

INTERNET PARSHA SHEET  
ON PARSHAS NITZAVIM VAYELECH - 5757

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shabbat-zomet@virtual.co.il Shabbat-B'Shabbato - Parshat Nitzavim-Vayelech  
A COVENANT OF MUTUAL RESPONSIBILITY by Rabbi Yehudah Shaviv

"You are standing today, all of you, before your G-d ... Every man of Yisrael ... To enter into the covenant of your G-d and His vow, which your G-d has sealed with you today." [Devarim 29:9-11]. What innovation was there in the covenant of the Moav Plains? Hadn't Bnei Yisrael already sworn to a covenant at Sinai 40 years earlier? The Ramban explains that "the first covenant, at the time of receiving the Torah, did not include a curse." It appears from the words of our sages that the new covenant was indeed a momentous event, in that it added a new element of mutual responsibility. From this time on, actions of an individual were no longer only his business, a matter for private accounting with G-d, but were related to the nation as a whole. This was the beginning of the concept, "All of Yisrael are responsible for one another" [Shevuot 39a]. This is true not only for violation of prohibitions, as is written, "Each man will stumble over his brother" [Vayikra 26:37], implying that each man will be held responsible for his brother's sins" [ibid], but also for positive commandments. As was taught by Ahava, the son of Rabbi Zeira, "One who has already recited any of the blessings can recite it again for others" [Rosh Hashana 29a]. As Rashi explains, "all of Yisrael are responsible for one another in performance of mitzvot." The Ritva adds, "They can be compared to a single body." Therefore, one who has already recited the blessing is still obligated and can recite the blessing again for someone else. Since all Jews are intimately intermingled, they are responsible for each other.

One question that remains is why the mutual responsibility began then and not at Sinai. It may be that it was postponed until the Torah was completed, forty years later. As an alternative, it may be that Eretz Yisrael was the reason. After all, the new covenant did not take effect until the crossing of the Jordan River. This is the explanation given for the verse, "The secrets are for G-d, and the revealed matters are for us and for our children forever" [Devarim 29:28]. "This teaches us that nobody was punished for hidden sins until they crossed the Jordan, according to Rabbi Yehudah. But Rabbi Nechemia asked him: When can one be punished for hidden sins? ... What it means is that just as G-d does not punish for hidden sins, so was there no punishment even for revealed sins until Bnei Yisrael crossed the Jordan." [Sanhedrin 43b]. A reason for this is given in the name of the Maharal: "Eretz Yisrael is uniquely tied to the nation and therefore all of Yisrael who live there can be considered as a single individual. That is why when they entered Eretz Yisrael they became responsible for each other." [Avnei Nezer, Yoreh De'ah 126]. Before entering the land, the people could be considered as separate entities; even if there was a unifying force, they were still separate. It was only in the land itself that the separate tribes were transformed into a single body. This is what transformed mutual responsibility from a theoretical concept to a real physical obligation. In a similar way, the entire world can be considered as a single unit. As was taught by Rabbi Elazar ben Rabbi Shimon: "Since the world is judged according to the majority and the individual is also judged according to the majority, when one performs a single mitzva he should be happy that he has brought a benefit to himself and to the whole world" [Kidushin 40b].

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drasha@torah.org DRASHA PARSHAS NITZAVIM-VAYELECH  
SPACED OUT! The Torah, this week's portion tells us, is not in space.

We do not have to travel to the heavens, nor cross the seas to learn it. It is close to our hearts and our lips to do and observe (Deuteronomy 30:12). Though the Torah is not in the heavens, that is not always the case with the Jews! We read this week us that sometimes the Jewish people will be so dispersed that "if your exiles are scattered at the end of the skies, Hashem will gather them from there" (Deuteronomy 30:4). Those two verses are an amazing contrast. Though the People of the Book may be as far-flung as the heavens themselves, the Book is always within our reach. Ultimately however, both the far-flung Jew and the Book he or she is meant to observe will always land together. The meaning of the message is surely open to analysis. What does the Torah mean by telling us that Torah is not in heaven? We all know that. After all, aren't we reading those verses on Shabbos, in synagogue, here on earth? Rashi explains that the Torah means to tell us that if the Torah was actually in heaven we would have to find a way to retrieve it, bring it back to earth, and study it! Quite a prescient prediction of space-travel! But, I imagine, if a possible cure for cancer or the quest for other scientific discoveries prompted a multi-billion space program with a goal to land on the moon, Mars and our other celestial neighbors, the quest for morality would have propelled us there thousands of years prior! Perhaps, however, we can use an old Jewish story to see how the Torah is entreating us in a different vein.

