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Toras Aish

Thoughts From Across the Torah Spectrum

RABBI LORD JONATHAN SACKS Z"L

Covenant & Conversation

Rabbi Sacks zt"l had prepared a full year of Covenant & Conversation for 5781, based on his book Lessons in Leadership. The Office of Rabbi Sacks will continue to distribute these weekly essays, so that people all around the world can keep on learning and finding inspiration in his Torah.

Only now, reaching Nitzavim, can we begin to get a sense of the vast, world-changing project at the heart of the Divine-human encounter that took place in the lifetime of Moses and the birth of Jews/ Israel as a nation.

To understand it, recall the famous remark of Sherlock Holmes. "I draw your attention," he said to Dr Watson, "to the curious incident of the dog at night." "But the dog did nothing at night," said Watson. "That," said Holmes, "is the curious incident."[1] Sometimes to know what a book is about you need to focus on what it does not say, not just on what it does.

What is missing from the Torah, almost inexplicably so given the background against which it is set, is a fixation with death. The ancient Egyptians were obsessed with death. Their monumental buildings were an attempt to defy death. The pyramids were giant mausoleums. More precisely, they were portals through which the soul of a deceased pharaoh could ascend to heaven and join the immortals. The most famous Egyptian text that has come down to us is The Book of the Dead. Only the afterlife is real: life is a preparation for death.

There is nothing of this in the Torah, at least not explicitly. Jews believed in Olam HaBa, the World to Come, life after death. They believed in techiyat hametim, the resurrection of the dead.[2] There are six references to it in the second paragraph of the Amidah alone. But not only are these ideas almost completely absent from Tanach. They are absent at the very points where we would expect them.

The book of Kohelet (Ecclesiastes) is an extended lament at human mortality. Havel havalim… hakol havel: Everything is worthless because life is a mere fleeting breath (Ecc 1:2). Why did the author of Ecclesiastes not mention the World to Come and life-after-death? Another example: the book of Job is a sustained protest against the apparent injustice of the world. Why did no one answer Job to say, "You and other innocent people who suffer will be rewarded in the afterlife"? We believe in the afterlife. Why then is it not mentioned – merely hinted at – in the Torah? That is the curious incident.

The simple answer is that obsession with death ultimately devalues life. Why fight against the evils and injustices of the world if this life is only a preparation for the world to come? Ernest Becker in his classic The Denial of Death argues that fear of our own mortality has been one of the driving forces of civilisation.[3] It is what led the ancient world to enslave the masses, turning them into giant labour forces to build monumental buildings that would stand as long as time itself. It led to the ancient cult of the hero, the man who becomes immortal by doing daring deeds on the field of battle. We fear death; we have a love-hate relationship with it. Freud called this thanatos, the death instinct, and said it was one of the two driving forces of life, the other being eros.

Judaism is a sustained protest against this world-view. That is why "No one knows where Moses is buried" (Deut. 34:6) so that his tomb should never become a place of pilgrimage and worship. That is why in place of a pyramid or a temple such as Ramses II built at Abu Simbel, all the Israelites had for almost five centuries until the days of Solomon was the Mishkan, a portable Sanctuary, more like a tent than a temple. That is why, in Judaism, death defiles and why the rite of the Red Heifer was necessary to purify people from contact with it. That is why the holier you are – if you are a Kohen, more so if you are the High Priest – the less you can be in contact or under the same roof as a dead person. God is not in death but in life.

Only against this Egyptian background can we fully sense the drama behind words that have become so familiar to us that we are no longer surprised by

[1] Arthur Conan Doyle, "The Adventure of Silver Blaze."

[2] The Mishnah in Sanhedrin 10:1 says that believing that the resurrection of the dead is stated in the Torah is a fundamental part of Jewish faith. However, according to any interpretation, the statement is implicit, not explicit.

[3] New York: Free Press, 1973.

them, the great words in which Moses frames the choice for all time:

See, I have set before you today life and good, death and evil … I call heaven and earth as witnesses today against you, that I have set before you life and death, the blessing and the curse; therefore choose life, that you and your children may live. (Deut. 30:15, 19)

Life is good, death is bad. Life is a blessing, death is a curse. These are truisms for us. Why even mention them? Because they were not common ideas in the ancient world. They were revolutionary. They still are.

