

Nitzavim: 381st day (of 383); 55th Shabbat (of 55) of 5765 • 5/6 Avot • Vayeilech: 5th day (of 354); 1st Shabbat (of 50) of 5766

וְשִׁבְתָּ עֲדָהּ א' לַהֲיָהּ וְשִׁמְעֶתָ בְּקוֹלוֹ... דְּבָרִים לֵב

T'shuva's Significant Partners

Rambam's Hilchot T'shuva consists of 10 chapters. After the first four chapters which deal with different facets of Repentance, the Rambam introduces a different concept in Jewish Life - Free Will. Two chapters are devoted to this topic. In addition to presenting the idea of Free Will, the Rambam tries to explain the existence of Free Will in light of many p'sukim which seem to point to predetermination or at least the lack of Free Will.

In chapter 7, Rambam explains why the concept of Free Will is so important in Jewish Life and why the topic is presented specifically in The Laws of Repentance. He says that it is precisely the fact that human beings have Free Will, that there is such a thing as T'shuva. Without real choice on the part of the individual, there would be no meaning to Repentance. If a thief had no choice in his behavior, then he also has no accountability and responsibility for what he does.

But we do have freedom to choose what we do. And therefore, we are accountable for what we do, and therefore we have the challenge and obligation to change our ways for the better, to do T'shuva.

Rambam then says that not only is T'shuva real because of our Free Will, it is exceedingly important because of how powerful it is. What it is capable of achieving for the individual (the community and the World).

The final three chapters of Rambam's Hilchot T'shuva explore yet another topic - Reward and Punishment, with a specific focus on the World to Come. This too is not a digression from the T'shuva theme of this section of Rambam's Mishneh Torah, it is part of the package deal. Free Will with accountability, with reward for mitzvot and punishment for sins, combine to make T'shuva so important.

All three concepts are presented in little 40-pasuk Nitzavim, the sedra that is ALWAYS read on the last Shabbat of the year, the Shabbat before RH.

Word of the Month



A weekly feature of Torah Tidbits to help clarify practical and conceptual aspects of the Jewish Calendar, thereby better fulfilling the mitzva of HaChodesh HaZeh Lachem...

As mentioned in last week's **PLACOID TT**, the molad of Tishrei is **GANOID** before noon on **MON**, which would usually mean that **RH** **CYCLOID** would be **MON** (and **TUE**), **CTENOID** but that would result in shortening **5765** to **382** days, which cannot be. Therefore, the very rare **D'CHIYA** (postponing rule for the fixing of **RH**) is applied, and **RH** is fixed at **TUE** (and **WED**).

Minhag Yerushalayim is to say **Kiddush L'vana** as soon after **3** full days after the molad as possible. Even in Tishrei, when the most common custom is to wait until motza'ei Yom Kippur for **KL**. First op for Minhag Yerushalayim is **THU** Oct. 6.

Because **THU** is a fast day, it is proper to say **KL** only after breaking one's fast.

As mentioned, most people/shuls wait until after Yom Kippur. In that case, it is not necessary to say havdala and break one's fast before **KL**.

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See elsewhere for candle lighting and havdala for Shabbat Parshat Nitzavim, Rosh HaShana, and Shabbat Parshat Vayeilech

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and a
שָׁנָה טוֹבָה וּמְתוּקָה

OTHER Z'MANIM
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Ranges: **THU-TUE 25 Elul - 8 Tishrei (Sep29-Oct11)**
Earliest Talit & T'filin - 5:42-5:50am 13-day range
Sunrise - 6:31½-6:39½am Subt. 1 hr from Oct.9
Sof Z'man K' Sh'ma - 9:30-9:32am (8:45-8:48am)
Sof Z'man T'fila - 10:29-10:30am (10:00-10:00am)
Chatzot (halachic noon) - 12:29½-12:26pm
Mincha Gedola (earliest Mincha) - 1:03-12:56pm
Plag Mincha - 5:13-5:00pm
Sunset - 6:31½-6:16½pm (6:27-6:12pm)

In the Wolinetz Family Shul
OHEL SHMUEL (entrance floor)
Nitzavim:
Last Early Shabbat of the season
Mincha 4:57pm (15 min. before Plag)
Shabbat 4:45pm (Mincha 5:45pm)
Rabbi Simcha Krauss

