

# Toras Aish

## Thoughts From Across the Torah Spectrum

**RABBI LORD JONATHAN SACKS ZT"l**

### Covenant & Conversation

**T**he moment had come. Moses was about to die. He had seen his sister Miriam and brother Aaron pre-decease him. He had prayed to God -- not to live forever, not even to live longer, but simply, "Let me go over and see the good land beyond the Jordan" (Deut. 3:25). Let me complete the journey. Let me reach the destination. But God said no: "'That is enough,' the Lord said. 'Do not speak to Me anymore about this matter.'" (Deut. 3:26)

God, who had acceded to almost every other prayer Moses prayed, refused him this. (There is an important lesson here: It is the prayers we pray for others, and others pray for us, that are answered; not always those we pray for ourselves. That is why when we pray for the healing of the sick or the comfort of the mourners we do so specifically "in the midst of others" who are ill or bereaved. As Judah Halevi pointed out in *The Kuzari*, the interests of individuals may conflict with one another, which is why we pray communally, seeking the collective good.)

What then did Moses do on these last days of his life? He issued two instructions, the last of the 613 commands, that were to have significant consequences for the future of Judaism and the Jewish people. The first is known as Hakhel, the command that the king should summon the people to gather during Succot following the seventh, Shemittah year: "At the end of every seven years, in the year for cancelling debts, during the Festival 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 foreigners residing 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)

There is no specific reference to this command in the later books of Tanach, but there are accounts of very similar gatherings: covenant renewal ceremonies, in which the king or his equivalent assembled the nation, reading from the Torah or reminding the people of their history, and calling on them to reaffirm the terms of their destiny as a people in covenant with God.

That, in fact, is what Moses had been doing for the last month of his life. The book of Deuteronomy as a whole is a restatement of the covenant, almost forty years and one generation after the original covenant at Mount Sinai. There is another example in the last chapter of the book of Joshua (see chapter 24 of the book of Joshua), once Joshua had fulfilled his mandate as Moses' successor, bringing the people across the Jordan, leading them in their battles, and settling the land.

Another occurred many centuries later in the reign of King Josiah. His grandfather, Menasseh, who reigned for fifty-five years, was one of the worst of Judah's kings, introducing various forms of idolatry, including child sacrifice. Josiah sought to return the nation to its faith, ordering among other things the cleansing and repair of the Temple. It was in the course of this restoration that a copy of the Torah was discovered,<sup>[2]</sup> sealed in a hiding place, to prevent it being destroyed during the many decades in which idolatry flourished and the Torah was almost forgotten. (This is Radak and Ralbag's understanding of the event. Abarbanel finds it difficult to believe that there were no other copies of the Torah preserved even during the idolatrous periods of the nation's history, and suggests that what was discovered sealed in the Temple was Moses' own Torah, written by his hand.)

The king, deeply affected by this discovery, convened a Hakhel-type national assembly: "Then the king called together all the elders of Judah and Jerusalem. He went up to the Temple of the Lord with the people of Judah, the inhabitants 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, statutes, 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." (2 Kings 23:1-3)

The most famous Hakhel-type ceremony was the national gathering convened by Ezra and Nehemiah after the second wave of returnees from Babylon (Neh. 8-10). Standing on a platform by one of the gates to the Temple, Ezra read the Torah to the assembly, having positioned Levites throughout the crowd so that they

could explain to the people what was being said. The ceremony that began on Rosh Hashanah, culminated after Succot when the people collectively "bound themselves with a curse and an oath to follow the Law of God given through Moses the servant of God and to obey carefully all the commands, regulations and decrees of the Lord our Lord" (Neh. 10:29).

The other command -- the last Moses gave the people -- was contained in the words: "Now write down this song and teach it to the Israelites," understood by rabbinic tradition to be the command to write, or at least take part in writing, a Sefer Torah. Why specifically these two commands, at this time?

Something profound was being transacted here. Recall that God had seemed brusque in His dismissal of Moses' request to be allowed to cross the Jordan. "That is enough... Do not speak to Me anymore about this matter." Is this the Torah and this its reward? Is this how God repaid the greatest of the prophets? Surely not.

In these last two commands God was teaching Moses, and through him Jews throughout the ages, what immortality is -- on earth, not just in heaven. We are mortal because we are physical, and no physical organism lives forever. We grow up, we grow old, we grow frail, we die. But we are not only physical. We are also spiritual. In these last two commands, we are taught what it is to be part of a spirit that has not died in four thousand years and will not die so long as there is a sun, moon, and stars. (See Jeremiah 31.)

