



BS"D

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## INTERNET PARSHA SHEET ON NITZAVIM VAYELECH - 5769

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**Rabbi Hershel Schachter**  
**The TorahWeb Foundation**  
**Jews: The Real Goyim**

The Torah records that the Jewish people entered into a covenant (bris) with G-d regarding observance of the mitzvos on two occasions. The first bris was at Har Sinai and the second was in the Plains of (Arvos) Moav, just before the passing of Moshe Rabbeinu. We still observe today the takanah (enactment) of Ezra to read the tochacha in Bechukosai soon before Shavuos and the tochacha in Ki Tavo soon before Rosh Hashanah. These two toachachos represent the text of the two covenants – the one at Har Sinai and the other of Arvos Moav. Why was there a need for a second covenant? If the bris at Sinai was legally binding, what dimension was added with the bris of Ki Tavo? The Torah gives us the answer in the beginning of parshas Nitzavim, where we are told that this second bris is not only binding on the individuals present today, but on all future generations as well. The bris at Sinai apparently was only binding on those individuals who were present. Although the Talmud records a tradition that the souls of all the future generations also participated in Maamad Har Sinai, this was only relevant with respect to impressing upon all of those souls the Jewish middah of baishanus, due to the gilui Shechican they encountered; but those souls were not legally bound to adhere to the contractual agreement of the bris.

The concept of a “Jewish people” only emerged in its fullest state once the Jewish people entered Eretz Yisroel and acquired their own national homeland. For a covenant to be binding on future generations, it must be entered into by a nation, which the future generations still belong to. The second bris – with the nation – was only begun by Moshe Rabbeinu, and

was really completed by Yehoshua bin Nun at Har Grizim and Har Eival. The principle of arvus (that all Jews are held responsible for each other because they all constitute one entity) only started after the declaration of the berachos and kelalos at Har Grizim.

Rambam records several mitzvos which only apply in Eretz Yisroel because, as he explains, the main concept of “Klal Yisroel” applies only to those Jews actually living in Eretz Yisroel. After our entering Eretz Yisroel, the fact that Jews all over the world relate to Eretz Yisroel as their national homeland makes us all halachically considered “one nation” with respect to arvus, and more significantly with respect to the binding force of the second bris. Today we are still obligated in mitzvos, not because of the first bris (at Sinai), but rather because of the second bris.

It is interesting to note that all the pesukim in parshas Bechukosai appear in the plural, as opposed to the text of the bris in Ki Tavo, where all of the pesukim appear in the singular. The Gaon of Vilna points out (based on a passage in the Talmud) that when a parsha appears twice, once in the singular and once in the plural, the parsha in the singular is addressing all of Klal Yisroel as one entity, while the one in the plural is addressing each and every individual. In our case as well, the tochacha in Bechukosai is the text of the bris made with each individual Jew; the tochacha in Ki Tavo was the text of the bris made with Klal Yisroel as one entity – one nation.

According to the halacha, the one and only people who constitute “goy - nation” are the Jewish people. We are the only people who have a divinely recognized national homeland. The other nations of the world, strictly speaking, are only “mishpachos – families”. The difference between a goy and a mishpacha is that a mishpacha consists of various individuals who relate to one another in a certain fashion. The term goy derives from the gaiv – body. In the Jewish nation (goy) all are considered as “one body”.

The Talmud Yerushalmi comments on the prohibition against taking revenge, that just as if one accidentally cut his left hand with a knife held in his right hand, he would not react by slapping his right hand with his left to take revenge, since both hands are part of the same organism, so too it doesn't make sense for one Jew to take revenge against another Jew, for all Jews join together to constitute one goy – one body.[1]

This is the idea behind arvus, which is a principle formulated in Parshas Nitzavim in the last passuk dealing with the second bris, which was begun by Moshe Rabbeinu and completed by Yehosua at Har Grizim. As long as there is still one Jew somewhere in the world who hasn't yet heard the shofar, I haven't yet completely fulfilled my mitzvah of shofar, and therefore I'm considered as one who is (still) obligated in (mechuyav badavar) in the mitzvah of shofar, so I am still able to blow for another person who hasn't heard shofar.

This halachic distinction between the Jewish people and other nations also explains the phenomenon that we often witness: when one Jew acts in an inappropriate fashion, the non-Jewish world will often indict all the Jews, while if one Frenchman acts improperly, no one will think of condemning the entire French nation. The reason for this distinction is that the entire Jewish people are truly “one body” (goy), while the other nationalities are merely mishpachos.

Referring to the non-Jewish nations and to a single non-Jew as a goy is really an (halachically) imprecise colloquialism. Many gedolim felt that it is not correct to recite the text of the beracha every morning as “shelo asani goy”, since berachos and tefillos ought not to be recited in a colloquial Hebrew. Many substituted instead “shelo asani nachri”. The second bris at arvos Moav made the Jewish people unique – “Atta echad v'shimcha echad um'mi k'amcha Yisroel goy echad ba'aretz.”

[1] Ed: See also Chilul Hashem where Rav Schachter also discusses this point

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## Weekly Parsha :: NITZAVIM-VAYELECH :: Rabbi Berel Wein

The final chapters of the Torah are poetic and to a certain extent melodious. Moshe sums up the Torah with a final warning to the Jewish people of the consequences of ignoring the covenant with God. But he also has soothing words about the ultimate destiny and accomplishments of the Jewish people, of their unending loyalty to their God and land, and of a better world for all of humankind.

In reality the parshiyot of this week sum up the pulls and twists of Jewish history. All other nations facing the events and destructions visited on the Jewish people over the ages would not have survived, let alone prospered and persevered. But it is the eternal covenant of God with Israel that has sustained us till this very day. And the covenant exists and remains binding and effective even when portions of the Jewish people deny or are unaware of its existence.