The story is told of Reb Chaikle, a poor tailor from Lodz, who had recurring dreams. Each night his father would appear to him and tell him about a secret fortune. All he had to do was travel to Vienna and visit the royal palace. Exactly 50 yards from the palace, explained his father, was an old oak tree. Under that tree, his father told him, lies a great treasure. All Reb Chaikle had to do was dig under the tree, and all his financial problems would be solved. At first, Reb Chaikel ignored the dreams, but they kept repeating night after night, and he felt compelled to travel to Vienna and seek his fortune. He camped out near the palace and waited for an opportune moment to begin the dig to fortune. At midnight on a moonless night he stealthily crept up to the tree and began to dig. His shovel did not get a chance to strike dirt when he felt a rough hand squeeze the back of his neck. "Jew!" shouted the palace guard. "What on earth are you doing at twelve midnight, 50 yards from the palace gates, shoveling dirt?" Reb Chaikel had no choice but to tell the story of the dream and the great fortune that lay beneath the oak tree that he was about to dig up. He even offered to split the booty, if only the guard would let him go. "You idiot!" laughed the guard. "Everyone has dreams. In fact, I myself even dreamt that if I would go to the city of Lodz in Poland, and dig in the basement of some Jewish tailor named Chaikel, I, too, would find a fortune! Hah! Now get lost!" Legend has it that Reb Chaikel returned to Lodz, and after a little digging in his own home became a very wealthy man.

Sometimes we look at the Torah's goals as way up in space! We look at the mitzvos as nearly impossible tasks that are as difficult to achieve and perform as landing on the moon. We view them as hurdles that are impossible to overcome and not feasible to attempt. We must travel to distant lands and perform incredible feats. The Torah assures us twice that it is within our reach. A Jewish soul may be lost in space, but Hashem will find a way to bring him home. Whether through a chance meeting with an observant Jew stuck in Thailand, or seated next to him or her on an airplane circling Dallas airport, Hashem will find him. Next, the Torah assures us that its very manual is a lot closer to practical observance than people may imagine. One may think it takes extensive efforts to become something he imagines is way beyond his reach. This week the Torah teaches us the secret of the Jewish soul and the Book that was written to guide it. Both of them are within our reach. Neither of the two is forever spaced out. Good Shabbos!

Dedicated by the Pinsky Family in memory of Sondra Pinsky of blessed memory -- 22 Elul L'Iloy Nishmas Shulamis bas Reb Avraham Moshe O'H

Parabolic Reflections: (In this footer, I'd like to add notes and minutia from & to readers!) Best Wishes to our subscriber US Air Force Rabbi Brett C. Oxman who is conducting High Holiday services for our troops in Bosnia. It is wonderful to know that we are on his mind as he is on our mind too! Shana Tova U'mesuka! Mazel Tov to Avigdor Fuld upon his marriage to Yoni Kantor! and Yasher Koach to all who made the simcha so beautiful!

Mordechai Kamenezky - Yeshiva of South Shore Ateres@ppmail.nyser.net

yhe-sichot@jer1.co.il Sichot of the Roshei Yeshiva summarized by students  
Subject: SICHOT - 42: PARASHAT NITZAVIM SICHA OF HARAV  
AHARON LICHTENSTEIN SHLIT" A

"All of Israel Are Guarantors for One Another"

