

Toras Aish

Thoughts From Across the Torah Spectrum

RABBI SHLOMO RISKIN

Shabbat Shalom

“**A**nd you shall return to the Lord your G-d and listen to His voice in accordance with every thing I have commanded this day... with all your heart and with all your soul” (Deuteronomy 30:2).

So begins the Biblical portion which Nahmanides (12th century, Provence) calls "The portion of repentance." The commandment to repent is germane 365 days a year, but it is especially relevant during the 10 days beginning with Rosh Hashana and concluding with Yom Kippur. Hence, reading this particular passage less than one week before Rosh Hashana is especially opportune.

How do we fulfill this commandment? Maimonides seems to explain it in clear terms: "If an individual transgresses any commandment of the Torah, whether it be a positive or negative command, whether he transgressed wittingly or unwittingly, when he repents [does teshuva] and turns away from his sin, he is obligated to confess before G-d, blessed be He, as it is written, 'A man or woman who transgresses... must confess the sin they have committed...'. This refers to a verbal confession, and this confession is a positive commandment..." (Laws of Repentance, 1,1).

I would have thought that the command to repent would be an inner process, a shredding of one's evil impulse and the uplifting of the Divine which informs the soul of every human being, but from here it seems that it could be reduced to a mouthing of words which may be uttered by rote. Why is that?

My teacher Rabbi J.B. Soloveitchik taught that there are actually two aspects to the commandment of repentance: firstly, kappara, forgiveness, the mechanical bringing of a sacrificial offering and/or the mouthing of the confessional - which are minimal, at best - and secondly, the more optimal tahara, purity, which requires a transformational experience. Maimonides discusses this second, more powerful aspect of repentance in his second chapter, and calls it "complete repentance" (teshuva gemura).

Despite the classical brilliance of Rav Soloveitchik's interpretation, these last three years have taught me that Maimonides hit upon a significant existential truth when he insisted that the fundamental commandment centers on confession. Apparently, what

many might think of as a fairly simple and even mechanical formula - "Please [G-d, spouse, parent, child, neighbor, coworker] forgive me, I have transgressed, sinned, rebelled against you by having done what I did; I am contrite and ashamed by my actions and will never do them again" - is exceedingly difficult for most individuals.

Over the past few years, an inordinate number of high-powered civil servants, cabinet ministers and even our foremost citizens have been indicted by the attorney-general, several have been found guilty and several are beginning prison sentences. We have also seen a number of high-profile rabbis and communal leaders apprehended and charged with crimes. To the best of my knowledge, none of them has confessed to wrongdoing, none has publicly admitted guilt. No one stood before the public that elected him, or the congregants who revered him, and said "I'm sorry; I repent of my actions, I'm ashamed. Please forgive me." Why not? Why is confession so difficult?

A great sociologist-psychologist once wrote: "There are four 'yous' to every individual: Who you think you are, who others think you are, who you think others think you are, and who you would like others to think you are." The distance between these four "yous" especially between who you are and who you would like others to think you are, is what can cause a tragic disconnect within the psyche of many individuals, producing hypocrisy at best and psychosis at worst.

Every human being, from the biblical perspective, is a complex creature consisting of earthly flesh and Divine image: "And the Lord G-d formed the human being of dust from the earth, and He breathed in his nostrils the breath of life, and the human became a living being" (Genesis 2:7).

Each morning as we get up, we say the prayer: "My Lord, the soul you have given me is pure. You created it. You fashioned it. You breathed it into me from your divine essence." Here the rabbis were teaching us that the essence of every individual is the Divine entity within them. The external body is merely a shell, which can be peeled away. Each of us wears an outer uniform: the soldier, the policeman, the rabbi, the businessman, the politician, the parent. The word persona or personality comes from the Greek word meaning "mask." Many of our professional identities, the clothes we wear and/or the personality we exude, are meant to express the way we want others to see us. They are the manner in which we want to impress

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NEWSLETTER DISTRIBUTED VIA EMAIL AND THE
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others, but are not necessarily our real selves. Sometimes the garb, the mask becomes so powerful that it overwhelms the Divine image within. And if our transgression is of such a nature that it will cause the mask to fall away and reveal the nakedness of the emperor beneath, then one dare not admit one's guilt - perhaps not even to oneself. If we do, it would be like committing suicide, because there would be nothing of ourselves left.