Ben-Gurion, the reputed skeptic and agnostic, nevertheless once famously said that miracles are the normalcy of Jewish life and existence. That idea is certainly the basis for Moshe's words in these final chapters of the Torah. The realization of the existence and continuing effectiveness of this ancient covenant that has weathered all storms and survived all attempts to obliterate it. Moshe tells them in advance that the song of the covenant will eternally rise to remind Israel of its mission and ultimate role in human affairs.

That is part of the mystique that allows the Torah to call itself a "song." It is the melody of holiness that resonates in our hearts and souls even amongst those who have forgotten the lyrics – the holy words – of the song itself. Melodies are not easily forgotten or eradicated from our subconscious. They create associative memory that does not easily leave us. People have their favorite songs. Countries have their national anthems. The melodies govern us even when the words are no longer sounded or expressed clearly. The Torah is therefore not only its holy words but also the haunting melody of Jewish existence and God's covenant throughout the ages.

Melody is one of the great memory aids of all time. For Selichot, we will say "to listen to the melody and to the prayers." Apparently, prayer without lasting melody accompanying it falls short of its desired purpose. Therefore, Jewish prayer throughout all of our history has been infused and beautified by melody. Some melodies are considered so sacrosanct that they defy change or improvisation. The Torah itself is read publicly to melody and special cantillations. In fact, rabbinic commentary has drawn upon the melodies of the Torah reading to find meanings and direction in the very words of the Torah itself. Thus, the covenant of the Torah itself is put to music, so to speak, by its holy melodies, and it rises continually to refresh our memories and strengthen our souls in all times of danger and challenges.

Shabat shalom.

Shana tovah

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### Rabbi Yissocher Frand Parshas Nitzavim - Vayelech Blessing As A Precursor of Teshuva

Parshas Nitzavim follows the Tochacha of Parshas Ki Savo and contains its own set of curses. After all of these curses, a pasuk [verse] towards the end of the parsha says: "And it will be when all these things come upon you – the blessing and the curse that I have presented before you – then you will take it to your heart among all the nations where Hashem your G-d has dispersed you; and you will return unto Hashem your G-d and listen to His voice, according to everything that I commanded you today, you and your children, with all your heart and with all your soul." [Devorim 30:1-2].

In essence, you will see all the terrible things that happen to you and it will shake you up, causing you to repent. However, it seems strange that

included in the things that will cause you to repent are both "the BLESSINGS and the curses." Why were blessings included in this formulation? Usually blessings are NOT an incentive to do Teshuva [repent].

We understand how Tzoros [troubles] lead to repentance. When a person experiences troubles, he begins to introspect. He asks "Why is this happening to me?" Sickness, curses, and problems are motivations for a person to examine his ways and perhaps change them. But it seems difficult to understand that Blessings should be lumped into the same category with Curses as a precursor of Teshuva.

In fact, some commentaries interpret that the pasuk is referring to someone who first was blessed and then had things turn bad for him. The contrast from the prior blessings to the present curses is what prompts the introspection leading to repentance.

The Shemen HaTov offers a different interpretation. The Shemen HaTov interprets the word "Bracha" [blessings] in a straight forward manner and says that sometimes blessings can be a reason for repentance as well. If someone has it so great and everything is going so well, that Bracha should be an inspiration for a person to do Teshuvah.

A person must ask himself: "Why are things going so well? Is it because I am such a righteous person? Is it because I am so much smarter than the competition?" A person can see the multiplicity of blessings that surround him in his life and his reaction should be: "The Almighty is being very good to me. It is about time that I shaped up." It is really our decision. "When all these things come upon you, the Blessing and the Curse," it is up to you to decide what is going to be your motivation to repent. If you react to the blessing and ask, "The Almighty is being so good to me, how can I repay Him?" then you may be able to repent before ever having to suffer the curses.

The Chofetz Chaim was once overheard speaking to G-d: "Master of the Universe, You have done so much for me already. I have written the Sefer Shmiras HaLashon. I have written the Mishneh Berura. You have done so much for me already, what can I do for you already?"

If we ever wrote the Mishneh Berura, most likely our attitude would be, "Look, G-d, I wrote the Mishneh Berura. I made Orach Chaim learnable! You owe me! I resuscitated the mitzvah of Guarding One's Tongue. Now it's my turn!"

The Chofetz Chaim looked at it from a totally different perspective. I had the merit to write Shmiras HaLashon and Mishneh Berura. This was only because of G-d's kindness to me to allow this to happen. What can I now do for G-d?

This is how we must look at Blessing. When all these matters befall you – the BLESSING and the curse, then you shall return to G-d and hearken to His voice.

The Shemen HaTov relates this concept to the Friday night Shabbos Zemiro: "Kol Mekadesh Shvi'i" [All Who Sanctify the Seventh Day]: "Extend Your kindness to those who know You, O jealous and vengeful G-d". It seems incongruous that the "jealous and vengeful G-d" is being invoked to extend chessed [kindness]. What does this mean?

The Shemen HaTov explains that we are praying to the attribute of Jealousy and Vengeance to shake us up so that we may repent. But there are two ways in which we may be shaken up. We can receive the "wake up call" either through punishment or through being showered with goodness. We beseech that the "wake up call" come through kindness and Chessed even when we are not behaving right and perhaps deserve to be punished. We may be inspired to Teshuva through Bracha (blessing) or Kelala (curse). We ask G-d to try the method of Bracha. Hopefully that will suffice to achieve our proper repentance.

Unfortunately, most people do not react that way to blessing. They say "My strength and the might of my hand, made for me all this great wealth." People turn to religion in the foxholes, the hospitals, and the houses of mourning. People do not generally turn to religion in their \$50,000 cars or in their skybox seats. It does not need to be like that. We

ask G-d, even though he is Jealous and Vengeful, to try the method of kindness first, in fulfillment of the prophecy, "The BLESSING and the Curse will come upon you... And you will return to the L-rd your G-d..." Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD  
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[From 2 or 3 years ago] Rabbi Frand on Parshas Nitzavim-Vayelech  
Rabbi Yissocher Frand <ryfrand@torah.org> Sep 6 (6 days ago) To sponsor an edition of the Rabbi Yissocher Frand e-mail list, go to <https://www.capalon.com/secure/torah/listDedicate.php?class1=35>. "RavFrاند" List - Rabbi Frand on Parshas Nitzavim-Vayelech These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 649, Minhagim of the Yomim Noraim. Good Shabbos

Paying Attention to the Voice of the Almighty: Delivered 9/11/2001 + 2  
And it will be when all these things come upon you – the blessing and the curse – that I have placed before you, then you will take it to your heart among all the nations where Hashem, your G-d, has dispersed you." [Devorim 30:1]

I think that perhaps the most appropriate reaction to this occasion is the words of Parshas Nitzavim.

