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INTERNET PARSHA SHEET ON NITZAVIM VAYELECH - 5771

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From **Rabbi Yissocher Frand** ryfrand@torah.org Thu, Sep 22, 2011 at 12:05 PM subject Rabbi Frand on Parshios Nitzavim & Vayelech

"The Man Who Blesses Himself In His Heart Saying..." Wasn't Totally Wrong

In Parshas Nitzavim, the Almighty warns Klal Yisrael that they are about to enter a land in which there is going to be an abundance of idolatry. "And you have seen their detestable things, and their idols, wood and stone, silver and gold, which were with them. Lest there should be among you man or woman or family or tribe whose heart turns away this day from the L-rd our G-d to go to serve the gods of those nations; lest there should be among you a rot that bears gall and wormwood; and it shall come to pass when he hears the words of the curse, that he bless himself in his heart, saying: 'I shall have peace, though I walk in the stubbornness of my heart -- that the watered be swept away with the dry'. The L-rd will not be willing to pardon him, but then the anger of the L-rd and His jealousy shall be kindled against that man and all the curse that is written in this book shall lie upon him and the L-rd shall blot out his name from under Heaven and the L-rd shall separate him out from all the Tribes of Israel because of his behavior." [Devorim 29:16-20]

There is one thing about those pasukim that does not seem to make sense. After the person hears all this and is warned clearly and graphically of the punishment for serving the gods of the indigent nations of Canaan, how can the person "bless himself in his heart and say 'I shall have peace, though I walk in the stubbornness of my heart'?" What could he be thinking? The Almighty warns him and tells him not to do this lest all these curses befall him!

We might understand a stubborn person's response to be 'I do not care; I do not believe in G-d; or something of that nature. However, this person hears the curse, he accepts it, but assures himself in the recesses of his heart "everything will be okay with me". What is he thinking?

The Ibn Ezra asks this question and explains this person's theological error. The person believes that he will be able to coast along on the righteousness of the Tzadikim, who are numerous and thereby will counterbalance his own wickedness when the Day of Judgment arrives. That is

why the pasuk says, "Therefore the L-rd will not be willing to pardon this person." G-d will separate out this individual from the righteous masses and punish him individually.

Theoretically, this schemer is right. There is indeed great power in being part of a community. It is only because G-d warns "I am not going to accept that", that this plan will fail. In theory, however, the plan had logic to it. It is valid to believe that being part of a Tzibur [community] gives one protection.

The Mir Yeshiva was the only European Yeshiva to survive the Holocaust of World War II intact. They travelled from Poland to Lithuania, to Russia, across Siberia, to Kobe Japan and then to Shanghai where they spent several years during the war. They did all their travels together as a community. The administration of the Yeshiva told everyone to stay together as a Tzibur in order to survive. They emphasized this idea to the extent that when things were still "semi-normal" and it was Succoth bein haZemanim [between sessions], the Yeshiva did not allow any bochur [student] to go home for Succoth but rather insisted that they remain together with the Yeshiva as a strategy for survival. For the same reason, Rav Chaim Shmuelevitz told the students they all had to learn in the same Beis Medrash (study hall) so that they should have the power of the community and the merit of the community as protection.

This is why they made it. Even though individually, each student may not have been worthy, such is the segulah [special treasure] protection of being part of a bigger community.

This is the thought process of the misguided Jew who believes "peace will come to me (despite my waywardness)". "I am so confident in the merit of the community that I believe I can get away with my sins and still live in peace." He would be right if not for G-d's specific warning in this situation.

The Zohar states this same idea in Parshas Noach and advises individuals against seeking preferential treatment in Heaven at the time of Judgment. The Zohar focuses in on the story of Elisha and his Shunamite hostess as recorded in Melachim II Chapter 4. According to the Zohar, Elisha was staying at her house during the holiday of Rosh HaShanah, a time when the Almighty was judging the world. Elisha asked her "Can I speak to the King on your behalf?" [Melachim II 4:13] The simple reading of this pasuk is that he is referring to seeking a political favor for her from the King of Israel. However, the Zohar interprets the word "King" here to refer to the Holy One Blessed Be He.

The Shunamite woman could never refuse this offer! The great prophet offered to intercede on her behalf, with a request to the King of Kings, on the Day of Judgment! Which of us would not accept that offer? Yet, the Shunamite woman turns Elisha down and replies "(No thank you.) In the midst of my people do I dwell". She responds, according to the Zohar, that she would prefer judgment as part of the community than to have her individual case brought before the Almighty, even by a prophet speaking on her behalf. When one is singled out (s)he has to stand on (her/) his own merits -- all of one's sins are examined alongside all of one's good deeds. Judgment as part of a community is a much more benign process.

Similarly, Rav Leizer Yudel Finkel (the son of the Alter from Slabodka), the Rosh Yeshiva of the Mir Yeshiva in Europe and in Eretz Yisrael did not sit on the Eastern Wall of the Yeshiva (at least on the High Holidays). He wanted to pray in the spirit of "in the midst of my people do I dwell" (like the words of the Shunamite woman).

This technique of identifying oneself with the community at large is one of the time-honored Segulahs to emerge meritoriously from the Judgment of Heaven. May we each find appropriate ways to attach ourselves to the community, to become more part of the tzibur, and to do for the tzibur so that the merit of the community will protect as we approach the upcoming Days of Judgment.

A Torah Leader's Job Is Never Over

Parshas Vayelech takes place on the last day of Moshe Rabbeinu's life. On the day of his death, Moshe Rabbeinu chastised the nation (gave them mussar) and told them "I know that after I die you will stray from the path I have commanded you." This is the end of Moshe's career. He began his leadership of the Jewish people when he was 80 years old. He is now 120

years old, having led Klal Yisrael for 40 years. The last 4 books of the Torah have really been the story of his life -- "Toras Moshe." We have followed his career, all he has done for Klal Yisrael and all the mussar he has given to them over the years. For 40 years, he has been trying to straighten out the wayward and stiff-necked nation.

Today is the last day of his life. "I'm retiring." He is going to die. One would think, "Enough already!" It seems somewhat strange that on the last day of his life he needs to warn them "Watch out! Do not do it! I know that you are going to go off the path and bad things will happen to you!" Why should he have to worry about that at this point? He is "giving over the keys" to Yehoshua. Let Yehoshua worry about all that!

Yet Moshe feels this need to warn his flock about what is going to happen after he is already dead.

This can be compared to the following incident involving Rav Yisrael Salanter. There was a certain city in Lithuania where wealthy individuals always made their weddings in a very fancy hall (the "New York Hilton" of its day). There was a shoemaker in town who, somehow came into a lot of money. When his daughter was going to get married, even though he had never been a wealthy man, he decided that he too would make his wedding in this fancy location. The other wealthy people in town were aghast when they received their invitations. They were insulted that this former pauper, who they did not feel was in "their club" now was making a wedding in the same elegant hall they used for their daughters' weddings. Someone was so repulsed by this that when the shoemaker was about to march his daughter down the aisle to the Chuppah, he went over to him, removed his own shoe and asked, "How much does it cost to re-sole this shoe?" The person wanted to humiliate the shoemaker and make him feel "You were a shoemaker; you are a shoemaker; you will always be a shoemaker."

When Rav Yisrael Salanter heard this, he commented that the Torah greets (the "Gedolim") of that generation who are already in the "World of Truth" will be summoned to Judgment for having raised a generation of people with such cruelty and such insensitivity. A person who was a leader in a generation where one Jew could be so mean to another would have to give accounting for his negligence in leadership, despite the fact that he already was in Gan Eden.

This was Moshe Rabbeinu's concern. He knew he was already going to die and that his job was over. However, the job of a person who has been a leader of Klal Yisrael does not end even after he leaves this world. Moshe was worried that after he leaves this world, Klal Yisrael would sin and he would be called to accounting for not having trained them better. Therefore, on the day Moshe died, despite the fact that "his job was over" nevertheless, he wanted to give them mussar that they should not stray from the proper path.

This week's write-up is adapted from the hashkafa portion of Rabbi Yissochar Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion. The halachic topics dealt with in the portion of Nitzavim-Vayelech in the Commuter Chavrusah Series are the following:

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Covenant & Conversation

Thoughts on the Weekly Parsha from

Lord Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago - 5766]

<http://www.chief Rabbi.org/tt-index.html>

Covenant and Conversation - Nitzavim-Vayelech 5766 Nitzavim-Vayelech

At the end of his life, Moses gave the people the penultimate command - the 612th of the 613 that comprise the Torah. It was a command of far-reaching significance. The Israelites were about to cross the Jordan, and enter and take possession of the promised land. There they would begin life as a self-governing nation under the sovereignty of G-d.

It would not be easy. With his prophetic eye turned to the furthest horizon of the future, Moses had been warning the people throughout Devarim that the real dangers would be the ones they least suspected. They would not be war or famine or poverty or natural disaster. They would be ease and affluence and freedom and prosperity.