If, however, we do play act - utilize an external mask to appear to others the way we wish them to see us, but nevertheless maintain a Divine image within us not so far from our public persona - there is still the pristine "you" lurking behind the covering curtains. Then, one can apologize; peel off the external trappings, and the real "you" within the image of the divine can be freed from the mask we thought society wanted us to wear. Even the High Priest began his holiday ritual, in his eight priestly vestments, with a cry of repentance: "Please, G-d, forgive." His divine image within was always waiting to come out.

The Talmud (B.T Hagiga 13,14) speaks of a once-great Rabbi; Elisha ben Abuya, who became a heretic, joined the Roman philosophers and was called Aher, meaning 'the other one.' Rabbi Meir, his disciple, begged him to come back, to repent. "No," he said. "For me it is too late. I heard the divine voice from behind a partitioned veil say, 'Return, wayward children, except for Aher.'"

Rabbi Soloveitchik explained: Aher had overwhelmed his Divine Image; indeed, as long as Elisha was submerged, it would be too late for repentance. But for Elisha ben Abuya it's never too late.

Reactivate your truest self and no matter how far you may have wandered, you too can return to the G-d whose essence initially formed you. © 2010 *Ohr Torah Institutions & Rabbi S. Riskin*

RABBI BEREL WEIN

Wein Online

The final words of Moshe to Israel regarding its future course in history and destiny are recorded for us in these last parshiyot of the Torah. Mincing no words and offering no simple palliatives, Moshe tells Israel of its impending tragedies and difficulties. He offers hope and confidence that eventually all will come

right and that there is no room for despair no matter the problems that the Jewish people will encounter in their long journey through history.

But, he points out that G-d's eternal covenant with Israel is not one-sided. And if Israel refuses to live up to its end of the agreement-the observance of Torah values and mitzvot-and apes the prevailing immoral societal behavior of the nations of the world, then dire consequences will result.

There will not be a free ride for the Jews in history. Payment will always be extracted for wrong decisions, abandonment of G-d's covenant with them, sinful behavior and false value systems. Terrible things will befall them- events that, even in retrospect, are hardly describable and certainly never could have been predicted in advance.

And yet, everything that Moshe foretold would happen to the Jewish people has in fact occurred. Ramban states that one of the great proofs of the veracity of Judaism is the fact that someone-Moshe-could stand millennia earlier and accurately describe what would happen in the far distant and then unimaginable future.

But it is not that fact alone that makes the Jewish story so exceptional in the annals of humankind. It is the continued effectiveness and eternal relevance of the covenant between G-d and Israel, a covenant that is clearly described in this week's parshiyot and which guides the story of the Jews over these millennia.

In the parsha we are told that when awesome and terrible troubles will befall Israel, the Jewish response will be that the reason for these cruelties is because "the Lord is not present within our midst." The simple and universally accepted interpretation of this verse is that the Jewish people slid away from G-dliness and holiness, were not observant of the Torah and did not place any strong spiritual priorities on their behavior and in their lives.

They pursued physical pleasures and assets for their own sake and ignored their true calling to be a holy nation and a kingdom of priests. The Lord was not present in their midst and was not the major determining factor in their lifestyle and existence. However, the Malbim in a letter written at the turn of the twentieth century mentioned a different view of the verse. He, in describing the turbulent disaffection of Jews from Torah that already characterized his time, stated that there would be sizable numbers of Jews who, because of the tragedies, would deny that G-d existed at all. They would refuse to believe in, much less honor, G-d's covenant with Israel. And this, in fact, is what happened to the Jewish people over the past century.

But G-d's covenant remains eternally in force with us and eventually the blessings of that covenant will be showered upon us in the great good new year that is arriving. © 2010 *Rabbi Berel Wein- Jewish historian, author and international lecturer offers a complete selection*

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CHIEF RABBI LORD JONATHAN SACKS

Covenant & Conversation

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 G-d 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 G-d 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 G-d 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 G-d is an agreement to uphold a code of responsible conduct. G-d'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 G-d.