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The ParshaPix is for both Nitzavim and Vayeilech

NITZAVIM STATS

51st of the 54 sedras; 8th of 11 in D'varim

Written on 87 lines in a Sefer Torah (rank: 52)

4 Parshiyot; 1 open, 3 closed

40 p'sukim - ranks 53rd (10th in D'varim)

657 words - ranks 51st (8th in D'varim)

2575 letters - ranks 51st (8th in D'varim)

Only Vayeilech has fewer p'sukim than Nitzavim, but in words and letters, Nitzavim also beats out Haazinu and Vzot HaB'racha. Ironically, Nitzavim's p'sukim are longer than those of any sedra in the Torah except for Vayeilech. In lines in a Sefer Torah, Haazinu has more than Nitzavim because of the extra blank space in the special way Haazinu is written in a Torah.

MITZVOT:

none of the 613 are found in Nitzavim; some mitzva-counters count T'SHUYA as a mitzva from this sedra, but Rambam & the Chinuch do not.

Aliya-by-Aliya Sedra Summary

Numbers in [square brackets] are the Mitzva-count of Sefer HaChinuch AND Rambam's Sefer HaMitzvot. A=ASEI (positive mitzva); L=LAV (prohibition). X:Y is the perek and pasuk from which the mitzva comes.

[P> X:Y (Z)] and [S> X:Y (Z)] indicate start of a parsha p'tucha or s'tuma respectively. X:Y is Perek:Pasuk of the beginning of the parsha; (Z) is the number of p'sukim in the parsha.

Kohen - First Aliya - 3 p'sukim - 29:9-11

[P>29:11] Having so recently heard the frightful Tochacha and the curses that are invoked against those who betray G-d, Israel is understandably "nervous" about its future, to say the least. Nitzavim therefore, begins on the positive, reassuring note that we are ALL standing before G-d and entering again into a covenant with Him. These opening p'sukim call our attention to the "inclusiveness" of the People of Israel. We are made up of scholars and leaders, judges and functionaries, men, women, and children, converts, wood cutters and water gatherers (Ashkena- zim and S'faradim, religious and secular, Mitnagd'im and Chasidim). But together they all stood to reaffirm their commitment to G-d. Jewish Unity has always been our strength, its lack, our greatest weakness.

SDT Rav Aharon of Karlin pointed out that ATEM is made of the letters of the word EMET, truth. This, he said, is the only way to achieve LIFNEI HASHEM, to stand before G-d.

SDT The Alshich points out that the Torah describes the People as "all of you, before G-d", and then proceeds to delineate different types of Jews. Before G-d, we ARE all the same. Whatever differences might exist pale into insignificance in comparison with the fact that we are all G-d's creations. Differences become important from our perspective. We view some people as more valuable than others. But we really have no way to know how G-d views us. In His eyes we are all standing erect this day...

Levi - Second Aliya - 3 p'sukim - 29:12-14

And there is more. The second three-pasuk set proclaim that it is not just the entire People of Israel who were alive at the time, who are making this covenant with G-d, it is also our ancestors to whom G-d made His special promises, and to the generations of Jews in the past AND the future, whose spirit (souls) were present at this covenant.

Perhaps this is the meaning of the prophecy to Avraham Avinu that his descendants will be as countless as the stars of the heavens. Take the millions of Jews alive today, add the millions who have preceded us, add the - how many more? - future generations, and we can truly be called "without number". Nations that have come to an end, can be numbered. An eternal people cannot ever be counted.

Shlishi - Third Aliya - 14 p'sukim - 29:15-28

As he has done several times before, Moshe Rabeinu presents both sides of the covenant with G-d before the People: You have been in Egypt and you are aware of their abominable practices and those of the other nations which you have encountered. Perhaps there is a rebellious individual among you who will turn from G-d and embrace another faith.

SDT *The phrase describing what we would today refer to as a "rotten apple" is "Shoresh Poreh Rosh V'laana", literally a poisonous root of gall and wormwood. The initial letters of this phrase rearrange to spell SHOFAR, the antidote to this negative facet of Jewish life. The Shofar must awaken the one who stray and start him on the road of T'shuva.*

A person who turns to another religion will be severely punished, even if he thinks otherwise. These p'sukim are a miniature version of the Tochacha from last week's reading.