That is when a nation is in danger of forgetting its past and its mission. It becomes complacent; it may become corrupt. The rich neglect the poor. Those in power afflict the powerless. The people begin to think that what they have achieved, they achieved for and by themselves. They forget their dependence on G-d. At the very height of its powers, Israelite society would develop fault-lines that would eventually lead to disaster.

No one has set out the terms of survival of a civilization more starkly than Moses in Deuteronomy. Nations begin to die from within. Affluence leads to overconfidence which leads to forgetfulness which leads to decadence which leads to lack of social solidarity which leads in the end to demoralization - the prelude to defeat. Israel's very existence, said Moses, would depend on memory, mission and morality - remembering where it came from, what it is called on to do, and how it is called on to do it. Hence the great 612th command, known as Hakhel, or national assembly:

At the end of every seven years, in the year for canceling debts, during the Feast of Tabernacles, when all Israel comes to appear before the Lord your God at the place He will choose, you shall read this law before them in their hearing. Assemble the people-men, women and children, and the strangers living in your towns-so they can listen and learn to fear the Lord your God and follow carefully all the words of this law. Their children, who do not know this law, must hear it and learn to fear the Lord your God as long as you live in the land you are crossing the Jordan to possess. (Deut. 31: 10-13)

Once every seven years, on the second day of Sukkot in the year after the sabbatical year, the king was to gather the people together in the Temple courtyard and read to them from the Torah - specifically, selections from Deuteronomy itself (the details are set out in Rambam, Hilkhot Chagigah, chapter 3). Hakhel was a re-enactment of the covenant ceremony at Mount Sinai (Rambam ad loc. 3: 6). It was intended to remind the people of their history, the laws they are called on to keep and the principles they must live by. It was to be a ceremony of national rededication - a renewal of their inherited and chosen destiny, a reminder of the duties they owed to their ancestors, their descendants not yet born and, primarily, to G-d Himself.

We do not know how this command was carried out in practice. Yet one thing is clear from the biblical record. It is what the leaders of the nation did at critical junctures in their history. Joshua did so at the end of his life (Joshua 24). King Josiah did so when the Torah was rediscovered during a restoration of the Temple:

Then the king called together all the elders of Judah and Jerusalem. He went up to the Temple of the Lord with the men of Judah, the people of Jerusalem, the priests and the prophets-all the people from the least to the greatest. He read in their hearing all the words of the Book of the

Covenant, which had been found in the Temple of the Lord. The king stood by the pillar and renewed the covenant in the presence of the Lord - to follow the Lord and keep His commands, regulations and decrees with all his heart and all his soul, thus confirming the words of the covenant written in this book. Then all the people pledged themselves to the covenant. (II Kings 23: 1-3)

Ezra did so for the generation that saw the return of exiles from Babylon:

So on the first day of the seventh month Ezra the priest brought the Law before the assembly, which was made up of men and women and all who were able to understand. He read it aloud from daybreak till noon as he faced the square before the Water Gate in the presence of the men, women and others who could understand. And all the people listened attentively to the Book of the Law. (Nehemiah 8: 2-3)

Hakhel has a significance that goes far beyond its specific details. It belongs to a unique form of politics - covenantal politics. Philip Selznick, in his *The Moral Commonwealth*, explains: "The compact creates a self-conscious moral order. Most vividly at Sinai, the agreement with God is an agreement to uphold a code of responsible conduct. God's commands are obeyed by fulfilling obligations to family and community; a social ethic is the linchpin of the covenant" (ibid., 478-9). Covenantal politics are moral politics; they involve ideas of duty and obligation. They are also interwoven with a particular view of the history of the nation, whose fate is seen as a reflection of its success or failure in honouring the terms laid down by its founders.

Only one nation in modern times has constructed its politics in terms of a covenant, namely the United States, whose Puritan founding fathers were saturated by the ideas of Deuteronomy, and which has continued, to the present day, to see itself in these terms. Some years ago, writing my Commentary to the Haggadah, I made a remarkable discovery (helped by the insights of American sociologist Robert Bellah: see his *Beyond Belief and The Broken Covenant*). Something like Hakhel still exists. It is called an American Presidential Inaugural Address.

What an American President does in an Inaugural Address is recognizably in the tradition of Josiah and Ezra in biblical times. He recapitulates the nation's history. He speaks of the principles and ideals on which it is based (most famously, of course, in a speech that was not an Inaugural, Lincoln's Gettysburg Address: "Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal"). He reviews the challenges the nation faces if it is to stay faithful to those ideals. And regardless of whether the President is personally religious or not, the speech will be religious in tone, biblical in language, and include, explicitly or implicitly, reference to G-d.

Here for example is John F Kennedy in 1961:

The world is very different now. For man holds in his mortal hands the power to abolish all forms of human poverty and all forms of human life. And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe-the belief that the rights of man come not from the generosity of the state, but from the hand of God.

And this, Lyndon Baines Johnson in 1965:

They came here-the exile and the stranger, brave but frightened-to find a place where a man could be his own man. They made a covenant with this land. Conceived in justice, written in liberty, bound in union, it was meant one day to inspire the hopes of all mankind; and it binds us still. If we keep its terms, we shall flourish.

Here is Ronald Reagan, in 1985:

History is a ribbon, always unfurling; history is a journey. And as we continue our journey, we think of those who traveled before us . . . For all our problems, our differences, we are together as of old, as we raise our voices to the God who is the Author of this most tender music. And may He continue to hold us close as we fill the world with our sound-sound in unity, affection, and love-one people under God, dedicated to the dream of freedom that He has placed in the human heart, called upon now to pass that dream on to a waiting and hopeful world.

And this, George W. Bush in 2005:

America's vital interests and our deepest beliefs are now one. From the

day of our Founding, we have proclaimed that every man and woman on this earth has rights, and dignity, and matchless value, because they bear the image of the Maker of Heaven and earth. Across the generations we have proclaimed the imperative of self-government, because no one is fit to be a master, and no one deserves to be a slave. Advancing these ideals is the mission that created our Nation . . . History has an ebb and flow of justice, but history also has a visible direction, set by liberty and the Author of Liberty.

In no other country do political leaders speak in these terms (the closest is Václav Havel, President of the Czech Republic). American Presidential Inaugurals from 1789 to today are best understood as a continuing commentary to the Book of Deuteronomy, and as a secular counterpart to the command of Hakhel.

Today the State of Israel faces formidable problems. So, in different ways, do Britain and the rest of Europe. Terror threatens freedom across the globe. There is nothing inevitable about the survival of great powers: the pages of history are littered with tales of their decline and fall. Few indeed are those that have defeated this almost inevitable cycle. Moses must surely rank as the greatest political leader of all time (Jean-Jacques Rousseau said so, in a note discovered after his death), and the institution of Hakhel was central to his vision.

What Moses understood so clearly is that a nation that loses its sense of purpose cannot survive. Purpose does not come from nowhere. It is shaped by historians and prophets; taught in schools and homes; rehearsed in prayer; symbolically enacted in rituals; and recalled periodically in Hakhel-type moments. It is essentially religious, for if not, then it becomes (as the late Yeshayah Leibowitz never failed to remind us) idolatry - a nation worshipping itself. It may sound strange, yet I truly believe, that finding a contemporary equivalent of Hakhel is our most pressing task if free societies are to survive.

From: ZeitlinShelley@aol.com Sent: Friday, September 15, 2006

**The Elul Spirit: Changing for the Better
by Rabbi Moshe Meir Weiss**

It's hard to believe, but it's that time of the year again. The month of Elul.

As we try to squeeze the last drops of juice from our vacations and prepare to return to the yearly grind, our minds already are filling with thoughts of school supply lists and new bus routes. As summer wanes, our thoughts start to focus on getting back into the yearly grind.

Yet, to an observant Jew, the month of Elul means so much more. We are taught, "Hakol holeich achar hachasom -- Everything is decided by the conclusion." Thus, this month, the last month of the Jewish year, is the decisive one when it comes to determining how successful our year was. Just as one can correct an entire life in its last day, so too we can greatly improve the previous year in its final month. We are also taught that Moshe Rabbeinu went up Har Sinai to appeal for forgiveness over the sin of the Golden Calf on the first day of Elul and, after staying there for forty days and forty nights, he came down on Yom Kippur achieving atonement for Klal Yisroel.

Moshe Rabbeinu thus injected into this time of year a powerful opportunity for one to repent and mend his ways. This is why this time of the year is known as the Yimei Rachamim v'Selicha - days of mercy and forgiveness. In Chapter 138, the Chayei Adam tells us that is incumbent upon a G-d fearing Jew to prepare at least 30 days before Rosh Hashanah to be ready for the Day of Judgment. Moreover, the Alter of Chelm further challenges us by relating that it is absurd to say the verses of Kingship, and to realistically accept Hashem as our King in the Rosh Hashanah davening, without ample preparation beforehand. He makes the scary statement that to say Malchios (Kingship) on Rosh Hashanah in an 'off the cuff' manner is even worse than saying vidui (confession) on Rosh Hashanah. (This is a practice from which we abstain since it would be wrong to confess openly during the moments when we are being judged.)