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 G-d 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 G-d, 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 Vaclav 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. © 2010 Chief Rabbi Lord J. Sacks and torah.org

RABBI DOVID SIEGEL

Haftorah

This week's haftorah marks the climax of a seven week series of reflection on Jewish redemption. In this final presentation, Hashem announces His personal return to the Jewish people. Now that every other dimension of redemption is in place, the time has finally arrived for Hashem to rest His Divine Presence amongst His people. Eretz Yisroel has been revived, Yerushalayim has been rebuilt, the exiles have returned en masse, but the ultimate objective has yet to be seen. In response to this, the prophet Yeshaya quotes the Jewish people saying, "I will be gladdened by Hashem, My soul will rejoice over My G-d." (61,10) Chazal in Yalkut Shimoni (505) view the Jewish people's response to be specifically related to the return of Hashem to Yerushalayim. The Jewish people respond to all the magnificent prophecies of their glorious future and proclaim that their true source of happiness is but one, the return of Hashem to His beloved people. They sorely long for the privilege of sensing the presence of Hashem amongst them and feeling the closeness and love He has for His people. They resolve that they will be gladdened and happy only through His return to them.

The prophet continues and describes the proportions of this return and the extent of Hashem's cherished relationship. "No longer will you be referred to as forsaken because about you it shall be proclaimed, 'My desire is in you'." (62, 4) Hashem pledges to fully identify with His people and to display His true desire in them. His relationship with them will be so encompassing and evident that a newly gained identity will be conveyed upon the Jewish people, "Hashem's desirable one". But a worry crosses the minds of the Jewish nation concerning the nature of their forthcoming relationship. After all, weren't they previously associated with Hashem in similar proportions before being rejected by Him? If so, they reason that although Hashem will truly return to them it will only feel to them like a remarriage. Their long awaited association will have a nostalgic air to it and won't bring them the true happiness they seek.

The prophet responds and reveals to them the indescribable proportions of their new relationship. Yeshaya says, "Hashem will rejoice over you like a groom over His bride." (62, 5) The Radak explains that Hashem's return to the Jewish people will possess all the freshness and novelty of a groom to his bride. Their relationship represents the epitome of happiness and appreciation as they begin forging their eternal bond with love and respect. In this same manner Hashem's newly founded relationship with His people will possess similar qualities. It will be so complete and perfect that it won't leave room for reflections upon their past. The happiness and fulfillment that they will experience will be so encompassing that it will feel like a fresh start, a relationship never experienced before. The Radak adds an indescribable dimension to this relationship and explains that this sense of newness will actually continue forever. Instead of becoming stale and stagnant their relationship with Hashem will always be one of growth and development and will constantly bring them to greater heights. Each newly gained level of closeness will be so precious and dear to them that it will be regarded as a completely new relationship replete with all of its sensation and appreciation.

But the most impressive factor of all is that the above description is not only our feelings towards Hashem but is, in truth, Hashem's feelings towards us. The prophet says that Hashem Himself will forever rejoice over us with the sensation of a groom over His newly acquired bride. From this we discover that Hashem's feelings towards His people are literally boundless. Even after all the straying we have done, Hashem still desires to unite with us in the proportions described above. He desires to erase the past and establish a perfectly new relationship, so perfect and new that it will continuously produce the heightened emotions of a bride and groom for eternity.

These emotions are, in truth the hidden message behind the tefillin which we don each day. As we wrap the tefillin strap around our finger we recite

special passages expressing our betrothal to Hashem. This experience represents our placing the wedding ring of Hashem on our finger, portraying our perfect relationship with Him. But our Chazal (see Brochos 6a) inform us that Hashem also wears tefillin. In proof of this, they cite a passage in this week's haftarah which states, "Hashem swears by His right hand and by the strength of His arm." (62, 8) Chazal explain that the words, "the strength of His arm" refer to the tefillin worn on the left arm. The Maharsha expounds upon this concept and explains that Hashem actually binds Himself to the Jewish people. Hashem's tefillin, like ours, represent devotion and commitment, His commitment to His beloved people. Hashem cherishes His relationship with us and as an expression of His commitment to us, He also wears a betrothal band. Eventually our boundless love for Hashem will find its expression together with Hashem's boundless love for us and together we will enjoy this indescribable relationship forever and forever. © 2010 Rabbi D. Siegel & torah.org