God showed Moses, and through him us, how to become part of a civilisation that never grows old. It stays young because it repeatedly renews itself. The last two commands of the Torah are about renewal: first collective, then individual.

Hakhel, the covenant renewal ceremony every seven years, ensured that the nation would regularly rededicate itself to its mission. I have often argued that there is one place in the world where this covenant renewal ceremony still takes place: the United States of America.

The concept of covenant played a decisive role in European politics in the sixteenth and seventeenth century, especially in Calvin's Geneva and in Scotland, Holland, and England. Its longest-lasting impact, though, was on America, where it was taken by the early Puritan settlers and remains part of its political culture even today. Almost every Presidential Inaugural Address -- every four years since 1789 -- has been, explicitly or implicitly, a covenant renewal ceremony, a contemporary form of Hakhel. In 1987, speaking at the bicentennial celebration of the American Constitution, President Ronald Reagan described the constitution as a kind of "covenant we've made not only with ourselves but with all of mankind... It's a human covenant; yes, and beyond that, a covenant with the Supreme Being to whom our founding fathers did constantly appeal for assistance." America's duty, he said, is "to constantly

renew their covenant with humanity... to complete the work begun 200 years ago, that grand noble work that is America's particular calling -- the triumph of human freedom, the triumph of human freedom under God."

If Hakhel is national renewal, the command that we should each take part in the writing of a new Sefer Torah is personal renewal. It was Moses' way of saying to all future generations: It is not enough for you to say, I received the Torah from my parents (or grandparents or great-grandparents). You have to take it and make it new in every generation.

One of the most striking features of Jewish life is that from Israel to Palo Alto, Jews are among the world's most enthusiastic users of information technology and have contributed disproportionately to its development (Google, Facebook, Waze). But we still write the Torah exactly as it was done thousands of years ago -- by hand, with a quill, on a parchment scroll. This is not a paradox; it is a profound truth. People who carry their past with them, can build the future without fear.

Renewal is one of the hardest of human undertakings. Some years ago, I sat with the man who was about to become Prime Minister of Britain. In the course of our conversation he said, "What I most pray for is that when we get there (he meant, 10 Downing Street), I never forget why I wanted to get there." I suspect he had in mind the famous words of Harold Macmillan, British Prime Minister between 1957 and 1963, who, when asked what he most feared in politics, replied, "Events, dear boy, events."

Things happen. We are blown by passing winds, caught up in problems not of our making, and we drift. When that happens, whether to individuals, institutions, or nations, we grow old. We forget who we are and why. Eventually we are overtaken by people (or organisations or cultures) that are younger, hungrier, or more driven than us.

The only way to stay young, hungry, and driven is through periodic renewal, reminding ourselves of where we came from, where we are going, and why. To what ideals are we committed? What journey are we called on to continue? Of what story are we a part?

How precisely timed, therefore, and how beautiful, that at the very moment when the greatest of prophets faced his own mortality, that God should give him, and us, the secret of immortality -- not just in heaven but down here on earth. For when we keep to the terms of the covenant, and making it new again in our lives, we live on in those who come after us, whether through our children or our disciples or those we have helped or influenced. We "renew our days as of old" (Lamentations 5:21). Moses died, but what he taught and what he sought lives on. *Covenant and Conversation is kindly supported by the Maurice Wohl Charitable Foundation in memory of Maurice and Vivienne Wohl zt"l* ©2023 The Rabbi Sacks Legacy Trust [rabbisacks.org](http://rabbisacks.org)

**RABBI SHLOMO RISKIN**

## Shabbat Shalom

“**F**or this commandment that I have commanded you today is not concealed from you, nor is it far away.” (Deuteronomy 30:11) How often it is that we and people we know say, “I can’t help it. It’s in my nature to get angry.” Or, perhaps most commonly, “I give up. I’ll never be able to go on a diet and keep the weight off.” At this time of year, perhaps more than at any other time, we wrestle with issues such as these brought to our attention as a result of deep introspection.

The great 19th century scholar Rabbi Yisrael Salanter noted, “It is easier to learn the entire Talmud than to change one character trait.” Indeed, can we change? Is a particular trait part and parcel of human nature, built into our personality, seemingly impossible to overcome?

Judaism, with its emphatic message of freedom of choice, insists on our ability to change. But is it really fair to ask individuals to do what may very well be beyond their ability to achieve? Do we really have the power to overcome our most potent and persistent weaknesses? To what extent can we take into account the human difficulty in overcoming one’s weakness?