So how do we prepare? Of course, the answer is to do T'shuva. But, what exactly is t'shuva? The meaning of this word is not as simple as it

sounds. You see, t'shuva has two almost-contradictory meanings. This can be illustrated by the following two verses. In the verse, "Vayashov Avraham el na'arov," T'shuva means to return. In the verse, "Shuv meicharon apecha," T'shuva means to abandon or to forsake.

The Rambam explains t'shuva in the latter sense, interpreting it as the pursuit of abandoning and forsaking our sins. However, both the Maharal of Prague and the Mabit explain it in the sense of return, understanding it to mean the attempt to return to Hashem.

Let us focus on the Maharal's interpretation first. Indeed, the job of returning to Hashem is the focus of the verse, "V'shavta el Hashem Elokecha -- and you should return to Hashem your G-d." This is what is alluded to by the acronym which we so often associate with the word ELUL -- Ani V'dodi V'dodi Li -- I am to my beloved and my beloved is to me.

It is our duty as we hear the shofar every morning in Elul to remember our great Patriarch Avroham, who was so attached to Hashem that he was ready even to give up his precious child for the love of his Creator. It is up to us to return our thoughts to Hashem during this critical month.

We have a positive command -- Es Hashem Elokecha tirah -- to fear G-d. How, on a practical basis, do we fulfill this? Is it a precept to tremble at the thought of the Almighty-y? The Rishonim teach us that if we are tempted to speak some Loshon Hora, scream at our spouse, or gaze at improper things and we abstain because we realize that Hashem is watching us, this is the very essence of Es Hashem Elokecha Tirah. This is action which is consistent with the deeper focus of Elul. --- Being more aware that Hashem is around.

But Hashem is not only an inhibiting factor. He should also be our primary motivation for doing good. The posuk teaches us, "B'chol d'rachecha da'eihu -- In all your ways you should acknowledge Him." Thus, when we are debating whether to get up early for selichos (or sleep another half-an-hour), or when we weigh whether we should travel an entire hour to visit a sick person (or browse the latest sports page), and we decide to do these mitzvos because we want to please Hashem, this is an embodiment of the real meaning of Yiras Shamayim.

In our Yomim Nora'im liturgy, we say, "T'shuva, Tefilla, u'Tzedaka ma'avirin es ro'ah hazezeirah -- Repentance, Prayer and Charity abolish the evil decrees." Thus, we see that prayer is also a very important item on which to work at this time of year. Working on our davening is so consistent with the theme of returning to Hashem, for the great success of proper prayer lies in a correct realization that everything depends upon Hashem and that, when we are praying, we are really talking to Him, and believing with a certainty that davening can really help.

So many people think that working on davening means to learn the meaning of the words and to concentrate on them. This, however, is not the first step. Rather, we must first learn to realize that when we pray, we are talking to G-d. Once we tailor our davening with this realization, everything else will just come naturally.

Let us remember that, in direct proportion to how much we feel Ani l'dodi, I am to my beloved (Hashem), that is how much Dodi Li, my beloved will pay attention to me. So, let's make an effort to think, each of the countless times we pass mezuzahs everyday, just for a milli-second, that Hashem is in the room with us. Let us think "Thank you G-d" every time we say a blessing. And let us make it a firm practice to start off our day with a meaningful thank you in Mode Ani, and end our day with gracious gratitude as expressed in the brocha of Hamapil.

As we pepper our day with constant acknowledgments of Hashem, we will then truly be ready, this Rosh Hashanah, to coronate Hashem as our King.

As mentioned earlier, the word 't'shuva' has two meanings. First, to return to Hashem. Second, to abandon sin. We will now focus on the latter meaning: working to purge our faults and imperfections.

This is no easy task. The Gemora tells us that we have a natural inclination to ignore our own faults. "Ein adam roeh nigei atzmo -- One does not see his own blemishes." We can spot, almost immediately, someone else's greed, our relative's stinginess, or our neighbor's arrogance. But, when it comes to our own vices, we seem to have a blind

spot. Seeing through this blind spot is the hard task that confronts us during Elul when we are challenged to take a brutal and blunt look at ourselves and face the music. Of course, a Rebbe or a close friend can help us enormously in pointing out what areas of our character needs improvement (providing we can tolerate hearing it).

The pursuit of self-analysis is called making a Chesbon Hanefesh. A practical way to go about this is to scrutinize what we do - from the moment we wake until the time we go to sleep. We should consider 'small' things like how we smile at our loved ones in the morning, and whether we are forgiving of others' deeds before retiring. How we wash our hands upon awakening, and the care we give to Krias Shema al Hmita before our slumber all merit careful analysis.

"Wait," you might exclaim. "I didn't go through all of this last year. And yet, I seemed to have a pretty good year. So I'll probably have the same type of fortune next year as well. Maybe I'm even a little better this year than last." This is faulty reasoning. The Mishna in Pirkei Avos teaches us "al tishyaeish min hapurionious -- don't despair from retribution." We never know what sins are building up and when, chas v'shalo-m, there could be the final straw that breaks the camel's back. Please, let's not let the yeitzer hora lull us into a false sense of security.

Then, the yeitzer hora tries a different tact. "why should I bother with all these commitments and protestations of regret when experience shows that they only last during the Days of Awe. Year after year, I promise to pray more sincerely, to speak more gently and by the time winter comes, I'm invariably back to my old tricks. So why all the effort? Who do think I'm really fooling?"

Can't you hear the voice of the yetzer hora in this convincing argument? Can't you just hear him pleading and cajoling you to do anything but occupy yourself with spiritual improvement?

I believe in answer to these murmurings, the Medrash teaches us, "Ein v'attah ela loshon T'shuva -- the term and now only refers to repentance." Besides the standard explanation of this Medrash -- that we should not fall into the trap of procrastinating repentance with reasons like we'll learn when we retire or we'll spend time with the children when they mature, etc., the Medrash can also be conveying that we should not burden ourselves with thoughts of past failures or concerns of what might transpire in the future. Rather, we should concentrate on sincere repentance NOW. Thus, the emphasis that term and now refers to t'shuva.

Once we've ferreted out our sins and imperfections, t'shuva consists of a four part program. They are:

1. Regret
2. Abandoning the sin
3. Verbal confession
4. Firm commitment not to do the sin in the future.

The first step of regret and contrition harnesses a very powerful emotion. In Masechtas Brachos (12b), Rav teaches us that whoever has shame over a sin which he transgressed, he achieves forgiveness for his sins. This is a rather special bonanza. Instead of feeling guilt ridden and depressed after making a spiritual accounting, and finding ourselves full of ugly blemishes, if we feel an honest sense of shame over how we've been yelling at our spouse, neglecting our parents or talking absent mindedly to G-d, this can be a potent step in the direction of spiritual purification and betterment.

An example of how it is proper to feel bad over the misdeeds, and the extent to which we can go is offered by the Medrash. There, it is related that the name Ohn ben Peles has as its root the word Onein, to grieve. This is because Ohn ben Peles grieved and regretted his entire life over his willingness to be a part of the wicked assembly of Korach.

In the first chapter of Hilchos T'shuva, the Rambam gives us the following formula to use when we want to verbally confess a specific sin such as loshon hora or hurting someone's feelings. The formula is: Ana Hashem chatasi avisi pashati l'fanecha b'avon hachamur shel _____, e.g. Loshon Hora, v'harai ani nichamti uboshti b'maasai ulolam eini chozeir l'davar zeh -- Please Hashem, I have sinned, transgressed, and rebelled before you with the severe sin of _____, for example. Loshon Hora, and I am grieved and embarrassed by my actions, and I will

never return to this practice.

When it comes to future commitments, we should know that Hashem does not expect immediate total turnaround. Remember: Ki lo yachpotz b'mos hameis, ki im b'shuv m'darko v'choya - Hashem doesn't want to see anyone die. He just wants to see a change of direction. That's the important thing. He'll be patient with us as we strive for progress on our road to recovery.

So, we have our work cut out for us. Let's start making those personal accountings and try to improve ourselves both in the arena of bein adam l'chaveiro -- between ourselves and our fellow man, and bein adam L'makom -- between ourselves and Hashem. In this merit may we find favor in Hashem, and may he bless us with a K'siva v'chsimma tova u'mesuka -- a decree and seal of goodness and sweetness.

To receive a weekly cassette tape or CD directly from Rabbi Weiss, please write to Rabbi Moshe Meir Weiss, P.O. Box 140726, Staten Island, NY 10314 or contact him at RMMWSI@aol.com. Attend Rabbi Weiss's weekly shiur at the Landau Shul, Avenue L and East 9th in Flatbush, Tuesday nights at 9:30 p.m. Rabbi Weiss's Daf Yomi shiurim can be heard LIVE on Kol Haloshon at (718) 906-6400. Write to KolHaloshon@gmail.com for details. (Sheldon Zeitlin transcribes Rabbi Weiss' articles. If you wish to receive Rabbi Weiss' articles by email, please send a note to ZeitlinShelley@aol.com.)