RABBI YISROEL CINER

Parsha Insights

This week, the last Shabbos before Rosh Hashanah {the Jewish New Year}, we read the double parsha of Nitzavim/Vayelech. "Atem nitzavim {You are standing} ha'yome {today} kulchem {all of you} before Hashem your G-d. [29:9]"

On the day of Moshe's death, he gathered the entire nation to stand before Hashem and enter the covenant with Him. The commentators explain that this was a covenant of 'arvus', literally defined as being a guarantor. Taking collective responsibility for one another.

This parsha is always read on this Shabbos because it alludes to Rosh Hashanah. The Zohar teaches that when the passuk {verse} said: "You are standing before Hashem ha'yome {today}," this refers to the judgment day.

The Nesivos Sholom pursues this thought further. The word 'nitzavim' means standing in a strong, firm manner. Furthermore, as the passuk later states that Moshe spoke to all of Yisroel {Israel}, the word 'kulchem' {all of you} seems to be unnecessary. He explains that, on a deeper level, the passuk is teaching us how we'll be able to confidently stand strong and firm before Hashem on Rosh Hashanah, the Day of Judgment. The advice given is 'kulchem'-by seriously accepting the responsibility of a guarantor through connecting oneself to the nation at large, one has the collective merit and national assurances to back him up. As such, he can stand confidently before Hashem on Rosh Hashanah.

This explains Rabi Akiva's famous statement: Love your neighbor as yourself; that is a great fundamental of the Torah. What is so unique about this

precept more than the many others taught by the Torah? He explains that living by and adhering to this concept is the strength of the Jew throughout all generations and situations. Only by connecting to the klal {nation at large} does one qualify for the special compassion that Hashem, Avinu Shebashamayim {our Father in Heaven}, feels and acts upon toward His children.

The Mir Yeshiva had set up temporary quarters in Shanghai during their escape from the murderous clutches of the Nazis. It was a time fraught with constant dangers and split-second life and death decisions were being made on an almost daily basis. In the synagogue where the yeshiva was based, there were some boys who preferred sitting with their study partners in a less crowded side room rather than in the main study hall. When the matter became known to Rav Chaim Shmuelovitz zt"l he reproached them in no uncertain terms. "Everyone must realize that the yeshiva at large is being judged in heaven with the collective merit of the group. This applies to all of those who are sitting and learning together as part of that group. Anyone who separates himself will be judged as an individual and will need an incredible amount of personal merit in order to be saved."

Certainly during that period of our history, when every day was a day of harsh judgment, one had to be constantly connected to the klal in order to stand strong before Hashem.

A man once approached Rav Sholom Shwadron zt"l after he had delivered his Friday night talk and told him the following story. (Found in *The Maggid Speaks* by Rabbi Paysach Krohn.)

The time after World War I was one of relative freedom for the Jews of Russia. I was involved in diamonds and things were going very well.

Every morning I was at my office at 8:00AM and I was busy all day. One morning I went to my office a bit early to get some paperwork done, carrying, as usual, my valise of diamonds and jewelry. On the way I heard a man calling out from a small synagogue, asking for 'a tzenter,' the tenth man to complete the minyan {quorum}. When he saw me turn towards him, he shouted to me, "Come in, come in, we need you for the minyan."

Realizing that I had time to spare I decided to help out and be the tenth man. However, upon entering I saw that there were only three other men beside myself and the man at the door who by now had resumed his search for 'a tzenter.'

A bit upset at having been duped, I turned to the man at the door complaining that I wasn't the tenth but the fifth! "Don't worry," he called back. "Many Jews pass here and we'll have a minyan in no time."

