

Vayeitch-shuva
by Rabbi Berel Wein

The parsha of Vayeitch is the parsha that contains the smallest number of verses – only thirty – of any other parsha in the Torah. It also is the parsha that usually coincides with Shabat Shuva, the holy Shabat between Rosh Hashana and Yom Kippur. The words of the parsha are part of the last testament of Moshe uttered on the day of his passing from this earth.

As is his wont, Moshe minces no words regarding the fate of the Jewish people in its future story. Thus the shortest parsha of the Torah is also one of the most powerful of all of the parshiyot of the Torah. In effect Moshe warns his people Israel that the Lord will hold them accountable to the terms of the covenant of Sinai and that that covenant is irreversible and unbreakable.

It will take a long time and much twisting and turning by the Jewish people before they accept that reality of covenantal responsibility. But Moshe assures them that eventually the message will set in and that this will be the basis for the Jewish return to God and His Torah. This is the essence of the parsha's content and the brevity of the parsha only serves to enhance the power of its message.

There are certain self-evident truths that need no extra words, explanations or language. This parsha especially gains in power and relevance as Jewish history unfolds over thousands of years. Every deviation from the covenant of Sinai has eventually brought with it angst and pain if not even disaster in the Jewish world. Just look around at Jewish society and history and Moshe's words are clearly vindicated by circumstances and events.

Personal repentance and return is far easier to achieve than is national repentance and return. The Jewish people or at least a significant part of it has strayed very far away from the covenant of Sinai. The situation here in Israel is far better than it is in the Diaspora where intermarriage, ignorance, alienation and false gods have eroded Jewish faith, family, self-identity and values. How is it possible to hope for a national return to the covenant of Sinai under such circumstances?

Our short parsha seems to indicate that it will be a process and not a sudden epiphany. The prophet in the haftorah indicates that such a process will be incomplete without the recognition that the false gods and temporarily popular ideals all have led nowhere. He echoes Moshe's words in our parsha that return and repentance in a national sense can only occur if there is a realization how badly we have gone astray.

The great challenge, of the modern culture upon us, is how pervasive it is in every facet of our lives. The confusion that this engenders in the Jewish people prevents clear thinking, accurate judgment and honest assessments of true Jewish values versus current faddish correctness.

Our parsha is short but our way back is long and rigorous. In this good and blessed year that has just begun let us start - and continue that journey that leads back to Sinai and forwards to complete national redemption.

Shabat shalom

Gmar chatima tova

Rabbi Berel Wein

The Heart, the Home, the Text
Vayeitch

Rabbi Jonathan Sacks

By now Moses had given 612 commands to the Israelites. But there was one further instruction he still had to give, the last of his life, the final mitzva in the Torah.

Now therefore write this song and teach it to the people of Israel. Put it in their mouths, that this song may be My witness against the people of Israel.

Deut. 31:19

The Oral Tradition understood this to command that each Israelite should take part in the writing of a Sefer Torah. Here is how Maimonides states the following law:

Every male Israelite is commanded to write a Torah scroll for himself, as it says, "Now therefore write this song," meaning, "Write for yourselves [a complete copy of] the Torah that contains this song," since we do not write isolated passages of the Torah [but only a complete scroll]. Even if one has inherited a Torah scroll from his parents, nonetheless it is a mitzva to write one for oneself, and one who does so is as if he had received [the Torah] from Mount Sinai. One who does not know how to write a scroll may engage [a scribe] to do it for him, and whoever corrects even one letter is as if he has written a whole scroll.

Laws of Tefillin, Mezuzah and Sefer Torah 7:1

There is something poetic in the fact that Moses left this law until the last. For it was as if he were saying to the next generation, and all future generations: Do not think it is enough to be able to say, 'My ancestors received the Torah from Moses.' You must take it and make it new in every generation.

And so Jews did.

The Koran calls Jews "the People of the Book." That is a great understatement. The whole of Judaism is an extended love story between a people and a book – between Jews and the Torah. Never has a people loved and honoured a book more. They read it, studied it, argued with it, lived it. In its presence they stood as if it were a king. On Simchat Torah, they danced with it as if it were a bride. If - God forbid - it fell, they fasted. If one was no longer fit for use it was buried as if it were a relative that had died.

For a thousand years they wrote commentaries to it in the form of the rest of Tanach (there were a thousand years between Moses and Malachi, the last of the prophets, and in the very last chapter of the prophetic books Malachi, says in the name of God, "Remember the Torah of My servant Moses, the decrees and laws I gave him at Horeb for all Israel"). Then for another thousand years, between the last of the prophets and the closure of the Babylonian Talmud, they wrote commentaries to the commentaries in the form of the documents – Midrash, Mishna, and Gemara – of the Oral Law. Then for a further thousand years, from the Gaonim to the Rishonim to the Acharonim, they wrote commentaries to the commentaries to the commentaries, in the form of biblical exegesis, law codes, and works of philosophy. Until the modern age virtually every Jewish text was directly or indirectly a commentary to the Torah.

For a hundred generations it was more than a book. It was God's love letter to the Jewish people, the gift of His word, the pledge of their betrothal, the marriage contract between heaven and the Jewish people, the bond that God would never break or rescind. It was the story of the people and their written constitution as a nation under God. When they were exiled from their land it became the documentary evidence of past promise and future hope. In a brilliant phrase the poet Heinrich Heine called the Torah "the portable homeland of the Jew." In George Steiner's gloss, "The text is home; each commentary a return." [1]

Dispersed, scattered, landless, powerless, so long as a Jew had the Torah he or she was at home – if not physically then spiritually. There were times when it was all they had. Hence the lacerating line in one of the liturgical poems in Neilah at the end of Yom Kippur:

"Ein lanu shiur rak haTorah hazot."

"We have nothing left except this Torah."

It was their world. According to one Midrash it was the architecture of creation: "God looked in the Torah and created the Universe." According to another tradition, the whole Torah was a single, mystical name of God. It was written, said the sages, in letters of black fire on white fire. Rabbi Jose ben Kisma, arrested by the Romans for teaching Torah in public, was sentenced to death, wrapped in a Torah scroll that was then set on fire. As he was dying his students asked him what he saw. He replied, "I see the parchment burning but the letters flying [back to heaven]" (Avodah Zarah 18a).

The Romans might burn the scrolls, but the Torah was indestructible.

So there is immense power in the idea that, as Moses reached the end of his life, and the Torah the end of its narrative, the final imperative should be a command to continue to write and study the Torah, teaching it to the people and “putting it in their mouths” so that it would not abandon them, nor they, it. God’s word would live within them, giving them life.

The Talmud tells an intriguing story about King David, who asked God to tell him how long he would live. God answered him, that is something no mortal knows. The most God would disclose to David was that he would die on Shabbat. The Talmud then says that every Shabbat, David’s “mouth would not cease from learning” during the entire day.

When the day came for David to die, the Angel of Death was despatched, but finding David learning incessantly, was unable to take him – the Torah being a form of undying life. Eventually the angel was forced to devise a stratagem. He caused a rustling noise in a tree in the royal garden. David climbed up a ladder to see what was making the noise. A rung of the ladder broke. David fell, and for a moment ceased learning. In that moment he died (Shabbat 30a-b).

What is this story about? At the simplest level it is the sages’ way of re-envisioning King David less as a military hero and Israel’s greatest king than as a penitent and Torah scholar (note that several of the Psalms, notably 1, 19 and 119, are poems in praise of Torah study). But at a deeper level it seems to be saying more. David here symbolises the Jewish people. So long as the Jewish people never stop learning, it will not die. The national equivalent of the Angel of Death – the law that all nations, however great, eventually decline and fall – does not apply to a people who never cease to study, never forgetting who they are and why. Hence the Torah ends with the last command – to keep writing and studying Torah. And this is epitomised in the beautiful custom, on Simchat Torah, to move immediately from reading the end of the Torah to reading the beginning. The last word in the Torah is Yisrael; the last letter is a lamed. The first word of the Torah is Bereishit; the first letter is beit. Lamed followed by beit spells lev, “heart.”

So long as the Jewish people never stop learning, the Jewish heart will never stop beating. Never has a people loved a book more. Never has a book sustained a people longer or lifted it higher.

[1] George Steiner, “Our Homeland, the Text,” in *The Salmagundi Reader*, pp. 99-121.

[CS – Late breaking post

from: **Ira Zlotowitz** <iraz@klalgovoaah.org>

date: Sep 25, 2025, 7:01 PM

Tidbits • Parashas Vayeilech • Shabbos Shuva 5786 in memory of Rav Meir Zlotowitz ZTL

Parashas Vayeilech • Shabbos Shuvah • September 27th • 4 Tishrei 5785 Reminders

Avinu Malkein is not said at Mincha on Erev Shabbos or on Shabbos (or at Mincha this Wednesday, Erev Yom Kippur).

In Magen Avos following Shemoneh Esrei on Friday night, HaMelech HaKadosh replaces HaKeil HaKadosh. The haftarah of Shuvah Yisrael is leined. It is customary for the Shul’s Rav to deliver a Shabbos Shuvah Derashah on Shabbos afternoon.

Vihi Noam is omitted on Motzaei Shabbos.

Kapparos is performed prior to Yom Kippur. Many do so using money while others use a live chicken. Tashlich may be said through Hoshana Rabbah.