The portion concludes with the statement that there are mysteries of this world that are G-d's and there are revealed truths that belong to us and our children. Our challenge is to remain faithful to the Torah.

This pasuk has wide applications. In all areas of human knowledge - science, math, history... - there are mysteries and there are revealed truths. But remember, today's mysteries can be revealed tomorrow, next year... or never.

R'vi'i - Fourth Aliya - 6 p'sukim - 30:1-6

[S>30:1 (10)] From the perspective of absolute justice, if we break the terms of our agreement with G-d, punishment should be swift and complete. But we could not survive such an existence. This portion of Nitzavim tells us that if (when) we break the covenant and are dispersed among the nations of the world as punishment, all hope is not lost. We have the golden opportunity to return to G-d - and He will help the process along. This too becomes part of the agreement with G-d. The concepts of return in a physical and spiritual sense are intermingled in this Torah portion.

The wayward Jew turning back towards HaShem and the Torah, and the exiled Jew to a distant land coming back to Israel are presented simultaneously. This represents the dual nature of T'shuva. What a wonderful opportunity beckons each Jew - and the Jewish People as a whole - in being given a second chance to live a true Torah life.

MITZVA WATCH

Rambam and Sefer HaChinuch (and others?) do not count T'SHUVA per se among the 613 mitzvot. Sefer HaCharedim, the Sma"K, and others do count T'SHUVA as one of TARYAG. One can say that Rambam counts only specific, distinct mitzvot. A command which is

all-inclusive, such as "Keep My mitzvot", "Be holy", "Be straight-forward with G-d", is not numbered on its own, because it is really part of all other mitzvot. T'shuva can be viewed like that. Part of the mitzva to Recite the Sh'ma is that if one does not, or does it without kavana, then he must repent his ways and say the Sh'ma correctly. Part of the prohibition of eating non-kosher is that if one does, then he must repent. More than T'shuva being its own mitzva, it is an add-on to all the others.

Or, we can look at T'shuva as a gift from G-d. He doesn't HAVE to command it. He just has to let it be possible. And we should jump at the opportunity. The Torah does not have to command us to breathe. We do it because it is helpful to living. So is T'shuva. The Torah doesn't have to tell us to repent, just how to do it. On the other hand, there is one aspect of T'shuva that IS counted by Rambam as a mitzva among the 613 - Vidui, verbal confession. This is a specific aspect of T'shuva that DOES "qualify" for the Rambam's count. And yet, as mentioned earlier, some mitzva-counters DO count T'shuva among the 613.

The last pasuk of the portion contains one of several ELULs, in the form of Rashei Teivot, initial letters. And G-d will circumcise ET L'VAVCHA V'ET L'VAV zar'echa, your heart and the heart of your children. Baal HaTurim actually says that this is why we say Slichot during Elul.

Chamishi - Fifth Aliya - 4 p'sukim - 30:7-10

If (when) we return to G-d, then G-d will rain the curses upon our enemies. We have only to be faithful to HaShem and keep His mitzvot, and all His blessings will be showered upon us. Again a "pitch" is made for T'shuva. And again. And the T'shuva should be completely sincere.

Shishi - Sixth Aliya - 4 p'sukim - 30:11-14

[S>30:11 (4)] But how can we hope to keep our part of the agreement? Is not the Torah so exalted and remote that a mere mortal has no chance of attaining spiritual heights? The answer is eloquently stated in the famous words of the Torah - For this mitzva is not in the heavens nor is it across the ocean. It is so very close and attainable that every Jew can feel confident in taking up its challenges. It is up to us to make the commitment, feel it in our hearts, and ACT upon it.