I began reciting T'hillim {Psalms} for the next ten minutes. By that time he had only managed to find one more person so I got up to leave. "Please," he began to plead with me. "Today is my father's yahrtzeit

{day of passing} and I'm trying to get a minyan together as fast as possible in order to say Kaddish {mourner's prayer}. Please stay."

"I can't stay any longer," I protested. "I must be in my office right now."

At this point he turned a bit nasty. "I'm not letting you out! I have yahrtzeit and I have to say Kaddish. As soon as I get ten together you can go."

I reluctantly returned to my T'hillim but when another ten minutes had only yielded two more people I again began to make my way toward the door. He pointed his finger at me and said: "If you were the one saying Kaddish for your father you'd want me to stay and I would. Now I want you to do the same for me!"

His pointing out how I would feel in his shoes made me view the whole situation differently and I decided that come what may, I would remain. At about 8:30 he finally got his minyan together. I thought he would say a Kaddish and let us go but he instead began at the beginning of services. I calculated that I wouldn't reach my office until well after 9:00.

I kept hoping that an eleventh man would enter the synagogue, allowing me to duck out but it didn't happen. I was stuck there until the final amen was answered after the final Kaddish.

He then thanked us profusely, served some cake and drinks and let us leave. When I and my valise filled with jewelry came within two blocks of my office a man I knew came frantically running over to me. "The Bolsheviks took over the government and some of them came in and killed the Jews at the diamond exchange. They're now busy looting as much as they can. Run for your life!"

I ran for my life, hid for a few days and was finally able to get out of Russia. Love your neighbor as yourself, and as such, stand before Hashem on Rosh Hashanah. © 2010 Rabbi Y. Ciner & torah.org

RABBI DOV KRAMER

Taking a Closer Look

“**A**nd Moshe wrote (put on parchment) this Torah, and he gave it to the Kohanim, the sons of Levi, the carriers of the ark of G-d's covenant, and to all of the elders of Israel" (Devarim 31:9). "On the day that Moshe died, he wrote 13 Torah scrolls; 12 of them he gave to the 12 Tribes (one scroll for each Tribe), and one that was placed in (or by) the ark, so that if they want to alter it, they will not be able to (i.e. the 13th scroll would be a reference to ensure that the text remained intact)." This Chazal (Midrash Tehillim 90) is echoed throughout Rabbinic literature. After I gave my weekly Chumash shiur last Thursday night (which had nothing to do with this Chazal), I was asked how it was physically possible for Moshe to write 13 complete Torah scrolls in one day. To be honest, not only had this question never occurred to me, but even after it was asked, it didn't really seem (to me) to be a

big problem. After all, we're talking about Moshe Rabbeinu, in a situation where it was of primary importance to get this done; having it done miraculously would just be "par for the course." (My father had the same reaction when I shared the question with him.) Nevertheless, I said I would, bli neder, look into it. (Hopefully he'll come to this week's shiur, as it will be a large part of what I hope to cover!)

Sure enough, Eitz Yosef (Devarim Rabbah 9:9; 9:4 in most editions that carry his commentary) writes, "there is no doubt that this happened miraculously, for who is able to write even one Sefer Torah (Torah scroll) in one day." Tzror Hamor (Devarim 31:24) elaborates on this, telling us that "holy things are done by themselves, without human help." He brings several examples of verses that speak in a passive form, with things being done, not someone doing them, such as creation (Beraishis 2:1 and Tehillim 33:6), the Mishkan (Shemos 39:32) and the Temple (Melachim I 6:7). Here too (by Moshe's Torah scrolls), the verse says, "until they were finished" (as opposed to "until he finished [writing] them"), because these 13 Torah scrolls were written "by themselves," i.e. miraculously. Alshich explains that they had to be written miraculously so that everyone would realize that the whole Torah came from G-d, not just the 10 Commandments (which had also been written miraculously). This echoes the thoughts of the Rokayach (31:26), who wrote, "in order that they will not say that only the [10 Commandments] which G-d [Himself] spoke, are primary, but not the [whole] Torah, therefore the Torah was placed at the side of the ark (next to the Luchos)." In short, these sources clearly indicate that the 13 Torah scrolls being written in one day was miraculous, and had to be.