Thanks to hamelaket@gmail.com for collecting the following items:

Mazal Tov !!!

***Mazal Tov to Sari Grossman & Jay Goldstein on their engagement.
May Hashem bless them with a long and happy life together.***

From Destiny Foundation/Rabbi Berel Wein <info@jewishdestiny.com>
Subject Weekly Parsha from Rabbi Berel Wein

**Jerusalem Post :: DAYS OF JUDGMENT
Friday, September 23, 2011 :: Rabbi Berel Wein**

It is interesting to note that some of our leading pundits and politicians have chosen to phrase the current United Nations meeting in New York as being "days of judgment" for Israel. The real Days of Judgment also coincide with this period of time. Everyone is in such a dither over the Palestinian diplomatic gambit that is being played out in New York that the true Days of Judgment play almost no role in the Jewish public discourse.

Of course we have to attempt to mitigate the damage that we continue to suffer from the United Nations and the world's half century tilt against Israel and the Jewish people. However, unless we deal with our own days of judgment there will be little chance for ultimate success in all of our efforts.

This article is not meant to be the usual exhortation to repentance and observance as the High Holy Days approach, important and accurate as such an attitude is. I mean that we are being judged not by what the world thinks of us - it has never been a friendly or understanding place for Jews, Judaism and the State of Israel - but by the attitude of many Jews themselves towards Judaism, Jews and the State of Israel.

For too long many Jews and Jewish organizations have acted and spoken without taking into account that by carving a hole under their own seat in the boat they endanger the entire Jewish nation. The prophet Jonah was willing to be cast overboard into the raging sea so that innocent lives of others - incidentally, lives of non-Jews - should not be jeopardized by his actions on the boat. The anti-Israel Jews have a complete lack of judgment as to the consequences of their words, articles and organizations.

It has often been said and quite truly that there are Jews who are only secondary Jews.

By this I mean that Jewish concerns, and the effect of their behavior on Jews as a whole, are not primary ideas in their thinking and behavior. Thus Communist Jews were Communists first and Jews at best second. Zionist Jews were Zionists first and Jews second. Fanatical Jews are fanatics first -

pick whatever stream of fanaticism you wish in the spectrum of Jewish life - and Jews second. Liberal Jews are liberal first and Jews second.

As long as Jewish concerns are at most secondary to a large number of Jews we are in danger of our boat not surviving the rough seas that we find ourselves embroiled in. Jewish money is squandered in the millions in support of those who state clearly and openly that their purpose and goal is to destroy us.

Where is the judgment, the clear unbiased thinking in such policies and organizations and funders? What happened to common sense and Jewish solidarity? This lack of judgment in matters that we can control - our own behavior and policies - speaks volumes and points to matters that constantly occur that we cannot control or even anticipate.

Many Jews who tragically do not believe in the concept of Heavenly judgment lose all rational human judgment in understanding the effect their words and deeds have upon the survival and continued welfare of the Jewish people. Bad judgment makes for a bad future.

The task of the High Holy Days was and is to create an atmosphere for the individual Jew and for the nation as a whole that allows for clear thinking and wise judgment. Introspection is certainly a necessary ingredient in creating this atmosphere. However, a sense of vision and responsibility is also just as necessary.

The wise man, the person of balanced judgment, the rabbis taught us, sees the future and the consequences of behavior from afar. Abraham and Isaac are described in the Torah as being able to see the Heavenly cloud engulfing Mount Moriah from afar. There is no substitute for seeing things from a future perspective if one wishes to gain measured and astute judgment. Not only seeing things from afar but seeing in a far sighted fashion is vital.

The necessity for patience, strength, self-worth and self-belief to bring about intelligent judgment and wise regard for events and statements should be obvious to all. But sadly it is often lacking in our media, political leadership and even in our religious leaders. Realizing that history and destiny, let alone Heaven itself, will come to its own judgment regarding our attitudes and behavior can help us impose on ourselves a necessary guide to our own judgments and policies.

Shabat shalom.

From Destiny Foundation/Rabbi Berel Wein <info@jewishdestiny.com>
Subject Weekly Parsha from Rabbi Berel Wein

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

Moshe can no longer lead the Jewish people. He informs us that he is no longer allowed "to forth out or to come in." He whose eyes did not dim even in death is now shorn of his superhuman powers and subject to the mortality that faces us all. At that moment Moshe does not wallow in sadness nor does he seem to review in detail his life's achievements and the disappointments that occurred in his lifetime of greatness.

He expresses no regrets and voices no complaints. He does not refer to those who persecuted him, injured his pride, questioned his worth or doubted his words. Rather his whole focus is on the future of the Jewish people. He points out that their future failings will clearly lead to tragedy and defeat but never to complete destruction. He cautions them against falling into the trap of adopting new ideas and mores simply for the sake of change or newness.

He makes it abundantly clear that the covenant of Israel with God and His Torah contains no escape or cancellation clauses. The bond is an eternal one. He sees the future and continues to look forward to new generations and recurring challenges. To the end he remains the leader and not the historian, the teacher and not merely the observer.

It is the presence of this implicit spirit of innate optimism, even in the face of known problems and Jewish failings, which characterizes Moshe's relationship with the Jewish people and his guidance of Israel through all of its generations. That is why "there arose none like Moshe" in all of Jewish history.

The Torah teaches us “Vayelech Moshe” – Moshe went and walked and proceeded. Immediately thereafter the Torah records for us that Moshe said “I cannot go forth or return any longer.” So which is it? Did Moshe walk forth and proceed or did he remain housebound and passive. It is obvious that Moshe’s inability to go forth and return describes the physical limitations placed upon him on his last days on earth.

But “Vayelech Moshe” – Moshe’s goings and comings are the spiritual guidance and moral vision that he invested in the Jewish people that remain vital and active in all later generations of Israel even after Moshe’s passing. Leadership and inspiration is rarely judged by physical criteria. Franklin Roosevelt was afflicted with polio before he rose to become the president of the United States. He certainly is to be reckoned as one of the strongest and most influential presidents in American history though he could not physically go forth or come in. If we see this truism in the life of a “regular” human being such a Roosevelt, how much more so is this obvious in the life and achievements of the superhuman Moshe.

Vayelech not only means that Moshe once went but it also implies grammatically in Hebrew that Moshe is still going forth. The Jewish people are still guided by Moshe’s Torah and teachings and his spiritual legacy continues to inspire and instruct. As long as there are Jews in the world, Moshe will continue to go forth and come into our hearts and minds.

Shabat shalom.

From Shema Yisrael Torah Network <shemalist@shemayisrael.com>
To Peninim <peninim@shemayisrael.com>
Subject Peninim on the Torah by Rabbi A. Leib Scheinbaum

Peninim on the Torah by Rabbi A. Leib Scheinbaum ParshasNitzavim-Vayeilech

Parshas Netzavim

And you shall return unto Hashem, your G-d.. (30:2)

Teshuvah is popularly translated as repentance, when, in fact, it means return. Repentance is to return to one's source, to what he was - or was supposed to be. Teshuvah means to return to Hashem. The Jew who is estranged, alienated, turned-off, is distanced from Hashem. Thus, his return must be to Hashem. Teshuvah eradicates sin. In order for this phenomenon to occur, one must make a significant change in the nature of his character. In his newly-acquired level of spirituality, he is no longer capable of committing the original sin for which he did teshuvah. As a new person, he is not held accountable for the sins of his previous/other self. Changing one's character is a major challenge. Many think they have changed, but, in effect, the change is only transitory. When circumstances become challenging, some revert back to their "old" selves. They often resist change. Only when he develops the firm conviction that the act that he committed was, indeed, wrong, and he feels real remorse, intense regret about acting in the manner in which he did, can the individual overcome his resistance to change. Then, only when he takes steps to ensure that a revival of his original self does not materialize, the individual can avoid having to repeat the teshuvah process.

In order to change one's character, one must first introspect and soul-search to discover why he was vulnerable to committing a specific sin. Certain traits render the individual vulnerable to committing sin. These traits must be expunged from his system. With character improvement and sincere increased spirituality, one can prevent a recurrence of his initial problem.

We are accustomed to think that teshuvah is the reparation one makes for the commitment of a sin. What if the act was not an actual sin, but rather, a failing? For example, one could achieve more than he is presently achieving. Is this acceptable? If a person could do better; achieve more; have greater qualities; be a better person: are these reasons for teshuvah? After all, he did no wrong. He just did not do "more right." Is that so bad? In his Darkei Mussar, Horav Yaakov Neiman, zl, explains that, indeed, stunting one's ability to grow spiritually is a sin. If an individual is born

with the potential for greater achievement, and - for some unacceptable reason - he does not rise to the occasion, he is considered a sinner, so that he must repent. Indeed, we find Chazal commenting that, while Hashem has tolerated our transgressing the three cardinal sins of murder, adultery, and idol-worship, He does not countenance the sin of bitul Torah, wasting time from Torah study. Rav Neiman explains that when one dismisses Torah, not only is he losing out on the actual Torah, he is also relinquishing the positive attributes that he would have gained through Torah study. Hashem will not expiate this sin.