Our Torah portion, Nitzavim, emphatically insists on the possibility of change, no matter the circumstances: “I have set before you so that you will consider in your heart, among all the nations where the Lord your God has banished you. And you shall return to the Lord your God and obey His voice” (ibid., v. 1–2).

And once a person has begun the process of teshuva, God Himself – aware of the almost insuperable difficulty of changing one’s nature and overcoming one’s inherent weakness – steps in and completes the process on behalf of the penitent: “And the Lord your God will circumcise your heart and the heart of your seed to love the Lord your God with all your heart and with all your soul in order that you may live” (v.6).

From the perspective of the Holy Zohar, the mystical interpretation of the Bible, this is the difference between Rosh Hashana and Yom Kippur. Rosh Hashana falls on the first day of the month of Tishrei, when the moon – a symbol of God’s light and grace – is hidden and barely visible. The individual approaches the synagogue in fearful and trembling anticipation, hopeful but not at all certain that he can pierce through the veil of darkness covering the heaven and masking over the moon.

Ten days later, on Yom Kippur, the moon glows briefly, imbuing the heavens with renewed light and hope. The individual is then ecstatically reborn, cleansed, transformed, and purified by the grace of Divine love and forgiveness.

Indeed, we repeat again and again throughout the penitential prayers of the Day of Atonement the words of the prophet Ezekiel: “And I shall sprinkle upon

you the purifying waters and you shall be purified...and I shall give you a new heart, and a new spirit shall I place in your midst” (36:25–26).

We can thus appreciate anew the enormous power of Yom Kippur, the one day during the year when the Almighty grants us not only forgiveness, but also the renewed inner strength to overcome our inborn weaknesses and foibles.

And we also may better understand the terse interpretation of Rabbi Menachem Mendel of Kotzk on the verse immediately following the command – as well as our ability – to repent after one has transgressed: “For this commandment that I have commanded you today is not...far away from you” (ibid., 30:11). Says the Kotzker, “It requires only one small turn (Yiddish: nur ein kleine drei).”

What he apparently meant was that the penitent is expected only to make a change in direction, to turn his back on his temptations and begin to embrace God and His Torah.

We return to our original question: can we change? The simple answer is yes. However, it is incumbent upon the would-be penitent making the all-important first step. At that point, the Almighty will give him a hand to help him complete the journey, as the Sages taught, “One who comes to be purified receives Divine assistance” (Talmud Yoma 38b).

And at the end of Yom Kippur, after a day of pleading with God for forgiveness and atonement, we cry out in the Ne’ila prayer: “Your right hand is extended to accept the penitent!”, reminding us that when returning to God, we are never alone. ©2023 *Ohr Torah Institutions & Rabbi S. Riskin*

**RABBI BEREL WEIN**

## Wein Online

**T**hese final parshiyot of the Torah always coincide with the approaching end of the old year and the beginning of the new year. This is in line with the contents of these parshiyot which contain the review of Moshe’s career as the leader of Israel and of his life and achievements. So too does the end of the year demand of us a review, if not of our entire past life, at least a review and accounting of our actions during the past year.

Moshe’s review is really the main contents of the book of Dvarim itself. Though it recalls historical and national events, there is no doubt that Moshe himself is the central figure of the book. He records for us his personal feelings and candidly admits as to his disappointments and frustrations. But he never departs from his central mission of reminding the people of Israel of the unbreakable covenant that has been formed between them and their Creator.

That covenant is renewed again in this week’s parsha. It is no exaggeration to assert that it is constantly renewed and at the year’s end we are reminded of this.

That is the essential essence of remembrance that characterizes this special season of the year. Remembrance brings forth judgment and accountability and leads to an eventual renewal of faith.

Moshe reminds the people that the future is also contained in their remembrance of the covenant. All the generations past, present and future are bound together in this covenant of accountability. And through this process, the mortal Moshe gains immortality, as all of us can acquire this immortality through our loyalty to the covenant.

Moshe at the end of his life has in no way lost his acumen, strength or vision. He leaves this world in perfect health and free of bodily ailments and restraints. Yet he tells us in this week's parsha that he "can no longer go forth and return." For humans exist by the will of God and when that will decrees the end of life then the human being will cease to function on this earth. Who can claim greater merits in this world than Moshe had? Yet the hand of human mortality struck him down.