Reminder to prepare your kittel for Yom Kippur, if applicable.

Tachanun is omitted on the days between Yom Kippur and Succos (as well as Kel Erech Apayim and the Yehi Ratzons after Kerias Hatorah). Av Harachamim and Tzidkascha are omitted on Shabbos (Parashas Haazinu) as well. Vihi Noam is omitted on Motzaei Shabbos.

The first opportunity for Kiddush Levana is Thursday night, September 25th. It is customarily delayed until Motzaei Yom Kippur. The final opportunity is the first night of Succos, late Monday night, October 7th at 12:11AM.

Daf Yomi - Shabbos: Bavli: Zevachim 13 • Yerushalmi: Shekalim 35 • Mishnah Yomis: Menachos 8:2-3 • Oraysa (coming week): Chagiga 6a-8a • Kitzur Shulchan Aruch: 134:7-2

Make sure to call your parents, in-laws, grandparents and Rebbi to wish them a good Shabbos. If you didn’t speak to your kids today, make sure to connect with them as well!

Next on Calendar

Yom Kippur begins on Wednesday evening, October 1st.

Succos begins on Monday evening, October 6th.

Hoshanah Rabbah is Monday, October 13th.

Shemini Atzeres begins Monday evening, October 13th.

Summary

VAYEILECH: Moshe takes leave of Klal Yisrael • Moshe encourages Yehoshua in front of all of Klal Yisrael • Moshe writes a Sefer Torah • Moshe teaches the mitzvah of Hakhel • Moshe and Yehoshua enter the Mishkan together and receive prophecy • The mitzvah of writing a Sefer Torah • Moshe’s Sefer Torah is placed alongside the Aron as a testimony

Haftarah: The haftarah of Shuvah Yisrael is leined. This haftarah consists of pesukim from Hoshe’ah (14:2-10) and Michah (7:18-20), with many adding a section from Yoel (2:11-27) in between. The pesukim encourage one to do teshuvah and relay Hashem’s deep desire for us to repent.

Taryag

Parashas Vayeilech: 30 Pesukim • 2 Obligations

1) Hakhel: In the year after shemittah, on the second day of Succos, all of Klal Yisrael gathers to hear the king read portions of Mishneh Torah (Sefer Devarim). 2) Write a Sefer Torah (or commission one to be written).

Mitzvah Highlight: The mitzvah to write a new Sefer Torah is for the purpose of making Torah accessible. Even if one inherited a Sefer Torah, the mitzvah still applies, as writing another sefer will allow others to benefit from it. A newer sefer is also more appealing to the reader. For these reasons it is important to publish new sefarim and publications on Torah topics (Sefer HaChinuch).

Parsha

שובה ישראל עד ה' אלקיד כי כשלת בעונך

“Return, Yisrael, to Hashem, for you have stumbled in sin” (Haftarah, Shabbos Shuvah - Hoshea 14:2)

The pasuk uses the word “avon” which generally refers to intentional sins. However, the pasuk describes Bnei Yisrael as “chashalta” - “stumbling,” implying that their sinning was accidental in nature. Why the apparent contradiction?

The Sefer Binah La’itim explains our pasuk as follows: Hashem responds to our misdeeds by delivering retribution not merely to punish us, but rather to cause us to change. “Ki chashalta” refers not to our sin, but rather to the resultant punishment and hardship that knocks a person down and causes him to stumble. The pasuk is teaching us that such mishaps are most often tied to “ba’avonecha,” a person’s sins. Furthermore, the pasuk teaches us that any area in which one suffers loss or hardship is many times a signal that he has erred in this particular area and is in need of rectification. May we be zocheh to a teshuvah sheleimah and a Gmar Chasimah Tovah!]

[CS – Late breaking post

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Choosing Between Tzom Gedalyah and Yom Kippur, and the Implications for Hostage Negotiations

Rabbi Daniel Z. Feldman

Tzom Gedalyah is a day that can get neglected, on many levels, compared to the many demanding festivals of the month of Tishrei, in terms of attention and understanding, and possibly even in practice. This last point is the topic of some extensive analysis, which on the surface refers to a very narrow eventuality. The concepts involved, however, are significant and touch upon major structural underpinnings of the entire

halakhic system and the decision-making processes that are relevant to issues of tremendous moment and significance.

It is widely understood that Jewish law demands protecting one's life, and this defines the obligations regarding fast days. As such, one whose health does not allow it must not fast on the otherwise mandated fast days, whether they be rabbinically ordained, or even the severe Torah obligation of fasting on Yom Kippur. However, a number of authorities considered an intriguing question: What if one's particular health circumstances indicated that he can choose only one of two proximate fast days? In this case, the choice would be between fasting on Tzom Gedalyah (basically a rabbinic mandate, although possibly accorded an enhanced status of "divrei kabbalah" due to scriptural mention in the book of Zachariah; see Rosh HaShanah 18b), or Yom Kippur, which is clearly a qualitatively more significant obligation, but occurs later.

This question is notably first associated with R. Avraham David Wahrman (1770-1840), known as the Butzacher Rav, in his commentary to Shulchan Arukh (Eishel Avraham, OC 602), and was then taken up by a number of others including the nineteenth-century authority R. Moshe Katzenellenbogen in his Resp. Ohel Moshe (#16) and at length by R. Chaim Chikiyahu Medini in his halakhic compendium Sdei Chemed (Ma'arekhet Yom HaKippurim, 1:10). Authorities continued to address it in the twentieth century and beyond, including R. Zvi Pesach Frank (Mikraei Kodesh, Rosh HaShanah pp. 119-120); R. Eliezer Yehudah Waldenberg (Resp. Tzitz Eliezer, X, 25:10); R. Moshe Stern of Debretzin (Resp. Be'er Moshe, VIII,34); R. Natan Gestetner (Resp. L'Horot Natan VIII,34, and R. Gamliel Rabinowitz (Gam Ani Odekha). Addressing this seemingly binary question requires drawing upon and analyzing a number of competing principles and weighing them against each other. In the process, positions are taken that have implications in areas throughout halakhah and beyond.

The moment vs greater importance

The first, and possibly primary question is, to what extent is it possible or appropriate to evaluate religious obligations against each other, particularly when one obligation has the advantage of currency and the other is yet to take effect? As with much of this discussion, this is an issue with halakhic sources in the early rabbinic literature as well as in the later responsa, while also drawing to a certain extent upon logical and philosophical considerations of duty and responsibility.

Often invoked in this regard is an ostensible debate between Radbaz and R. Tzvi Ashkenazi (Resp. Chakham Tzvi, 106) who addressed the question of one who is imprisoned, with the potential of a furlough to fulfill some religious aspirations and the opportunity to choose when that will be.

What, then, is the proper path? Should this individual take the earliest possible opportunity, regardless of the significance of that date? Or should he wait for an occasion where the religious accomplishments will, by whatever possible assessment, be of greater weight? This debate is cited in a different context by Be'er Heitiv (OC 90:11) and has generated an enormous literature.

For Radbaz, the first opportunity must be seized. Here again, there is a Talmudic principle invoked: "Ein Ma'avirin Al Hamitzvot," (Megillah 6b). One can question whether recourse to that source is necessary to argue this position, which may then require an analysis of its provenance and weight, or whether the simple reality of an incumbent obligation should be enough to generate priority over an as yet not imposed responsibility. Either way, Chakham Tzvi questions the premises, noting Talmudic indications (for example, Menachot 49) that it may only be when two acts are equal in value that priority must be given to the current obligation. Perhaps if a later obligation can be determined to be of greater import, it is indeed worth waiting for.

However, his own conclusion on the matter is unclear, particularly in light of the fact that he and others raise that the matter appears to have been the subject of an explicit Talmudic analysis. There is a passage (Moed Katan 9a-b) which contrasts two seemingly conflicting adages of King Solomon (Prov. 4:26 and 5:6). According to Rashi's interpretation, the first advises weighing one mitzvah against the other to see which is greater and worthy of attention, while the second discourages such

evaluation and urges attention to one that is currently in play. While the details require clarification, the Talmud appears to take an authoritative stand on the matter (see Maharsha and Resp. Divrei Malkiel, I, OC 12).

The nuances of the passage leave much open for further analysis. Chakham Zvi tentatively posits that when two actions are one mitzvah it may be indicated to wait for the enhanced version. However, if the actions are distinct from each other, it would not be right to push away the present one in favor of a later action. Presumably, in addressing the Radbaz's case, he is considering both options to be one united question of prayer, and thus acknowledging that it may be worth choosing the later option. As he was not addressing our question of Tzom Gedalyah and Yom Kippur, it is unclear whether that would be considered one question of fasting (S'dei Chemed understands his position in this fashion), or two separate days in competition with each other.

An additional relevant source would be Rashi's commentary on Sukkah (25b), discussing the case of those who missed the opportunity to bring the Korban Pesach because they were impure due to their involvement with the burial of a Meit Mitzvah. There, Rashi writes that there is no need to concern oneself with a later mitzvah that will be missed due to the involvement with an earlier, albeit lesser, mitzvah.