The pasukim [verses] talk about a person who fails to react to "all these curses". It speaks of one who -- upon hearing the words of the previously presented imprecation – blesses himself in his heart saying: "Peace will be with me, for I walk along as my heart sees fit." [Devorim 29:18] G-d will not be willing to forgive the person who does not react to the curse he has witnessed [Devorim 29:19].

In any year, Parshas Nitzavim always has a profound impact, as the last parsha before Rosh HaShannah. In the context in which we stand following the horrific events of the past week, it is only necessary to read the verses.

"And you will return to Hashem your G-d and hearken to His voice." [Devorim 30:2]. The first step of repentance is to hearken to His voice (v'sha-mata b'kolo). Perhaps this is not to be interpreted as we normally would, to listen to His voice and fulfill His commandments. "You shall hearken to His voice" means that when the Almighty speaks to us we need to pay attention.

When Hashem speaks through natural phenomenon or through historical events, we must attune our ears, lift up our antenna, and receive His message. This is the first step in Teshuva [repentance].

The Talmud says that thunder was only created in order to straighten out the crookedness and perversions in a person's heart. [Berachos 59a] When a person hears a clap of thunder and flinches, the experience may give him pause. When the Chofetz Chaim, zt"l, used to hear thunder he would ask "What does Father want?" (Vos vill der Tata?)

If the Chofetz Chaim was alive today and he saw and heard what happened this week, what would he do? If he even saw the Voice of Hashem in a clap of thunder, what would he say to the events of this last week? Vos vill der Tata? What does Father want?!

There is a strange passage in Tractate Avodah Zarah [18a]: Rabbi Chanina ben Teradion asked Rabbi Yosi ben Kisma "Am I destined to go to Olam Haba [the World to Come]?" Rabbi Yosi ben Kisma responded, "Did you ever do anything special?" [This, mind you, is the same Rabbi Chanina ben Teradion who publicly taught Torah against the edict of the Roman Government forbidding Torah study.] Rabbi Chanina ben Teradion responded: "I once had Purim money (for my personal Purim meal) that got mixed up with money I set aside for charity. I then gave the entire sum away to poor people." Rabbi Yosi ben Kisma responded, "If that is the case, may my portion in the World

to Come be as great as your portion. You are certainly destined to go to Olam HaBah!"

What does this Gemara mean? I once saw a unique interpretation. Rabbi Chanina ben Teradion saw in this incident that the Almighty was trying to tell him something. The Master of the Universe was sending him a message. The message was that really this money (that he had set aside for his Purim meal) should be given to charity. Rabbi Chanina ben Teradion was so sensitive and so open and receptive to Heavenly messages that in that small, almost trivial incident he recognized that "the Almighty is trying to tell me something." Rabbi Yosi said, "If that is the case -- if in such a small little incident you see and you hear the Hand of G-d, I can be confident that you are destined for the World to Come. It is obvious that you go through life in such a way that when G-d merely taps you on the shoulder you hear it and you get the message.

It is about hearing such messages that the Torah states in this week's parsha "And you shall hear His Voice" (v'sha-mata b'kolo).

"And with a great shofar blast He shall blow and with a small silent voice He shall be heard" [Yomim Noraim liturgy]. Do we ever stop to consider the paradox of the contrast in this pasuk from our High Holiday prayers? If He blows with a great shofar blast, why is it then only a small little voice that we hear? If the shofar blast is so powerful that even the angels tremble from it, then when it reaches us, why is it only perceived as a small silent voice (kol demama daka)?

This is the nature of people. The Almighty could give out the loudest blast possible. It could be a cataclysmic event, but we only hear the small silent voice. People can react in all sorts of ways, but are they hearing the Voice of Hashem? Are they asking the one simple question: What does Father want?

We heard tonight all sorts of suggestions as to what our reaction must be from people who are far greater than us. Some suggest it has to be a strengthening of the honor of the synagogue and the honor of prayer. Others suggest an increased diligence in avoiding monetary improprieties. Still others suggest it must be restraint in expenses when it comes to Simchas. One hears a variety of suggestions.

I say one thing. DO SOMETHING. We cannot let an event like this go by and not do SOMETHING. I told the students in my class, who are for the most part between 20 and 23 years old, that every generation has an event that is seared into the collective memory of that generation. To my father's generation it was September 1, 1939. Every year on that day, my father would say "Today Hitler invaded Poland." For my generation it was November 22, 1963 (the day John Kennedy was assassinated). In the sum total of history it is probably an insignificant event, but it is something that everyone of my generation remembers. For this generation it is and will be September 11, 2001.

It was a cataclysmic event. No one knows how this is going to play out. No one knows whether this is the first volley of the Final War. No one knows whether this is going to be "good for the Jews" or "bad for the Jews". No one knows whether the initial reaction of "blame those Arabs" will prevail or whether the secondary reaction will be "but it is because of those Jews." No one knows whether this economy that is already teetering on the cusp of a recession will now be thrown into the throes of a full depression. No one knows.

But let us not make the collective mistake of just letting this moment pass. When the Ribono shel Olam has spoken to us more clearly than He has in decades, we must listen. The last time this country lost more than 3,000 people in one day was during the Civil War! If we don't hear this, we are spiritually dead. If we don't respond, we are beyond help.

Don't make the mistake of saying "Well, who says it's because we talk during davening! Who says? How do you know?" Don't make the mistake of saying: "What does this have to do with spending too much money on weddings? What does this have to do with Lashon Hara [slander]? What does this have to do with bitul Torah [wasting time from Torah study]?"