How then do you defeat death? Yes there is an afterlife. Yes there is techiyat hametim, resurrection. But Moses does not focus on these obvious ideas. He tells us something different altogether. You achieve immortality by being part of a covenant – a covenant with eternity itself, that is to say, a covenant with God.

When you live your life within a covenant something extraordinary happens. Your parents and grandparents live on in you. You live on in your children and grandchildren. They are part of your life. You are part of theirs. That is what Moses meant when he said, near the beginning of this week's parsha:

It is not with you alone that I am making this covenant and oath, but with whoever stands with us here today before the Lord our God as well as those not with us here today. (Deut. 29:13-14)

In Moses' day that last phrase meant "your children not yet born." He did not need to include "your parents, no longer alive" because their parents had themselves made a covenant with God forty years before at Mount Sinai. But what Moses meant in a larger sense is that when we renew the covenant, when we dedicate our lives to the faith and way of life of our ancestors, they become immortal in us, as we become immortal in our children.

It is precisely because Judaism focuses on this world, not the next, that it is the most child-centred of all the great religions. They are our immortality. That is what Rachel meant when she said, "Give me children, or else I am like one dead" (Gen. 30:1). It is what Abraham meant when he said, "Lord, God, what will you give me if I remain childless?" (Gen. 15:2). We are not all destined to have children. The Rabbis said that the good we do constitutes our toldot, our posterity. But by honouring the memory of our parents and bringing up children to continue the Jewish story we achieve the one form of immortality that lies this side of the grave, in this world that God pronounced good.

Now consider the two last commands in the Torah, set out in parshat Vayelech, the ones Moses gave at the very end of his life. One is hakhel, the command that the King summon the nation to an assembly every seven years:

At the end of every seven years … Assemble the people – men, women and children, and the stranger living in your towns – so that they can listen and learn to fear the Lord your God and follow carefully all the words of this law. (Deut. 31:12)

The meaning of this command is simple. Moses is saying: It is not enough that your parents made a covenant with God at Mount Sinai or that you yourselves renewed it with me here on the plains of Moab. The covenant must be perpetually renewed, every seven years, so that it never becomes history. It always remains memory. It never becomes old because every seven years it becomes new again.

And the last command? "Now write down this song and teach it to the Israelites and make them sing it, so that it may be a witness for me against them" (Deut. 31:19). This, according to tradition, is the command to write [at least part of] a Sefer Torah. As Maimonides puts it: "Even if your ancestors have left you a Sefer Torah, nonetheless you are commanded to write one for yourself."[4]

What is Moses saying in this, his last charge to the people he had led for forty years, was: It is not sufficient to say, our ancestors received the Torah from Moses, or from God. You have to take it and make it new in every generation. You must make the Torah not just your parents' or grandparents' faith but your own. If you write it, it will write you. The eternal word of the eternal God is your share in eternity.

We now sense the full force of the drama of these last days of Moses' life. Moses knew he was about to die, knew he would not cross the Jordan and enter the land he had spent his entire life leading the people toward. Moses, confronting his own mortality, asks us in every generation to confront ours.

Our faith – Moses is telling us – is not like that of the Egyptians, the Greeks, the Romans, or virtually every other civilisation known to history. We do not find God in a realm beyond life – in heaven, or after death, in mystic disengagement from the world or in philosophical contemplation. We find God in life. We find God in (the key words of Devarim) love and joy. To find God, he says in this week's parsha, you don't have to climb to heaven or cross the sea (Deut. 30:12-13). God is here. God is now. God is life.

And that life, though it will end one day, in truth does not end. For if you keep the covenant, then your ancestors will live in you, and you will live on in your children (or your disciples or the recipients of your kindness). Every seven years the covenant will become new again. Every generation will write its own Sefer Torah. The gate to eternity is not death: it is life lived in a covenant endlessly renewed, in words engraved on our hearts and the hearts of our children.