However, R. Gestetner, in his discussion, questions the application of that source, drawing a fine distinction. In that case, the involvement in the first mitzvah creates a genuine exemption from the later mitzvah and thus should not generate concern. In the case of one who is unable to fast on Yom Kippur, or similarly in the case of one who is confined, he is not actually exempt from the mitzvah in the sense of being liberated from its responsibility. He is simply unavoidably prevented from performing it. This may indeed be a reason for concern. Nonetheless, he ultimately concludes that Tzom Gedalyah should be prioritized based on logic that may be surprising.

The Impact of Rabbinic Law

This logic is already found in the words of Eishel Avraham. He notes that it is a premise of Talmudic law that the Rabbis may enact a law that can override Torah law (e.g., prohibiting blowing the shofar on Shabbat despite the Torah imperative to do so). As such, it should similarly be assumed that they enacted their fast on Tzom Gedalyah regardless of its impact on the Torah obligation of Yom Kippur.

This is a bold formulation, as other cases that involve rabbinic overriding of Torah law are done deliberately. In this case, there is no clear evidence that the Rabbis intended to allow their enactment to impact on Yom Kippur and would have insisted on upholding it in that case as well. Still, R. Gestetner accepts it and considers its parameters.

One could have taken a less dramatic route to a similar conclusion. It is clear that one who is unable physically to fast on Yom Kippur is exempt. The question at hand is whether a choice to fast on Tzom Gedalyah qualifies, or should that be seen as a discretionary decision. Given that Rabbinic Law is binding, it is fair to say that it enters into the former category, in particular as the Talmud (Ketubot 2a-3a) makes it clear that constraint based on obedience to Rabbinic law is considered genuine constraint. Nonetheless, there is still room to wonder if the Rabbis would have insisted on such obedience given these implications.

The conclusion that Tzom Gedalyah should be favored is reached also, after an extensive discussion, by Sdei Chemed, and is also the position of Be'er Moshe, although they acknowledge the validity of the other view, and observed that the custom is to prioritize Yom Kippur, and that one who does so with proper intentions has sufficient basis to rely on.

As detailed below, there were those who maintained that Yom Kippur was the clear priority.

The Value of a Mitzvah in the Hand vs One That is Uncertain

Ohel Moshe also considers the passage in Moed Katan but is unconvinced of its relevance, given that it is likely that the two actions being considered can happen in close succession with each other, and thus there is no significant factor of uncertainty regarding whether choosing the second may mean that some intervening event (such as death) may prevent either of them from taking place. Perhaps when such a factor is present, the first option should be taken simply because of its certainty.

In his assessment, this becomes the dominant question: Can one pass on Tzom Gedalyah, an obligation of the day, in favor of a possible fulfillment of Yom Kippur, a full week away, not knowing what may happen in the interim?

The matter as he understands it is addressed explicitly in another Talmudic passage, in Rosh Hashanah (34b), which advocates pursuing a commandment from the Torah over one from the Rabbis, even if the latter is guaranteed and the first is not. The proof text is quoted authoritatively in Shulchan Arukh (OC 595), and as he considers this the key issue, the matter is thus settled in favor of Yom Kippur. (Tzitz Eliezer adduces additional support for this position.)

The Responsibility to Prevent Exemption

It seems that there are clearly additional considerations here that can be applied both broadly and specifically. True, one who is of compromised health on Yom Kippur is exempt from fasting, and thus one who does fast on Tzom Gedalyah should be entitled to avail himself of such an exemption. Nonetheless, is it proper to allow oneself to enter into such a situation? Certainly one who would run a marathon that ended moments before Yom Kippur, and now feels compelled to drink to avoid collapse, would be considered irresponsible and perhaps negligently liable. Does this assessment change because there was a religious motivation to enter into the compromised state?

Ohel Moshe cites a R. Heschel who felt the issue was a matter of debate among the Rishonim. Nachmanides ruled that a brit milah should take place on Shabbat even if the hot water that in Talmudic times was considered necessary to protect the baby's life following the circumcision was no longer available and would require additional Shabbat violation to prepare, as it would be justified by the health considerations. The Baal Ha-Maor in contrast did not allow provoking this health crisis ab initio (both views are cited in Ran, Shabbat 53a in pages of the Rif).

However, Ohel Moshe questions the relevance of this debate as this would involve actually taking a step that would engender the health exemption, while in our case, Tzom Gedalyah will take effect regardless of one's choices. Thus, there seems to be greater latitude to participate in its rules and then allow circumstances to dictate how Yom Kippur will be affected.

This may additionally be true if one assumes that the license of Pikuach Nefesh is "hutrah", meaning simply permitted, rather than "d'chuyah", which would indicate it is a necessary concession given the tension. This is a point that had also been introduced by Eishel Avraham in support of his position.

A Particular Responsibility to Protect Yom Kippur

Nonetheless, there were those who argued that there was an active responsibility to preserve the viability of Yom Kippur in particular. There are a number of ways to reach this conclusion, in addition to a general avoidance to enter into a Pikuach Nefesh exemption when it can be avoided.

The Torah commands "and you shall choose life" (Deut. 30:19), a directive with applications both in the spiritual and physical realms. As the Ran and the Sefer Charedim understand, there is a commandment here to act responsibly regarding both aspects. Making decisions that both protect one's ability to fast on Yom Kippur and to maintain one's physical health while doing so would seem to be a fulfillment of both components of this mandate.

Further, there is a biblical obligation to eat on the day before Yom Kippur. While a number of explanations are offered for this, a prominent one is that it is to facilitate the fast. The Ritva (Rosh HaShanah 9b), in particular, formulates the directive to prevent one from needing to cancel the fast. In that sense, the Torah is specifically obligating that one not only fast on Yom Kippur, but take proactive steps to ensure that one is healthy enough to do so at the relevant time. As such, it is reasonable to assume that while the average person may only need to eat on the immediate day to accomplish this, one with more fragile health may need to do so for the entire preceding week, and this would also constitute a Torah responsibility regarding the observance of Yom Kippur itself. R. Gamliel Rabinowitz is sympathetic to such an

approach, going so far as to suggest that one of this category might be labeled an ill individual who is in any event exempt from fasting on Tzom Gedalyah. He further notes that a compatible ruling was issued by R. Shlomo Zalman Auerbach (Halikhot Shlomo, Moadim 3:2).

Broader Implications

The multiplicity of opinions, arguments, and approaches expressed here have reverberations far beyond the question of fasting on Tzom Gedalyah to all areas of decision making, including those of the greatest consequence.

One such issue is the current anguish of what approach should be taken to the hostages held by Hamas in Gaza. The imperative of the Rabbis to make every effort to redeem captives is well known. However, the Talmud already tempered that with the limit that captives should not be redeemed for excessive ransom. One stated reason for this is the concern that such payments will encourage further kidnapping. Some commentaries expressed surprise at this consideration, a deviation from the standard policy of attending to life-threatening needs that are currently in effect rather than those that may materialize in the future. Nonetheless, it appears that the extraordinary circumstances of captivity and the potential societal devastation associated with it call for similarly extraordinary attitudes. This displays a parallel dynamic to the above, where a balancing of current urgencies against particularly serious contingencies of the future are weighed against each other.

The essence of this dilemma was already expressed by the Talmud itself. The current situation involves a significant exacerbation of the issue, as the price to be paid includes the release of murderous terrorists and the endangering of countless innocents in the future, together with the additional component of enabling an enemy in wartime.

The wisdom, insight, and heavenly assistance required to properly adjudicate this issue is overwhelming. Some of the component parts, however, have been embedded in the grand Talmudic framework that unifies principles of logic, philosophy, and divine direction into one system that applies its insight to every area of life, and elevates and edifies those who seek its light.

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And Upon the Nations It Will Be Said

Revivim

Rabbi Eliezer Melamed

International law permits a state to wage war in order to defend itself and subdue the enemy that rises against it * Many of the civilian population among the Arab enemy are full partners in the war against us * For generations the West has been steeped in antisemitism * The claim that we are committing "genocide" and "war crimes" is a distinctly antisemitic claim * The phenomenon of auto-antisemitism – Jewish self-hatred, is a result of very long exile * Unfortunately, our public establishments are also infected with these corrupt conceptions * In the end, those who sin in hatred of Israel, are punished * The more we strengthen, and without relying on miracles defeat our enemies, the more they will respect us, and we will suffer from less antisemitism

The Moral Truth

Q: A broad public in Europe and North America, represented by the governments, sharply criticizes the State of Israel because of its war against Hamas. According to them, the IDF kills too many civilians who are not involved in the war, contrary to international law. Is this correct?

A: It is proper to preface that, in principle, international law obligates Israel, since one of the seven Noahide commandments is to establish courts, and it is a general rule that there is no commandment that the Children of Noah (non-Jews) are obligated in, and Israel is exempt from. However, the intention is to what is agreed upon by all people in the cultural environment in which we live, such as for example, that it is forbidden in war to deliberately harm peaceful civilians – and not matters that are disputed between right-wing and left-wing legal experts.

However, international law permits a state to wage war in order to defend itself, and subdue the enemy that rises against it. If the enemy uses civilians as human shields, and kindergartens and hospitals as military bases, it is not entitled to protection because of this, rather, the responsibility for harming civilians who are in those places falls upon it. Indeed, when possible, time must be given to civilians to evacuate from there, and if this is dangerous, then there are guidelines from legal experts in various countries on how to eliminate the enemy while trying to minimize harm to civilians. However, it is clear that the attempt not to harm civilians does not prevent striving to kill all enemy soldiers to the last one of them, or alternatively, to receive their absolute surrender.