In response to any other sin which a person commits and, regrettably, for which he does not repent, Hashem will send his neshamah, soul, to Gehinnom, Purgatory, to be cleansed. The taint on his soul which has resulted from the sin will undergo a spiritual expurgation in Gehinnom. This is only possible if an actual sin has been committed. If the sin is such that a person could have advanced his spiritual plateau, and, as a result of bitul Torah, did not, there is nothing to cleanse. Gehinnom will be of no avail. Thus, Hashem cannot help him. A person experiences Gan Eden commensurate with what he has achieved in this world. If one's achievement in this world is in stark contrast to the Heavenly portrait of his potential, then he will remain on the lower level.

The Alter, zl, m'Kelm was wont to say, *Lebt men pashut, bleibt men pashut*, "One who lives simple, remains simple." In this case, the meaning of simple is amateur, unsophisticated, plain. A person's function on this world is to be anything but plain. He is to strive to reach the highest spiritual and moral elevation, to never be satisfied with mediocrity, to maintain excellence, as the barometer of his achievement. Perfection was indeed the goal of Kelm's chinuch, imbued by its founder and primary expositor, the Alter. His students were hand-picked in accordance with their conformity to the specific discipline of Kelm. The Alter had a clear vision of an adam ha'shaleim - a complete, harmoniously whole man - that he wished to create. Every student of Kelm bore the remarkable, unmistakable imprimatur of Kelm.

And you shall return unto Hashem, your G-d. (30:2)

The Shulchan Aruch Orach Chaim (580:2) details the various fast days that have been decreed by Chazal. Included in the list is Elul 17, because it was on this day that the meraglim, Jewish spies, sent by Moshe Rabbeinu to reconnoiter Eretz Yisrael, died. The Magen Avraham questions this, wondering why we should fast over the passing of the wicked. These men returned after forty days, and they had the temerity to slander the Holy Land. They caused a powerful uproar and uncontrolled, unwarranted weeping, indicating the nation's lack of trust in the Almighty. Their punishment was: they got their wish! They did not go into Eretz Yisrael; all of them died in the wilderness. He explains that they probably repented prior to leaving this world. Regrettably, their teshuvah was not accepted. Therefore, we fast. The Shlah HaKodesh adds that originally they had been righteous leaders. They made a terrible mistake which cost them everything. We cannot ignore what they were.

Let us attempt to digest this halachah. Men, who at one point had been righteous, devout Jews, leaders of the congregation, individuals who could have inspired the nation to greatness, erred and acted in such a manner that they were labeled reshaim, wicked. On the anniversary of their untimely deaths we are to fast. Why? Because they did not merit that their teshuvah be accepted! To put it simply: they blew it. Their window of opportunity was closed. Their sin was egregious. We fast out of a sense of empathy. They tried to make amends, but their teshuvah was not accepted.

Horav Chaim Zaitchik, zl, explains this in his usual poignant manner. Imagine the pain of the Jew who has lived a life of abandon. It was probably not his fault, having been raised in a home estranged from a Torah-oriented life. Life goes by quickly. He thought he was having fun, but when he arrives at the court of the Heavenly Tribunal, he realizes that had he repented even one moment before his passing, he would have been allowed entry into Gan Eden. He could have enjoyed the spiritual pleasures that await the righteous. Now, he will not. He will probably be "sent back" to try over again.

While this scenario is sad, can one imagine the pain and hurt of he who did repent, but it was not accepted? This person did come to his senses. He

made the right choice and begged to be reinstated, but it was too late - or his sin was insufferable. He did not receive the pardon he was counting on, hoping for. His pain is so much greater. No words can describe the hurt, the rejection, the awareness that it is hopeless. This is why we fast for the meraglim. We must have rachmanus, compassion, for everyone - even a rasha.

The Alter, zl, m'Kelm would manifest a striking, cheerful countenance on Shabbos. The sanctity and serenity of the day glowed within him - and it showed. One Shabbos, his students noticed that their revered rebbe appeared unusually distraught. His usual Shabbos appearance had changed. It was later discovered that the Alter had been notified of the passing of an infamous secular writer, who had many times vilified his co-religionists with his invective. The Alter was upset for his soul, because he could have repented a moment before his death - and it would have been accepted. He chose not to, leaving this world as a victim of his own malice. The Alter empathized with his soul.

It is so easy to criticize. It is so easy to hate. Beneath the evil exterior, however, lies a tormented soul, who, through no fault of its own, is trapped in the body of an evil person. Empathy might be difficult for some of us, since we are not used to separating the body from the soul. Vilification, however, might be taking our lack of empathy to an extreme. We fast for the meraglim. Look at what they caused. At one time they had been righteous. They did make an attempt at teshuvah. It was not accepted. Too little, too late. There are some individuals who understand nothing about their heritage and what they are doing wrong. A little empathy goes a long way.

Parashas Vayeilech

Gather together the people - the men, the women and the small children. (31:12)

Rashi quotes Chazal who explain the reason for gathering the men and the women as an introduction for his upcoming question: Why bring the children? The men come, so that they will learn. The women come, so that they will listen. Why are the children brought? To give reward to those who brought them. This refers to those children who are too young to learn from the experience of the gathering. They must come only for the purpose of rewarding the adults who brought them.

We wonder what benefit is derived by the women who come only to "listen." Obviously, they do not understand the Torah which is being taught. Otherwise, they would be included among the men who have come "to learn." Apparently, there are those who learn and those who listen, and it probably applies across the board. There might be men who, for some reason, had not been availed of an education, and, thus, did not understand the Torah that was being taught. This does not, however, answer the question. What is to be gained by attending if one has no clue concerning comprehension?

In his sefer Ben Yehoyada, Horav Yosef Chaim, zl, m'Bagdad, explains that when one listens to Torah being taught, regardless of his or her ability to understand, the mere listening with sincerity warrants that in the Olam HaEmes, World of Truth, he or she will be availed the opportunity to understand the depth and essence of what he or she heard. He cites the Zohar HaKodesh in Parashas Shelach that describes the myriad of nashim tzidkaniyos, righteous women, who sit by the Heichal of Gan Eden, engrossed in studying profundities of Torah being taught by such distinguished moros as Bisyah bas Pharaoh, Serach bas Asher, Yocheved, Miriam and others. This is, indeed, the purpose of nashim ba'os lishmoa, women coming to listen. Their listening for the purpose of picking up divrei Torah provides them with the chance to attain the Torah's profundities one day. One who wants to learn values every opportunity for learning - even if it is beyond his ability or prior knowledge to grasp. I think the reason for this is that the Torah talks to one's neshamah. True, the physical mind grasps a part of it. Some minds grasp more than others. What one learns, however, remains forever ingrained in his psyche, so that when the time comes, it all becomes revealed to him. Torah is spiritual knowledge. There might be a physical aspect to it. Based upon one's endeavor in this wonder, it will be determined what he will be granted to understand in the next /real world. This applies equally in this world. One

who applies himself with proper yegiah, toil, will be rewarded with an understanding of Hashem's word. Mere acumen will not catalyze achievement. Hashem's word cannot be grasped through conventional methods.

I am reminded of a poignant story quoted by Horav Chaim Beifus, Shlita. There lives in Yerushalayim a ger tzedek, righteous, sincere, convert. A while ago, he was queried with regard to his conversion: What pre-empted his decision? Why did he chose Judaism? He explained the following: After World War II, he was living in Amsterdam. Upon reading about the atrocities committed by the German people during World War II, he became terribly distraught. How could his people have acted so demonomically against the Jewish People? He then decided that, as his personal act of contrition, he would move to the Holy Land and serve the Jewish People. He was able to obtain a position in a home for severely challenged children. These children were, for the most part, incapacitated both physically and mentally.

For a number of months, he had noticed a woman who came daily to spend time with her sixteen-month-old child. The baby was severely handicapped, unable to move or think. Sadly, it just lay there, for all intents and purposes totally oblivious to its surroundings. His mother would take three busses for two hours each way to come to the home to visit with her son. When she came, she went over to the child and kissed him on his forehead. She combed his hair and then placed a tallis katan on him, while reciting the accompanying blessing. She then proceeded to recite Modeh Ani, Shema and various blessings with him. This was followed by reading stories from the Torah and Midrash to him.

Watching this for three straight months, the man decided that this woman had, sadly, lost her mind. After all, she was going through this daily ritual for a child that had no ability to acknowledge anything that she was doing. It was insane. Her actions seemed to be the response of a mentally unbalanced woman to an emotionally depressing situation. Perhaps this was how she was coping with the tragedy, but, she had to be realistic! She was destroying herself in the process.