Sh'vi'i - Seventh Aliya - 6 p'sukim - 30:15-20

[S>30:15 (6)] The concept of Free Will is beautifully expressed in the concluding portion of Nitzavim. It marks the difference between human beings and all other creations. The sun and the moon "fulfill" G-d's commands without conscious decisions. A bee doesn't think things out and decide to pollinate a flower. Nor does a lion attacking a weak zebra evaluate the morality of his act. Only humans have the choice to do good or evil. G-d

recommends and pleads with us to choose Life and Good, but He leaves the choice to us. That is why we are accountable for our actions; and that is why we stand before G-d in judgment on Rosh HaShana - animals do not. The choice is offered, but not only does G-d "command" us to choose Life, He warns us again of the devastating results of the wrong choice. Heavens and Earth are called upon to witness this most significant fact of human existence. It is the Land of Israel that is the "prize" for choosing wisely, as G-d had promised Avraham, Yitzchak, and Yaakov. G-d reconfirms His covenant and promises to us.

We have Free Will. We can be whatever kind of people we choose to be. We have His "recommendation" and encouragement to choose Life over Death, Good over Evil. Our proper choices will earn us long life and a firm hold on the Land that He promised our ancestors.

Let us heed the warnings of Nitzavim, let us be inspired by the beautiful challenges of Nitzavim, let us be uplifted by the lofty messages of Nitzavim, and let us have a "successful" Rosh HaShana and Yom Kippur, and a happy & healthy year of peace & prosperity.

Haftara - 23 p'sukim - Yeshayahu 61:10-63:9

Final of the 7 Haftarot of Consolation. Yeshayahu prophesies of the time to come when there will be universal peace and Jerusalem will not only be rebuilt, but will be the center of universal worship of G-d. But not only will the nations of the world recognize The One G-d, they will also acknowledge the People of Israel as His People. The idea of universal acceptance of G-d fits well with our notion that ALL people are judged by G-d on Rosh HaShana, not just the Jewish People.

Rosh HaShana Torah Readings & Haftarot

First Day...

1st Torah, B'reishit 21:1-34 (34)

According to Tradition, Sara Imeinu was "remembered" on RH, she became pregnant, and subsequently gave birth to Yitzchak, despite her advanced age of 90. On the first day of RH we read B'reishit 21, from Vayeira, about the birth and early years of Yitzchak, and about the Sara-Hagar-Yishmael episode. This first section of the reading is contained in a single Parsha S'tuma, is made up of 21 of the 34 p'sukim, and is divided among the first 3 of 5 Aliyot.

The last part of this reading is a single P'tucha of 13 p'sukim, about the treaty between Avraham and Avimelech. This part of the reading is divided between the last 2 Aliyot of the first Torah. Commentaries point out that it was in the merit of the prayers of Avraham on

behalf of the Avimelech's people, that his and Sara's prayers for themselves were also answered. This fits with one of the powerful themes and messages of RH, namely the power of prayer.

2nd Torah, Bamidbar 29:1-6 (6)

The Maftir is called to the second Torah and the first 6 p'sukim of Bamidbar 29 (in Parshat Pinchas) are read. The reading is about the Musaf of Rosh HaShana (mentioning that the Musaf of Rosh Chodesh is also brought on RH) and the mitzva of hearing the Shofar.

Haftara, Shmuel Alef 1:1-2:10 (38)

The Haftara of the first day of Rosh HaShana echoes and reinforces the theme of the Power of Prayer, as well as giving us another example of the "barren matriarch" who conceived after praying, It is the story of Chana, mother of Shmuel HaNavi. The silent nature of the Amida is attributed to Chana. The main connection to the Torah reading and the guiding force, so to speak, as to the choice of this haftara, is the story of a woman who was barren for a long time and then was blessed with a child. Sara in the Torah reading and Chana in the haftara, are joined by Rachel from the haftara of the second day. In a different way, we can add Yosef HaTzadik, who was also "remembered" by G-d. Tradition tells us that he was removed from prison to appear before Par'o on Rosh HaShana.

Second Day...

1st Torah, B'reishit 22:1-24 (24)

In the first Sefer Torah, we continue reading from where we left off on the first day. Five people are called to the Torah in the first Sefer. Perek 22 is the portion of the Akeida. It is arguably the most dramatic and emotion-evoking portion of the whole Torah. Tradition tells us that the Akeida took place on Rosh HaShana. ZICHRONOT (remembrances) is one of the three major themes of Rosh Hashana, and the Akeida is the main element of ZICHRONOT. Not only is it the topic of the Torah reading, but it is the basis of the choice of Shofar — namely, the Ram's Horn — and it is an oft repeated theme in davening.