In the case of the Arab enemy, many of the civilian population are full partners in the war against us. This was proven on the day of the massacre that began the war, when thousands of civilians participated joyfully in murder, rape, abuse of the living and the dead, and there was no civilian or religious person or doctor who raised a voice in protest. In such a situation, it is not surprising that many times the population agrees to serve as a shield for enemy fighters, and is not willing to evacuate when given time, and there is no moral reason to spare it, and so is international law as well.

Antisemitism

Q: Why then do so many in the West accuse us of “war crimes” and “genocide”? Is there no legitimate moral basis in their claim?

A: Unfortunately, the West has been steeped in antisemitism for generations. Even when they claimed against the Jews that they murder children in order to knead matzah with their blood, they alleged a “moral claim.” Who could agree to murdering children for religious worship?! But this was a wicked blood libel, which was accepted in hearts, because of their antisemitic position. Even in modern times, when many in the West claimed against the Jews that they are a parasitic and exploitative race, which destroys culture and humanity, they ostensibly made a ‘moral argument’. The Nazis, may their name be erased, led this claim to the ‘Final Solution’, but many people in Europe agreed to the claim itself, and thus cooperated with the Nazis, openly, or indirectly. But this “moral claim” was a terrible libel – not only were the Jews not dangerous to humanity, but on the contrary, Jewish contributions actually helped make the West a global leader in science, economics, and culture.

Even today, when they claim that we are committing “genocide” and “war crimes,” this is a distinctly antisemitic claim. In many wars that were waged in recent decades, such as in Iraq, Syria, Darfur, Sudan, Yemen, Myanmar, Afghanistan and Ethiopia, in each of which hundreds of thousands of civilians were killed, and the percentage of civilians who were killed and perished was many times higher than the fighters, and in the fighting method they did not always use civilians as human shields like Hamas does in Gaza, and even so, only rarely were the actions defined as war crimes and genocide. Whereas the State of Israel is vilified, despite all the excessive efforts it makes not to harm civilians.

Is the British Prime Minister Also Antisemitic?

Q: Can one also claim against British Prime Minister Starmer, whose spouse is Jewish, or against French President Macron, that they are antisemitic? After all, they condemn hatred of every person and every nation, and would be horrified if accused of antisemitism.

A: There is no other explanation for the fact that they hurl such serious accusations at the State of Israel, other than antisemitism. Apparently, they are not aware of this, but there is no other explanation for the double standard with which they relate to us. If they listened honestly to the position of our Arab enemies, they would understand that their goal is to destroy the State of Israel, and what Israel does for its defense, is too little and too late for what is needed. And all this because of them.

If they thought honestly, how would another state react to an enemy that inscribed on its flag its elimination, and carried out such a cruel massacre with broad popular support, they would understand that the State of Israel is doing less than the minimum required for its defense.

Let them check how they received the vilifications of the “journalists” from Gaza about hunger (when a journalist who does not report thus – will be killed), and in contrast, hundreds of thousands of people had to

actually die in other places (Yemen, Darfur, Somalia and Ethiopia) in order for hunger to be declared there.

The Condemnations at the UN

According to what was reported on the Arutz Sheva website (23 Kislev 5784), since 2015, the UN General Assembly has condemned Israel 141 times, followed by Russia 23 times, Syria – 10, North Korea – 8, Iran and Myanmar – 7.

The Human Rights Council condemned Israel 104 condemnations, compared to Syria (where at least half a million were killed, and nearly ten million were expelled and emigrated) – 43 condemnations, North Korea – 16, Iran 14, Venezuela and Sudan – 3.

The International Health Organization has not condemned any country except Israel, and it did so 9 times.

Apparently, antisemitism is so rooted in their environment, that they do not notice the injustice that cries to heaven from these decisions, as well as from their positions.

Jews Who Condemn Israel

Q: Are the Jews who condemn the State of Israel and claim that it commits “war crimes” and “genocide” also antisemitic?

A: Indeed, it is difficult to understand this unique phenomenon that hardly exists among other nations. This well-known phenomenon is called auto-antisemitism – Jewish self-hatred. Apparently, it is a result of very long exile, in which our nation was despised and vilified, and at the same time, continued to yearn for redemption and repair. In practice, this phenomenon is composed of two factors. One, internalizing antisemitic claims while assuming that the position of the many and the strong, is the just position. The second, purism – the unrealistic double standard applied to Jews, expecting them to be morally perfect in ways that no other people are expected to be. One could argue that the concept of being God’s chosen people has been perverted into an impossible standard that denies Jews the right to exist as a nation, unless they achieve perfect moral purity.

Unfortunately, Israel’s own internal public systems are infected with such problematic ideological conceptions. Thus, it turns out that the legal, security and academic systems serves, to a certain degree, as a protective wall for the Arab enemy, and does not allow Israel to express its position with moral clarity and, defeat its enemies.

When Rising, and When Falling

Because of the special destiny of the people of Israel, to bring blessing to the world, one cannot be indifferent to it. If they do not succeed in seeing its contribution to the world, they hate it for its pretension. Our Sages said: “This nation is compared to the dust of the earth, and also compared to the stars in heaven. When they descend, they descend to the dust, and when they rise, they rise to the stars (Megillah 16a).

So too, Israel toward themselves – the natural desire for existence that suffices for all nations, does not suffice for Israel. The consciousness of the mission inherent in Israel pushes for tikkun (repair). In the positive state, Jews pray for true tikkun, and take concrete action in every way possible to help bring about the repair of the world (tikkun olam). In the negative state, following crises and frustration over lack of success in immediately repairing the world, to make “peace now,” internal revulsion and self-hatred develop, and thus we have auto-antisemitic Jews, who harm the world, Israel, and themselves.

The Punishment for Hatred of Israel

In the end, those who sin in hatred of Israel are punished, as it is said: “Cursed be those who curse you, and blessed be those who bless you” (Genesis 27:29). The problem is that the wicked do not make the connection between their sin, and their punishment. But whoever looks at reality without antisemitic bias, sees with his own eyes – how the European countries that sinned in antisemitism are being harmed, and deteriorating. Since they hate us and love our haters, their punishment is that our haters destroy their countries. Thus, it was, for example, after World War II, when Europe became a heap of ruins, and lost its leading position in the world. Even now, when Europe supports the haters of Israel, it opens its gates to them, and they destroy it with corruption, wickedness and crime.

The Repair

Indeed, many hate us, but for the first time after many generations, thanks to the return to Zion and the establishment of the State of Israel and its wonderful successes, Israel has hundreds of millions of supporters around the world, and they are among the best and most leading people, and they are growing. In the past, righteous gentiles pitied us, but today, they respect us, and pin many hopes on us – that we will fulfill our destiny, fight evil, and pave ways to add good and blessing to the world.

Antisemitism is a result of the galut (exile), and therefore in the long term, the more we strengthen, and without relying on miracles defeat our enemies, the more they will respect us, and we will suffer from less antisemitism. The more Jewish identity is strengthened through Torah study and observance of mitzvot, the more we will merit greater respect from all nations, who will understand that the Land of Israel is the land that God gave to our forefathers and to us, and the Arabs who invaded it over the generations, have no national rights over it.

From strengthening in emunah (faith), Torah and mitzvot, we will advance to applying full sovereignty over the entire Land, while presenting two options before the Arabs who live in it: 1) to be gerim toshavim (resident aliens), meaning, clear supporters of the Jewish state, who faithfully observe all laws (seven commandments of the Children of Noah), and receive full citizenship rights. 2) to emigrate from it. In the meantime, we must strengthen ties with all our lovers from the nations of the world, and together, try to raise the banner of the values of justice and morality in the Bible.

On Rosh Hashanah that falls in the midst of the war, we must increase prayer, which expresses firm faith in the righteousness of Torah and its message to all humanity, prepare for the physical military war against our enemies, and the ideological/propaganda war against those who hate Israel, pray for our supporters that they succeed in saving their countries – until the time when ‘sins cease from the earth and the wicked are no more, and the kingdom of wickedness disappears like smoke, for You will remove the rule of arrogance from the earth’.

Parashat Netzavim 5785 – Rosh HaShana 5786

by Rabbi Nachman Kahana

What determines our victory?

בפרוה רשעים כמו עשב ויצאו כל פועלי און להשדמם עדי עד

Though the wicked spring up like grass and all evildoers flourish, they will be destroyed forever.

There is a popular slogan in Israel ביהד ננצה (b'yachad ney-nitzayach) that translates as:

TOGETHER WE SHALL BE VICTORIOUS.

Implying that the unity of our people here and in galut is our strength with which we shall defeat our enemies.

If only it were true that the Jewish nation is so united. Among other nation-fracturing actions, there are many young Israelis who are escaping military service through a variety of excuses – so much so that the word “united” is somewhat ludicrous, if not downright sad.

I prefer to understand the slogan as follows:

The Zohar, part 3, parshat Acharei Mot (in the book of Vayikra), page 73, states:

קודשא בריך הוא ואורייתא וישראל מתקשרין דא ברא

THE HOLY ONE BLESSED IS HE, THE TORAH AND AM YISRAEL ARE BOUND TOGETHER.