After a few months, the man gathered together his courage, approached the woman and asked, "Giveret, why are you doing this? Every day you come amidst much hardship to visit your son. You act toward him as if he could listen and understand you. Are you not aware that he is not well? Your son's body does not function. Why are you doing this to yourself?" The woman looked deep into the man's eyes as she replied, "You think I am speaking to his body. Do you think that I am unaware that his body does not hear nor understand what I am saying? Do you think that I am insane? No! I am very normal. I am speaking to my child's neshamah, soul. His soul is eternal and, thus, transcends the constraints of his limited body. It is not impeded by mental or physical infirmity. It is that miniscule part of Hashem, our G-d, which resides in every human being. I am talking to my son's neshamah, which derives great spiritual pleasure and satisfaction from the words of Torah and tefillah."

The ger tzedek concluded by saying, "I then decided to join the Jewish People. I want to be part of a nation that talks to the soul."

Va'ani Tefillah

Kaddish

In concluding the commentary to Kaddish, I take the liberty of quoting Horav Shimon Schwab, zl, who sums up the message of Kaddish and its powerful meaning for us. I write this with the awareness that Kaddish is undervalued by many. Often recited at the end of the tefillah, there are those who are no longer in attendance when the Kaddish Yasom, orphan's Kaddish, is recited. Indeed, this makes the actual Kaddish a yasom, bereft and all alone. Rav Schwab writes: "When we think about the exalted nature of Kaddish and how we are to respond to it, we are reminded of how Chazal (Berachos 6b) interpret the pasuk in Tehillim 12:9, K'rum zulus livnei adam, "When the basest of men are elevated." There are certain things which are of primary importance in the world, but, regrettably, people still belittle them. If one would understand the true meaning of Kaddish, he would certainly treat it as one of those things which are of supreme significance, as we have seen from the commentary on Kaddish.

"When an entire congregation listens to the chazzan who may be representing the neshamah, soul, of his deceased parent beseeching them to give up their lives, if necessary, for the purpose of Yisgadal v'yiskadash Shmeih rabba, sanctifying Hashem's Name, and they respond affirmatively with a resounding, Yehei Shmeih rabba mevarach, 'May His Name be blessed,' this is the highest form of a verbal Kiddush Hashem in this world."

As we stand at the threshold of a new year, may our entreaties be accepted for a year filled with blessing. לזכות ולרפואה שלמה בעד ברוך בן שרה חשיא בתוך שאר תולי ישראל

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Rabbi Dr. Tzvi Hersh Weinreb

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Person in the Parsha

Rabbi Weinreb's Torah Column, Parshat Nitzavim-Vayelech

Sponsored in memory of Nathan and Louise Schwartz a"h

Lessons of Equality

For the past several weeks, certain ideas have dominated my consciousness. Don't worry, these are not obsessive thoughts, and I am not a candidate for a psychiatric diagnosis. Rather, whenever I prepare a speech lately, or sit down to write a column such as this, I can't help but think about a particular set of political principles.

The principles I ponder are the principles of democracy. The lessons of the equality of all human beings and the concepts of freedom and tolerance have been demanding my attention. Why now? Why at this time of year? One possible reason immediately comes to mind. As I write this column, it is just a few days after the United States commemorated the tenth anniversary of the tragedies of September 11, 2001. For me, this event was a day of grief and mourning for all the victims and their families, but especially for those several victims whom I knew personally. One of them, Abe Zelmanowitz, will be remembered by the world for his heroic attempts to rescue handicapped coworkers. Another, Nancy Morgenstern, was one of the most creative and vivacious women I ever knew. A third, Shimmy Biegeleisen, grew up just a few houses away from my childhood home. But beyond the grief and the mourning is the recognition that this tragedy affected all kinds of people: old and young, great and not so great, Jew and non-Jew. It is almost as if our enemies knew that if they were to strike at the heart of our great democracy, they would have to aim at a target that would symbolize democracy because of the diversity and ultimate equality of the victims.

It was only natural that as an immediate aftereffect of the events of ten years ago, so many of us came to a new appreciation of the great gifts of democracy in general, and of the privilege to live in these United States in particular. It was also to be expected that when we commemorated the tenth anniversary of that catastrophe, our appreciation for our country and for its democratic way of life would be renewed and reinforced. Thus, it was certainly unavoidable that thoughts about democracy would fill my mind at this particular time of year. But as I introspected further, I realized that there is more going on around me during this particular time which stimulates these thoughts.

For one thing, there is this week's double Torah portion, Nizavim-Vayelech. If there is one parsha in the Torah which conveys the principles of democracy most eloquently, it is this parsha. "You stand today, all of you, before the Lord your God; the chieftains of your tribes, your elders, your leaders – every person in Israel. Your little children, your women, and the stranger who is within your camp; from your wood choppers to your water fetchers." (Deuteronomy 29:9-10). I first became aware of the fundamental principles of democracy long, long ago, when I first learned these words in the early grades of the Jewish school I attended.

There is another factor which evokes in my mind the fundamental values of democracy at this time of year. This is the last Sabbath of the year 5771. As we approach the end of this year, it is natural that our memories reflect upon its beginning, indeed upon all beginnings. For me, and I'm sure that

this is true for most of you, thinking about beginnings means thinking about the lessons that my parents, may they rest in peace, taught me.

My parents, one born in America, and one an immigrant from Poland, were both proud Americans and proud Jews. And they both inculcated in me and my sisters a profound appreciation for the values that our country and our religion had in common. They taught by example that we were not to discriminate between the extremely powerful and the lowly, between the rich and the poor, between the Jew and the stranger, between the doctor or lawyer and the wood chopper and water fetcher.

My father in particular, would explicitly teach me these lessons at this time of year. "The Yamim Nora'im, the Days of Awe, are approaching," he would say. "It is time to learn what some of the melodies are these days." And he would sing them to me. "It is time to learn some of the lessons of these days." And he would teach them to me.

The lessons he taught were basically religious lessons, but in a deeper sense were also political ones. For he stressed to me, and this is obvious to anyone who but glances at the words of the liturgy of the High Holidays, that God judges all of mankind on Rosh Hashanah. He put it quite bluntly: "Rosh Hashanah may only be celebrated by Jews. But it is not only a Jewish holiday. It is the birthday of the world, and the Master of the world judges us all, with no discrimination."

These words of the prayer book, quoted below, anticipated the source works of American democracy by many centuries:

"And therefore, cast Your awe, Lord our God, upon all your handiwork, and your fear upon all whom you have created... let all creatures bow before you, and may they all together form one united group..."

Indeed, in the words of the Mishnah, which have been incorporated into the High Holiday prayer book:

"...kol ba'ei olam ya'avrun lefanecha kivnei maron..." "...all the inhabitants of the world pass before you like a flock of sheep..."

Next week, the Lord will sit in judgment over all of us, whatever our nation, whatever our race, whatever our gender, whatever our faith.

May He judge us with mercy and compassion and guide us in His ways so that we find peace.

<http://www.torahinmotion.org>

A Thought for the Week with Rabbi Jay Kelman

A Thought for the Week with Rabbi Jay Kelman Parshat Nitzavim Vayelech - Rosh Hashanah Hiding

It is customary that on the Shabbat before a new month we "announce" its arrival with a prayer for the upcoming month to be filled with the blessings of life. Yet strangely enough the rosh chodesh benching is omitted on the shabbat before Rosh Hashanah. In the times of the Talmud the court would send messengers to inform the Jews of the Diaspora as to the actual day of the new moon declaration. If we are to assume that the "announcement" in shul is derived from this practice, perhaps it was considered unnecessary for the month of Tis hrei. With all the excitement before yom tov there should be no need to inform or remind people when Rosh Hashanah would occur.

However like all Jewish customs, there is a deeper reason than just practicality. "Blow the shofar at b'keseh, the moon's renewal ... because it is a decree for Israel, a judgement day for the G-d of Jacob" (Psalms 81). Our Sages, using a play on the word keseh, which also means covered, declare that we are to blow shofar on the day when the moon is "covered" meaning the first of the month. Apparently we are to hide the fact that it is the new moon and instead concentrate on the fact that it is a New Year. A new month loses its significance when accompanied by a New Year. No one talks of December 31, 1999 as the end of the year, decade nor even century but rather (though imprecisely) the end of the millennium. Rosh Hashanah overshadows Rosh Chodesh.

Our calendar is based on both lunar and solar calculations. While our months are based on lunar cycles of twenty-nine and one half days, our years are based on the sun and hence Pesach must always be in the spring

and Sukkot in the fall. While originally created equal in size -- "and G-d made the two great luminaries" (Genesis 1: 1 6) -- it was the sun which was to take on much greater significance." The light of the moon was concealed soon after creation and is now only a reflection of the sun. In fact during the monthly sanctification of the moon we say "may it be your will, my G-d and the G-d of my forefathers to fill the flaws of the moon, that there be no diminution in it". On Rosh Hashanah we acknowledge and pay homage to G-d as the creator of the world. This is not the time to make mention of a flawed moon.