And so Moses, the greatest leader we ever had, became immortal. Not by living forever. Not by building a tomb and temple to his glory. We don't even know where he is buried. The only physical structure he

[4] Mishneh Torah, Hilchot Tefillin, Mezuza, VeSefer Torah 7:1.

left us was portable because life itself is a journey. He didn't even become immortal the way Aaron did, by seeing his children become his successors. He became immortal by making us his disciples. And in one of their first recorded utterances, the Rabbis said likewise: Raise up many disciples.

To be a leader, you don't need a crown or robes of office. All you need to do is to write your chapter in the story, do deeds that heal some of the pain of this world, and act so that others become a little better for having known you. Live so that through you our ancient covenant with God is renewed in the only way that matters: in life. Moses' last testament to us at the very end of his days, when his mind might so easily have turned to death, was: Choose life. *Covenant and Conversation 5781 is kindly supported by the Maurice Wohl Charitable Foundation in memory of Maurice and Vivienne Wohl z"l*

RABBI SHLOMO RISKIN

Shabbat Shalom

"Not with you alone do I establish this covenant and this oath, but with those who are here with us standing today before the Lord our God and with those who are not here with us today." (Deuteronomy 29:13-14). The Syrian refugee crisis has prompted public debate worldwide, especially in the U.S. presidential campaign, over the issue of immigration. Should a nation's top priority be to meet the humanitarian needs of people attempting to flee a war zone? Or should it be to emphasize national security concerns stemming from the terroristic affiliations of a portion of those seeking refuge?

Given that most of the people whose fate hangs in the balance are Muslims, the critical question underlying this debate is, what is the nature of Islam? Are we speaking of a religion of prayer, charity, and belief in one God? Or are we dealing with a cult of death, conquest and jihad? The fact that both of these definitions contain an element of truth is the source of our dilemma. Islam is at war with itself, as Muslims on both sides of these two irreconcilable aspects of the religion's identity vie for supremacy. And unfortunately, institutional Islam – Wahhabism, Sunni, Shia, and ISIS – believes strongly in Jihad and world conquest.

Does Judaism have a role to play in this debate? The answer to this question will explain several important questions on this week's Biblical portion, and, more broadly, will teach a critical lesson about our moral responsibilities to the world.

The covenant referenced in this week's biblical portion of Nitzavim is usually read on the Sabbath prior to Rosh Hashana (Talmud, Megilla 31b). To which covenant does the Torah refer? To whom does God refer when He includes in this covenant "those who are not here with us today"? And what is the connection between this covenant and Rosh Hashana?

This covenant, in contrast to the two prior covenants (at Sinai and Arvot Moab), features the writing of the universal laws of morality on twelve stones (Talmud, Sota 35b), to be translated in all seventy languages of the world (ibid, 32a), and to be erected at the points of entrance into and exit from Israel. For what reason would the Bible have its laws translated into all seventy languages, if not to teach this morality to the world precisely in the place from which foreigners would travel?

Israel must bear God's message of morality and peace to the world and God, in turn, will guarantee Israel's eternity. It is our task as a people to educate the world towards recognition of a God of morality, love, and peace. This is the content of the Third Covenant.

Everyone need not become Jewish or worship God in the way we do. But everyone must be moral and ethical, and must not violate any other innocent human being, if the world is to endure. In the words of the prophet Micah (4:5), "Let all the peoples walk each one in the name of its god, but we will walk in the name of the Lord our God for ever and ever." We believe in moral absolutism and ritual pluralism!

Regrettably, this is not the belief of institutional Islam today (see Bernard Lewis' Islam: The Religion and the People), which divides the world between "Dar al-Islam" (states controlled by Muslims) and "Dar al-Harb" (states controlled by non-Muslims, to be conquered by the sword).

Fortunately, there is a precedent for a religion to alter its moral trajectory. For nearly 2,000 years, Christianity exploited its power to persecute non-Christians, especially Jews. Rivers of Jewish blood can testify to that ugly history. However, over the past 50 years, a change of historic proportions has taken place in the way Christianity has come to view Judaism, symbolized by 1965's "Nostra Aetate", the Papal Encyclical publication that affirmed the legitimacy of the Jewish covenant with God.