Part of the great lesson of Torah is that life continues without us necessarily being present. Moshe sees far into the distant future but knows that he will not be present to see those events actually unfold. He harkens back to the covenant of remembrance as being the instrument of his continuing presence throughout all of Jewish history. As long as the covenant is remembered and observed, Moshe is still present with Israel. It is this covenant that defines us as a people and even as individuals. Our relationship to it is under constant heavenly review. It should be self-evident that for our part we should enthusiastically renew our allegiance to it at this fateful part of our life and year. ©2023 Rabbi Berel Wein - Jewish historian, author and international lecturer offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on Jewish history at [www.rabbiwein.com](http://www.rabbiwein.com). For more information on these and other products visit [www.rabbiwein.com](http://www.rabbiwein.com)

#### **RABBI AVI WEISS**

## **Shabbat Forshpeis**

**T**he Torah notes that even when we are dispersed, God will return us to Him: "then the Lord your God will bring back [v'shav] your captivity" (Deuteronomy 30:3). Interestingly, the term used here is not v'heshiv, which literally means God will "bring back" your captivity; rather, it is v'shav, which literally means that God "will return with" your captivity. In other words, God dwells with us in our suffering. When we return, God returns with us.

Note the sentence in Lamentations marking the destruction of the Temple. God is described as "withdraw[ing] His right hand in the presence of the enemy" (Lamentations 2:3). On its face, this means that God stepped back from helping us as the Temple was destroyed.

The Midrash, however, reverses this argument, asserting that after the Babylonian exile, Jews – as

described in the "Al Naharot Bavel" psalm – mangled their fingers so they were unable to sing songs with instruments as demanded by their plunderers (Psalms 137:4; Rashi, Kiddushin 69b). In solidarity, if you will, God mangles His fingers – "withdraw[ing] His right hand" (Pesikta d'Rabbi Kahana 17:5).

Thus, as my son Dr. Dov Weiss points out, the rabbis of the Midrash depart from the literal meaning of the Psalms, interpreting the text not as reflecting God's abandonment of the Jews but rather His empathizing with His people. From this perspective, as the Midrash notes, in the very next sentence of the "Al Naharot Bavel" psalm, God rather than Israel (or along with Israel) proclaims "Im eshkech Yerushalayim" (If I forget you, O Jerusalem [may my right hand be forgotten]; Psalms 137:5, 6).

The idea that God stands with us and experiences our pain is also found when one is mourning a personal loss. When leaving someone sitting shivah, we recite the formula "Hamakom yenachem etchem" (May God [the Omnipresent] comfort you). But suppose there is only one mourner? Should we use the word otcha or otach (singular) rather than etchem (plural)? My preference is to retain the plural subject, as one never sits shivah alone. God feels our loss and sits with the bereaved.

Hence, when reciting Kaddish, we begin with the words "Yitgadal, v'yitkadash," which means "may God become great, and may God become holy." With the death of a human being, with a family in bereavement, God, as it were, is saddened – He is not fully great and holy. Thus, these words are in the future tense. The Kaddish may be interpreted as our way of comforting God. At this moment, You are not fully great and holy, but one day You will be.

A beautiful poem speaks of God's promise to all individuals that He will always be with them. An individual dreams and sees their life journey, always with two sets of footprints – their own and God's. But during the most difficult times of their life, the two sets of footprints become one. The individual asks God why He seems to have abandoned humans during the troubled times only to be told that, when only one set of footprints is visible, God was carrying them. ©2023 Hebrew Institute of Riverdale & CJC-AMCHA. Rabbi Avi Weiss is Founder and Dean of Yeshivat Chovevei Torah, the Open Orthodox Rabbinical School, and Senior Rabbi of the Hebrew Institute of Riverdale

#### **ENCYCLOPEDIA TALMUDIT**

## **Hakhel**

*Translated by Rabbi Mordechai Weiss*

**"G**ather (*hakhel*) the people – the men, women, children, and the strangers in your midst, in order that they may hear and so learn to revere the Lord your G-d" (*Devarim* 31:12). This refers to the mitzva of *Hakhel*, which takes place on Sukkot at the

conclusion of the *Shemita* year. The Torah specifies the categories of people who are obligated to attend. Nevertheless, the verse's inclusion of women may be limited, as we shall see.

Our initial assumption would be that women are not obligated in *Hakhel*. Since it takes place once every seven years, it seems to be a positive time-bound commandment (from which women are exempt). Yet the Mishnah tells us that *Hakhel* is an exception to the rule. There is another reason why women would might still be exempt. According to many opinions, the obligation of attending *Hakhel* is connected to the obligation to travel to Jerusalem for the three pilgrimage festivals. Only property owners are obligated to do so. Someone who does not own land is exempt from both the pilgrimage and *Hakhel*. Thus, it is possible that the verse's inclusion of women in *Hakhel* is limited to the small minority of women who own land.