The flawed moon is in reality a product of its own doing. Why should G-d create equally sized sun and moon, only to diminish the moon's size? The Sages of the midrash, ever so sensitive to nuances in the text, detected that it was due to the fact that the moon complained that it had to share its glory. "Two kings can not share one throne". Hence, contrary to the moon's expectations, it was decreed that only the sun would wear the crown, and the moon would be relegated to being the handmaiden of the sun. The moon is thus a symbol of jealousy, and has no place in our Rosh Hashanah prayers.

The purpose of shofar and our tefillot on Rosh Hashanah is to induce us towards character refinement individually and collectively as a community. "Jealousy removes a man from this world". We must at this time of year keep the "sin" of the moon hidden from us. Our task must be to restore the moon to its original glory, something we can do if not physically, then at least symbolically, by working together for the sake of heaven. Not surprisingly, the first mitzva given to the Jewish people as they prepared for the exodus was the mitzva to sanctify the moon. Community can only be built if people put aside their jealous tendencies and work for the common good even if the credit they receive is diminished. Whereas most mitzvot of the Torah were given to Moshe only, the mitzva of kiddush hachodesh was given to Moshe and Aharon as a brotherly unit. Unfortunately all too often brothers compete with instead of co-operating with each other. Let us work together so that our prayers for "long life, a life of peace ... a life in which Hashem fulfills our heartfelt requests for the good" will be positively answered.

Shabbat Shalom!

Rabbi Kelman, in addition to his founder and leadership roles in Torah in Motion, teaches Ethics, Talmud and Rabbinics at the Community Hebrew Academy of Toronto.

From Jeffrey Gross <jgross@torah.org>
reply-To neustadt@torah.org, genesis@torah.org
To weekly-halacha@torah.org
Subject Weekly Halacha - Parshas Terumah
by Rabbi Doniel Neustadt (dneustadt@cordetroit.com)
Yoshev Rosh - Vaad HaRabanim of Detroit

Weekly Halacha by Rabbi Doniel Neustadt

Selichos: Selected Halachos

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

Discussion: Ideally, Selichos should be said at the end of the night,¹ since that is an eis ratzon, a "time of appeasement." But it is permitted to recite Selichos anytime from midnight on.² Before midnight it is prohibited to recite Selichos.³ Under extenuating circumstances—if one cannot recite Selichos at any other time—Selichos (without nefilas apayim⁴) may be recited once a third of the night has passed. But this leniency should not be relied upon on a regular basis.⁵

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

Discussion: Birchos ha-Torah should be recited before Selichos.⁶ The other blessings need not be recited before Selichos, but may be recited then even though it is before alos ha-shachar.⁷ [If Al netilas yadayim is recited before Selichos—as recommended by some⁸ poskim—one should be sure

not to repeat it after Selichos from force of habit.]

Question: Are women obligated to recite Selichos?

Discussion: Since the recitation of Selichos—even for men—is not an obligation but an ancient custom which has been practiced for many centuries, we are not obligated to do more than what custom dictates. Customarily, women did not go to Shul to recite Selichos. If they wish to do so, however, women may go to Shul to recite Selichos, or they may recite Selichos at home. But the following rules apply when reciting Selichos without a minyan (for both men and women): 1) When reciting E-l melech, some poskim hold that the words Zechor lanu ha-yom bris shelosh esrei are omitted.⁹ 2) The 13 midos are omitted.¹⁰ 3) Machei u'masei (recited towards the end of the Selichos) and any other segment which is in Aramaic is omitted.¹¹

When reciting Selichos with a minyan, an individual who falls behind may still recite the Aramaic segments until the final Kaddish after Selichos is recited.¹²

Erev Rosh Hashanah

Question: Is a person who was accustomed to fast on erev Rosh Hashanah obligated to continue fasting year in year out even if he is no longer as robust as he once was? ¹³

Discussion: The Shulchan Aruch writes that it has become customary to fast (until chatzos¹⁴) on erev Rosh Hashanah.¹⁵ Many men,¹⁶ especially during their younger years, adopt this custom but find it difficult to maintain as they get older. The process for giving up fasting on erev Rosh Hashanah depends on how the custom was adopted originally. There are three possible cases:

- * If the custom was accepted initially as a lifelong commitment, one must annul his vow in front of beis din.
- * If the custom was accepted initially on a year-by-year basis, no hataras nedarim (annulment of vows) is required.
- * If the custom was accepted initially without specifying the length of the commitment, then one follows the general principle that any proper custom which was accepted without a beli neder stipulation automatically becomes a neder and may not be dropped without hataras nedarim.

Note that this halachic problem is not unique to the custom of fasting on erev Rosh Hashanah. Any proper custom, once accepted and followed, may not be dropped without undergoing hataras nedarim. People who adopt even "simple" customs which they are not really obligated to practice, like reciting Tehilim daily or studying the daf yomi¹⁷ without making the beli neder stipulation, require hataras nedarim should they decide to discontinue their practice.

[An exception to this rule is when one undertakes a practice which he thinks is obligatory, but later finds out that it is not. In that case, he may drop his practice without hataras nedarim.¹⁸ For instance, a person who ate chalav Yisrael butter only because he thought it was absolutely required, but later found out that this is not the case, may discontinue his practice without being matir neder.]

A possible solution to the problem of discontinuing a custom may be found in the concluding declaration that is recited after the hataras nedarim ceremony that takes place every year on erev Rosh Hashanah. The declaration states that "I cancel from this time onward all vows and oaths that I will accept upon myself... and that all of them are totally null and void, without effect and without validity." Several poskim rule that this declaration covers any proper custom that was undertaken without a beli neder.¹⁹

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

Discussion: Any adult²⁰ male can be a member of the court, even if he is related to the other members or to the petitioner.²¹

Three judges suffice for hataras nedarim. Some poskim prefer ten²² or eleven²³ judges, but it has become customary to have only three.

Question: Must women officially annul their vows on erev Rosh

Hashanah?

Discussion: Hataras nedarim on erev Rosh Hashanah,²⁴ 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.²⁵

Many men are accustomed to include their wife's vows at the time that they annul their own.²⁶ L'chatchilah, a wife should appoint her husband to be her emissary for annulling her vows.²⁷ If, however, she forgot to do so, her husband may annul her vows for her without being expressly appointed as her emissary, as long as he is absolutely certain sure that she wants him to annul her vows for her.

A married woman who has a specific vow that she must annul (and does not wish to appoint her husband as her emissary) 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.²⁸

A daughter cannot appoint her father [or anyone else] to petition the court on her behalf.²⁹

For the annulment to be valid, the petitioner and the members of the court must understand exactly what is being said. A person who does not understand the published Hebrew text should annul his vows in his native language.³⁰

Minors, even a boy over the age of twelve and a girl over eleven, need not perform hataras nedarim.³¹

- 1 O.C. 581:1 and Mishnah Berurah.
- 2 It is also permitted to begin the Selichos before midnight as long as the Thirteen Middos are said after midnight; Halichos Shelomo 2:1, Devar Halachah 4.
- 3 Mishnah Berurah 565:12. One who finds himself in a shul where Selichos are being recited before midnight should not recite the Thirteen Middos along with the congregation; Sha'arei Teshuvah 581:1 quoting Birkei Yosef.
- 4 O.C. 131:3.
- 5 Igros Moshe, O.C. 2:105. See Yechaveh Da'as 1:46, who advises reciting Selichos before Minchah as the better alternative.
- 6 Mishnah Berurah 46:27.
- 7 Rama, O.C. 47:13. Asher nassan la-sechvi binah should l'chatchilah not be recited before alos ha-shachar; Mishnah Berurah 31.
- 8 Sha'arei Teshuvah 6:5; Aruch ha-Shulchan 4:5; 6:10. Chayei Adam 7:6 and Mishnah Berurah 4:4 and 6:9, however, recommend that it be recited right before davening, after using the bathroom.
- 9 Be'er Heitev 565:6; Mateh Efrayim 581:21; Kitzur Shulchan Aruch 128:9.
- 10 O.C. 565:5. It is permitted, however, to read them as if reading from the Torah, with the proper cantillation marks. See also Igros Moshe, Y.D. 3:21 who allows to chant them to any melody, as long as it is different from the melody used in davening.
- 11 Mateh Efrayim 581:21; Mishnah Berurah 581:4.
- 12 Halichos Shelomo 2:1-4.
- 13 If one is not feeling well, he is exempt from fasting on erev Rosh Ha-shanah. It is proper to mention this problem to the members of the court who are going to annul his vows on erev Rosh Hashanah after Shacharis.
- 14 Once chatzos arrives, there is no requirement to daven Minchah first; Elef ha-Magen 581:73, quoting She'alas Ya'avetz 2:147.
- 15 O.C. 581:2.
- 16 And some women; see Mishnah Berurah 581:16.
- 17 See Teshuvos Ohr ha-Meir 75 (Rav M. Shapiro), who remains undecided as to whether one may switch his study schedule from the study of daf yomi. See also Yechaveh Da'as 6:52, who rules that one who switches from studying the daf yomi to studying practical halachah does not need any hataras nedarim, since he is raising his level of learning.
- 18 Y.D. 214:1. See Igros Moshe, Y.D. 1:47.
- 19 Salmas Chayim 2:38; Minchas Shelomo 1:91-20; Yabia Omer 2:30, 4:11-9. [Although women do not customarily petition for hataras nedarim on erev Rosh Hashanah, as discussed later, it would be advisable for any woman to recite this declaration, even to herself, thus preventing questionable situations in the future.]
- 20 See Rav Akiva Eiger and Pischei Teshuvah, Y.D. 228:3. [An adult is defined as being over thirteen if he has visible beard growth, and at least over eighteen if no beard growth is noticeable; see Magen Avraham, Shulchan Aruch ha-Rav and Pri Megadim, O.C. 39:1, and Chayei Adam 14:1. See also Be'ur Halachah 39:1, who is even more stringent.]
- 21 Y.D. 228:3.
- 22 Since vows which were undertaken during a dream can be annulled only by ten judges; see Mateh Efrayim and Elef ha-Magen 581:49.