We stand before G-d on Yom HaDin and we proclaim that we are not only the biological descendants of Avraham and Yitzchak (and Yaakov), but the spiritual heirs as well. We are not just telling stories; we are inspired to emulate our forefathers and develop a total commitment to G-d and Torah.

Perhaps it is much more than that. The old question about the zebra (of Shel Silverstein's poem), as to whether it is a black animal with white stripes or a white animal with black stripes, is very applicable to that average Jew. Each of us does mitzvot which earn us credit, so to speak, and sins that are held against us. Whatever the ratio, the question is what kind of Jews are we. Am I a good Jew with episodes of sin or am I a wicked Jew who does mitzvot from time to time. And this is not merely a matter of numbers. It is possible that we

are evaluated as good Jews who slip, even if the slipping is significant... because we are the descendants of the Avot and Imahot. This is part of why we mention the Akeida so often on Rosh HaShana.

2nd Torah, Bamidbar 29:1-6 (6)

The Maftir from the second Torah is the same as the day before - the RH Musaf.

Haftara, Yirmiyahu 31:2-20 (19)

Again, we find one of the matriarchs who was without child for a long time. This time, Rachel Imeinu represents the people of Israel (more specifically, the tribes of the kingdom of Israel, under the flag of Efrayim, sort of, who are in bad shape in their countries of Exile. The closing words of the Haftara contain G-d's promise of mercy.

Aliya-by-Aliya Sedra Summary

VAYEILECH STATS

52nd of the 54 sedras; 9th of 11 in D'varim

Written on 72 lines in a Sefer Torah (rank: 53)

3 Parshiyot; 2 open, 1 closed

30 p'sukim - ranks 54th (11th in D'varim)

553 words - ranks 53rd (10th in D'varim)

2123 letters - ranks 53rd (10th in D'varim)

Shortest sedra in number of p'sukim; longest p'sukim in the whole Torah.

MITZVOT: 2 of 613, both positive

Kohen - First Aliya - 3 p'sukim - 31:1-3

[P>31:1 (6)] Moshe Rabeinu concludes his words to the People and tells them that at his age of 120 years, he is no longer able to lead them.

And that G-d has told Moshe that he will not be crossing the Jordan River, so his journey is truly over. He tells them that G-d will be with them, destroy the nations that they will encounter in Eretz Yisrael, and that Yehoshua will be the one to lead them.

Levi - Second Aliya - 3 p'sukim - 31:4-6

Moshe reminds the People of the victories they have had, and tells them to be strong and courageous. G-d won't abandon them.

Shlishi - Third Aliya - 3 p'sukim - 31:7-9

[S>31:7 (7)] Moshe then speaks to Yehoshua in front of the assembled people, and asks him to be strong, for he will be leading the people and he will be in charge of conquering and settling the Land. G-d will be guiding

you "every step of the way".

When Moshe finished writing the Torah, he gave it over to the Kohanim, "the carriers of the Ark".

R'vi'i - Fourth Aliya - 4 p'sukim - 31:10-13

Moshe next commands the People concerning the mitzva of "Hak'hel" [612,A16 31:12]. On Sukkot following a Shmita year, when the people gather in Jerusalem for the Chag, the king shall read (parts of) the Torah to the multitude. The people are to gather at the Beit HaMikdash - men, women, and children - in order to learn, to fear G-d, to hear and understand, and to commit to fulfill all the teachings of the Torah. And the youngsters who have not yet learned, will hear and learn to revere G-d "all the days they shall live in the Land your are about to enter".

Chamishi - Fifth Aliya - 6 p'sukim - 31:14-19

[P>31:14 (17)] G-d calls to Moshe to take Yehoshua and appear with him at the "Ohel Moed". G-d's Presence descended to the Tent in the form of a Cloud.

G-d tells Moshe that after his death, the people will rebel against Him, stray from the proper path, and embrace other gods. G-d announces that He will show His anger by "hiding His Face" from them. This is a reference to the well-known "hester panim" which manifests itself as G-d "working behind the scenes" only, in hidden, subtle ways.