I don't care. One thing I do know. If after 120 years, I go to Heaven and stand before the Heavenly Throne and they ask me "What did you do in the aftermath of this day?" and I tell them that I did such and such, and they tell me "That was not the correct reaction to why this happened," I'll know how to respond. I will say, "I'm sorry. I did not have a prophet. I did not have a proper spiritual guide. I just listened to the great men of my generation and did what they told me. This is what I thought. What else could I do? I tried."

I do not know for sure how Judgment works up there, but I am fairly confident that the Almighty will accept such an answer. "I tried; I did SOMETHING" is an acceptable answer. But if I go up there and I say: "I did not do anything," and they will exclaim "How could you not do anything?" What will I say? "Because I was unsure what to do. I did not know for sure. Therefore, I did nothing and my life did not change when I saw such an event." Heaven forbids what the Almighty might say if we offer such a response.

This is my message: Whatever it is – DO SOMETHING! The Ribono shel Olam talked to us like he has not spoken to us in generations. Do not ignore your father when He speaks to you! Do not just walk out of the room.

"Yes father. What do you want? I am going to do something, father, because I know you want something. I do not know exactly what you want, but I know you want something." A person that always asks himself "What does Father want?" is guaranteed a place in the World to Come.

Transcribed by David Twersky; Seattle, Washington DavidATwersky@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org This week's write-up is adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion. The halachic topics dealt with in the portion of Nitzavim-Vayelech in the Commuter Chavrusah Series are the following: 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 © 2007 by Rabbi Yissocher Frand and Torah.org. Transcribed by David Twersky; Seattle, WA DavidATwersky@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org To support Project Genesis - Torah.org, go to <http://www.torah.org/support/>. Join the Jewish Learning Revolution! Torah.org: The Judaism Site brings this and a host of other classes to you every week. Visit <http://torah.org> or email [learn@torah.org](mailto:learn@torah.org) to get your own free copy of this mailing. Need to change or stop your subscription? Please visit our subscription center, <http://torah.org/subscribe/> -- see the links on that page. Permission is granted to redistribute, but please give proper attribution and copyright to the author and Torah.org. Both the author and Torah.org reserve certain rights. Email [copyrights@torah.org](mailto:copyrights@torah.org) for full information. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. [learn@torah.org](mailto:learn@torah.org) 122 Slade Avenue, Suite 250 (410) 602-1350 Baltimore, MD 21208

**TORAH WEEKLY—Parshat Netzavim - Vayelech**  
**For the week ending 12 September 2009 / 22 Elul 5769**  
**from Ohr Somayach | [www.ohr.edu](http://www.ohr.edu)**  
**by Rabbi Yaakov Asher Sinclair - [www.seasonofthemoon.com](http://www.seasonofthemoon.com)**

## OVERVIEW

### Netzavim

On the last day of his life, Moshe gathers together all the people, both young and old, lowly and exalted, men and women in a final initiation. The covenant includes not only those who are present, but even those generations yet unborn. Moshe admonishes the people again to be extremely vigilant against idol worship, because in spite of having witnessed the abominations of Egypt, there will always be the temptation to experiment with foreign philosophies as a pretext for immorality. Moshe describes the desolation of the Land of Israel which will be a result of the failure to heed G-d's mitzvot. Both their descendants and foreigners alike will remark on the singular desolation of the Land and its apparent inability to be sown or to produce crops. The conclusion will be apparent to all - the Jewish People have forsaken the One who protects them, in favor of idols which can do nothing. Moshe promises, however, that the people will eventually repent after both the blessings and the curses have been fulfilled. However assimilated they will have become among the nations, eventually G-d will bring them back to Eretz Yisrael. Moshe tells the people to remember that the Torah is not a remote impossibility; rather its fulfillment is within the grasp of every Jew. The Parsha concludes with a dramatic choice between life and death. Moshe exhorts the people to choose life.

### Vayelech

On this, the last day of his life, Moshe goes from tent to tent throughout the camp, bidding farewell to his beloved people, encouraging them to keep the faith. Moshe tells them that whether he is among them or not, G-d is with them, and will vanquish their enemies. Then he summons Yehoshua, and in front of all the people, exhorts him to be strong and courageous as the leader of the Jewish People. In this manner, he strengthens Yehoshua's status as the new leader. Moshe teaches them the mitzvah of Hakhel: That every seven years on the first day of the intermediate days of Succot, the entire nation, including small children, is to gather together at the Temple to hear the King read from the Book of Devarim. The sections that he reads deal with faithfulness to G-d, the covenant, and reward and punishment. G-d tells Moshe that his end is near, and he should therefore summon Yehoshua to stand with him in the Mishkan, where G-d will teach Yehoshua. G-d then tells Moshe and Yehoshua that after entering the Land, the people will be unfaithful to Him, and begin to worship other gods. G-d will then completely hide his face, so that it will seem that the Jewish People are at the mercy of fate, and that they will be hunted by all. G-d instructs Moshe and Yehoshua to write down a song -Ha'azinu - which will serve as a witness against the Jewish People when they sin. Moshe records the song in writing and teaches it to Bnei Yisrael. Moshe completes his transcription of the Torah, and instructs the Levi'im to place it to the side of the Aron (Holy Ark), so that no one will ever write a new Torah scroll that is different from the original - for there will always be a reference copy.

## INSIGHTS

### Not Another Love Story

**"...for He is your life and the length of your days." (30:20)**

I'll never forget the first time I fell in love.

I gazed across the kindergarten tables (all of 14 inches high) as my beloved entered the room. The world stopped. Everything seemed to go into slow motion as she floated through the classroom to her seat. And later that day, life seemed to have come to an end when her mother called up to say that she couldn't come over for tea.

When you're really in love, it's as though all you are living for is that person. Nothing else exists. Everything else in the world - eating, drinking, breathing - are no more than boring distractions. If one's love was not in the world nothing would matter one bit.