- 23 Since a court should not be made up of an even number of judges; see Mishnas Ya'avetz, O.C. 53.
- 24 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.
- 25 Halichos Shelomo 2:1-10.
- 26 Although this is customary in many places, Rav S. Wosner is quoted (mi-Beis Levi, Tishrei, pg. 18) as dismissing this custom.
- 27 Teshuvos v'Hanhagos 1:338; Yabia Omer 2:30.
- 28 Y.D. 234:57.
- 29 Y.D. 228:16.
- 30 Chayei Adam 138:8; Kitzur Shulchan Aruch 128:16.
- 31 She'arim Metzuyanim b'Halachah 128:24. See Shevet ha-Levi 5:129-3. Weekly-Halacha, Weekly Halacha, Copyright © 2010 by Rabbi Neustadt, Dr. Jeffrey Gross and Torah.org. Rabbi Neustadt is the Yoshev Rosh of the Vaad Harabbonim of Detroit and the Av Beis Din of the Beis Din Tzedek of Detroit. He could be reached at dneustadt@cordetroit.com

Who Knows Thirteen?

By Rabbi Yirmiyohu Kaganoff

Question: What is the basis for the Selichos we recite before Rosh Hashanah and during the Aseres Yemei Teshuvah?

Answer:

From the beginning of Selichos, continuing with the closing sentences of the haftarah we recite on Shabbos Shuva, and then again after Maftir Yonah, and climaxing with the Selichos we recite in ne'ilah, we repeatedly enumerate the thirteen attributes of Hashem's kindness.

Why is the recital of the thirteen midos of Hashem's mercy so important?

Allow me to quote the relevant Talmudic passage:

Rabbi Yochanan said: "Were it not for the fact that the Torah itself wrote this, it would be impossible to say this. The Torah teaches that Hashem wrapped Himself in a talis like a chazzan and demonstrated to Moshe the order of prayer. Hashem told Moshe: 'Whenever the Jews sin, they should perform this order and I will forgive them'" (Rosh Hashanah 17b). Rabbi Yochanan noted that the anthropomorphism of his own statement is rather shocking, and without scriptural proof we would refrain from saying it. Nevertheless, the Torah compelled us to say that Hashem revealed to Moshe a means whereby we can be pardoned for our iniquities. According to the Maharal, Moshe asked Hashem to elucidate, to the extent that a human can comprehend, how Hashem deals with the world in mercy. Hashem did indeed enlighten Moshe, and this enabled him to implore that the Jewish people be forgiven, and taught him how to lead the Jews in their prayers (Chiddushei Agados, Rosh Hashanah 17b s.v. Melameid).

Source for Selichos

This, then, is the basis for Selichos. Indeed, it is not a takanah, but a custom; yet who would not avail himself of the opportunity to prepare early for this chance? To quote the Leket Yosher: Someone who goes to daven on the High Holidays and did not say Selichos in preparation can be compared to an individual who desires to approach the king with an urgent request, and manages to acquire the key to the king's inner sanctum, but fails to arrange how he will enter the outer office. All his efforts are therefore completely in vain, because he failed to prepare himself adequately. This can be compared to someone moving to an unsettled area who installs a modern kitchen, expecting to be able to turn on the tap and produce water when there are no connecting water pipes!

A Word about Attributes

What exactly are the thirteen attributes? For that matter, can we attribute personality characteristics to Hashem?

Humans are not capable of understanding who Hashem is. The Torah requires that we understand that Hashem does not have moods (Rambam, Hilchos Yesodei HaTorah 1:11). When we describe Hashem's different attributes, we are explaining Hashem in a way that we as human beings will be able to comprehend Him, since we cannot comprehend Him in any other way (Rambam, Hilchos Yesodei HaTorah 1:9). Thus, providing

thirteen different attributes of Hashem's mercy is simply a human way for us to appreciate more specifically and in a greater way what Hashem does and has done for us, and what is our responsibility to fulfill the mitzvah of being like Hashem, which I will explain shortly.

To quote Rabbeinu Bachyei: Although we no longer know how to beseech nor do we properly understand the power of the thirteen attributes, and how they connect to Hashem's mercy, we still know that the attributes of mercy plead on our behalf, since this is what Hashem promised. Today when we are without a kohein gadol to atone for our sins and without a mizbei'ach on which to offer korbanos and no Beis Hamikdash in which to pray, we have left only our prayers and these thirteen attributes (Kad Hakemach, Kippurim 2).

Who Knows Thirteen?

To quote the Haggadah, I know thirteen! Thirteen are the attributes.

What are the thirteen midos?

The Torah says: Hashem, Hashem, Who is a merciful and gracious G-d, slow to anger, and abundant in kindness and truth. He preserves kindness for thousands of generations by forgiving sins whether they are intentional, rebellious or negligent; and He exonerates (Shemos 34:6-7).

There are many opinions among the halachic authorities exactly how to calculate the thirteen merciful attributes of Hashem. The most commonly quoted approach is that of Rabbeinu Tam, who includes each of the names of Hashem at the beginning as a separate attribute.

What do I do?

At this point, I want to return to the above-quoted Talmudic source of the Selichos and note an important point.

Hashem told Moshe: "Whenever the Jews sin, they should perform this order and I will forgive them." The Hebrew word that I have translated as should perform this order is yaasu, which means that the Jews must do something, definitely more than just reciting the words. If all that is required is to read these words, the Gemara should have said simply: They should read these words. Obviously, action, which always speaks louder than words, is required to fulfill these instructions and accomplish automatic atonement.

What did the Gemara mean?

Emulate Hashem

To answer this question, we need to realize that the most important of the 613 mitzvos is the commandment to emulate Hashem. To quote the Gemara: Just as Hashem is gracious and merciful, so you should become gracious and merciful (Shabbos 133b). When Hashem told Moshe: Whenever the Jews perform this order I will forgive them, He meant that when we act towards one another with the same qualities of rachamim that Hashem does, He forgives us. Reciting the thirteen attributes of Hashem's mercy is the first step towards making ourselves merciful people who emulate Hashem's ways. Yaasu means learning to internalize these attributes by doing them, and thereby making ourselves G-dly people. "Doing" the thirteen attributes means not only understanding the absolutely incredible amount of tolerance that Hashem manifests, but also includes realizing how accepting we must be of people who annoy and harm us!

This sounds great in theory. What does it mean in practice?

Here are several examples, all taken from the sefer Tomer Devorah, to help us comprehend what our job is:

1. Whenever someone does something wrong, Hashem is always at that very moment providing all the needs of the offender. This is a tremendous amount of forbearance that Hashem demonstrates. Our mitzvah is to train ourselves to be this accepting of those who annoy and wrong us.
2. We should appreciate the extent to which Hashem considers the Jews to be His people; we should identify with the needs of each Jew on a corresponding level.
3. Hashem waits with infinite patience for the sinner to do teshuvah, always being confident in this person's ability to repent and change, and continues to provide the sinner with all his needs. Similarly, we should not

stand on ceremony to wait for someone who wronged us to apologize.

4. Hashem emphasizes the kindnesses that a person does, and continues to shower the person with good, while, in the interim, overlooking the sins a person has performed. Similarly, when I know that someone wronged me, but at the same time I have received chesed from him or her, I should ignore the fact that they wronged me – after all they have also helped me. The Tomer Devorah emphasizes specifically the chesed that one receives from one's spouse, which should, without question, supplant any criticisms one has of him or her.

5. When a person does teshuva after sinning, Hashem loves him more than He loved him before he sinned. As the Gemara states: In a place where baalei teshuvah stand, full tzadikim are unable to stand. The parallel responsibility incumbent on a person to someone who wronged him is that when he sees that the person wants to make amends, he should befriend and accept him at a greater level than he had previously.

Conclusion

We see that the recital of the thirteen attributes serves not only to help us appreciate all that Hashem does for us but also as a training ground to teach how we should constantly treat our fellowman.