Others are not as sure. In his comments on Midrash Tehillim, Rabbi Shlomo Buber suggests that perhaps the Midrash really meant that Moshe handed the Torah scrolls over on his last day, not that they were written on that last day. In fact, many of the sources that discuss these 13 Torah scrolls, such as Pesikta D'Rav Kahana (32), Midrash HaGadol (Devarim 31:9), Sifre (in a manuscript quoted in the notes in the Finkelstein edition at the beginning of Devarim), and Rambam (Introduction to the Mishnah), make no mention of the scrolls being written on Moshe's last day. Additionally, one of the reasons given for saying "Tzidkasecha" at Mincha on Shabbos is based on Moshe dying on Shabbos (see Sefer Chasidim 356); since writing is one of the 39 categories of work forbidden to do on Shabbos, how could he have written anything, much less 13 Torah scrolls, on Shabbos? However, many answers are given to this question (see Bach, O"C 292), and several (see Or Zarua, Hilchos Motza'i Shabbos 92 and Mordecai (Pesachim 105b) prove that Moshe died on a Friday, taking for granted that the 13 Torah scrolls were written on Moshe's last day. [As a side note, Mordecai quotes Sifre as the source of Moshe writing 13 Torah scrolls on his last day, and there is some

discussion as to what he meant by "Sifre" since this is not in our editions. Finkelstein assumes that the manuscript he quotes is what Mordecai had, but even that manuscript makes no mention of it being on Moshe's last day. Either Mordecai meant to reference a different Midrashic source (as Maharitz Chiyos suggests, see Buber's notes on Midrash Tehillim and Pesikta D'Rav Kehana), or if the version of the Sifre he had didn't mention it explicitly, Mordecai understood from the context of the day's activities that Moshe must have written the Torah scrolls on his last day.]

Numerous sources (besides Midrash Tehillim) mention specifically that Moshe wrote these scrolls on his last day (e.g. Tosfos on Devarim 31:26), with the context of several necessitating that it be on that last day. Devarim Rabbah (9:9) says that one of the things Moshe hoped to accomplish by writing 13 scrolls was to be involved in holy activities the whole day and thus prevent the Angel of death from being able to kill him on the day destined to be his day of death (similar to King David having to be distracted from learning Torah by the Angel of Death). If so, the writing of the scrolls had to have been done on that last day, not just his handing them over to the nation. Interestingly, the Midrash says that the sun refused to set until Moshe finished (whereby he could die, and do so on the day he was supposed to), indicating that Moshe's last day lasted for far more than 24 hours, giving him more than a "day" to write the scrolls.

Maharzo suggests that most of the text had been written previously, as Moshe had written each part down (on 13 different scrolls) as he was taught them by G-d. It was the final parts (and, I would add, the narrative that connects the parts) that were written on that last day, making them full, complete scrolls. (Since Maharzo is commenting on Midrash Rabbah, he must be of the opinion that there was still enough left to be written that it would take up the whole day, or Moshe's attempt at warding off death could not work.) However, Rashi had told us (Devarim 29:3) "he heard" that Moshe originally gave a Torah only to the Tribe of Levi, at which point the other tribes insisted that they get one too. This happened on Moshe's last day, which means Moshe wouldn't have written parts of the other 12 scrolls until then; all he would have thought would be necessary was one scroll. [Interestingly, several versions (see Yalkut Shimoni 941 and Rabbeinu Efrayim on Devarim 31:9) have Moshe writing 12 scrolls on his last day, which makes sense if it were only the 12 scrolls requested by the other Tribes on that day that Moshe had to write at the last moment.]

Although by saying "he heard" Rashi is indicating that it was not from a Midrashic source, it is likely that Moshe being asked on that last day to provide a Torah to each Tribe was suggested to answer why Moshe waited until the last day to write the 13 scrolls. Nevertheless, recent editions of Rashi have tried to give his comment a Midrashic source, and point out that it is

similar to something quoted in Yalkut Shimoni (938, pg. 662 in the standard edition). There are several differences between the Midrash and Rashi; the one most relevant to our discussion is who approached whom. Whereas Rashi says that the nation approached Moshe demanding that they get a copy of the Torah too, the Midrash has Moshe asking the nation if they also want access to it. Nevertheless, this doesn't necessarily mean these are two separate versions of what happened.