Summarized by Danny Orenbuch

"The hidden things are limited to the Lord our God, but the revealed things are ours and our children's forever, to perform all the words of this Torah." (Devarim 29:28) "Lest you should say: We are powerless - You punish the many for the thoughts of the individual... but how can a person know the private thoughts of his fellow?! "[Therefore God says:] I do not punish you for the hidden things. These are 'limited to the Lord our God,' who will punish the individual appropriately. But the revealed things - these are [the responsibility of] 'us and our children,' to destroy the evil from our midst; and if we do not perform justice with the evil ones - the many will be punished. "The punctuation above the words, 'us and our children' comes to teach: even for the revealed things the community was not punished until they passed over the Yarden, and accepted upon themselves the vow on Har Gerizim and Har Eival, and became guarantors for one another." (Rashi) Rashi's unequivocal statement here regarding 'hidden things' is in contrast with the debate on this topic in the Gemara (Sanhedrin 33b), but with regard to 'revealed things' all agree that from the time that the nation crossed the Yarden, there is communal responsibility. The basis for this responsibility, according to Rashi, is the fact that all are guarantors (arevim) for each other. In monetary matters, a guarantor is someone who bears responsibility for a debt, and here too the term 'arev' is used in the sense of bearing responsibility. This responsibility has a double significance: on the one hand, it refers to a person's responsibility to perfect himself, and on the other hand this responsibility extends to those around him. The aspect of responsibility in the sense of perfecting oneself can be understood if we bear in mind the halakha which states that "yatza motzi" - someone who has already fulfilled his obligation with regard to a certain mitzva (e.g. reciting kiddush on Shabbat) can repeat it (including the berakha) in order to help someone else to fulfill his obligation in the same mitzva, even though it would seem that once he has completed his performance of the mitzva, he no longer has any connection to it. The reason for halakha permitting him to repeat the performance of the mitzva is that so long as others have not yet fulfilled the mitzva, he himself has not performed it properly, and there is still something lacking in his personal fulfillment. Hence his obligation has not yet completely ceased, and he is able to repeat the mitzva for the sake of helping someone else to fulfill the obligation. The individual's responsibility here is in fact towards himself - his own mitzva is still lacking, and he is responsible for completing it. On the other hand, the responsibility of being a 'guarantor' is also towards society. This involves not particular mitzvot or particular individuals, but rather the responsibility of being alert to problems and defects in the society around him, and taking steps to correct them. We are all aware of the debate between the philosophy which holds the individual as life's central player - with the aim of society being the realization of his individual goals, and the opposite philosophy, which maintains that it is in fact society which should be regarded as the highest priority, with the individuals representing the cells comprising this great body and bearing responsibility towards this one great unit. Judaism combines these two views. On the one hand, each individual is regarded as a whole world in himself; on the other hand, we find in many places an emphasis on the idea of Am Yisrael as a single unit. Clearly, the existence of this unit, this great community, can be fully realized only when Israel dwells in its land, and not when they are outside of it, dispersed and scattered among the nations. This, therefore, is the reason why collective responsibility for 'revealed things' - for the openly apparent problems

plaguings the nation and its constituent individuals - came into effect only when the People of Israel crossed over the Yarden and entered the land. (Originally delivered at Seuda Shelishit, Shabbat Parashat Nitzavim 5752. Translated by Kaeren Fish.)

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ravfrand@torah.org Rabbi Frand on Parshas Nitzavim-VaYelech  
This week's class is dedicated in loving memory of Mrs. Anne K. Goldberg -  
l'zaycher nishmas Chana Tie'bul bas Yisroel

Encouraging News Before Rosh HaShannah In this week's Parsha, Moshe Rabbeinu tells the Jewish People that he has given them a clear choice: "Behold I have placed before you today that which is life and that which is good; that which is death and that which is evil... And you shall choose Life, in order that you and your children shall live" [Devarim 30:15-19]. The Medrash comments on this pasuk [verse]: "And Rav Chagai says, 'Not only this, but I have given you two paths and have gone above the requirements of the law by telling you which path to take.'" What is the meaning of this Medrash? Why is G-d telling the Jews to choose Life, considered "Lifnim m'shuras Hadin" [over and beyond the call of duty]? It seems that G-d was merely placing the two options on the table, so to speak, and giving good advice -- to choose Life. How is G-d saying "And you shall choose Life," considered 'above and beyond the call of duty'? I saw an answer from the son of Rav Yosef Chaim Sonnenfeld. There is a verse in Parshas Bechukosai [Vayikra 26:3] which says, "If you will walk in my statutes and keep my commandments and do them." Our Rabbis comment, "if you will keep (u'shmartem) the commandments, I will consider it as if you have done them (v'asisem)." What is this verse teaching us? Is it not obvious that if we keep the mitzvos, we are doing them? We see an amazing thing from this. The words "es Mitzvosai Tishmoru" do not mean "if you keep my Mitzvos." The root "tishmoru" comes from the etymology of "And his father kept the matter" (v'Aviv shamar es hadavar) [Bereshit 37:11]. In other words, according to the Medrash, the verse is saying, "If you make the mental note to keep my commandments, if you accept in principle to keep them, then I will consider it as if you \_have\_ kept them." Where do we see that the Torah considers a person to have kept the Torah, even if the person has only agreed in \_principle\_ to keep the Mitzvos? Rav Yosef Chaim Sonnenfeld says that this is what we learn from the pasuk "And you shall choose Life" [Devarim 30:19]. The "above and beyond the call of duty" to which the Medrash refers is that G-d promised, "if you \_choose\_ Life," then I will consider it as if it has already been done. If you merely accept in principle to observe, then it will be considered as if you already observe. G-d is not asking for action here. G-d is asking for commitment: "Just raise your hands and I will consider it as if you are already on My team." The Medrash is alluding to this great kindness that G-d provided for us. This is perhaps one of the most encouraging things to hear before Rosh HaShannah. When we go into the Day of Judgment and reflect back on this year, knowing that we are not up to par, we wonder "how can we make a deal, what can we do to improve our balance sheet?" We wonder, "How can we get an infusion of spiritual capital right before the Yom HaDin?" This Chazal is telling us is that a sincere acceptance to be better, to do specific things, gives one credit as if he has already done them. That is the wondrous novelty of the verse, "And you shall choose Life." If, perhaps, the amount that one learns Torah has slipped, and one would really like to learn every day rather than a couple of times a week... If he sincerely commits to learning every day, then he can go into the Yom HaDin in the Eyes of HaShem as if he learns every day. As long as that acceptance is sincere, and is more specific than merely, "I'm going to be better," and as long as it can be quantified and identified in one's mind and sincerely accepted, then the 'chiddush' of "And you shall choose Life" teaches us that, as of today -- Erev Rosh HaShannah -- one is viewed in the eyes of G-d as if he has already become better. Who doesn't need to improve his appearance before G-d, only days before Rosh HaShannah? All He wants is "And you shall choose" -- a