There is a disagreement about who is included in the category of children (*taf*) for this purpose. Some say that even the smallest children, namely nursing babies, must be brought to *Hakhel*. Others maintain that only children of educable age must be brought. According to this second opinion, who is watching over the little ones when all the parents are gathered in the *Beit HaMikdash*? If most women are exempt because they do not own land, this problem is solved. Furthermore, it is inconceivable that the whole nation gathers to hear and study the word of G-d, while leaving all the little children to run wild (or under the supervision of non-Jews, or impure Jews who are forbidden from entering the Temple. This is further support for the possibility that most women stayed at home for *Hakhel*.  
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### RABBI JONATHAN GEWIRTZ

## Migdal Ohr

**"R**ead this teaching before all Israel, in their ears. Gather the nation..." (Devarim 31:11-12) Once every seven years, at the end of Sukkos, after Shmita, a platform was erected in the Bais HaMikdash courtyard. The king would be handed a Sefer Torah, and he would sit atop the platform to read portions of the Torah aloud to the Jewish People. Everyone was to be there, men, women, and children. Even those who couldn't understand what was being said would go, including babies, and this was a source of merit for those who brought them.

As most of the Jews were in Jerusalem for the holiday anyway, and not at home, they would congregate there for this reading. The wording of the verses quoted above seems inaccurate. It says to read these words, and the next posuk says, "Gather the nation." Should it not have said, "Gather the nation and then read this to them"?

It is, of course, possible to explain that the mitzvah is to read the Torah to all the Jews, and

therefore, by necessity, you will have had to gather them, and the Torah is teaching us who should be there. But there is another way to look at it which can explain the unusual order.

Perhaps we don't gather the Jews to read the Torah, but we read the Torah to gather and unite the Jews. The Kli Yakar explains that during the Aseres Yemei Teshuva, between Rosh HaShana and Yom Kippur, Hashem is very close to us so we might repent and return to Him. In fact, during these days, the repentance of the individual is accepted in a way it is not for the rest of the year. The rest of the year, Hashem requires the community to repent.

The mitzvah of *Hakhel*, coming on Sukkos, is about unified Teshuva. Chazal teach from the verse regarding the four species, the Lulav, Esrog, Hadasim and Aravos: "You shall take for yourself on the first day," and they explain, "It is the first day of counting sins." Since on Yom Kippur we were purified from sin, and from then until Sukkos we were busy preparing for Sukkos, the festival begins the time when we may again sin.

Since the Ten Days of Repentance are done, we need to repent as a group. Therefore, we are gathered together and the King reads from the book of Devarim, which is full of warning and reproach about sin. The "first day of sin" being mentioned regarding the four species which represent various types of Jews, underscores that only by coming together can we repent properly. And how better to unite, than through words of Torah?

Not only do the words of Torah urge us to serve Hashem better, but they also empower us to unify in a way that nothing else can. Often, competition and jealousy divide people. The fear that others wish to harm us creates rifts, and just saying, "Love each other," won't cut it. Therefore, we are taught Torah, which reinforces that each of us has our connection to Hashem which cannot be interfered with by others. They cannot take away what Hashem wishes to give us, and they are not truly our competitors. Says the Torah, if you want to "gather the nation," then "read the words of Torah in their ears."

*A printer had an established long-time business in a town in Eretz Yisrael. One day, a young fellow opened up a new printing business not too far away. The established printer's family was outraged. "How dare he come in and try to take away the business?!" and tried to force him out.*

*The old printer, however, did not do so and he was not upset. Instead, he invited the new competitor over and shared with him insights into that community and taught him the tricks of the trade. The older man's family was dumbfounded.*

*"Why should I not teach him the business?" he asked. "My livelihood doesn't come from my work, but from HaShem. If this fellow takes half my work, I will still make my destined portion, but with less effort. Should I not then gladly teach him what I know?"* © 2023 Rabbi J.

Gewirtz & Migdal Ohr

**RABBI DAVID LEVIN**

## A Renewed Covenant

**O**ur joint parshiot of Nitzavim and Vayeilech begin with the words, “You are standing today, all of you, before Hashem, your Elokim: Your heads, your tribes, your officers, all the men of Israel; and your small children, your women, and your convert who is in the midst of your camp, from the hewer of wood to the drawer of your water. For you to pass into a covenant of Hashem, your Elokim, and into His oath that Hashem, your Elokim, forges with you today, in order to establish you today as a people to Him and that He be an Elokim to you, as He spoke of you and as He swore to your forefathers, to Avraham, to Yitzchak, and to Ya’akov. Not with you alone do I forge this covenant and this oath, but with whoever is here, standing with us today before Hashem, our Elokim, and with whoever is not here with us today.”

