

Yad Avraham Institute
Weekly Torah Commentaries Series
The Portion of
Nitzavim-Vayeilech

September 10, 2009

Presented By: Rabbi Yosef Kalatsky, Shlita

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About the Yad Avraham Institute

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Yad Avraham Institute
New York
September 10, 2009

B"H

Nitzavim-Vayeilech

Presented by

Rabbi Yosef Kalatsky, *Shlita*

Dean

1. Touching One's Essence

The Torah states, **“Moshe said to the Jewish people, ‘You are to know this day and take to your heart that Hashem is the only G’d in heaven above and on the earth below – there is none other.’”** One must not only intellectually understand and know that G’d is the Almighty and there is none other than He, one must internalize this fact to the essence of his being. Without the internalization of this reality, one may understand many truths but will not sense or feel them because it has not been integrated into his being.

The Torah tells us that during the first day of Chol HaMoed Succos of the eighth year of the Sabbatical cycle, the entire Jewish People; men, women, and children, must gather on the Temple Mount to hear the reading of the Book of Devarim (Mishna Torah) by the King of Israel. This Positive Commandment is referred to as *Hakheil*. The Torah states that the purpose of this reading is, **“So that they (the Jewish people) should listen and learn to fear Hashem, your G’d and be careful to perform all the words of this Torah.”** The objective of the mitzvah of *Hakheil* is to instill the fear of G’d into the hearts of the Jewish people. As a result of this reverence, they will observe the dictates of the Torah properly.

The Torah states regarding the Sabbatical year that the Land of Israel must remain fallow and one is not permitted to engage in agricultural pursuits. The Sabbatical year is referred to by the Torah as, **“Shabbos L’ashem (A Sabbath for Hashem)”**. Sforno in his commentary explains that **“Shabbos L’ashe.”** is a year that one should be dedicated to Torah study, introspection, and meditation. The Sabbatical year should be devoted completely to spiritual growth. It is after this year that the Jewish people gather on the Temple Mount in order to hear the King of Israel read Mishna Torah to learn to revere G’d and keep His Torah.

According to the understanding of **“Shabbos L’ashem”**, that the Sabbatical year is a time that is

designated for spiritual immersion, it would seem the mitzvah of *Hakheil* should precede the Sabbatical year rather than follow it. If the purpose of the reading of Mishna Torah on the Temple Mount was to inspire the people to fear G’d to keep His Torah, it would seem that one should first hear the reading of the king to be inspired and subsequently fully dedicate the following year (Sabbatical year) to address one’s spiritual needs. Yet, the Torah states that this is not the order. Why is this so?

For one to have the capacity to internalize and be a beneficiary of an experience one must have a certain degree of orientation and spiritual preparation for that. In order to commence this process one must dedicate a full year to spiritual growth and development through the study of Torah, meditation, and introspection. This should be done without any distraction whatsoever. It is truly a year dedicated only for G’d (**Shabbos L’ashem**). After dedicating a year in this context, one must experience Rosh Hashanah (the Day of Judgment), the Ten Days of Penitence, culminating with Yom Kippur, during which one is spiritually purified before G’d. As it states, **“Before G’d you shall purify yourselves.”** It is only after all of this spiritual preparation that one does have the capacity to be a beneficiary of the *Hakheil* event. At that moment, this experience will be internalized and cause one to have reverence for G’d. Because the individual had a spiritual orientation preceding this event, he had the capacity to fully absorb what he had heard on the Temple Mount. He will then truly appreciate and understand the difference between right and wrong.

Although we know that Rosh Hashanah, the Day of Judgment is approaching and we hear the sound of the shofar every morning, it is not enough to intellectually understand that this awesome day is coming upon us. One must sense its profound importance. One must seek ways to internalize the true meaning and significance of standing before G’d in judgment. It is a day that even the angels in heaven tremble from G’d’s exacting judgment. One must therefore, prepare oneself for this day by engaging in Torah study in a more focused and undistracted setting. One must introspect in order to have an appreciation of the

culpability and liability regarding one's past failings. Only with a sufficient degree of preparation will one be able to maximize on the opportunity to be affected by the Day of Judgment and the days of penitence, which follow. By taking this spiritual initiative, one will merit a year of life and success.