vote, a sincere commitment to improve in specific, quantifiable areas. Then "I will account it for you, as if it were done." Have A Kesivah V'Chasima Tova.

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weekly-halacha@torah.org Parshas Nitzavim-Vayelech: Selichos-Erev Rosh  
Hashana By Rabbi Doniel Neustadt

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-I 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  
EREV 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 hatoras 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 hatoras 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 hatoras  
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 hatoras 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 hatoras  
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 hatoras 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 beli neder(15).

QUESTION: CAN ANYONE BE A MEMBER OF THE COURT FOR  
THE PURPOSE OF ANNULMENT OF VOWS (hatoras 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 hatoras  
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  
HATORAS NEDORIM Answer: Hatoras 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). For the annulment to be  
valid, the petitioner and the members of the court must understand exactly  
what is being said. A woman [or a man] who does not understand the  
published Hebrew text, should annul her vows in English(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  
Igras 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 Igras 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.

We would like to announce that the first volume of Rabbi Neustadt's  
shiurim based the Weekly-Halacha column has just come off the press.  
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torah@lubavitch.chabad.org Torah Studies - Nitzavim-Vayeilech Based on the teachings and talks of the Lubavitcher Rebbe

**Nitzavim United We Stand** The Torah portion of Nitzavim is always read on the Shabbos before Rosh HaShanah. The reason for this is that every Shabbos is related to and encompasses the days of the coming week. Thus the phrase "You stand 'today...'" is read on the Shabbos before Rosh HaShanah, since "today" refers to Rosh HaShanah -- "the day of great judgment." When that day arrives, it is necessary that "You all stand together 'today' before the L-rd your G-d." All Jews are to come together, from the "heads of your tribes" to "your wood choppers and water drawers."

Rashi notes that "wood choppers" refers to Canaanites who converted to Judaism, and were not altogether forthcoming about their reason for doing so. Nevertheless, they too stand before G-d with all other Jews, so that "all stand together." This degree of unity is much stronger than that of individuals who merely tolerate one another, notwithstanding the fact that one is a leader and the other a simple individual. Rather, the implication is that each benefits from and complements the other, just as the human body is composed of various organs, each possessing a unique function and complementing the others so that each one is truly incomplete without the others. In order to achieve this kind of unity on Rosh HaShanah, the

portion of Nitzavim with its emphasis on Jewish unity is read on the Shabbos preceding the holiday, for reading about this unity in the Torah empowers the Jewish people to make it a reality. After stating "You all stand together today... and water drawer," the opening verse of Nitzavim concludes: "to make you pass through a covenant with the L-rd your G-d." In other words, the unity of the Jewish people serves as a precursor to the covenant that G-d makes with them on Rosh HaShanah. We observe that when dear friends wish their friendship to endure even under adverse circumstances, they will -- while their feelings are still strong -- make a covenant and affirm that whatever the future holds, their love for each other will not cease. The strength of a covenant is such that although the circumstances that brought two people to like each other has undergone a radical change, the covenant they made will cause the friendship to endure. For a covenant is an agreement that defies logic; intellect is set aside and an agreement is made to forge a relationship that is so powerful that no force in the world will be able to even lessen the love felt by one friend for the other. The same holds true regarding the love between G-d and the Jewish people: During Rosh HaShanah, this love is at its peak, for it follows the spiritual service of the Jewish people during the month of Elul -- a degree of service that erases all the sins that could possibly hinder this love. During Rosh HaShanah, then, Jews forge so strong a bond with G-d -- utterly transcending logic -- that no power in world can sunder the relationship. In order to arouse within G-d the desire to unite with the Jewish people in so powerful a manner, it is necessary for us to demonstrate a willingness to give of ourselves in a manner that transcends logic. This is accomplished when all Jews unite so thoroughly that they become "truly as one." Achieving such a feeling for one's fellow indeed goes beyond the boundaries of logic, for logically, one person is a "leader" while the other is a "wood chopper and water drawer." When a Jew shows this degree of love towards his fellow, then G-d in turn demonstrates His infinite love for the Jews on Rosh HaShanah, and blesses them during the coming year with all manner of good. Based on Likkutei Sichos, Vol. II, pp. 398-400