This prophecy by no means "obligates" that generation, or any generation, to turn to idolatry. It is possible for the prophecy never to come true. And this would not impugn the truth of Torah or Moshe's status as a prophet. We always have the challenge not to turn away from G-d, and the ability to remain faithful to Him.

Next is the command to write "The Song" (namely the whole Torah), to teach it to the people, so that it should serve as a testament among the People of Israel. This is the last mitzva of the Torah [613, A18 31:19], to write a Sefer Torah.

MITZVA WATCH

Our Sages include in this mitzva the significance of acquiring Sifrei Kodesh (holy books) from which to learn. Since the Torah itself specifies that the "purpose" of writing a Torah scroll is to learn and teach from it, then writing, buying, acquiring all learning texts would be in the spirit of this mitzva.

The RO"Sh (Rabeinu Asher) takes this idea one significant step further - he says that since in our day, the Torah scroll has been relegated to the Aron Kodesh in shul and is used for public reading, but not as a teaching text - the MAIN fulfillment of this mitzva "to write a Sefer Torah" is the building of a personal Torah library. Buy Torah texts from which to learn and teach. He adds that it is also praiseworthy if one is privileged to

write a Sefer Torah as well. This is an unusual turn-about, which emphasizes the importance of buying sforim - AND USING THEM.

SDT "...and teach it to the People of Israel - place it in their mouths." From here the Gemara teaches us that one must review and review his teachings with his students until they understand. It is not sufficient to just teach; one must work very hard until his students really understand, until it in their mouths.

Shishi - Sixth Aliya - 5 p'sukim - 31:-20-24

Because, G-d explains, I am bringing the people to a Land flowing with milk and honey, the People will eat in contentment and turn from G-d. The Torah, however, will not be completely forgotten from the lips (and hearts) of future generations. (This will be "their ticket back".) Moshe wrote the Torah on that day (Rambam says that he wrote 13 Torahs - one for each tribe and one in the care of the Kohanim/Leviyim) and taught it to the People. G-d "com- manded" Yehoshua to be strong and courageous in his new role as leader. Moshe completed the writing of the Torah. (Some say that Moshe even wrote the final 8 p'sukim of the Torah, which discuss his death; others disagree.)

Sh'vi'i - Seventh Aliya - 6 p'sukim - 31:-25-30

Moshe commands the Leviyim to take the Torah and place it at the side of the Aron. (Some say that the Torah was in the Aron; others say that it was on a shelf attached to the side of the Aron.) Moshe asks for the leaders of the People to assemble for his final words to them. Moshe tells of the prophecy/ prediction of the rebelliousness of the People. Moshe speaks the words of the Song - here probably referring to Haazinu - to all the people, in its entirety. 3-pasuk Maftir.

Haftara - 22 p'sukim - Hoshea 14:2-10 (9) Yoel 2:15-27 (13)

There are various customs for this haftara

SHUVA YISRAEL AD HASHEM... These opening words of the Haftara give the Shabbat its name and basically say it all. Return to G-d. The following pasuk emphasizes the power of prayer in the T'shuva process. The command to repent is accompanied by wonderful promises (prophecies) of redemption and restoration of the former glory of Israel.

The passage from Yoel gives us a Shofar connection to T'shuva.

Another encouraging note as we face the task of returning to G-d, is His assurance that He is among us - even before our T'shuva. And that He will not shame His people ever.

The last pasuk in Hoshea states, "Who is wise who understands this, an intelligent person will know: G-d's ways are straight, the righteous will walk upon them and the sinner will trip on them." Very often it is the same activity or the same thing that people handle differently, with the result that one person succeeds and the other falters. It is often a matter of attitude.

Notwithstanding the fact that the Haftara was not "chosen" because of the sedra, they do have some points in common. One example: The sedra speaks of rain in a figurative, spiritual sense and the Haftara mentions its more literal meaning in connection with prosperity. The prosperity angle is particularly interesting, since it appears in the sedra as a criticism and in the Haftara as a sign that G-d has forgiven His people. This fits with what was mentioned above about the last pasuk in Hoshea.

THE JERUSALEM INSTITUTE OF JEWISH LAW - Rabbi Emanuel Quint, Dean

Lesson # 303 (part eight)

Dina D'Malchuta Dina

Abiding by the Laws of the Land

The prior lessons dealt with abiding by the laws of the land in matters dealing with real estate. We now see how the principle applies in other areas.