This section discusses a new covenant with Hashem, one which is introduced in last week’s parasha: “These are the words of the covenant that Hashem commanded Moshe to seal with the B’nei Yisrael in the land of Moav, beside the covenant that he sealed with them in Horev (Mt. Sinai).” According to the Bal HaTurim, the use of the word “nitzavim, standing” is directly related to the word “vayitzyatvuv, and you were standing (at the base of the mountain)” at Mt. Sinai. The first covenant was abrogated by the sin of the Golden Calf, and this renewed covenant now followed the list of the punishments, stated in last week’s parasha, if the B’nei Yisrael disregard the Torah Laws from Hashem.

The Torah is a unique, concise document. Understanding that, our Rabbis wonder why the Torah says, “Your heads, your tribes, your officers, all the men of Israel; and your small children, your women, and your convert who is in the midst of your camp, from the hewer of wood to the drawer of your water,” when it could have said, “Every person of Yisrael and your strangers (converts) are standing before Hashem.” HaRav Zalman Sorotzkin asks why each category was named. He suggests that it is different for the average person to accept the observance of the Law, but for the leaders, who take upon themselves not only the observance of the Law but also the responsibility for those whom they lead, the task is greater. The Ohr HaChaim explains that Moshe’s purpose for this covenant was to establish the concept of areivut, mutual responsibility, that each of the B’nei Yisrael was responsible for the other, kol Yisrael arevim zeh lazeh. The Kli Yakar explains that it becomes a requirement of every Jew to try to rekindle the love of Hashem and His mitzvot for any Jew who has strayed from the proper path in life. This sense of responsibility would be necessary when the B’nei Yisrael would enter the land which Hashem had given them as a promise to their forefathers.

HaRav Sorotzkin mentions that there is a difference here in the order of the words, “your small children and your women,” with the listing in the Hakheil, the gathering in next week’s parasha, where the order is “your women and your small children.” HaRav Sorotzkin indicates that the reason for this difference is that here it is discussing a new covenant with the people committing to observe all the laws of the Torah. The young children will eventually be responsible for following all of the laws, whereas the women are not held responsible for “mitzvot asei she’haz’man grama, positive laws which are bound by a time-frame.” By the Hakheil, the people were gathered together to hear the laws of the Torah, and the women were able to hear and understand the laws better than the young children. The Ramban points out that the children were not legally capable of agreeing to this covenant, yet they were included here because they would one day become part of that covenant. Sforno explains that the children were included so that the elders would be notified that they were responsible to ensure that their children remained faithful to the Jewish People and the Laws of Hashem.

The same change in order that occurred here with the women and the young children, also occurred with those who were hewers of wood and drawers of water. In other places the order is the drawers of water before the hewers of wood. Here, according to HaRav Sorotzkin, the hewers of wood are mentioned first because they must be more careful of those around them when they use an axe, as the head can fall off and injure someone. Those who draw out water do not have this same responsibility. Their actions would not potentially endanger others. Since this entire section deals with responsibility for others, the wood cutters were placed first.

There is an unusual word used in this section. The word, “l’avr’cha, that you will pass over,” is used to pass over into the covenant with Hashem. The Kli Yakar stresses that this is one of the few verbs in this section that is written in the singular form. He explains that when the B’nei Yisrael take responsibility for each other, they act as one. This is the true purpose of “areivut, responsibility.” HaRav Hirsch explains that “if you want to enter the covenant with Hashem, you must leave the whole standpoint you have had hitherto, you must pass over everything else, must renounce everything else to enter quite exclusively into the relation to Hashem.... Having entered into the covenant with Hashem, you stand on quite a different mental point of view than before.”

There is an important aspect of this covenant which is alluded to in the pasuk, “Not with you alone do I forge this covenant and this oath, but with whoever is here, standing with us today before Hashem, our Elokim, and with whoever is not here with us today.” HaRav Shmshon Raphael Hirsch explains, “Just as unlimited as the people are to whom the obligation to the covenant

and the oath applies, so unlimited is the duration of the period to which the covenant of the Torah which is here extends." Many years after this covenant was established, the prophet, Yechezkiel (Ezekiel), replied to the elders of the nation who suggested that the Laws of the Torah should be adjusted to mirror the current society, "the thought which arose in your minds that you say now we can become like the people and serve wood and stone, that thought will never become a reality. As sure as I live, says Hashem, with a strong hand and with outstretched arm and with outpoured wrath do I remain your King." This is a direct response for those who wish to "modernize" the laws to accommodate modern sensitivities, even when those changes are diametrically opposed to Torah Law.