2. *The Far-Reaching Consequences of Responsibility*

The Torah tells us in the Portion of Nitzavim that the Jewish people entered into a covenant with G'd in which every Jew is responsible for his fellow. This responsibility is referred to as "*areivus*" (*kol Yisroel areivum zeh lah zeh* – everyone is responsible for his fellow).

The Mishna in Tractate Rosh Hashanah tells us, regarding the obligation of hearing the shofar, that one can fulfill his obligation by hearing its sound when it is blown by his fellow. In order to bring this about, the one who is blowing the shofar must have in mind to cover the individuals who are listening to his blowing. In addition, the one who is hearing the sound of the shofar must have in mind to fulfill his obligation with the blast of his fellow. The Gemara explains that this law is based on the principle of "*shomeiah k'oneh* (the one who listens is the equivalent of the one who performs). If in fact every Jew has the obligation to blow the shofar in order to hear its blast, how could the mitzvah performance of one Jew effect the obligation of his fellow? The earlier commentators (Ran-Rabbienu Bar Nissim) explains that since each Jew is responsible for his fellow (*areivus*), to insure that he fulfills his Torah obligation, one can, through his own mitzvah performance, assist his fellow to fulfill his mitzvah obligation, if they both have the same level of obligation. (*shomeiah k'oneh*).

The Midrash states, "Each Jew is responsible for his fellow. Even if there is only one tzaddik that is found among the Jewish people, they will be able to stand in his merit. It is not only the Jewish people who benefit from the tzaddik, all the nations of the world are beneficiaries of his righteousness. As it states in Proverbs, 'The tzaddik is the foundation of the world...' Conversely, if one Jew were to sin the entire generation will be punished." The Book of Yehoshua tells us that in the battle of Ai there were thirty-six Jewish casualties. Prior to this, miraculously no Jew had been killed in battle. G'd had communicated to Yehoshua that the reason there were casualties in the battle was because "The Jewish people had sinned."

Someone had taken from the spoils of Jericho which they were not permitted to do so."

The Midrash continues, "If one Jew were to sin such as Achan Ben Zerach, who had taken from the spoils of Jericho, why should the entire Jewish people be held culpable for his failing?" Based on the principle of communal responsibility (*areivus*), since every Jew is responsible for his fellow, if one Jew were to sin all the people are negatively affected. The Gemara in Tractate Shavuos explains that the only time a community is culpable by the failure of a single individual is if the community had the ability to intercede and prevent the person from transgressing and they did not do so. However, if it was not within their ability to prevent the wrong from taking place, then only the transgressor is deserving of punishment. There are certain sins, such as taking a false oath, that negatively impact on all Jews, despite the fact that they were not able to prevent the violation. This is because the entire world quaked at Sinai when G'd gave the commandment not to pronounce His Name in vein.

Despite the fact that there is a principle of communal responsibility, it is difficult to understand why the Jewish people should have been held culpable for the failing of Achan who had taken of the spoils of Jericho. The Jewish people were not aware of his attempt to transgress and thus could not have prevented it from happening. We also see a similar situation regarding the sin of Dasan and Aviram in the desert. They had secretly gone out on Shabbos and planted the manna, which did not fall on the Shabbos. As a result of their transgression, the Jewish people were held culpable. As the Torah states, "**G'd said to Moshe, 'How long will the people sin against Me?.'**" How in these instances could the Jewish people have been held culpable for the sin of their fellow, if in fact they were able intercede to prevent these transgressions from taking place?

Had the Jewish people held themselves to a spiritual standard that any breach of law would not be tolerated, Dasan and Aviram would not have behaved as they had done, understanding the immediate consequence of their behavior. There were several instances in which Dasan and Aviram should have been reprimanded and punished by the Jewish people because of their inappropriate and destructive behavior, yet they were not. Their transgression with the manna was a direct result of the ongoing passivity of the Jewish people. This created an atmosphere of tolerance, thus allowing Dasan and Aviram to take liberties that they should not have. Therefore, the Jewish people were held culpable for Dasan

and Aviram's misbehavior. This is also true regarding the sin of Achan. The only reason he had considered taking of the spoils of Jericho was because he had believed that if his sin were to be discovered, he would not be treated as a pariah. Thus allowing this perception to exist caused the Jewish people to be culpable for his sin.