In contrast, a very different trend is taking place within Islam. Certainly there are millions of peace-loving Muslims who find the hijacking of their religion to be abhorrent. However, this silent majority has failed to prevent its co-religionists from co-opting Islam.

Judaism has a role to play in this debate. Our covenant of moral absolutism requires that we call upon Muslims to draft their own "Nostra Aetate", a theological shift that would accept the legitimacy of other religions. Muslim spiritual and political leaders must declare – and then demonstrate – clearly and unambiguously, that Allah is a God of love, not of power, and that Islam is a religion of peace, not of jihad. This is an internal Muslim dispute, but it has global ramifications, and we have a vested interest in its outcome.

We now see the vital need for those who did not stand at Sinai and Arvot Moab – the seventy

nations of the world – to stand with us when God's revelation, this Third Covenant, becomes universally accepted and realized. God's covenant must encompass Jew and Gentile alike. And this is why it is appropriate that this biblical reading precedes Rosh Hashana, when Jews must realize our true mission: to turn the wicked of the world towards a God of morality, to perfect the world under the Kingship of the Divine.

RABBI BEREL WEIN

Wein Online

Towards the conclusion of his long final oration to the Jewish people, our teacher Moshe refers once more to the covenant between God and Israel. A covenant is much more than a relationship or an agreement. Covenants, in the Jewish sense of the word, are not altered by changing times and differing circumstances. A covenant has the ring of eternity, not only in time but also in content.

Covenants are immutable and unchangeable. They have a binding quality that ordinary agreements or even contracts do not possess. And this is true from the beginning of the story of the Jewish people, and maybe even from the beginning of history and God's relationship to human beings as Creator. We find in the story of the flood and the rainbow, that the relationship is always based on a binding and unchangeable covenant.

The Jewish people have always sensed the gravity of the covenantal relationship with God. It is the sole explanation for all the events and patterns of Jewish history from the time of Abraham until today. We are a covenantal people and are bound by restrictions and fueled by prophetic vision and utopian hope.

Only a people who feel themselves part of and bound by an eternal covenant, would have the strength and the ability to survive and even prosper under the circumstances of persecution and enmity that have surrounded the Jewish world from time immemorial. It is no cause for wonder why the circumcision ceremony in Jewish life is always called the covenant, for it represents in a physical manifestation, this binding covenant between God and the Jewish people.

It is well understood why Moshe fills this final oration to the Jewish people with references and lessons, explicit and implicit, to the covenant and to Sinai as the basis of Jewish existence. Only the power of a covenant is strong and mighty enough to guarantee the survival and resilience of the Jewish people. But the shepherd knows very well the weaknesses and strengths of his flock. The 40-year sojourn in the desert has been a learning experience for Moshe, and through his example, for all future leaders of the Jewish people in all times and under all circumstances.

The one thing that Moshe feels is deeply implanted within his people is this idea of a covenant. It is this covenant that creates within us the feeling of being special, chosen and bound by a mission that is far greater than the mundane activities of even life itself. The covenant contains many harsh conditions and predictions. It also portrays an exalted future and a continual message of productivity and influence, that will permeate Jewish society. The vital behavior of the Jewish people, its ability to rise to all occasions, is based on our appreciation of the covenantal relationship between God and Israel. Individually, there are many Jews that may not feel bound or even be aware of the existence of this covenant. But within the Jewish soul, as part of our DNA so to speak, we know that we are a covenantal people, and we are charged to think and behave accordingly.

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Hakhel

Translated by Rabbi Mordechai Weiss

"Gather (*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 *Shemitah* 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*.

RABBI AVI WEISS

Shabbat Forshpeis

Three britot (covenants) are mentioned in the Torah: the covenant of the pieces (Genesis 15:18), the covenant at Sinai (Exodus 19; 24:7), and the covenant of our portion, which was made just prior to our entry into Israel (Deuteronomy 29). Upon reflection, they each contribute to the making of the nation of Israel.

The covenant of the pieces between God and Abraham established the family of Israel. It was nothing less than the planting of the seeds from which the Jewish People ultimately emerged. Abraham and Sarah were designated as the father and mother. From them, the children of Jacob were ultimately born. Soon after, we coalesced into a peoplehood.