The obvious difficulty in this determination is the concept that something connects to the omnipotent Creator. Hence, my understanding is that, although the three are very different entities, they share a similar basic nature – they and only they are infinite beyond time and space. HaShem is innately infinite, and He granted the wisdom and sanctity of the Torah to be infinite, and so too for the authentic Jewish soul.

From here we can foresee how things might unfold in the foreseeable future. The anti-Semite can cause pain to the Jewish nation but cannot eradicate us. Therefore, even if the entire world will band together under the flag of the UN, or under any other nefarious affiliation, to isolate the Jewish state and even militarily come against us, we will be victorious under the protective wing of HaShem.

Victorious we shall be! However, the essential condition that determines the degree of our victory is the spiritual level of the Jewish nation.

As we approach the “Days of Awe,” when all humanity – those who are alive and those in a higher dimension – and every existing entity are judged by the Creator, I raise my hands to bless my brothers and sisters in Eretz Yisrael and those yet in the galut – including those gentiles who accept what is stated in the Bible that the Jewish nation was chosen by the Creator – with the Kohanic blessing:

יְבָרְכֶךָ ה' וְיִשְׁמְרֶךָ

יְאָר ה' שֶׁנִּי אֱלִיד וְיַחַדְךָ

יְשָׁא ה' שֶׁנִּי אֱלִיד וְיַחַדְךָ לְךָ שְׁלוֹם

The Lord bless you and keep you;

The Lord make His face shine upon you and be gracious to you;

The Lord lift up His countenance upon you and give you peace”.

This “peace” refers to the genuine peace that will emerge from Yerushalayim and spread out to the four corners of HaShem’s world.

חתיבה וחתימה טובה לכל עם ישראל

שבת שלום

May Am Yisrael be inscribed and sealed for a good life.

Shabbat Shalom,

Nachman Kahana

Wishing Everyone a Kesiva Vachasima Tova!!

Reign Dates and Rosh Hashanah

By Rabbi Yirmiyohu Kaganoff

Question #1: Reign Date -- The First of Nissan

How can the first of Nissan be Rosh Hashanah? Is there a halachic concept of a new half-year, as in, the world is now 5784½ years old?

Question #2: The Birthday of Elsie the Cow

“Can Rosh Chodesh also be Rosh Hashanah?”

Question #3: The First of Tishrei

Why does the Mishnah refer to this date as “The first of Tishrei,” rather than its more popular moniker, Rosh Hashanah?

Question #4: Is it the First or the Fifteenth of Shevat?

Or, a more basic question -- why do the trees need a new year? Do they have a birthday party or shoot off firecrackers to celebrate?

Foreword

Mesechta Rosh Hashanah begins by declaring that there are four “new years” in the Jewish calendar year:

1. The first of Nissan is the new year for “kings and holidays.”
2. The first of Elul is the new year for tithing animals. This particular new year is disputed by the tanna'im Rabbi Elazar and Rabbi Shimon, who rule that the new year for tithing animals is the first of Tishrei.
3. The first of Tishrei is the new year for “years, shemittah, yoveil, planting, and vegetables.”
4. The first of Shevat is the new year for trees in Beis Shammai's opinion, whereas Beis Hillel contends that it is on the fifteenth of Shevat.

Cutoff point

The term Rosh Hashanah is used by this Mishnah to mean a “cutoff point,” the date that separates one year from the next, germane to the particular laws mentioned. Each of these cutoff points has a halachic ramification. Let us look at these various categories.

Kings and holidays

In what way is the first of Nissan the “new year for kings?”

This requires an introduction, having to do with the needs of society to have efficient and reliable business practices. For a free-enterprise economy to function properly, it needs an established and accepted rule of law and a means for enforcing that law. This is axiomatic to economists and businessmen, and, indeed, the Torah established an efficient and reliable system for society to function properly. Among the requirements necessary are an effective system whereby debts can be collected and a means to enforce violations of contract law. These usually rely on written documentation, in halacha called shetaros. Should an individual or a business default on its obligations, halacha usually prioritizes outstanding financial commitments on a “first come, first served” basis. This means that an earlier debt is satisfied in full

before a later one is dealt with. This makes it important to know the date that each obligation was created, so shetaros must be dated.

Establishing "reign dates"

Today, we use a standard accepted calendar, which makes it very easy to determine whose obligation was established first; however, that was not always the case. In the times of Chazal, dating of documents was usually performed according to the year of reign of the local monarch. This meant that, to know whose obligation was earlier, we needed to know the order of the monarchs. This is sometimes very easy to establish, since it is unlikely that Charles the 3rd reigned before Charles the 2nd. However, what might easily create confusion is when did the second year of Charles' reign begin and when did it end? Using an actual date that Charles the 3rd assumed the throne, let me show you the difficulty that will result. If Charles assumed the throne on the 19th day of September, that date is now the 19th of September of the first year of the reign of Charles 3rd. But we now need to keep track that the 18th of September is the end of the first year of his reign, and that the 19th begins the second year of his reign. It is easy to see the problems that this creates.

Chazal avoided this problem by following an arbitrary date to begin the second year of a king's reign. That means that, in the above example, the first year of Charles' reign is only a few months long, and then the second year of his reign begins.

What date do we use as the arbitrary date for bumping a king's reign to the next year? Chazal used the following approach: for Jewish kings they used the first of Nissan; after all, Pesach is the beginning of the Jewish calendar. This means that a Jewish king who ascended to the throne on the 29th of Adar reigns for only one day before contracts are dated "the 1st of Nissan of the 2nd year" of his reign. In other words, the "reign date" may have little to do with the actual number of months, days and hours that he has been king. Although this might (and at times certainly did) create confusion for historians, it keeps the contract and commerce world simplified and clear, which is why this system was established. After all, although historians are valuable, they are not that necessary for commerce.

For non-Jewish kings, Chazal used the first of Tishrei, the day we usually call Rosh Hashanah, as the cut-off date, and this explains the later statement of the Mishnah that the first of Tishrei is the new year for "years."

For holidays

What does it mean that the first of Nissan is the "new year for holidays?"

Someone obligated to offer a korban must bring it in a timely fashion. There are two different mitzvot, each with its own timetable. The first is a mitzvas aseih that we should offer our korbanos before the first regel -- that is the three yomim tovim of Pesach, Shavuot and Sukkos -- passes. There is also a mitzvas lo saaseh of bal te'acheir, not to delay the offering of a korban (see Devarim 23:22). How much time does one have to offer the korban without violating this mitzvah?

Pesach, Sukkos and Shavuot, when we conduct pilgrimages to the Beis Hamikdash, provide an opportune time to satisfy any korbanos obligations. Although there are several tanna'ic opinions to the contrary, the Mishnah rules that one violates the lo saaseh only when one did not bring his korban before the three yomim tovim of Pesach, Shavuot and Sukkos have passed in that order. This makes Nissan the beginning of the year "for holidays" -- if he could have offered the korban on Pesach, he violates bal te'acheir when the following Sukkos passes. However, if he first became obligated to offer this korban after Pesach, he will not violate bal te'acheir until the second time the festival of Sukkos goes by, after Pesach has come in the interim, which starts the bal te'acheir clock running.

We now have the answer to our opening question: "How can the first of Nissan be Rosh Hashanah? Is there a halachic concept of a new half-year, as in, the world is now 5784½ years old?" The answer is that we are using the word "new year" to mean an annual cut-off point, and the first of Nissan functions as such for two distinct areas of halacha:

determining the way legal documents are dated when we have a Jewish king, and when we must bring korbanos.

Elsie the Cow

At this point, let us examine the second of our opening questions: Rosh Chodesh Elul is the day we begin reciting LeDavid Hashem Ori in preparation for the Yomim Nora'im. Isn't this a month too early to be Rosh Hashanah?

Indeed, this question is the subject of a dispute among tanna'im and the cause of a change of mind of the Rambam. As I mentioned above from the Mishnah, the first of Elul is the new year for tithing animals. This particular new year is disputed by the tanna'im Rabbi Elazar and Rabbi Shimon, who rule that the new year for tithing animals is the first of Tishrei.

Let me provide background on this mitzvah: In Parshas Bechukosai (Vayikra 27:31), the Torah teaches about the mitzvah of ma'aser beheimah, tithing animals. When the Beis Hamikdash is standing, a farmer's newborn calves are gathered together and sent through a narrow passageway or opening. The owner counts his animals, one at a time, marks the tenth one with a red dye and declares the animal to be ma'aser beheimah. Counting the tenth animal is what makes it kadosh as a korban. Until and unless the farmer counts his animals in this procedure, there is no kedusha on any of the animals in his herd (Mishnah Bechoros 58b). The farmer performs the same procedures with his newborn kids (baby goats) and lambs (together).