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**Insights** The Hidden Face "My anger will flare against him on that day and I will forsake them; and I will hide My face from them and they will become prey... He will say on that day 'Is it not because my God is not in my midst that these evils have come upon me?'" (31:17) When tragedy befalls the Jewish People, we may think that Hashem has abandoned us to our enemies. When we are beset by those who wish to destroy us and they seem to be unstoppable while we are powerless, and they slay us from morning till evening, let us remember this verse. Hashem will

never desert us; rather we feel that He has forsaken us because He has 'hidden His face.' When Hashem 'hides His face' it means that we cannot see Him controlling events. It seems to us that chaos rules. Of course, nothing happens that He does not decree. The decree for every event that has happened this year was sealed last Yom Kippur: "Who will live and who will die..." And if we look carefully at events, even though we cannot see Hashem's 'face,' we can, at least, discern His 'back.' We can see the telltale footprints in the snow of History. We sometimes feel that we have failed Hashem so totally that there is no way we can find our way back to Him. We should remember that He is always there behind the mask of the world, waiting for us to return through prayer and teshuva (repentance). ...

**Best Behavior** "At the end of seven years... you shall read this Torah before all Israel... the men, the women and the small children" (31:10-12) How often do we see people who are very far from religion, when faced with educating their children, suddenly becoming much more religious!

Rashi, commenting on the verse above, says that the reason small children should be brought to hear the Torah read at the time of Hakhel, is to "cause reward to those who bring them." This implies that the reason for the children coming has nothing to do with the influence that it might have on them, but rather on those who bring them. By wanting to set a good example to their children, the parents themselves will become more careful in their observance of mitzvos, and be sure to come to hear the King read the Torah at Hakhel. Rabbi Michael Schoen

Written and Compiled by Rabbi Yaakov Asher Sinclair General Editor: Rabbi Moshe Newman Production Design: Lev Seltzer (C) 1997 Ohr Somayach

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**Parsha Questions** Nitzavim 1. What is the connection between the verse "Atem nitzavim" and the curses in the previous parsha? 2. Who are the wood-choppers and water-carriers? 3. Why can Hashem never 'swap' the Jewish people for another nation? 4. One who ignores the Torah's warnings "adds drunkenness to thirst (29:18)." What does this mean? 5. What two cities were destroyed along with S'dom and Amorah? 6. "The hidden things are for Hashem, our G-d, and the revealed things are for us..." What does this mean? 7. According to Rashi, how will the day of the ingathering of the exiles be 'great and difficult'? 8. Where is the Torah 'not to be found'? Where is it to be found? 9. When and where did the Jewish People become culpable for each other's sins (areivim zeh lazeh)? 10. How do the earth and sky remind us to keep the mitzvos?

**Vayeilech** 1. Moshe said, "I am 120 years old today. I am no longer able to go out and come in..." How do we know that this does NOT refer to physical inability? 2. Which of Moshe's statements to Yehoshua was later contradicted by Hashem's command? 3. Why does the Torah (31:10) refer to the Sukkos of the eighth year as though it occurred during the Shemita year? 4. Why does the Torah command that babies be brought to hear the Torah being read? 5. What does it mean that Hashem 'hides His face' from the Jewish People? 6. What function does the song Ha'azinu serve? 7. Which verse promises that the Torah will never be totally forgotten from the Jewish People? 8. What is the difference of opinion regarding the placing of the Torah scroll which Moshe gave the Levi'im? 9. On the day of Moshe's death, he didn't gather the people by blowing trumpets as he normally would have. Why not? 10. Moshe said "For I know that after my death you will act corruptly...(31:29)," but, in fact, this didn't occur until after Yehoshua's death. What does this teach us?

**Bonus QUESTION:** A covenant was made between Hashem and "those standing here with us today - in front of Hashem, our G-d -- and those NOT here with us today (i.e., future generations)." How can future generations be obligated by a covenant which they never entered into?