It's interesting, but that's just how the Rambam describes the way we should feel about G-d. (Laws of Kriat Shema 1:1)

The Rambam says we should be lovesick for G-d, and that all of Shir Hashirim (The Song of Songs) is a metaphor for that love.

The Rambam explains that we say the first paragraph of the Shema before the other two paragraphs because it contains the yichud of G-d - His Unity - our love of G-d and His Torah. This, says the Rambam, is the fundamental principle on which everything else stands. What's interesting is that the Mishna on which the Rambam presumably based this Halacha just says that we say the first paragraph of the Shema before the others because it contains the acceptance of the yoke of the Kingdom of Heaven. That's all.

In other words, the Rambam is teaching us that the yichud of G-d, and our love of Him and our acceptance of His Torah are more than just mitzvot. They are the acceptance of an inescapable reality, outside of which there is nothing.

If we live just to fulfill mitzvot, that's not being in love. Real love is the feeling that our entire existence depends on G-d, and that without Him there is no existence. Nothing.

There is no other love story in the world.

Written and compiled by Rabbi Yaakov Asher Sinclair

## Peninim on the Torah by Rabbi A. Leib Scheinbaum PARSHAS NITZOVIM/VAYEILECH

**You are standing today, all of you...from the hewer of your wood to the drawer of your water. (29:9,10)**

The prefix mem, followed by the word ad, to, denotes a contrast between two subjects, as in, "from the smallest to the largest" or "from the bottom of his feet to the top of his head." Likewise, "from the hewer of your wood to the drawer of your water" denotes two ends of a spectrum. Horav Shlomo Yosef Zevin, zl, explains this contrast as applying to two disparate approaches to teshuvah,

repentance/return: from below to above and vice versa. This may be explained in the following manner: A person is acutely aware of the insignificance of his puny life, the various thoughts and actions in which he is involved. When he realizes the foolishness for which he wastes his life, he will become appalled, remorseful and filled with regret. He will be broken-hearted over the things - both evil and foolish - that he has committed. This attitude will motivate him to return to a life of commitment, a life of enthusiasm for Torah and mitzvos, a life of serving the Almighty.

For some people, the negative approach does not seem to work. On the contrary, when one feels "down," he finds it difficult to ascend, to rise up and elevate himself to the proper spiritual plateau. Giving up on oneself is so much easier than trudging uphill, overcoming the many obstacles that stand in the way. This individual needs to take an aggressive, more positive, approach. If he has been lax in davening attendance, he should be determined to come ten minutes early for davening. If he would normally study one daf, page, of Talmud daily, he should now study two pages. He should ignore his own inconsequence and instead focus on the positive in order to do more.

Rav Zevin cites the Zohar HaKadosh concerning the pasuk in Sefer Tehillim 51:19: Lev nishbar v'nidkeh, Elokim lo sivzeh, "A heart broken and humbled, O G-d, You will not despise." The Zohar asks, "What is done to a piece of wood which will not catch fire? One cracks it open, and it can then be kindled." A block of wood that is so hard that the flames cannot penetrate and set it afire must be split, so that the fire will be able to kindle it from the inside. Likewise, one who is so tough and hardened that the fire of his neshamah, soul, cannot set him aflame with a passion to return and serve the Almighty should resort to "cracking" himself open." He should introspect and engage in self-rebuke until he penetrates his heart, thus allowing the glow of the neshamah to burn passionately.

There is an individual, however, for whom the broken-hearted approach does not work. He either cannot handle the introspection, or he is simply disinterested in self-rebuke and anything that means putting him down. It is just not his personality. He should take the approach to which the Navi Yeshayah 55:1 alludes, Hoi kol tzamei lechu la'mayim, "Ho, everyone that is thirsty, go to the water." Water has the incredible ability to quench thirst and also to dissolve even the most hardened materials. In Sefer Ivov 14:19, we find, Avanim shachaku mayim, "Stones are worn away by water." The Navi Yechezkel 36:26, says, V'hasirosi es lev ha'even mibsarchem, "I will remove the heart of stone from your flesh." The heart of stone is neutralized through the Torah, which is compared to water. In this approach, we ignore the individual's self-generated low self-esteem. The individual who cannot handle eradicating the darkness by breaking down the door that blocks his light takes the road by which he suffuses himself with so much light that it eventually overpowers the darkness. In other words, one either finds a way to bring out the light from within or he floods the area with an abundance of light.

This is what it meant by the hewer of the wood: the individual who breaks through the hard wood, allowing for the fire to penetrate and burn; while the drawer of water, suffuses the darkness with enough light to overpower it. There are two disparate and perhaps extreme measures which work for different types of people, in varied situations. They both have one goal: returning to Hashem.

**Perhaps there is among you a man or woman...whose heart turns away today from being with Hashem...perhaps there is among you a root flourishing with gall and wormwood. (29:17)**

The "beginning" plays a predominant role in one's upbringing, ultimately effecting his future. It might only be a "root," but an improper root might grow into something monstrously evil. The Yerushalmi, as cited by Tosfos in Meseches Chaggigah 9b, relates the story of Avuyah, father of Elisha, who became infamous as Acher, the Other One, a name describing his banishment from the centers of Torah Judaism. How did it all begin? What was the precursor of Elisha ben Avuyah's spiritual demise? Apparently, at the Bris, circumcision, of his young son, Avuyah was enraptured by the "fire" that surrounded Rabbi Eliezer and Rabbi Yehoshua. He was so impressed by the awesome power of Torah and its effect upon those who study and become proficient in it, that he vowed to dedicate his infant son to Torah study. Chazal say that since his intentions were not l'shem Shomayim, for Heaven's sake, the "beginning" that engendered Elisha's growth as a Torah sage constituted an "improper root." As Horav David Povarsky, zl, explains it, the reason that Avuyah dedicated his son to Torah was not because Torah itself was important, but, rather, that it could lead to eminence. He saw the fire that surrounded the sages, and that impressed him. The Torah was not a goal; it was a means to acquire honor and glory. The growth of anything is dependent greatly on its root, its beginning. Avuyah had the wrong intention, incorrect goals and objectives. He was not machshiv Torah; he did not appreciate Torah. The accoutrements that accompanied success in Torah were what meant so much to

him. One who does not appreciate the true value of Torah does not deserve to reap its benefits.