Just as one is required to separate terumos and ma'asros on produce each year separately, counting and designating ma'aser beheimah is only within each year's "crop" of newborn animals, not from one year on the previous or following year (Mishnah, Bechoros 53a; Gemara ibid. 54a-b). How do we determine the difference in "crop years" of animals? That is the dispute between the first tanna in the Mishnah and Rabbi Elazar and Rabbi Shimon. The Tanna Kamma rules that the annual cutoff point for ma'aser beheimah is on Rosh Chodesh Elul, whereas Rabbi Elazar and Rabbi Shimon rule that it is on the first day of Tishrei, the day that we usually call Rosh Hashanah. What is very interesting is that the Rambam and the Bartenura in their respective commentaries on the Mishnah rule like the Tanna Kamma. However, in the Mishneh Torah, the Rambam rules like the second opinion, that of Rabbi Elazar and Rabbi Shimon, that the cut-off date for ma'aser beheimah is the first day of Tishrei. This means that, although the Mishnah opens by stating that there are four Rosh Hashanahs, we rule, like Rabbi Elazar and Rabbi Shimon, that there are only three.

Years

Above, I quoted the Mishnah's statement that the first of Tishrei is the new year for "years, shemittah, yoveil, planting and vegetables." What is meant by years, when I have already explained that the equivalent of our calendar year was expressed in terms of the number of years of the king's reign and was increased automatically on the first of Nissan (in order to avoid confusion)?

As I mentioned above, for Jewish kings, Chazal used the first of Nissan; after all, Pesach is the beginning of the Jewish calendar. For non-Jewish kings, however, they used the first of Tishrei, the day we usually call Rosh Hashanah.

Shemittah

As we know, every seven years we are required to observe the mitzvah of shemittah in the land of Eretz Yisrael, a topic whose details I have written about in the past, prior to and during shemittah years. There is also a mitzvah that comes at the end of shemittah year that applies both in Eretz Yisrael and in chutz la'aretz: the mitzvah of shemittas kesafim, releasing debts. As the Torah teaches, in parshas Re'ei: "At the end of seven years you shall 'make shemittah.' And this is the 'word' of the shemittah: Every creditor must release his hand from what his fellow owes him. He may not demand payment from his fellow, his brother, because he has declared a release for Hashem" (Devarim 15:1-2). These verses teach that, rather than Rosh Hashanah of the eighth year ending shemittah with a whimper, the shemittah year ends with a bang. And the date of this mitzvah is determined by the first of Tishrei, the day that we usually call Rosh Hashanah.

Yoveil

The Torah establishes a fifty-year yoveil cycle: the year after the seventh shemittah is yoveil. During yoveil, the land that was given to every family in Benei Yisrael, upon our conquering the holy land in the days of Yehoshua ben Nun, returns to its original family, every Jewish slave (eved ivri) goes free and all the laws of shemittah apply. The annual calculation of the yoveil year uses Tishrei as its cutoff point.

This mitzvah applies only when all twelve tribes live in their original areas as determined by Yehoshua. Therefore, unfortunately, it does not apply today until we again return to that configuration of Eretz Yisrael.

Planting and vegetables

Produce grown in Eretz Yisrael and the lands nearby must have several portions, called terumos and ma'asros, separated from it before it may be consumed. As we learned above, one cannot separate the terumos and ma'asros from one year for the crop of a different year, and therefore we need to know when the cut-off date is for each crop. The cut-off date for grains and vegetables is on Rosh Hashanah, the New Year for these agricultural products.

During the 1st, 2nd, 4th, and 5th years of the seven-year shemittah cycle, one of the separations is called ma'aser sheini. During the other years -- that is, the 3rd and 6th years of the shemittah cycle -- this second ma'aser is given to poor people and is called ma'aser ani.

When in its growth cycle

Although the first of Tishrei, our Rosh Hashanah, is the agricultural new year for all crops other than tree fruits, another factor determines which year applies to the particular crop: the point in the plant's growth cycle. This is a highly complicated topic that requires at least an entire book to explain in detail. I will mention now only that the years for some species are based on when they are planted, some by the first appearance of fruit, others by when the fruit is considered "one-third grown," and still others not until they are ready for harvest.

Rosh Hashanah

Of course, as we all know, the first of Tishrei is the Day of Judgment for all of humanity. This halacha is not mentioned in the first Mishnah of Maseches Rosh Hashanah (the Mishnah I quoted and have been explaining), but in a later Mishnah of that chapter, in which it states: At four times of the year the world is judged... on Rosh Hashanah, all who have entered the world pass before him... (Rosh Hashanah 16a).

Tu Bishvat

The Mishnah states that, in Beis Shammai's opinion, the new year for trees is the first of Shevat, whereas Beis Hillel contends that it is on the fifteenth of Shevat. We follow Beis Hillel's ruling and therefore Tu Bishvat is the "Rosh Hashanah" for trees. But what does that mean? Do the trees ignite fireworks on their New Year? Do they coronate Hashem as their King on their Rosh Hashanah? Does Hashem judge their deeds and misdeeds and grant them a fruitful year or otherwise, chas veshalom? As an aside, the "judgment" for trees is on Shavuot, not Tu Bishvat (Mishnah Rosh Hashanah 16a.) This means that on Shavuot, mankind, both in general and individually, is judged regarding what his trees will produce in the coming year.

Obviously, since trees have no free choice, the Heavenly Tribunal does not judge them on their Rosh Hashanah, yet the arboreal new year does have major halachic ramifications other than the popular custom of eating fruit. Tu Bishvat functions as the cutoff point between two crop years. As we learned above, one cannot separate terumos and ma'asros of one year for a different crop year. For tree fruits, the cutoff point is not the first of Tishrei but Tu Bishvat. In addition, Tu Bishvat determines which year of the shemittah cycle the fruit is from and therefore whether it is obligated in ma'aser sheini or in ma'aser ani. As I mentioned above, what stage of development the fruit is at on Tu Bishvat depends on the particular species. Again, some species depend on the first appearance of fruit, others by when the fruit is one third grown, and still others by when it is ready for harvest.

It is also usually the cutoff point for determining whether a tree is producing forbidden orlah fruit and for determining the halachos of revai'i. The fruits appearing after Tu Bishvat of the fourth year of the

life of this tree are not forbidden as orlah, and the fruits of the fifth year of a tree's life do not have the sanctity of revai'i.

Conclusion

We discussed several mitzvos that apply only in Eretz Yisrael. Most generations of our forebears had to be content with reading about Eretz Yisrael and imagining what it might be like to visit. We are fortunate to live in a time when visiting and living in Eretz Yisrael is a reality, and we should be filled with hakoras hatov that we can traverse the land that was promised to our forefathers. Inhabiting our native land includes many special laws that apply within its borders; we should all be familiar with these special laws, whether or not we live in Eretz Yisrael, because its special mitzvos create a direct relationship with Hashem.

Time to Think About Hashem

by Jonathan Rosenblum

Mishpacha Magazine

Developing that G-d-consciousness is the central challenge of our lives as religious Jews

The time period from Shavuot to Yom Kippur can be divided into the three separate 40-day periods during which Moshe Rabbeinu was on Har Sinai. From Rosh Chodesh Elul to Yom Kippur parallels the third such period.

We might think, then, that the 40-day period in which we currently find ourselves, and which culminates on Yom Kippur, coincides with Hashem's mechilah, forgiveness, of the Jewish People for the sin of the Golden Calf. Rabbi Immanuel Bernstein points out, however, that is not the case. Already at the end of the second 40-day period, on 29 Av, the Holy One, Blessed is He, was, in Rashi's words, "reconciled with Israel and told Moshe, 'Carve out for yourself two tablets.'"

On Yom Kippur — again quoting Rashi — another element was added: "The Holy One, Blessed is He, was reconciled with Israel with joy, and said to Moshe, 'I have forgiven in accordance with your words.' That is why Yom Kippur was fixed for forgiveness and pardon."

What is the difference between "reconciliation" and "reconciliation with joy"? Upon the answer to that question depends the focus of our efforts during Elul and the Ten Days of Repentance.

Rabbi Bernstein suggests that the primary avodah of the third 40-day period associated with teshuvah is working on our consciousness of Hashem, and letting that awareness of Him infuse everything that we think or do.

Developing that G-d-consciousness is the central challenge of our lives as religious Jews. As the Ramchal states in Derech Hashem (1:4:6), "the root of all Divine service consists of man turning constantly to his Creator, in order that he know and understand that he was created solely to cleave to his Creator."

The Mabit, in his Beis Elokim, emphasizes that teshuvah means to return. But return to what? To closeness to Hashem after the rupture in the relationship created by one's transgressions. The restoration of that relationship, and not the avoidance of punishment, is the essence of teshuvah. That renewed closeness to Hashem is alluded to in the phrase "lifnei Hashem tit'haru — before Hashem you will be purified."

The "reconciliation" that took place on 29 Av was Hashem's forgiveness of the punishment for the Cheit Ha'eigil and His grant of permission to Moshe Rabbeinu to fashion a new set of Luchos. But only over the next 40 days was the distance from Hashem repaired and the relationship restored to its previous closeness. That is "reconciliation with joy."

THE AVODAHOF ROSH HASHANAH requires us to develop our G-d-consciousness. The focus of the day is to crown Hashem as King over us. That can only happen if we have thought deeply and constantly about Him.

We pray on Rosh Hashanah that Hashem place awe of Him upon every created thing, such that all mankind is bound together as one to do His will. To know what we are davening for requires an act of imagination: What would a world in which "all wickedness will evaporate like smoke" and everyone seeks to do His ratzon (will) actually look like? What, in short, is His Will?