**I Did Not Know That!** The first letters of the words "Mi Ya'aleh Lanu Hashamaimah" -- who will go up to the heavens for us? -- spell 'mila' (circumcision). The last letters spell Hashem's name. Bris Mila prepares a person for his heavenly climb towards G-dliness. Ba'al Haturim (30:12)

**Recommended Reading** Ramban 29:18 Refusing the Covenant 29:28 Accidental Sins 31:1 Bidding Farewell 31:2 Loss of Knowledge Sforno 29:18 Denying the Curse 30:6 Cleaving to Hashem 30:9-10 Our Own Merit 31:18 Hiding of Hashem Sefer Hachinuch 612 The Gathering 613 Writing a Sefer Torah

**Answers to this Week's Questions** All references are to the verses and Rashi's commentary, unless otherwise stated Nitzavim 1. 29:12 - The Jewish People asked, "Who can survive such curses?" Moshe comforted them, saying, "You've done a lot to anger Hashem, and yet -- 'atem nitzavim' -- Hashem didn't destroy you ... you're still standing before Him." 2. 29:10 - Canaanites who joined the Jewish People under false pretenses. 3. 29:12 -

Because Hashem swore to their ancestors that He would never do so. 4. 29:18 - He causes Hashem to reckon his unintentional sins alongside his intentional ones, punishing him for all. 5. 29:22 - Admah and Tsevoyim. 6. 29:28 - There is collective culpability only for 'open' sins, but not for 'hidden' ones. 7. 30:3 - It will be as if Hashem needs to take each individual by the hand and lead him out of exile. 8. 30:12-15 - The Torah is not found in heaven nor across the ocean. Rather, it is "...very close to you, in your mouth and in your heart to do it." 9. 30:28 - When they crossed the Jordan and accepted the oath on Mt. Eval and Mt. Grizim. 10. 30:19 - The earth and heavenly bodies -- although receiving neither reward nor punishment -- always 'obey' Hashem's will. How much more should we -- who stand to receive reward or punishment -- obey Hashem.

Vayelech 1. 31:2 - Because verse 34:7 says "His (Moshe's) eye never dimmed, and his (youthful) moisture never departed." 2. 31:7 - Moshe told Yehoshua to share his leadership with the Elders. Hashem later commanded Yehoshua to rule alone. 3. 31:10 - Because the halachos of the seventh year (Shemita) still apply to the harvest. 4. 31:12 - To give reward to those who bring them. 5. 31:17 - He ignores their distress. 6. 31:21 - It warns what will befall the Jewish People if they abandon Torah. 7. 31:21 - "...For it (the Torah) will not be forgotten from the mouth of their offspring..." 8. 31:26 - Whether it was placed outside but adjacent to the Ark, or inside, next to the Tablets. 9. 31:28 - Blowing the trumpets was an expression of Moshe's dominion, and "There is no dominion on the day of death." (Koheles 8) 10. 31:29 - That a person's student is as dear to him as himself -- As long as Yehoshua was alive, it was as though Moshe himself were alive.

Bonus ANSWER: The souls of all future generations -- although not physically "here with us today" -- exist nevertheless "in front of Hashem, our G-d." These yet unborn souls entered the covenant, along with the rest of the Jewish People. Kli Yakar

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Dear Friends, For four years I have been producing and distributing the weekly Parasha Page. It has been my goal to make available to Jews worldwide a high-quality, professional publication, that will allow them to gain a greater appreciation of our Torah. The warm letters of appreciation that many of you have sent me lead me to feel that this goal is being accomplished. Thank you for your continued encouragement! Please consider sending a yearly donation to make it possible for me to continue the weekly mailings. Contributions of any amount are welcome, you may dedicate an issue for \$75. Checks should be made out to "PARASHA-PAGE" and mailed to my Jerusalem address (see below). Thank you for your continued support of the Parasha-Page. Ketivah v'Chatimah Tovah - May you have a year of blessing and health! Rabbi Mordecai Kornfeld 6/12 Katzenelbogen St. Har Nof, Jerusalem, ISRAEL 93871

Dedicated by Dovid Hoffman in loving memory of Mrs. Anne Goldberg Chana Tiebul bas Yisroel.  
PARASHAT NITZAVIM 5757 TRUTH, IN A WORLD OF DISTORTION