Based on the principle of "*areivus*" the entire world benefits from the tzaddik. Thus, when he passes away it is an incalculable loss for the Jewish people. The Gemara tells us that even if an upstanding Jew passes away "*adam kasher*" and one sheds tears, G'd collects those tears and saves them in His treasury. This is because those tears are precious to G'd because they are an expression of that individual's pain for the loss of the one who conformed to His Will. If a tzaddik passes away and the Jewish people do not properly grieve and mourn his loss, then it is a confirmation that they did not appreciate his value. They are thus not deserving of his merit.

The Gemara in Tractate Shabbos tells us that at the time of the destruction of the Temple, G'd had instructed the Angel of Death to paint the letter "tuf" in red on the foreheads of all the evil people (*reshaim*) so that they should be marked for death. However, regarding the tzaddikim (righteous people) G'd had said that the letter "tuf" should be written in black to indicate that they should be spared. The Attribute of Justice came before G'd and said that the tzaddikim should also be marked with the letter "tuf" in red (for death) because they did not intercede and protest when the evil ones were sinning. They remained silent. Therefore they also deserved to die. G'd responded by saying that even if the tzaddikim had protested, their rebuke would not have been heeded. The Attribute of justice responded, "Although it is true what You say, the tzaddikim did not know that their rebuke would have been ignored and fallen on deaf ears. Since they did not protest, the tzaddikim also deserve to die because of their lack of initiative." G'd agreed and even the tzaddikim were marked with the letter "tuf" in red to be targeted for death.

Based on the principle of communal responsibility, every Jew is obligated to safeguard his fellow from transgression. In addition, the community must create and maintain an atmosphere that will encourage adherence to the Torah and a fear of violating it. It is only when each Jew truly feels responsible for his fellow will the Jewish people merit the ultimate redemption.

3. *The Root of All Evil*

The Torah states in the Portion of Nitzavim, "**Hashem, your G'd will circumcise your heart and the heart of your offspring, to love Hashem, your G'd, with all your heart and with all your soul, that you may live.**" Ramban explains, "G'd is guaranteeing that ultimately the Jew will return to Him with all of his heart. Since the beginning of Creation, it is within the choice of man to become righteous (*tzaddik*) or evil (*rasha*) as long as the Torah is in effect. G'd gave man an evil inclination so that he should live within the context of free choice. If man makes the proper choice, he is deserving of reward. Conversely, if he chooses to fail, he will be deserving of punishment. However, at the time of the coming of Moshiach, man will become naturally inclined to do only good. His heart will not desire or lust after anything that is not appropriate. This is what is meant by the verse, '**G'd will circumcise your heart and the heart of your offspring.**' It is lust and desire that are considered to be the covering of the heart (*orlas ha'lev*). When the heart will be circumcised that covering will be removed and man will revert back to the status of Adam, before the sin. Adam by nature gravitated only to goodness."

The Gemara in Tractate Sotah cites a verse from Proverbs, "The one who is arrogant/haughty is seen by G'd as an abomination." Why is this so? Arrogance gives one a sense of entitlement. Anything that the haughty individual desires is justified because he believes that it is his right to have it. Thus, arrogance is the basis for lust and desire.

Chazal tell us that the three most humble people to ever live were, Moshe, Avraham, and King David. Moshe, who was most special Jew and the conduit for the transmission of Torah, is not quantified as "devoutly righteous" or "pious." Rather, he is quantified as "the most humble person who ever walked the face of the earth" and "the servant of G'd." A slave is the chattel of his master. He has no independent value unto himself. His only purpose is to serve the master. Moshe had negated himself to the point that he did not exist for himself. Moshe had said, "*Nachnu mah – what are we (meaning he is nothing.)*"

Eliezer, who was the dedicated servant of Avraham, our Patriarch, identified himself only as "I am the slave of Avraham." Despite the fact that he was imbued with all of the Torah that he had been taught by Avraham, his master and thus radiated holiness, Eliezer

understood, because of his state of humility, that his only purpose was to serve his master.