Each of the five Chumshei Torah has a different character: Bereishis centers on G-d as Creator; Shemos on G-d as Redeemer, etc. The unique theme of Sefer Devarim, which we read throughout Elul and the Aseres Yemei Teshuvah, says Rav Leib Mintzberg ztz"l, is Hashem as our Father.

The difference between a son and a servant, writes the Ramchal in Mesilas Yesharim, is that a servant only wants to know what the master has commanded, and seeks to do no more than that. The son, by contrast, wants to understand the deeper ratzon, will, of his father, and seeks to fulfill that ratzon, even when it is not specifically commanded. The definition of a chassid, according to the Ramchal, is one who seeks to do the ratzon Hashem, like a son to a father. Ascertaining that ratzon is impossible without deeply contemplating Hashem — what does it mean that He is One, what does it mean to fear Him, what does it mean to love Him?

In the Torah reading of the first day of Rosh Hashanah, Yishmael is spared from death after he cries out from thirst. Subsequently, an angel informs his mother, Hagar, "Do not fear, for G-d has heard the cry of the youth ba'asher hu sham (as he is at present)." Those last words, ba'asher hu sham, are the primary reason for the choice of this Torah reading for the first day of Rosh Hashanah; our judgment is based upon our spiritual state at that particular moment.

Depending on the state of our spiritual accounting in terms of fulfillment of mitzvos, there are limits to how much we can change that accounting in the time remaining in Elul. Perhaps we have dug ourselves into too deep a hole.

But there is one thing that we can change dramatically — our orientation toward Hashem or the lack thereof. Is consciousness of Hashem constantly with us or not?

Now obviously that consciousness is not unrelated to our level of mitzvah observance. The most effective way to overcome our yetzer hara is to imagine that Hashem is with us at that moment of struggle — He is. The greater our consciousness of Hashem and His constant presence, the greater our ability to conquer our yetzer hara.

Rav Hutner writes that the goal of Yom Kippur — indeed of the entire 40-day period in which we now find ourselves — is not to become just better people (bessere menschen), but to become entirely new people (andere menschen). The sound of the shofar, I once heard from Rav Moshe Shapira, reminds us, inter alia, of the preverbal cry of a newborn. And this time of the year offers us the opportunity of being born anew. Again, the key is developing or rebuilding our relationship with Hashem and our constant awareness of Him.

BUT WE SHOULD NOT THINK that the reorientation of which I write is easily achieved or that it is the automatic outgrowth of living an observant life. Even the most punctilious observance of mitzvos, thrice-daily davening, or even Torah learning guarantee a G-d consciousness, though all are essential for developing and maintaining it.

Rav Noach Weinberg ztz"l captured the difficulty in a joke he told frequently. A yungerman tells a friend one day that he dreamed about Hashem the preceding night. His friend finds nothing remarkable about that: "Of course, you dream about Hashem. After all, you spend your entire day thinking about Him."

"What do you mean?" the yungerman replies. "I wake up every morning for the haneitz minyan, and I have a learning seder after that. Then I grab a quick breakfast and take the kids to school before kollel. After first seder, I daven Minchah, and rush home for a quick bite and a short nap before afternoon learning seder." He continues describing his day, in the same fashion, with scarcely a free moment, right up until the recitation of the bedtime Krias Shema, before concluding, "You see, every minute is accounted for. When should I think about Hashem?"

Perhaps no one in our generation was so successful in instilling G-d-consciousness as Rav Noach. Rabbi Avi Geller was the only Lakewood bocher to accept Rav Noach's offer of a free flight to Israel for anyone willing to come to teach students in Aish HaTorah for a period of time. What he found when he arrived astounded him: "Beginners were talking about G-d everywhere — in the beis medrash, while eating in the dining room, at night in their rooms."

But Rav Noach's desire to instill G-d-consciousness was not limited to baalei teshuvah. He paid the publisher of the popular Tefillas Kol Peh siddur several thousand dollars to print the Six Constant Mitzvos on the inside cover of every prayer book. He once asked his great-nephew Rabbi Binyamin Feldman whether he had ma'arachos (essays) on ahavas Hashem. Told that he did not, Rav Noach challenged him, "How does it feel to say twice a day, 'V'ahavta es Hashem Elokecha — You shall love the L-rd your G-d with all your heart,' when you don't even know what it means?"

Rabbi Chaim Yisroel Blumenfeld, Rav Noach's first student from a nonreligious background, remembers, "He taught us that the only way for a person to be happy — to rise above moods, doubts, disappointments, and depression — is to be totally connected to Hashem, to be constantly aware how much Hashem loves him; to be cognizant of his mission in life and how many opportunities there are for each person to fulfill his mission."

But that impact was not limited to baalei teshuvah. Rabbi Ahron Hoch had learned in the kollels of Chaim Berlin and Mir before ever meeting Rav Noach. And his father was an early mentor to some of the leading maggidei shiur in America. Yet he credited Rav Noach with opening him up to the most important thing a person can know: Each of us can have a living, breathing relationship with the Almighty, and He is truly "Avinu Av Harachaman — Our Father, the loving Father."

Rav Noach's primary tool was the Six Constant Mitzvos enumerated by the Sefer Hachinuch as encapsulating the goal to which all the other mitzvos are directed: G-d-consciousness. He viewed the ideas associated with them as spiritual barbells: The more you think about them, the deeper they enter. Whenever not immediately occupied, his mind instantly reverted to reflecting upon one of the Six Constant Mitzvos.

Not by accident did I acquire three seforim on the Six Constant Mitzvos while writing a biography of Rav Noach — one in Hebrew and one in English by talmidim of Rav Noach, and a third based on the lectures of Rav Yitzchok Berkowitz, the current rosh yeshivah of Aish HaTorah.

And I intend to take those seforim off the bookshelves and make them the mainstay of my preparation for the Days of Judgment.

Kesivah v'chasimah tovah.

AN OFFER TO READERS: Any reader who places a bulk order for 20 or more copies of Ordinary Greatness (600 pages), a compilation of 100 of my favorite pieces written over thirty years, will receive the books free. All I ask is that you cover the shipping costs, which you can ascertain through Ahuva@Feldheim.com. I love the book, and would like to see it reach as many readers as possible, especially non-observant ones, who will receive an insight into religious life, without theology or politics. It would also make an excellent gift to the English department of your child's high school, for those who would like their children to develop their writing skills and belief in the power of the written word.

Related Topics: Rosh Hashana & Yom Kippur

Chief Rabbi Mirvis

Shabbat Shuvah

Why Do I Say the Two Magic Words?

What is the correct title for this coming Shabbat, the Shabbat which takes place between Rosh Hashanah and Yom Kippur? Some people call it Shabbat Shuva, others call it Shabbat Teshuvah. Now actually both are fine, but which one is better? If you are going to call the day Shabbat Shuvah, then it would be consistent with our rationale for Shabbat HaGadol, Shabbat Chazon, Shabbat Parah and Shabbat Nachamu — where the title of the Shabbat is taken from a key term in the special reading for that day. And seeing as our haftarah this coming Shabbat will commence with the prophetic words "shuvah Yisrael" — "return O Israel to the Lord your God", it would therefore be Shabbat Shuvah. On the other hand, the Shabbat takes place during the Aseret Yemei Teshuvah, the ten days of penitence, so therefore it would be correct to call it Shabbat Teshuvah. Actually, it all depends on our motivation for engaging in Teshuvah, in repenting and improving our ways — similar to our motivation for the performance of all the mitzvot. Why do I perform a mitzvah? Is it because God has commanded me to? Or is it because I

want to? Ideally, it is best if it is for both reasons. Our sages tell us, in many places in the Talmud, “gadol ha’metzuev ve’oseh mi mi’she’eino metzuev ve’oseh” – “somebody who performs a good deed, because God has commanded them to is greater than somebody who performs the deed of their own volition”. Now you might think it should be just the opposite. Surely, if somebody is performing a good deed with no connection to religion, what a pure heart has motivated that outstanding act! But, let us illustrate this with the example of charity – if I am giving money to charity, if I perform the deed because God has commanded me to, and I also feel charitable and it comes from my heart, then not only am I engaging a good deed, in addition I have the bonus of a spiritual connection with my creator who expects me to be a good person. You know, when I say thank you because somebody does kind deed for me, why do I express gratitude? It is actually for two reasons. I say thank you because my parents insisted when I was a child that I had to. They were the two magic words which I could not get away without saying. I was obliged to say thank you. And I also say thank you because I am grateful, I am showing appreciation. When the two come together, I am showing appreciation correctly and I also have a connection to my parents, zichronam livrach. And that therefore is the bonus of doing things because God has commanded us to. Therefore, coming up to this Shabbat, let us have a combination of both. Let the entire Jewish people engage in shuvah. Let it be Shabbat Shuvah because God has commanded us to be better people and at the same time let it be an occasion of Teshuvah. Let it come naturally from our hearts because we know that that is truly what we want to do. Shabbat Shalom.

Drasha

By Rabbi Mordechai Kamenetzky

Parshas Vayeilech

School of Soft Knocks

Parshas Vayeilech has Moshe handing the reign of power to his beloved disciple Yehoshua, who now will grasp hold of the destiny of the Children of Israel. Moshe does not leave him without first guiding him through the difficult mission of leadership. At the end of Parshas Vayeilech, (Deuteronomy 31:7), “Moshe summoned Yehoshua and said to him before the eyes of all Israel, ‘Be strong and courageous and do not be broken before them, for Hashem your G-d — it is he who goes before you.’”