The covenant of Sinai introduces a new element. As we became a people, it was crucial that we be governed by law. That law, given at Sinai, is the Torah. Its principles and precepts form a foundation that unites Jews, creating a sense of mission that we become “a kingdom of priests and a holy people”)Exodus 19:6).

The covenant of our portion introduces a third critical component. It is not enough to be a people governed by law. Another essential element is required for nationhood – a land. This feature is addressed by the brit of our portion. Standing as we were, just days before entry into Israel, the brit was reaffirmed. (Deuteronomy 29:11).

Not coincidentally, these three covenants -- people, Torah, and land -- comprise the basis of Jewish nationhood. Nationhood is, in the words of Rabbi Kook, a combination of the people of Israel with the Torah of Israel in the land of Israel.

Throughout the centuries, various groups and individuals have been bent on destroying the Jewish nation by attacking one of these three pillars. Some – like Amalek in biblical times or the Nazis in the modern era – have focused their venom on the Jewish People. Their goal was to annihilate us.

Others have directed their hatred against our Torah. A prime example is Christian persecution of Jews in what historian Raul Hilberg calls “fifteen hundred years of anti-Semitic activities.” Their claim was that they had no intention to murder Jews. Rather, they aimed to kill those who rejected their primary belief. Basically, they stated, we accept Jews, but only if they embrace Jesus. In the end, however, it became clear that their goal of destroying our fundamental Torah beliefs was the equivalent of destroying the Jewish People.

Today, another type of Jew hatred has emerged in the form of anti-Zionism. Truth be told, in the post-Holocaust era, it is still not considered polite to directly target Jews or even their Torah. Hence, the attack is focused instead against the Jewish land. In the end, however, a Jewish land is so fundamental to Judaism that any attempt to deny Jews their homeland is nothing less than an attempted destruction of the Jewish People. While there are anti-Zionists who are not anti-Semites, there are many – too many – who are.

When challenged, we must raise a strong voice of Jewish conscience and fight anti-Semitism in all its forms – whether directed at our peoplehood, ideology, or homeland. To be silent is to be complicit. *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*

RABBI JONATHAN GEWIRTZ

Migdal Ohr

"He will bless himself, saying, "Peace will be my lot when I shall follow my heart," so that the unintentional may be added to the sinful.” (Devarim 29:18) After the covenant and curses, we read of a fellow who thinks he can outwit Hashem by choosing not to accept the deal of the curses. Like making a promise but saying “Bli Neder,” the disingenuousness of this person is almost laughable. But G-d isn’t laughing.

Instead, He makes it clear that what this person has done is opened the door for more punishment than he would otherwise be liable for. Now, explains Rashi, the sins he committed unwittingly, will be joined with those he did intentionally, and he will be punished for them all as if he’d done them with complete knowledge.

We always find Hashem being merciful. Why, then, over here, does Hashem say He will punish the person as if he committed a sin while aware of it, if in fact the person only sinned because he didn’t realize what he was doing? Isn’t this unfair?

To answer this, we must understand that what we consider Hashem’s “mercy” is actually an expression of His tzedaka. Charity is called righteousness and not “a gift” because the person receiving it has to deserve it. One who pretends to be in need but is not, is a thief. Though humans may not recognize it, Hashem knows the truth.

When Hashem does not treat someone the same for committing a shogeg, an unintentional sin, as He does for a maizid, one who did it intentionally, that’s because of the understanding that had the person realized what he was doing, he would not have done it.

He does not get off the hook completely because he should have been more conscientious, but he is not more wicked per se, nor deserving of punishment for having rebelled.

This person, however, is in the mindset that whatever he chooses to do is fine and there will be no repercussions. He is removing Hashem from the equation and there is no greater rebellion than that. When he proclaims himself blameless, what he's really doing is trying to negate Hashem's rule over him. This opens the door to full punishment because even if he knew the difference, he would not "choose life." It is not Hashem treating him harshly, but righteously, based on the man's own decision.