[The Torah] is not to be found in the heavens, that you should ask, "Who will go up to the heavens to get it and teach it to us so that we may fulfill its commandments?" (Devarim 30:12) What does [the above-mentioned verse] mean to say? Explained Rabbi Yirmiyah: The Torah has already been given over to us [to understand based on our own mental faculty], and even if a voice from heaven insists that we interpret it otherwise, we need not heed it. (Gemara Bava Metzia 59b) If a prophet announces that Hashem has revealed to him the meaning of a certain passage in the Torah, we are not to heed his words. To the contrary, he is to be judged as a false prophet and put to death (Rambam, Hil. Yesodei ha'Torah 9:4). What is the logic behind this bizarre law? Why shouldn't we be granted, at least periodically, divine help in sorting out the intricacies of the Torah's laws? The Vilna Gaon (Kol Eliyahu #227; Toldot Adam [biography of Rav Zalman of Volozhin] 4:14) finds the answer to this question in a cryptic Midrash describing Creation.

II "Kindness met with truth; righteousness encountered peace. Truth will sprout from the ground, and righteousness shines from the heavens." (Tehilim 85:11,12) When Hashem created Man, the heavenly hosts were divided.... Kindness said, "Let him be created, for he will do kindness!" Truth said, "Let him not be created, for he is full of lies!" Righteousness

said, "Let him be created, for he will perform righteous acts!" Peace said, "Let him not be created, for he is always quarreling!" What did Hashem do? He took truth and cast it to the earth! Said the heavenly hosts before Hashem: Master of the Universe! How can You cause such disgrace to your beautiful adornment? "Truth will sprout from the earth." (Bereishit Raba 8:5) What does the Midrash mean by contending that Hashem "cast truth to the earth?" And in what way will it later "regenerate?" The Vilna Gaon explains as follows. The goal of mankind in this world is to gain an understanding of the ways of Hashem as they are expressed in the Torah and its laws. However, it is truly impossible for man's puny mental capacity to fathom Hashem's divine will to the fullest. ("My thoughts are not like your thoughts; My ways are not like your ways -- Yeshayah 55:8.) This is why "truth" -- a commonly used alias for "Torah" -- insisted that Man should not be created. Man is so full of lies, he will certainly not be able to understand the true meaning of the Torah's laws! Hashem retorted by casting truth from the heavens, and letting it sprout back from the earth. The "true" interpretation of the Torah's laws will not be based on a pre-existing heavenly template. Instead of an absolute, divine truth, the "true" meaning of the Torah's laws will be determined by the assessment of the scholars of the Torah. Any interpretation of the Torah that they come up with which is within the framework of the 13 exegetical principles that Moshe taught us, is truly the divine will. Mankind can indeed relate to such a Torah-truth, which "sprouts from the earth" and not from heaven. This is the meaning of our verse, which states that "[The Torah] is not to be found in the heavens." Hashem made it clear that no heavenly messenger will ever attempt to teach us an "ultimately true" meaning of the Torah, for the Torah has no such meaning! Its meaning was left for \*us\* to determine, for otherwise Man would not have been able to ever reveal the Torah's true meaning.

III If we take the Gaon's words further, we can discover a beautiful gem in the words of the Midrash. There are a few obvious questions on the Midrash cited above: (a) If the Midrash accedes that man can be kind one to another, why did it insist that man cannot be at peace with one another? (b) Also, after truth was cast to the earth, the victor ought to have been its adversary, kindness. Why is it then, that it is \*righteousness\* that shines unhampered from the heavens? What became of the adversary of righteousness, peace? The answer to our first question is that peace requires a much more intimate relationship than benevolence. One can be kind to a person who one looks down upon. Peacefulness, however, is a relationship between \*equals\*. In order to be at peace with each other, people must have the same beliefs, the same goals, and the same understanding of the purpose of life. However, as the Gemara puts it, "Just as all faces are different, so are all outlooks on life different." Because of this, man, by nature, is bound to quarrel with his fellow man. However, when it comes to understanding the words of the Torah we find a remarkable phenomenon. Two scholars can reach entirely different conclusions as to the meaning of a verse, and we can still say that "These and those are both the words of the Living G-d" (Eruvin 13b). This is because the will of Hashem is not limited to a single, objectively true interpretation of the Torah. Rather, Hashem's will includes any of the conclusions that scholars may reach drawing on the 13 exegetical principles, as we have explained above. (It is only as far as Halachic \*practice\* that we must brand one of the interpretations as being "Halachically correct." All of the interpretations, though, are truly the Word of Hashem.) Because of this strange circumstance, it is possible for two Torah scholars to have entirely different approaches to a certain law, and yet each of them can respect the other as having arrived at the "true" interpretation of the law! Different outlooks no longer are cause for quarrels and resentment. It is finally feasible for there to be peace even in this world of ambiguity and distortion. This is the answer to our second question. Once truth was cast to the ground, only to be reborn through the scholars of the Torah, then peace no longer objected to the creation of man. Righteousness won out, and Man was created.