We have learned from this section that the unity of our People requires each of us to accept responsibility for the other. On Yom Kippur we stress the plural, "for the sin which we have sinned ...." May we understand that we should have been more sensitive to the needs of our fellow Jews, and that our love and care for them could have prevented their sin. May we be open to share that love now and in the future. © 2023 Rabbi D. Levin

**RABBI AVI SHAFRAN**

## Cross-Currents

**T**he Midrash (Yalkut Shimoni) at the start of parshas Nitzavim sees in the parsha's opening words, "You are standing today" the message that, despite the sins and travails of Klal Yisrael up to that point, and the klalos enumerated in parshas Ki Savo, the nation is still standing. Indeed, the Midrash continues, "the curses strengthen you [ma'amidos es'chem]."

The Second Law of Thermodynamics states that physical systems naturally degenerate into more and more disordered states.

Living systems, though, seem to act otherwise. A domeim, a non-living item like a rock or mineral, is indeed entirely subject to entropy. A tzomei'ach, though, a plant, which grows, less so. And an animal, a chai, even less so, as it can also move around to promote its wellbeing.

And a living human is even more able to defend against entropy, manipulating his environment, using intelligence, tools and creativity to protect himself.

The highest rung on the hierarchy, according to sefarim, is Yisrael, the Jewish nation. Perhaps we are particularly entropy-resistant -- especially able to turn challenges that would naturally wear away other people, leaving them feeling dejected and hopeless, into not just perseverance but renewed strength. Haklalos ma'amidos es'chem.

The churbanos of the Batei Mikdash, for example, were followed with determined and successful Jewish renewal, as was the most recent churban, that of Jewish Europe. Parts of Klal Yisrael have returned to Eretz Yisrael, and Torah study and practice thrive

throughout the world.

And in our personal lives, too, as Rav Dessler writes, our failings and fallings can, through our pain and teshuvah, become fuel for our determination to reach even greater heights.

A timely thought during these waning days of Elul. © 2023 Rabbi A. Shafran and torah.org

**RABBI DANIEL STEIN**

## Holy Anxiety

**J**ews are often stereotyped as a hopelessly unsatisfied people who can be difficult to please. If there is sociological evidence to warrant and support this portrayal it is rooted not in a sophisticated palate or sensitive disposition but rather in an underlying and intractable spiritual restlessness. According to the Gemara (Sanhedrin 76b) the parchedness mentioned in the pasuk, "that the quenched shall be added to the thirsty" (Devarim 29:18), refers to the Jewish people, who Rashi tells us "are eternally eager and hungry to fear their Creator and fulfill His mitzvos". Rav Shimshon Pincus (Tiferes Shimshon) concludes from this identification that a Jew should be driven by a relentless thirst and craving to come closer to Hashem such that it prevents him from ever being satiated or truly at peace with the status quo. For this reason, in certain circles, pious Jews are approvingly referred to as "chareidim" -- "those who are anxious," because their religious observance is defined by a controlled and reasoned but at the same time eager and anxious ambition for greater and more intense degrees of spirituality.

In this sense, an appropriate dose of religious uneasiness is a healthy sign and a reason to be optimistic about the overall spiritual trajectory and possibility for future growth. This message surfaces from the reconciliation of the different themes of Rosh Hashanah which at first glance seem to be inconsistent. On the one hand, the sense of trepidation inherent in being judged precludes the recitation of hallel, as the Gemara (Rosh Hashanah 32b) asks rhetorically, "is it possible that while the King is sitting on the throne of judgment and the books of life and the books of death are open before Him, the Jewish people should sing joyous songs?" At the same time, the Tur (Sec. 581) rules that it is appropriate to eat, drink, and rejoice on the day of Rosh Hashanah for the Jewish people are confident that Hashem will vindicate them in judgment. How can one be apprehensive while simultaneously unwaveringly secure? Perhaps one emotion yields the other. If the fear of judgement is internalized, and worry over the verdict generates an earnest pursuit of improvement, then there is ample reason to feel assured about the prospects for the coming year.