What this shows us, however, is that the opposite is also true. Even if you haven't reached the point where you are consistently defeating the Yetzer Hara and avoiding sin, but you are of the mindset that you want to get there, then Hashem can treat even more egregious sins as if they were errors. When you decide to repent out of love of Hashem, those sins can even become mitzvos at they were the stepping stones that led you back to Him. Hashem is merciful because he doesn't require perfection, but instead just the desire and the will to perfect ourselves. And it's all up to us.

R' Noach Weinberg z"l, who devoted his life to teaching people how to return to Hashem and how to teach others to do the same, was once approached by a fellow who told him, "I don't need your Yeshiva. I already have a great relationship with G-d. He loves me the way I am and does miracles for me." Impressed, R' Noach asked for details.

"I ride a motorcycle," he explained. "Once, I was riding on a narrow road and a truck came around the corner out of nowhere. I swerved and went over a cliff. As I began to fall, I called out to G-d to save me. Suddenly, my bike caught between two rocks and I was thrown into a soft hedge. I lived to tell the tale. See? G-d does miracles for me. I don't need to learn your Torah."

R' Noach smiled, then asked the young man: "And Who do you think sent the truck? Do you want Hashem to send you another reminder of how much He loves you?"

RABBI DAVID LEVIN

A New Covenant of Responsibility

Parashat Nitzavim begins with a sequence of people, presented in an apparent order. "You are standing today, all of you, before Hashem your Elokim: the heads of your tribes, your elders, and your officers – all the men of Yisrael; your small children, your women, and your convert who is in the midst of your camp, from the hewer of your wood to the drawer of your water. For you to pass into the covenant of Hashem, your Elokim, and into His imprecation that Hashem, your Elokim, seals with you today. In order to establish you today as a people to Him and that He be a for an Elokim to you, as He spoke to you and as He swore to your forefathers, to Avraham, to Yitzchak, and to Ya'akov. Not with you alone do I seal this covenant and this imprecation, but with whomever is here, standing with us today before Hashem, our Elokim, and with whomever is not here with us today."

As we see from the quoted text, the paragraph can be divided into two parts: (1) the ordered list of people who are standing before Hashem, and (2) the reason for this gathering of all the people. Still our Rabbis ask why it was necessary for another covenant. The B'nei Yisrael had already sealed a covenant with Hashem at Har Sinai, prior to the Golden Calf. The Kli Yakar explains that this covenant had been abrogated by the sin of the Golden Calf, so a new covenant was necessary. The Ohr HaChaim uses the listing of all the groups to suggest that the purpose of this new covenant was to foster a sense of responsibility from each Jew towards his fellow Jew: "Kol Yisrael areivim zeh lazeh, all of Yisrael is responsible one for another." This sense of responsibility flows from the highest levels to even those who are not Jewish but live within our communities (hewer of wood to the drawer of water).

It is clear from the structure of the sentences that there is a division within the listing of people who were standing before Hashem. The first pasuk describes the leaders of the tribes, the elders, and the officers. These are the three most respected and visible members of the B'nei Yisrael. They are followed by the category "all the men of Yisrael." Rashi tells us that the most important people were listed first, and only afterwards do we have "all the men of Yisrael." The Ramban explains that these people were on a much higher level because of their leadership and because of their responsibilities. Moshe could have simply said "all the men of Yisrael," and that would have covered the leaders also. But by drawing the distinction between those of greater responsibility and lesser responsibility, Moshe emphasizes the task of the leaders but does not diminish the task of those with who are not in charge.

The order of the leaders is not random. The Torah is very clear that the heads of each tribe precede the elders who precede the officers. Rashi explains that those who had greater prominence stood closer to Hashem. The Ohr HaChaim explains that the people were placed in the order of how many people they were in a position to influence. The leaders of the tribes could reach many more people than the common laborer. HaRav Zalman Sorotzkin explains that the order involved much more than a question of greater and lesser importance. "There are those that say that there is no comparison between a simple man who

accepts upon himself the oath to guard all that is required of him as a Jew, to the leader of a tribe, an elder, or an officer who accepts upon himself not only to guard this covenant as a Jew, he must also extend his Faith and his observance of the mitzvot on a higher level and fulfill his responsibilities straightforwardly with a perfect heart." HaRav Sorotzkin compares the leader to one who leads the prayers for Rosh Hashannah. He must personally be a man who has many worthwhile characteristics and actions so that his prayers can influence Hashem's acceptance of all the congregation's prayers.