We begin with currencies

As stated by R. Samuel b. Isaac Sardi (Spain; 1185-1255; Sefer haTerumot, Gate 46, 8:1) and R. Shabati Cohen (Lithuania, Germany; 1622-1663, Schach Yoreh De'ah, 165 (8)) currency is definitely under Dina D'Malchuta Dina and if the currency is changed, the Jews must abide by the laws of the land and use new currency and/or new exchange rates.

There was a loan that was made and then the government devalued the currency. The question arose whether the borrower must pay the amount stipulated in the loan document or the new currency, which was a much larger amount. When the government devalued the currency the new law stated that all debts were to be paid in the new currency at a certain proportion of the old money to new money. R. Weiss held that since the government provided the currency legislation it must be followed under Dina D'Malchuta Dina. Similar results were reached by Rabbi Yaakov Reisler (Prague Germany; 1670-1733; Shevut Yaakov, part 2, response 175; and R. Eliyahu ben Chaim, (Turkey; 1530-1610; Ranach Mayim Amukim, response 104).

The government had passed a law that certain negotiable instruments could be transferred the same as cash. R. David Friedman (Poland 1828-1917; Sheilot David, Yoreh De'ah response 7) was asked if the halacha had to recognize the law under the doctrine of Dina. He held that since this was a governmental function regarding money it is binding.

A similar result obtained from R. Moses Alshech (Turkey, Israel; 1507-1594; Maharam Alshech, response 79) in dealing with a payment that had to be made under a promissory note and the currency had been changed; under the Dina doctrine the

laws of the government as to the amount of the new currency to be paid is controlling.

Reuven borrowed money from a Gentile and wrote a promissory note. The Gentile sold the promissory note to Shimon, a Jew. Shimon brings a lawsuit in Beth Din against Reuven and asks the Beth Din to administer Moroccan law that favored the Gentile as provided for under the note. R. Saul Abital (Morocco; 1740-1809; Avnai Shayish, part 1, response 41) held that under Dina D'Malchuta Dina, the Beth Din should apply the Moroccan law.

In a case that came before R. Moshe Feinstein (who in my humble opinion, was the greatest respondist of the 20th century) he determined that the amount of money a father should use to redeem his son from the kohen as determined by the government's actions in establishing the value of its own currency. Similarly the government could determine the value of its own currency under Dina D'Malchuta Dina so that a person would be bound in paying off a loan. (R. Moshe Feinstein, Russia, United States; 1895-1986; Igress Moshe Yoreh De'ah, volume 2, response 189.)

The question goes still further as to whether a person can redeem his son or marry a woman with paper money. As shown by R. Chalfan haKohen, there are holding both ways. R. Chalfan Moses haKohen; 1874-1950; Shoel v'Nishal volume 5, Yoreh De'ah; volume 5, response 127.)

A kethuba is an obligatory undertaking by a husband to provide for his wife during their marriage and to pay her a sum stipulated in the kethuba in case he divorces her, or in case of his death, the amount of money that his estate will pay to the widow, in addition to other rights that she has in the estate of the husband. Sometimes the question arises when the kethuba is being paid off. In this case, when the kethuba was written the money stipulated therein had a value that was in this case changed over the years by currency devaluations. The heirs of the decedent wanted to pay the amount in the kethuba which was a small amount before the devaluations and the widow wanted to receive the larger amount as devalued. It was held by R. Yosef b. Moses Trani (Israel, Turkey; 1568-1639; Maharit, part 2, Eben haEzer, response 2), following an earlier decision by R. Yom Tov Ishbili (Spain; 125-1330; Ritva, response 53.), that under Dina D'Malchuta Dina she should get the larger amount as provided by the government.

There was a decision by R. Isaac b. Sheshet (Spain, Algiers; 1326-1408; Ribash, response 197) that Dina did not apply when the person who owed money on a loan had inside information regarding a devaluation that would favor him and quickly paid the money into Beth Din.

Criminal Law violations

It should be remembered as was stated many times in these lessons dealing with the Dina doctrine, in addition to the requirement of following Dina D'Malchuta Dina, there is always the danger that if one evades following the law of the land where it is not in conflict with halacha, he may end up causing a Chilul Hashem, profanation of the name of Heaven.