The Torah tells us that if a Jew sells himself into slavery he is in violation of a Torah law. The verse states when the Jewish people were taken out of Egypt, "G'd said to the Jewish people, **'You are My servants.'**" The Gemara infers from this statement, "and not to be a slave of slaves." Before the redemption from Egypt, they were the slaves of Pharaoh. Their only value was to execute his orders and meet the quotas of bricks that he had imposed upon them. They were the equivalent of his chattel. However, after G'd had taken them out of Egypt, the Jewish people were no longer slaves of a mortal, rather, they were taken to be His subjects. Therefore, if a Jew chooses to become a slave, he is in fact disgracing G'd because it is clear that he does not appreciate his own innate value and status. The Jew must understand and appreciate that he is the equivalent of a prince, because he was chosen by G'd to serve the Master.

When one has a sense of arrogance, his focus is to satisfy his own needs. His desires because the priority. This pursuit of one's desires usurps the authority and rights of the Master. This allows the individual to justify anything that he feels entitled to. He is thus regarded in the eyes of G'd "an abomination." In contrast, Moshe, Avraham, and King David merited to be quantified by G'd as His servants. Because of their exceptional level of humility they recognized that they had no entitlement, but rather, it was the ultimate privileged and honor to serve the Master. At the end of time, G'd will remove the covering of man's heart. He will give mankind a clarity and understanding of who He is. Thus, the subject will understand that he is not entitled. Consequently, man will function as a dedicated servant to do the will of the Master.

Rambam writes in *Hilchos Deos* that the way one comes to love G'd is by recognizing G'd as the Omnipotent Being Who has infinite power. This realization will cause one to become negated and humbled. This state of mind will evoke the greatest level of love for G'd. When one recognizes G'd as his Maker, he can no longer be arrogant. Only then will mankind truly love G'd.

4. *Maintaining Order*

The Torah states, **"Hashem will establish you for Himself as a holy people, as He swore to you – if you observe (*tishmor*) the commandments of Hashem, your G'd and you go in His ways."** Ohr HaChaim HaKadosh points out that the language of the verse indicates that it is

referring to the Jewish people observing the negative commandments, as is indicated by the word "*tishmor*." It is only when they will not transgress the negative commandments that G'd will establish and maintain them as His holy people. Why is the spiritual profile of the Jewish people contingent on their observance of the negative commandments and going in His ways? Why is the performance of positive commandments such as study of Torah, eating of matzah, lulav, tefillin, etc. not necessary for them to maintain their sanctified status?

The Midrash tells us that the 365 (*shasah*) negative commandments of the Torah correspond to the solar year, which is comprised of 365 days. The 248 (*ramach*) positive commandment of the Torah correspond to the limbs and organs of the human being. Maharal of Prague explains the conceptual difference between a positive commandment and a negative commandment. The connotation of a negative commandment is when one is told to refrain and not transgress a law it is because the consequence of that transgression will bring about a negative result. It will diminish and compromise the spiritual makeup of that individual. A positive commandment, on the other hand, is to advance the spiritual position of the individual through the fulfillment of a mitzvah. The "do" commandment connotes that the individual will gain by performing the positive act.

Maharal of Prague explains that when Chazal chose to equate the 365 negative commandments to the 365 days of the solar year, it is not for the sake of a mnemonic, but rather for something that is more profound. It is to communicate to us that just as the order of physical existence is based on the rotation of the earth, which is a 365 day cycle, identically the spiritual order of the Jew is based on observing and living within the context of the 365 negative commandments. If the order of existence would be disrupted it would result in destruction. Similarly, if the Jew would compromise himself through transgressing the negative commandments he will be diminish his spiritual profile. For the Jew to retain and be worthy of being seen by G'd as His holy people, he must live within the context of the 365 negative commandments. It is only then that the Jewish people will be able to have their relationship with G'd.