The Torah does not specify what “strong and courageous” actually means. I conjured my own visions of how to be strong and courageous when dealing with a “stiff-necked” nation. It entailed exacting demands and rigid regulations. The Medrash, however, offers a totally diametric explanation.

The Yalkut Shimoni, a compendium of Midrashim compiled in the Middle Ages, discusses a verse in Hoshea. “Israel is but a beloved lad and in Egypt I had called them my child.” It quotes the verse in Deuteronomy 31:7, and explains the words “strong and courageous.” Moshe explained to Joshua, “this nation that I am giving you is still young kids. They are still young lads. Do not be harsh with them. Even their Creator has called them children, as it is written, (Hoshea 11:1) “Israel is but a beloved lad.”

Can the Midrash find no better words to translate the phrase telling Joshua to “be strong and courageous” other than be patience and understanding? In which way does forbearance show strength? How does courage translate as tolerance?

In the years of World War I, a young student who was fleeing the war-ravaged city of Slabodka sought refuge in Tiktin, a village near Lomza, Poland. A prodigious Torah scholar, he compensated for room and board by becoming a simple cheder teacher. He gave his lecture in a small schoolhouse, but the townsfolk were quite suspicious. There were no shouts from inside the one-room schoolhouse as it was with other teachers; the boys seemed to be listening. Rumor had it that the young man even let the children play outside for ten minutes each day in the middle of the learning session.

They decided to investigate. They interrupted his class one morning and were shocked. The kanchik (whip) used by every cheder-Rebbe was

lying on the floor near the trash bin. Upon interrogating the children the parents learned that this radical educator never used it.

Outraged, the townsfolk decided to call a meeting with their Rabbi to discuss the gravity of the situation. Who knows what ideas a teacher who would not use the kanchik was imbuing in our children? They worried.

The local Rabbi pointed to a picture of Rabbi Isaac Elchonon Spector, the leader of Lithuanian Jewry. “Do you see that picture of the Kovno Tzadik?” He asked the townsfolk. “One day thousands of homes across the world will have this young man’s picture hanging on their walls.”

The elderly Rabbi was right. The young man became the leader of a generation, teacher of thousands and dean of Yeshiva Torah Vodaath. It was the beginning of, Rabbi Yaakov Kamenetzky’s career in education. Moshe, the guide and architect of Jewish leadership, was empowering his disciple with a message of guidance. The words “be strong and courageous” embodied leadership of love and understanding. One can not talk of forbearance and patience without talking of strength and courage. But more important: one can not show true strength and courage if he is not patient and understanding.

Dedicated by Mr. & Mrs. Armand Lindenbaum in loving memory of Nathan Lindenbaum

Good Shabbos!

Parshas Vayeilech

Rabbi Yochanan Zweig

This week’s Insights is dedicated in loving memory of Yehudis bas Meir Moshe, Yehudis Janowski.

Bringing Torah Down to Earth

I am a hundred and twenty years old today; I can no longer go out and come in, and Hashem has told me you shall not cross this Jordan (31:2).

This week’s parsha opens with Moshe addressing all of Bnei Yisroel on the last day of his life. Rashi (ad loc) explains “I can no longer go out and come in” as referring to “[going out and coming] in the words of the Torah. This teaches us that the knowledge handed down and the wellsprings of wisdom had become closed to him.”

In other words, on the last day of his life Moshe was no longer “connected” to the source of the Torah and its wisdom. The question is, why? Why was it necessary for Moshe to be closed off to the wisdom and wellsprings of Torah on the last day of his life?

In last week’s parsha we find a remarkable statement, “This commandment that I command you today is not hidden from you and it is not distant. It is not in the heavens [for you] to say, ‘who will go up to the heavens and bring it down for us...’” (30:11-12). While many commentators (Ramban ad loc etc.) understand this verse to be referring to the mitzvah of repentance, Rashi (ad loc) explains that this is referring to the Torah itself. Meaning if it was up in the heavens someone “would have to go up after it, and learn it” (Rashi 30:12).

What does Rashi mean by, “if the Torah was up in the sky somebody would have to ascend after it and study it to bring it down”?

Here we learn a fascinating lesson about our Torah: So long as Moshe was alive the Torah was literally in the heavens. That is, the domain of Torah remained with Hashem and his heavenly court. Moshe was “connected” to the source. He had learned all the mitzvos and the deep meanings that Hashem intended for us to know. If there was a question as to what the proper course of action Hashem wanted from us, we merely had to ask Moshe. If Moshe was unclear (like in the story of the person who gathered wood on Shabbos) or if he forgot a halacha (such as in the case of the daughters of Tzelaphchad) Moshe could go directly to Hashem to clarify.

On the last day of his life the Torah was gifted to the Jewish people. The Torah became our domain. Our sages were now the final authority as to what the proper halacha was in any given situation. Therefore, even if Hashem disagreed with the sages’ interpretation, we would still follow their interpretation (see the Talmudic dispute between R’ Eliezer and the other sages wherein Hashem seemingly sides with R’ Eliezer but we follow the ruling of the sages, Talmud Bavi Baba Metzia 59b).

On the last day of his life Moshe finished writing the entire Torah and gave it to the Jewish people (see 31:9). In order for him to properly give over the Torah, so that it could become the domain of Bnei Yisroel (and no longer in the heavens), Moshe could no longer have access to the secrets and wellsprings of the Torah. Thereby, on Moshe's final day, the Torah became wholly ours, and our responsibility to properly define.

What Are Kids Good For?

Gather together all the people – men, women, small children [...] so that they will hear and so that they will learn and they will fear Hashem [...] (31:12).

This week's parsha contains the mitzvah of hakhel – the gathering of the entirety of the Jewish people on the holiday of Sukkos following the shemitta year. The king at that time would read from different sections in the Chumash of Devarim from an elevated platform. The Gemara (Bavli Chagiga 3a) explains that the men came to study and the women came to hear. The Gemara then asks; "Why did the very small children come? To give reward to those that brought them" (ibid).

Maharsha (ad loc) explains that the Gemara wonders why the Torah discusses the children in this verse and then mentions the children again in the very next verse. In fact, the next verse clearly explains that the children are coming to learn from the experience. So, explains Maharsha, the first verse must be talking about children that are too young to gain from the experience. Therefore the Gemara explains they are only coming in order "to give reward to those that bring them."

Simply understood, the Gemara seems to be saying that the extra strain of bringing the very young children will bring some kind of reward to their much beleaguered parents. Perhaps this can be understood along the lines of the Talmudic dictum (Avos 5:26) "commensurate to the pain is the reward." But notwithstanding the fact that children can inflict exquisite discomfort on their parents, this cannot be the sole reason for bringing them. First of all, older children can be even more painful to drag to a speech that they can hardly understand. Second, if it is simply to make the experience more difficult, why shouldn't even people without young children have to do something to make the experience more trying? Why are only parents of very young children worthy of this added aggravation?

Obviously, there has to be another reason why we bring very young children to such a gathering. Have you ever noticed that some sports crazy fans bring their one year old children to baseball and football games decked out in baby sized team jerseys and other team themed items? What possible purpose can there be in such an effort? Clearly the child will have no recollection of the event or of his parents' single-minded obsession; so, why would someone go to all that effort?

The answer has to be that it is an internalization, for ourselves and our children, that we want our legacy to be connected to this ideal. There are families that take great pride in being multigenerational fans of certain

teams. So too, by the mitzvah of hakhel we are expressing the ideal, that our deepest desire is for our children to be connected and bound to the values of the Torah and the Jewish people. The reason these parents earn special reward isn't because of the added aggravation; it is because they are making the greatest expression of their personal commitment to Hashem and his Torah. They want their children to follow in their footsteps and the legacy of the Jewish people.

Power of Speech

The Kol Nidre service is essentially an annulment of oaths and vows; a shortened version of the Hatoras Nedarim that is performed after Shacharis on Erev Rosh Hashanah. Why is our most solemn day of the year ushered in with the concept of vows and oaths?

Rambam (Yad Hilchos Teshuvah 1:1) implies that the primary aspect of repentance is "Vidui" – the verbalized confession of one's sins. Why is verbalization of sins such an important component of the process?

Targum Onkelos (Bereishis 2:7) explains the possuk "And he blew into [Adam's] nostrils a living soul" that Hashem imbued Adam with the ability to speak. This was a replication, as it were, of Hashem's power of speech given to man. In other words, just as Hashem created the world with words (see Avos 5:1), man was similarly endowed with the ability to create new realities through speech.

This is the essence of how a prohibition of a neder can take effect and become a binding commitment. Man can transform the reality of an object from being permitted to prohibited. So too is the process of repentance. Essential to the teshuvah process is the verbalization of a sincere heartfelt confession along with the commitment to sin no more. Through speech alone, man can transform his reality from being a sinner to being penitent.

This is the message of Kol Nidrei; through our speech we effectuate our transformation. The concept of oaths and vows, then define the nature of Yom Kippur. This is the day we use our speech to beseech Hashem to transform us through his forgiveness.

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