HaRav Sorotzkin continues with his description of the responsibilities of the elders. These elders are not the same as the elderly, though by their seniority and their experience have risen to lead. But the term, "elders", carries with it an additional responsibility that is tied to the word "z'keinim, elders or wise men." In Hebrew, zakein is also used to mean wise in Torah learning. The "elders" often acted as the Sanhedrin, the court system, as their knowledge of Torah Law was significantly greater than the average person. These elders had to guard the laws but also had to influence others to emulate their observance. Their judgments had to be correct and their decisions precisely within the Law. If the leaders were corrupt, willing to accept bribes and pervert justice, they not only corrupted themselves but suggested to others that the Law was unimportant. The officers who carried out the judgments had to guard themselves from corruption as they were also to be emulated.

The next set of categories involve those who are not commanded in every mitzvah because of their "status." "Your children and your wives" are not commanded because children are not yet of the age to be commanded, and women are not commanded in mitzvot that have a fixed time for their observance. This was done to enable women to nurse their children and deal with things that would make them ritually unclean, precluding certain observances. It should be noted that here the children are mentioned before the mothers, because the male children will grow and become commanded in all mitzvot. A convert is not commanded on an ancestral plot because he does not belong to any particular tribe. He can purchase land, but will never have ancestral land. He is praised for being "in the midst of your camp", meaning that he wishes to be a full convert and not just a temporary resident.

There were others (Canaanites) who came to Moshe and wished to convert. Moshe did not accept them as full converts, as their intentions were not to accept Hashem and His Law, yet they were willing to live within Hashem's Law to avoid being exiled or killed. Much as we find later with Joshua and the Giveonites, Moshe insisted that they be circumcised and live within the law, and assigned them the tasks of cutting down wood and carrying water for the tribes. The only alternative would have been to have them killed.

We have already seen what the Kli Yakar and the Ohr HaChaim state as the reason for this new covenant. Still another reason is found in the words of the Torah. Hashem obligates Himself to this covenant even with future generations, "and with whomever is not here with us today." We who were not present are also part of this covenant, obligating us and Hashem to our sides of the bargain. May we be capable of fulfilling our task so that all of the B'nei Yisrael will reap the rewards promised us. But this must be done within the sense of responsibility for our fellow Jews. "Kol Yisrael areivim zeh lazeh."

RABBI AHRON LOPIANSKY

TorahWeb

"I have set before you life and death, blessing and curses, choose life so that you and your children live" (Devarim 30:19). When looking at this parsha, the exhortation to choose life seems to be just another prompt to do the right thing; instead of "to choose" I could have said "to do" with a similar meaning. It actually is the only place in the Torah where "bechirah" is used in the sense of "human free will." [We do find it in regards to Hashem's choices, and to "choose men" which really means "to examine and decide who is fit".]

Moreover, it does not seem to be the precise term. When someone is confronted with a choice between two positive values, then the exhortation "to choose" is in place. Thus, if a person is struggling between two honorable professions, I may tell him, "you must choose between profession A or B." But if someone is lazing off, and I reprimand him and tell him, "you must choose between an honorable profession or a life in the gutters", I am not really referring to "making a choice." What I mean to say is "It is obvious that you want a normal life. You must do better to get there." Isn't that in effect what the Torah is telling us? After clarifying that a Torah life is "life" and "blessing", while the opposite is "death" and a "curse", is it choosing that is necessary, or action?

There is another important reference that seems to reinforce the problem. Rabbeinu Yonah (Shaarei Teshuva 3:17) talks about the importance of doing positive mitzvos (mitzvos aseh). He says that all of the positive virtues of Torah are to be found in the positive miztvos, such as talmud Torah, fear of Hashem, love of Hashem, etc. He also includes "and you shall choose life" in the same category! This is strange. How does it become a specific commandment, on par with love and fear of Hashem?

It seems that Rebbeinu Yonah understands the injunction of "and you shall choose life" not as a generic exhortation to do what's right, but rather a specific commandment to do it not out of habit, nor because of

the flow of society, but rather because of choice. This means that a person ponders what is the meaning and purpose of life, what is the good that is the essence of life, and accomplish it out of recognition and cognizance, rather than our of rote and habit.