The basis of the holiness of the Jewish people is G'd's relevance to them. With whatever G'd identifies and associates Himself, it assumes a holy status. As the Torah tells us that when the Divine Presence descended upon Mt. Sinai it assumed a holy status. However, after G'd had ascended and departed from that location, the mountain returned to its ordinary status. It is only when the Jew lives

within the spiritual infrastructure of 365 negative commandments does he retain a holy status. It is only then that G'd will have relevance to him. Therefore, Moshe tells the Jewish people, **“Hashem will confirm you for Himself as a holy people, as He swore to you – if you observe (*tishmor*) the commandments of Hashem...”**

The verse continues, **“...and you go in His ways.”** In addition to observing the negative commandments, the Jew must also emulate the characteristics of G'd. There is a positive commandment in the Torah, **“You shall walk in His (G'd) ways.”** A Jew is obligated to emulate G'd. As the Gemara explains, “Just as He is Merciful, you should be merciful. Just as He is Gracious, you should be gracious, etc.” By emulating G'd's characteristics, the Jew establishes a commonality with G'd, through reflecting His ways. Thus allowing him to secure his relationship with the Omnipotent One. However, this is only possible if the Jew does not forfeit his spiritual posture as G'd's people.

5. *The Ten Days of Repentance*

Rambam writes in the Laws of Repentance, “Although repentance and supplicating G'd is valuable and beneficial throughout the year, during the ten day period from Rosh Hashanah to Yom Kippur it is exceptionally beneficial. During this special time, one's repentance and supplications are accepted immediately by G'd. As the Prophet Yeshaya said to the Jewish people, ‘You should seek out G'd when He is found. Call to Him when He is close.’” Although one can repent and call out to G'd throughout the year, the repentance and supplications may be rejected because of lack of worthiness. However, during the ten day period between Rosh Hashanah and Yom Kippur, because it is a time of intense Mercy, one's repentance and supplications will be accepted by G'd. He is more receptive to the prayers of the Jewish people at this time than any other time during the year. Where do we see G'd's immediate receptivity from the words of the Prophet Yeshaya?

Rambam writes that before one repents, “He is despised, putrid and an abomination before G'd. As it states, ‘Your sins create a barrier between you and G'd.’ If one is tarnished by sin, when he performs a mitzvah G'd rejects it and it is thrown back at the individual....However, after one repents, one is regarded by G'd as beloved, precious, and special. Through repentance, the individual becomes close to G'd.” When one repents, his supplications are immediately received by G'd because he is close to Him. Thus, it is a time “when G'd is found.” It is through repentance that one removes

all obstacles and obstructions between himself and G'd. He is endeared to his Creator. Therefore, the Prophet writes, “You should seek out G'd when He is found.” Meaning, one should supplicate G'd after repenting because it is then that He will be close- thus allowing one's repentance and supplications to be received.

The Gemara tells us that during the ten-day period between Rosh Hashanah and Yom Kippur, G'd is closest to the Jewish people. G'd has an exceptional level of love and intimacy with His people during this time. Rosh Hashanah, which is the first day of the ten days of repentance, is the Day of Judgment, when even the angels in heaven tremble with fear because of G'd's Judgment. If there is such a level of exacting judgment at this time, how could the repentance and supplication of the Jew be accepted immediately by G'd? Seemingly, if one's repentance and supplications were not at the most perfect level they would be rejected. It implies that although Rosh Hashanah is a day of intense judgment, it is also a time of exceptional mercy. How do we reconcile these two realities?

Rosh Hashanah is a time of the most intense level of judgment. It is a time when satan is permitted to prosecute the Jewish people. Nevertheless, they have a mechanism that can silence that prosecution. Judgment can only be invoked and implemented if the prosecutor is allowed to deliver his prosecution before G'd. However, when the shofar is blown, the Midrash tells us, “G'd stands from His Throne of Judgment and sits on His Throne of Mercy.” Once prosecution is silenced, the Mercy of G'd comes into effect on a most profound level. This comes about when G'd sits on His Throne of Mercy as the King of all existence. Because G'd becomes close to the Jewish people it is a time when “He is found.” Consequently, G'd accepts one's repentance and supplications immediately. The sound of the ram's horn reminds G'd of Avraham's exceptional sacrifice at the time of the Akeidah (the binding of Yitzchak). It is in this merit that the sound of the shofar has the ability to silence the prosecution against the Jewish people until the end of time. It is cited in the work *Yesod v'Shoresh ha Avodah*, that although one does not verbalize one's repentance on Rosh Hashanah, one should undergo its process by thinking about all of one's failings and repenting in one's heart, while the shofar is being blown. One should have a sense of remorse for the wrong that he had done and commit himself never to repeat it in the future. When G'd sees that His children are engage in repentance, He is attentive to their prayers. One must therefore take advantage of this opportunity that is at hand.