a very similar manner, the 'tochacha' describes a parallel reality in the land of Israel: Should Bnei Yisrael keep the mitzvot, G-d will reward them with prosperity (see 29:1-14); if they sin, G-d will punish them severely (see 29:15-26). [Note as well Devarim 11:13-20 (from daily kriyat shma).] Furthermore, EXILE emerges in both settings as the most severe punishment. Adam is banished from the Garden as a consequence of his sin (see Br. 3:22-24). Similarly, the 'tochacha' threatens that should Am Yisrael continue to sin they will driven from the land by their enemies (see 28:64-68) and remain in Exile until they perform proper Teshuva (repentance / see Devarim 30:1-10). [Interestingly, G-d's original death sentence for eating from the Tree was translated into Adam's EXILE from the Garden (3:23) when he actually partook of the Tree's fruit. Considering that Gan Eden reflects an ideal spiritual environment, exile may be accurately equated with death. Whereas the biblical purpose of LIFE is to develop a connection with G-d, biblical DEATH refers to life without any such connection, an exile into an environment characterized by G-d's absence.]

This parallel takes on additional meaning when we consider the location of these two sources: at the BEGINNING of Chumash and towards the very END of Chumash.

One could suggest that in this manner Chumash underscores the basic nature of man's relationship with G-d. First, we are told of G-d's creation of Man and his placement in Gan Eden - the ideal spiritual environment. As punishment for his sin, G-d expels man from Gan Eden, appointing the "keruvim" to guard against any attempt to return (see Br. 3:24). Nonetheless, the presence of the "keruvim" who guard the 'way to the Tree of Life' does not necessarily indicate the permanent closure of this path. To the contrary, it becomes man's duty to STRIVE to return. The "keruvim" do not restrict entry; rather they protect the Garden from the intrusion of those undeserving of return. But once man proves himself worthy, the DERECH ETZ HA'CHAYIM - the PATH to the Tree of Life - no matter how formidable it may at first appear, suddenly opens and invites man inside. Correspondingly, Sefer Devarim describes Eretz Yisrael as both a physical and spiritual environment where Am Yisrael can rebuild this spiritual connection with G-d. For example, Parshat Ekev illustrates how the climate of Eretz Yisrael contributes to this environment: "...always, G-d's EYES are upon it [the Land], from the beginning of the year until the end of the year." (see Devarim 11:10-12)

**FROM GAN EDEN TO 'JERUSALEM'** But perhaps the most meaningful parallel between Gan Eden and Eretz Yisrael arises in the CHUKIM & MISHPATIM section. Recall that Parshiyot Re'ay, Shoftim, and Ki-tavo present numerous mitzvot relating to HA'MAKOM ASHER YIVCHAR HASHEM, the Bet Ha'Mikdash, which will be built on the site chosen by G-d. As explained in our shiur on Parshat Re'ay, Sefer Devarim demands that every Jew frequent that site regularly, be it for "aliyah le'regel" on the holidays, to offer korbanot or bikurim, to eat "ma'aser sheni," to appear in court, etc.

Situated at the focal point of that site [i.e. the Bet Ha'Mikdash] is the KODESH KEDOSHIM, the permanent location of the ARON, covered by the KAPORET and protected by KERUVIM, both on the KAPORET and on the PAROCHET! [See Shmot 25:16-22 & 26:31-34.] Given that the concept of KERUVIM arises nowhere else in Chumash outside of these two contexts - the Mishkan/Bet Hamikdash and Gan Eden - a thematic connection between the two is implied. Just as the KERUVIM of Gan Eden protect the path to the ETZ HA'CHAYIM, so do the KERUVIM of the Mikdash guard the path to true CHAYIM: i.e. they protect the ARON which contains the LUCHOT HA'EIDUT - the symbol of the TORAH and our covenant with G-d at Har Sinai. By placing the LUCHOT - a powerful symbol of MATAN TORAH - at the focal point of our lives in Eretz Yisrael, Sefer Devarim urges us to strive to return to the environment of Gan Eden by observing the laws of the TORAH. This interpretation is supported by the famous pasuk in Mishlei, recited each time we return the SEFER TORAH to the ARON HA'KODESH: "ETZ CHAYIM HI - She is a Tree of Life - for those who hold on to her, and whoever holds her is fortunate." (Mishlei 3:18) [Even though this pasuk seemingly refers to wisdom in general (see 3:13), in the overall context of the perek "wisdom" refers specifically to Torah (see 3:1-8).]

Thus, Chumash 'ends' with a theme which quite parallel to the theme of its opening narrative. G-d's original intention may have been for man to enjoy a close relationship with Him in Gan Eden. Even though that goal seems to have 'failed' in Sefer Bereishit, Sefer Devarim concludes with the possibility that the Nation of Israel can indeed return to such an existence, in the Land of Israel. [For a similar explanation, see Seforno's introduction to Sefer Breishit!] To better appreciate our discussion, I highly recommend that you study the Ramban on 30:19. His explanation of what man should learn from his contemplation of "shamayim v'aretz" (what we call 'nature') that surrounds us will definitely enhance your appreciation of Parshat Nitzavim. Furthermore, it is a most fitting Ramban to study in preparation for Rosh Ha'Shana - the day marking G-d's creation of "shamayim v'aretz." shabbat shalom, menachem