IV This theme, that Torah ultimately brings unity to the world, is reflected in many of our Sages' teachings. Torah scholars bring peace to the world, as it says... "Hashem gave Torah ("Oz") to His nation, Hashem

blessed His nation with peace. (Berachos 64a) Through giving the Torah to us in the unique manner in which it was given, Hashem brought peace to the world. We learned that it is possible to appreciate our friend's view even if it is not identical to our own. This is the way a true Torah scholar conducts himself (as anyone who has merited to develop an intimacy with one of the generation's Torah leaders knows). By example, the rest of the world learns from Torah scholars to live in peace and harmony. May Hashem bless us that we may see the day when the entire world is at peace, and united in the service of Hashem!

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mj-ravtorah@shamash.org nitzavim.97 Shiur HaRav Soloveichik ZT"L on Parshas Nitzavim (Shiur date: August 1972 Yarchei Kallah)

The first verse in Parshas Reay (Devarim 11:26) says: Behold I place before you today blessing and curse. The Torah continues and tells us that blessing will come if we observe the Mitzvos Hashem and curse will follow if we do not observe them. The Torah then relates the procedure of the ceremony that was to take place at Har Grizim and Har Ayval when they would enter the promised land. Rashi comments on the first verse that the blessing and curse that is placed before them are those stated in reference to the ceremony that will take place at Har Grizim and Har Ayval. This should be obvious, as the Torah tells us about the ceremony within the next few verses. What prompted Rashi to add this comment on the first verse?

In the introduction to the Tephila Zakah that we recite on the evening of Yom Kippur, the author says that Hashem has placed before us today life and good, death and evil. The author used this phrase to convey the concept that Hashem granted man Bechira (freedom of will). This verse is taken from Parshas Nitzavim (30:15). The author did not choose the verse from Reay to demonstrate this concept of Bechira. The reason is that, according to the author, the principle of Bechira is not formulated in Reay, but in Nitzavim. We now understand why Rashi added the comment about the ceremony at Har Grizim and Har Ayval in Parshas Reay, in order that we should not interpret the verse in Reay as relating to the concept of Bechira. The notion of Bechira is not introduced, according to Rashi, until Parshas Nitzavim. The Ramban rejects this approach of Rashi and says that the concept of Bechira is mentioned in both Reay and Nitzavim. [The Rav noted that Parshas Reay is Shabbos Mevarchim of the month of Elul. According to the Ramban this co-incidence is appropriate because Reay introduces the concept of Bechira which is the focal point around which Teshuva and Yom Hadin revolve.]

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

The Ramban says that both verses, in Reay and Nitzavim, refer to Bechira. Rashi rejected this approach because it would mean duplication of the verses. The Rav presented two interpretations in order to explain why these verses relating to Bechira were not redundant according to the Ramban. [The Rav commented that though the homiletical value of the interpretation would be obvious, he still had some reservations about what he was about to present.] In Reay the Torah refers to Bechira prior to sin. Moshe tells the people that blessing will come to you if you keep the Mitzvos Hashem. Be careful to hearken immediately to what I say and never involve yourself with sin. However, once someone has embraced sin, he must put forth a heroic effort to become a Baal Teshuva. There is a heroic element involved in doing Teshuva. To repent, to change a way of life and to achieve a rebirth requires not only a strong personality, but a giant. The flow of the verses in Parshas Nitzavim stresses this: And Hashem will circumcise your heart. Teshuva requires a change of personality, a circumcision of the heart. An insensitive, stubborn heart must be changed to one that is sensitive. This requires the personality of a giant. The Torah continues saying that this Mitzvah

(according to the Ramban, the Mitzvah of Teshuva) is not distant from you nor is it in the Heavens. No matter how steeped in sin, no matter how successful you were in your sinful life, you can perform the great miracle of Teshuva. The Torah continues: Behold I have placed before you life and death: choose life. It is your decision. If you decide on life you can attain life.

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

The second interpretation, according to the Rav, was alluded to by the Haamek Davar. In Parshas Reay, Moshe demands that the people comply with the Mitzvos. They should observe Shabbos, Kashrus etc. Some people will give in to their passions and transgress, but most reasonable people would come to the conclusion that it is better to live a pure life than a sinful life, and they would comply with the Mitzvos. Thus, in Parshas Reay, the Torah is not demanding anything superhuman from the individual.

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

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

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

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