The Rosh Yeshivah applies a similar idea to explain an incident that occurred concerning Yirmiyahu HaNavi. Fearing the prophet's effect on the people, the officers flung him into a pit filled with mud. When Ebed-Melech, one of Tzidkiyahu HaMelech's senior officers, heard about this, he went to the king and complained. The king listened and instructed Ebed-Melech to remove the prophet from the pit. The officer threw down rags and a sturdy rope. He told Yirmiyahu to place the rags under his armpits, beneath the rope, which would go around him. Then, they pulled him up from the pit. Chazal relate that Yirmiyahu lamented, "If only I would have had a ladder (rather than having to be pulled up by a rope)." Hashem responded, "You want a ladder? Just as your grandmother (Rachav) helped the two Jewish spies in Yericho (Calev and Pinchas) escape by way of a rope (rather than a ladder), so, too, are you to be saved by a rope."

Chazal are telling us that since Rachav used a rope, which is associated with some pain, rather than allowing the spies the comfort of a ladder, generations later, her grandson, Yirmiyahu, was pulled up by a rope. Here was a woman who had risked her life for two Jewish spies, yet, she is being held accountable for not using a ladder! We derive from here, explains the Rosh Yeshivah, that everything is included in the equation. If Rachav's act of self-sacrifice could have had some minute form of improvement, it still affected her grandson, many years later. That is the effect of the "beginning." The Rosh Yeshivah remembers that when women would rock their babies to sleep, they would sing to them, A Gaon zalst du zein, "You shall grow up to become like the Gaon of Vilna," so profound was the impact of his life on them. Hundreds of years later, mothers still wanted their sons to become like the Gaon. This is the emotion, the love of Torah, the desire for gadlus, greatness in Torah, that the mothers of yesteryear wanted to instill in their children. They realized how important is the beginning, how great and enduring is its impact. In earlier generations, the appreciation of Torah was ever present. The Rosh Yeshivah relates that in Volozhin, where Horav Chaim Volozhiner established the first full time Yeshivah, the respect that even gentiles had for a yeshivah student was absolutely unreal. They would refer to a yeshivah bochur as a "student," which was a title of honor in those days, recognizing the preeminence of studying in a yeshivah. How far have we distanced ourselves from those days and that form of acknowledgment.

Returning to Elisha ben Avuyah, we wonder why he never repented. Clearly, he was aware of what he was doing. To have achieved the eminence of Tanna status, to have had a student such as Rabbi Meir Baal HaNess, who refused to stop learning from his rebbe even after he had gone off the derech, left the Torah way of life, demonstrates the greatness of this individual. Apparently, his "beginning" was crippled enough to stunt his total growth, but what prevented him from returning? Perhaps, this indicates all the more respect we must demonstrate for a baal teshuvah, one who returns and changes his life. We have no idea what this transformation entails. Elisha ben Avuyah obviously was not capable of doing it. The following incident is related in the Talmud Chaggigah 15a, which sheds light on the anomaly of Elisha ben Avuyah's rejection of the Torah. He was riding on a horse on Shabbos, which is Rabbinically prohibited. His talmid, primary student, Rabbi Meir, was following him on foot in an attempt to pick up yet another Torah lesson. When they reached the techum Shabbos, boundary of Shabbos, Elisha said to Rabbi Meir, "Meir, return, I have estimated upon my horse's steps, that we are on the edge of the techum, two thousand cubit boundary at the outskirts of a city," Rabbi Meir countered, "You should also return (and not transgress the techum Shabbos)." Elisha replied, "Did I not tell you I have heard (from Heaven), 'All can return (repent) except for Acher (Elisha ben Avuyah).'" This is why he did not repent; he knew it would not be accepted. Alas, he had gone too far.

Rabbi Meir was aware of this Heavenly verdict. Why, then, did he insist that Elisha repent? It was pointless to do something which was to no avail. Heisen had already made its declaration. Elisha was out of the box. In his Michtav M'Eliyahu, Horav Eliyahu Eliezer Dessler, zl, cites the Reishis Chochmah, Shaar HaKedushah 17, that this is expressly what Elisha was supposed to do: repent, despite the fact that he was told that it would not be accepted. Had he done this and performed teshuvah regardless of the implied consequence, his teshuvah would have been accepted. Hashem waited patiently for Elisha to return, despite every indication otherwise. Hashem wanted originality in Elisha's repentance. Repenting, undeterred by its lack of recognition, indeed, repenting with the advance knowledge that it will not be acknowledged-- and certainly not accepted-- is very innovative. This is what Hashem was waiting for: innovative teshuvah. Had Elisha come forward, his teshuvah would have been embraced.

Rav Povarsky adds that this all reverts to his flawed beginning. Since from the "get go" Elisha's approach to Torah was based upon a false premise, he had to make a break with his past, to do something new, something creative, cutting-edge

teshuvah which would place him at a fresh beginning, allowing him to start anew. Indeed, asks the Rosh Yeshivah, what difference should there be if his teshuvah were to be accepted or not? The main focus of a Jew is to fulfill Hashem's command. Hashem wants us to observe mitzvos, and, if we stray, we repent and return to Him. So what if He does not accept our teshuvah? That is not a reason not to repent.

All too often, we decide not to climb the mountain for fear of failure. Hashem wants us to climb. Whether or not we reach the top is unimportant. It is the climb that counts. It is the climb that determines one's commitment. Veritably, it is not even the climb that is important; it is the willingness to attempt to climb that is meaningful.