"Moshe said to them, 'do you want a covenant to be enacted with you that anyone who seeks to study Torah will not be denied?' They responded to him, 'yes.' They stood, and they swore that no one will be held back from reading the Torah, as it says (Devarim 27:9), 'to all of Israel, saying, 'Moshe said to them (ibid), 'today you have become a people.'" Describing this as a "covenant" has many ramifications. For one thing, since it was a covenant, it's possible that the nation first approached Moshe about having access to the Torah, to which Moshe responded by asking if they wanted to make it a (or to include it in the) covenant. Secondly, Chazal tell us (see Tanchuma Netzavim 3 and Sotah 37b) that there were three covenants: at Mt. Sinai, in the Mishkan, and at Arvos Moav (some add one at Mt. Grizim/Mt. Aival). There is much discussion regarding what the nature of each of the covenants were, and this Midrash indicates that the one at Arvos Moav gave access to the Torah to everybody, not just to the Tribe of Levi. Additionally, it informs us of what might have been had this covenant not been made, as only the teachers, the Tribe of Levi, would have been involved in deep Torah study; everybody else would only study practical law, and would have to ask a Levi any question they had (as they would have been denied access to the source texts to figure out the basis of the law).

Think about it: The only sages that would have (or could have) been quoted in the Mishnah, Talmud or Midrashim would be those that were Kohanim or Levi'im. The same is true of our Yeshivos and Batei Midrashim; only those with proof that they were from the Tribe of Levi would be allowed in. The only thing the rest of us could study would be Mishnah Berurah, Kitzur Shulchan Aruch, or something similar. ("V'dibarta bam" would, for us, refer to this type of study.) However, since we agreed to this covenant at Arvos Moav, even I, a non-Levi, am allowed to try to write this piece and research any other issue that I want to understand more fully. Only after the covenant was enacted did we become a full nation, with a "heart to know, eyes to see and ears to hear" (Devarim 29:3). If it was only enacted because the nation first approached Moshe, we can understand why Moshe had to realize what they wanted before they could become such a nation (see Rashi there). (Even without the covenant aspect, it was only because Moshe realized what they wanted that he was able to give them more than he otherwise would have given over to them.)

Let's take it from the other perspective. What if Moshe's offer of this covenant wasn't a response to the nation's request? What if he would have offered it anyway, or was hoping they would request it? A nation that consisted of primarily halacha learners (and observers) would not need full Torah scrolls (only the teachers would). They would study the parts of the Torah they had already been taught by Moshe, but wouldn't need to see how the parts were connected, which "lesson" was attached to another "lesson." All they would need were individual scrolls that contained each separate lesson; there would be no reason to write these "lesson scrolls" in a way that they could be easily attached (after the connecting narratives were added) to become one cohesive scroll. However, if Moshe was hoping all along that they would request such a scroll, and/or would agree to such a covenant, then he likely would have written each lesson down in a way that they could more easily be connected to become a full Torah scroll.

Putting this possibility together with several others, it doesn't seem as difficult for Moshe to have "written" all 13 scrolls in one day. Bear in mind that at the covenant at Sinai, Moshe gave them scrolls with all of Beraishis, a large part of Shemos, and perhaps even part of Vayikra (see Rashi on Shemos 24:4 and Chizkuni on 24:7). If Moshe was planning on offering them full access to the Torah (or hoping they would ask), he would have written down everything they would have to study anyway in a way that could easily be incorporated into a Torah scroll. All that was left to do after they agreed to this covenant was to add the connecting narratives and G-d's final additions. This would still take plenty of time, and Moshe was hoping it would take too long to finish in one day, thus preventing the Angel of Death from taking his life. However, G-d hinted to the sun that it should stay up longer, and Moshe was able to finish everything before the day ended. He was able to take the parts of 13 (or 12) Torah scrolls he had already written, add what needed to be added, and put them together in one day. Which is still pretty miraculous in its own way. © 2010 Rabbi D. Kramer