This understanding gives us insight into the flow of Yamim Noraim. We are focused on Yom Kippur and Aseres Yemei Teshuva. The teshuva process makes sense to us. We have done wrong, and we need to rectify what we're doing wrong. But Rosh Hashana somehow is hard to reconcile with this. There is no mention of sin, nor really of teshuva, except in an incidental way.

Perhaps Rosh Hashana is the day for "choosing life". It is a day that focuses on Hashem as Creator, man as his primary creation, and the expectations of man as the focus of all of creation. It sets the basis for our fulfillment of mitzvos, and the wrong done by not sufficiently accomplishing what is incumbent upon us. If we choose life, then im yirtzeh Hashem we will be zocheh that Hakadosh Baruch Hu endows life upon us.

RABBI NAFTALI REICH

Legacy

The Torah calls the day of Rosh Hashana "a day of blowing" which signifies the pivotal importance of the shofar to the Day of Judgment. The shofar is the seminal mitzvah around which everything else evolves. This is somewhat baffling. Against the awesomeness of the Day of Judgment, the shofar would seem to be a minor ritual. Why then the special status and fanfare attached to it?

The commentaries tell us that the shofar calls to mind the story of the akeida in which our patriarch Avraham, after attempting to fulfill Hashem's request to offer up his beloved Isaac as a sacrifice, found an alternate way to give expression to his overflowing love of his Creator.

Avraham noticed a ram caught in the bushes and offered it up as a sacrifice in place of Yitzchok. [Far from being a 'chance' occurrence, the ram had been placed in that very spot by Hashem. One of its horns will one day be used to announce the arrival of Moshiach, our sages tell us.] With the blowing of a ram's horn on Rosh Hashana, we recall the historic event of the akeida in which Avraham rose to unparalleled spiritual heights.

Yet, the precise connection between the mitzvah of shofar-blowing on Rosh Hashana and the gripping story about Abraham's devotion and self-sacrifice remains elusive. What does this story have to do with the awesome Day of Judgment?

The Torah tells us that G-d created mortal physical man from earth and dust collected from four corners of the earth, and invested within him a living spirit by blowing into his nostrils "a breath of life" (Genesis 2). As a result of the blend of the physical and spiritual components of his makeup, man is a hybrid; part physical matter and part G-dly.

We struggle with the innate conflict of our bodily desires and yearnings with our spiritual strivings throughout our earthly sojourn. Each person must decide for himself which force he will make the predominant one in his own life. Are we material creatures seeking to better our physical standard of living, climbing the ladder of financial success, and ensuring that we have more glitter than our neighbors? Or, is our primary drive focused on giving expression to the neshama within us, the vibrations of our conscience that direct us heavenwards towards an eternal bond with our Creator?

Our neshama yearns to connect to its creator while assigning the body to a secondary role in our time here in this world. On Rosh Hashana, as we commit ourselves to a new year, we reinforce our determination to allow the needs of our neshama to take center stage. We reconnect our soul-implanted in man with the 'breath of life' from the Creator-with its heavenly source.

How can one translate these spiritual impulses into a medium that speaks to the concrete and physical part of our existence? How can we "kiss" the Divine, so to speak, and find Him in both the oppressive monotony and the churning maelstrom of day-to-day existence?

The shofar is the ideal expression of the soaring impulses that overtake us on the Day of Judgment. Avraham was willing to sacrifice his closest and most beloved son with unflinching devotion. When he was restrained from doing so, he expressed his love with the sacrifice of the ram. Part of that ram-the symbol of fierce love of G-d-remains with us: the horn we blow each Rosh Hashana. The shofar is the conduit through which we lovingly demonstrate our willingness to transform the breath of life with which Hashem animated us-our souls-into our predominant life force, while the body assumes an accessory role.

The shofar is thus the perfect instrument through which we can "pour back" our essence to its heavenly source. Like our forefather Avraham, we use this instrument to demonstrate that for the coming years, our goals and ideals will align with spiritual imperatives, rather than physical ones.