#### **Parashas Vayeilech**

#### **Hashem said to Moshe, "Behold, your days are drawing near to die." (31:14)**

On the last day of Moshe Rabbeinu's life, the Almighty presaged his impending death with the word, hein, behold. In the Midrash, Chazal relate that when Moshe heard his death sentence pronounced with the word hein, "behold," he called out, "With the word hein, I praised You (this is a reference to Devarim 10:14, where Moshe declares, "Behold! To Hashem, your G-d, are the heaven and highest heaven, the earth and everything in it."); and now You use that same word to announce my death?" Hashem replied, "Moshe, you seem to have forgotten that when I sent you to Egypt to redeem the Jewish People, you demurred, saying, 'Behold! They will not believe me and they will not heed my voice' (Shemos 4:1). Therefore, I now decree death upon you with the word hein."

This is a clear indication, as noted by Horav Chaim Shmuelevitz, zl, that Hashem is precise in His dealing with people middah k'negged middah, measure for measure. Hashem acts toward us in the same manner in which we deal with others.

Normally, this would be a reference to a manner of behavior. If we lack compassion, He will not manifest compassion. If we act with sensitivity, He will act likewise. Rav Chaim goes one step further with his explanation. Hashem's punishment is not punitive. His punishment is not a form of revenge. It is therapeutic. Thus, the purpose of suffering and other forms of Heavenly responses to our actions, is to instruct and educate us concerning our wrongdoing. How else would we really know for what we are being punished? We analyze the response and introspect our actions. Indeed, the Hebrew word yissurim, suffering, is a derivative of the word mussar, which means to instruct.

We do not always realize our sin, and we certainly do not quite estimate the full extent of its seriousness, the harm that it caused, the spiritual chasm that it created. Hashem's punishment reflects all of this, so that the sinner will give some thought to the punishment, question why, and arrive at the correct answer. This will, hopefully, catalyze the initiation of the process of teshuvah, repentance, in the thinking person's mind.

Returning to Moshe's "improper" use of the word hein, what really was so inappropriate? He was making a valid statement. The people had reason neither to believe in him nor to listen to him. Aside from the obvious skepticism, they were simply broken people, filled with pain and misery, with very little reason to hope for any form of change. It is not as if Moshe's statement did not make sense. For what was he held accountable? The Chafetz Chaim explains that our quintessential leader sorely underestimated the nation which he would soon lead. Moshe underrated the potential of the kedushah, holiness, of the nation. Indeed, as soon as he came before them and demonstrated the miracles which Hashem had empowered him to perform, the people reacted in a most positive manner.

With this in mind, we now have a deeper perspective into Moshe's error of using the word hein. The Chafetz Chaim explains that "behold" is an expression of crystal clear certainty. Something is here, tangible and exists with extreme and unequivocal clarity. Moshe was implying with indubitable certitude that Klal Yisrael would refuse to listen to him. They would not believe in him. For this, he was punished measure for measure. The future leader of the Jewish Nation had gone too far in miscalculating his flock. Thus, when Moshe repeatedly entreated Hashem to revoke His decree forbidding him to enter Eretz Yisrael, he was handed a clear, unequivocal, and final "no." "Behold" - your days are drawing near. It was not going to happen. Hashem used the same word, hein, which Moshe had used to negate the spiritual potential of the Jewish nation, to quell his aspirations for entering the Holy Land. It would not occur.

In his inimitable manner, Horav Avraham Pam, zl, derives an intriguing lesson from here: one can never give up on a Jew. We always have hope. There is always a chance, however remote, that he will return. Regardless how far one has distanced himself from his people and his G-d, the depths of depravity to which he has plummeted notwithstanding, it is always possible to wipe away the taint of sin and return to become a full baal teshuvah. Every Jew has within him the Pintele Yid, an indestructible spark, imbedded deep within his neshamah, soul. This spark waits to be ignited by an authentic connection to Torah. Artificial stimulation might

catalyze it, but in order to have it ignite properly and eventually burn brilliantly, it needs authenticity. This comes only from Torah chinuch, education. It will then blaze into a fire of spiritual holiness, which will rapidly destroy the impurities that tarnish his past. He is now ready for the future. His slate is clean. He can ascend to the present as a Jew loyal to Hashem and His mitzvos.

The key to a Torah life is a Torah education. This is a syllabus which has a Divine Author and is, thus, not subject to the constraints of aptitude, method and background that weigh so heavily in the area of secular scholastics. One with limited or even no background has only to avail himself diligently and to devote himself with sincerity, so that he can achieve success in Torah knowledge. This applies equally to the Jewish child who was born into an observant environment, but, through no fault of his own, his G-d-given capabilities do not conform with the rigorous self-imposed standards of today's factories of instruction. How often do we hear those who vie for the mantel of mechanech, Torah educator, declare that it is just not worth putting too much effort into this child because he will never reach a high level of achievement? The Rosh Yeshivah states emphatically that this is a tragic mistake, since, when it concerns spiritual matters, nothing stands in the way of one who desires to succeed. I am sure that everyone knows of an instance when the child who had been deemed least likely to succeed became a talmid chacham, Torah scholar, beyond anyone's expectations.

We stand at the last Shabbos of the year when everyone searches for a z'chus, merit. This is a time when self-improvement is the greatest source of merit, but it seems so hard, so distant. By remembering that nothing is impossible for the Jew who seeks to connect with the Almighty, the path of return does not need a GPS. It does, however, need courage, resolve and conviction. With these ingredients, one need only allow Hashem to do the navigating.

One aspect of teshuvah is intrinsic to the conviction one has, and, without it, the teshuvah will not be efficacious. One must believe with deep conviction that teshuvah works, that he can erase his past, that through heartfelt prayers and inner toil to correct and achieve atonement and forgiveness, he will succeed and be purified by Hashem. Only when our tears emanate from the depths of our hearts will Hashem bless and embrace us as a father cradles his son. Our repentance becomes real when we believe in it. Then, we facilitate its effectiveness.