An animated religious approach demands that there be some disruption to the serenity of complacency. The Beis Yaakov of Izhbitza (Parshas Noach) writes that a drunk is prohibited from praying (Brochos 31a) not only

because of his lost inhibitions and slurred speech, but rather because he is numb to the tensions of life and devoid of inner conflict, as the Gemara (Yoma 75a) observes, "whoever casts his eye on his cup the whole world seems to him like level ground." Prayer, and indeed all religious growth, is a response to some measure of personal turmoil. Alcohol can induce an oblivious state of ignorant bliss which is empty of any sense of striving or yearning to discover transcendence and therefore incompatible with prayer. Similarly, Chazal (Chagigah 13a) comment that the design of the Chariot may only be transmitted to one whose "heart inside him is concerned." Rav Tzadok Hakohen of Lublin (Pri Tzaddik, Beshalach) explains that only when there is a sense of confusion can a deeper understanding be found. It is precisely the troubled quest for answers that serves as the impetus for greater knowledge and intimacy.

This outlook is the basis for the statement which the Mittlerer Rebbe attributes to the Maggid of Mezritch (Kuntres HaHispaalus, 5) that "a man cannot possibly receive the true secrets of the Torah and the deepest comprehension of the light of the Ein Sof unless he possesses a natural essential melancholy." Certainly, the Maggid is not endorsing or encouraging a depressed state, for Rav Chaim Vital (Shaarei Kedushah 2, 4) and later the Baal Shem Tov (Tzavaas Harivash) emphasize that sadness and dejection are the primary tools of the yetzer hara and have no place whatsoever in authentic and productive avodas Hashem. Elaborating on their words, Rebbe Nachman of Breslov (Likutei Moharan 282) made famous the notion that "a person must find some good point within himself and take care to be happy always and keep away from depression." It is more likely that the Maggid was referring to an inner discomfort, prompted by a voracious appetite to ascend, that creates a brokenness through which the light of the Ein Sof can enter. As opposed to the tranquil soul, who is not searching or seeking, and therefore happy, content, and closed.

Perhaps, this awkward and unsettled spiritual state, which is the trigger for further exploration and enrichment, began at Har Sinai. From the dawn of the Jewish people, they have been distinguished by three hallmark traits, as the Gemara (Yevamos 79a) states, "There are three qualities of the Jewish people. They are merciful, they are shamefaced, and they perform acts of kindness." The Baal Shem Tov (Mekor Mayim Chaim, Parshas Shemos) claims that these three attributes can be traced back to the period of the avos; kindness to Avraham, shamefacedness to Yitzchak, and mercifulness to Yaakov. However, elsewhere we are told that the characteristic of being shamefaced developed as a result of the revelation at Har Sinai, about which the pasuk states "that His fear may be upon your faces" (Shemos 20:17). The Gemara (Nedarim 20a) comments, "this is referring to shame, one who does not have the

capacity to be shamefaced, it is known that his forefathers did not stand at Har Sinai." Did the tradition of shamefacedness begin with the avos or was it only acquired later after Har Sinai?

The Beis Yaakov of Izhbitza (Parshas Yisro) resolves that there are two distinct sources and modes of shamefacedness. The earliest form, and the one that is innate to the Jewish people, comes as a response to sin. Since the time of Yitzchak, Jews have embodied the strength of character to acknowledge failure and embrace an honest moment of embarrassment, instead of retreating behind the embankment of indifferent disregard or brazen obstinance. However, in the wake of Har Sinai, when the pinnacle of spirituality became visible and the potential for Divine attachment was unleashed, a second kind of shamefacedness emerged. This genre of embarrassment is not a reaction to a specific incident but a pesty nagging sense of shame that arises from the frustrated reality of unrealized potential. Har Sinai changed the Jewish people's expectations for themselves and cast a shadow of disappointment over their regular existence. Attempts to recreate and recapture that experience invariably produces a holy anxiety which is a function of the confident conviction that greater spiritual engagement is always possible.

There are some mechanchim today who are uncomfortable using the word "potential" in their yeshivos. If their hesitation is solely intended to underscore that each talmid is valued and cherished for who they are presently, and not only for who they have the potential to become, their initiative is valid and laudable. But the nature and formulation of their opposition suggests another element as well. It seems that they consider even mentioning the word "potential" in connection with a talmid to be a disheartening insult because it implicitly connotes an incomplete work in progress. While in years past, talmidim were inspired by the bold belief that they have the "potential" for gadlus, today, talmidim are coddled and reassured that they are already big tzaddikim, from their head to their toe. However, this philosophy which obfuscates the need and nobility to maximize potential, while perhaps warranted in limited circumstances, should not be adopted broadly, because it extinguishes any motivation to develop and achieve. Instead, we should stress that spiritual growth is spurred specifically by recognizing the delta between who we are and who we want to become and that genuine greatness resides in the ambitious struggle to bridge the gap between them. ©2023 Rabbi D. Stein and TorahWeb.org