With all of its benefits, however, teshuvah still alludes many. Since this is a monumental undertaking, it is understandable that it is fraught with hardship. Yet, some make it. It takes desire and a little help. The help is available - one must muster the courage to ask. Perhaps the following story will lend some insight into what I mean. The Bluzhover Rebbe, Horav Yisrael Spiro, zl, became friendly with a secular Jew in the concentration camp. One night, the sadistic Nazis took out a group of inmates and told them to jump over an impossibly long pit. Those who completed the jump would be allowed to live until another day, when other impossible challenges would be forced upon them. Those who tragically failed to clear the pit would be shot, and the pit would become their graves.

The line did not move quickly, since everyone knew the outcome. Regrettably, every Jew failed to clear the pit and was immediately shot. The mass grave was filling up. The secular Jew turned to the Rebbe and said, "Let us not give those sadists the satisfaction of playing their game. We should not budge and just let them shoot us right away. In any case, we are going to die."

The Rebbe replied, "What is the difference if we enter Gan Eden a minute earlier or a minute later? Let us at least try. The worst that could happen is that we will fail and get killed." Soon it was their turn and, they found themselves at the edge of the pit, and they jumped. Incredibly, they both ended up on the other side.

"Rebbe," exclaimed the other Jew, "how did you do it?"

The Rebbe said, "I held on to the coattails of my ancestors, and they pulled me across, but, my friend, how did you do it?"

"I held on to your coattails," the man answered tearfully.

Some of us need that push, that nudge. Others need to grab onto someone's coattails. As long as one is willing to extend himself and reach out, there will always be someone there to help. Hashem will see to that.

#### **Va'ani Tefillah**

#### **Meodeid anavim Hashem**

#### **Hashem encourages the humble.**

Horav Avigdor Miller, zl, explains this pasuk practically. When we see someone who is bold and strong-hearted, unafraid, and has risen to a great position of power or wealth, we must understand that this did not "just happen." Hashem encouraged, emboldened and elevated him for a purpose. If not for Hashem, this person would be meek and lowly, afraid and poor, scared of his own shadow. Indeed, this is why Rabbi Yehudah HaNasi would give honor to the wealthy. Their wealth testifies that Hashem wished them wealth. We are conforming with Hashem's wish by honoring those whom He decided to elevate. While they do not present themselves to us now

as humble, because of their exalted position, they are, in fact, intrinsically humble and lowly, with all of their courage and dignity a gift from Hashem. In addition, since all greatness and nobility are solely in the hands of Hashem, one should realize that the One to whom we should turn for encouragement and salvation is none other than Hashem.  
l'zchar nishmas ovinu moreinu R' Avraham Aharon ben Yekusiel Yehuda z"l shehalach l'olamo b'rev Rosh Hashana 5753 Mishpachas Mayer Rabbi & Mrs. Harry Mayer and Family Queens, New York

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**Weekly Halacha by Rabbi Doniel Neustadt (Torah.org)**  
**Selected Halachos relating to Parshas Nitzavim-Vayeilech**  
*The following is a discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.*  
**"You are standing today, all of you..." (29:9)**

### **SELICHOS AND EREV ROSH HASHANA: 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 any time from midnight on. Before midnight it is prohibited to recite selichos (2). Under extenuating circumstances--if one can not 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 Hashachar 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 hashachar (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, the words Zechor lanu hayom bris shlosh 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 [a half day] on Rosh Hashana in the past, continue to do so every year (10)?  
**ANSWER:** 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 be matir neder (annul his vow).

\* If the custom was accepted initially on a year by year basis, no hataras nedorim 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 bli neder stipulation, automatically becomes a neder and may not be dropped without hataras nedorim. 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 nedorim. People who adopt even "simple" customs in which they are otherwise not obligated, like reciting Tehilim daily or studying the daf yomi, without making the bli neder stipulation, require hataras nedorim 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 nedorim (14). For instance, a person who ate cholov yisroel 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 nedorim 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 bli neder (15).

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

**ANSWER:** Any male adult (16) can be a member of the court, even if he is related to the other members or to the petitioner (17). Three judges suffice for hataras nedorim. Some poskim prefer ten judges (18) and some insist on eleven (19), but it has become customary to have only three.

**QUESTION:** Must women participate in the process of Hataras Nedorim?

**ANSWER:** Hataras nedorim on Erev Rosh Hashanah (20), 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 people are accustomed to petition the court to annul their wife's vows at the time that they annul their own (21). The wife need not expressly appoint her husband to annul her vows (22).

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 (23). A daughter cannot appoint her father [or anyone else] to petition the court on her behalf (24).

**QUESTION:** Should annulment of vows be done in Hebrew?

**ANSWER:** For the annulment to be valid, the petitioner and the members of the court must understand exactly what is being said. Anyone who does not understand the published Hebrew text should annul his or her vows in English (25).

### 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 Yechave 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 that asher nossan lasechvi binah should l'chatchilah not be recited before alos hashachar.

6 Sha'arei Teshuvah 6:5; Aruch ha-Shulchan 4:5;

6:10. Chayei Adam 7:6 and Mishnah Berurah 4:4;

6:9, however, recommend that it be recited right before davening, after using the bathroom.

7 Mateh Efrayim 581:21.

8 O.C. 565:5. It is permitted, however, to read them as if reading from the Torah, with the proper cantillation marks.

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 When not feeling well, one is exempted from this fast. It is proper to mention this fact 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 the custom in many places today.

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

14 Y.D. 214:1. See Igros Moshe Y.D. 1:47. 15 Minchas Shlomo 91 based on Teshuvos Salmas Chayim 2:38. [Although women do not customarily petition for hatoras nedorim 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.]

16 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 Avrohom, Shulchan Aruch Harav and Pri Megadim 39:1, and Chayei Adam 14:1. See also Beur Halachah 39:1 who is even more stringent.

17 Y.D. 228:3.

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

19 Since no court may be made up of an even number of judges—see Mishnas Ya'avetz O.C. 53.

20 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.

21 This is the custom in Israel and other places.

22 Since a husband and a wife are considered as one concerning this halachah. Obviously, if the wife objects to her husband annulling her vows for her, he may not do so.

23 Y.D. 234:57.

24 Y.D. 228:16.

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

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