The following question was asked of R. Moshe Feinstein: The U.S. government sponsored programs for schools, yeshivot were included in the programs. The question was asked whether a yeshiva can inflate the reported number of students who were actually in school. R. Feinstein first discusses how merciful and good America is to the Jews, and that so many holocaust survivors have been given permission to live there and how well

they have succeeded and how well they are treated, and so many yeshivot have opened and are flourishing in America. He concludes that no head of a yeshiva will ever permit himself to be guilty of robbery by submitting false registration figures and thus violate Dina D'Malchuta Dina. (Igress Moshe, Eben haEzer, vol. 4, response 29.)

Other topics to which Dina D'Malchuta applies in future lessons.

The subject matter of this lesson is more fully discussed in volume IX chapter 369 of A Restatement of Rabbinic Civil Law by E. Quint. Copies of all volumes can be purchased via email: orders@gefepublishing.com and via website: www.israelbooks.com and at local Judaica bookstores. Questions to quint@inter.net.il

Meaning in Mitzvot

Each week we discuss one familiar halakhic practice and try to show its beauty and meaning. The columns are based on Rabbi Meir's Meaning in Mitzvot on Kitzur Shulchan Arukh by

Rabbi Asher Meir

S'lichot prior to Rosh HaShana (part two)

The custom of saying selichot (penitential prayers) during the Days of Repentance is quite an ancient one, and is mentioned already in the time of the Geonim, who lived only a few generations after the last Amoraim (sages of the Talmud). The Ran (commentary on the Rif on Rosh Hashana 3a) mentions three different customs regarding these selichot:

1. In the area of Gerona, selichot were said starting only at Rosh HaShana. This is the custom mentioned in the Rambam (Teshuva 3:4) to rise early in the morning and say words of supplication and subduing [the heart] during the Ten Days of Repentance.
2. In some places, selichot were said starting at the beginning of Elul. This is the custom mentioned in the Shulchan Arukh (OC 581).
3. In the area of Barcelona, selichot were said starting the 25th of Elul. This custom doesn't seem to have survived; the custom mentioned in the Rema and followed in Ashkenazi communities today is to start always on Motzaei Shabbat, either the week of Rosh Hashana or, if Rosh Hashana is Monday or Tuesday, a week prior, so that there will be at least four days of Slichot before Rosh HaShana.

The Gra (C 581) explains that our current custom is actually just a modification of the custom mentioned in the Ran. As we explained last week, beginning on the 25th of Elul is intended to be a commemoration of the creation of the world, which likewise commenced (according to Rebbe Eliezer) on the 25th of Elul.

The Gra points out that while it is true that the creation began on the 25th of Elul, it is likewise true that it began on the "first day", that is, what we call Saturday night. So beginning on Motzaei Shabbat is equally a commemoration of the beginning of creation, and has the additional advantage that selichot are always begun on a fixed day of the week. In any case, the selichot always begin within a very few days of the 25th of Elul.

As we explained last week, the message of this custom could be that the process of repentance, like the process of creation, is a natural one and an inherent part of the fabric of creation. Indeed, the gemara tells us that repentance was created prior to the world itself (Pesachim 54a, Nedarim 39b).

A later Rishon, the Leket Yosher, mentions the custom of starting selichot on Motzaei Shabbat as we do now, and brings a different reason in the name of his Rebbe, the very prominent authority Trumat HaDeshen.

The Trumat HaDeshen, writes Leket Yosher, explains that "the Divine Presence doesn't dwell amidst sadness or sloth, but only from the joy of a mitzva", as we learn in the gemara (Shabbat 30b). Thus during selichot, when we seek G^d's presence to accept our repentance, we need to experience this joy. The ideal time for this is right after Shabbat. On Shabbat the people have been absorbed in the mitzva of Torah learning (which is primarily on Shabbat for many working people) and in the mitzva of Shabbat indulgence itself. This demeanor of joy provides an ideal backdrop for the beginning of our penitential prayers.

This explanation gives us an important insight into the nature of selichot. Repentance does not need to be a sad or frustrating process, punctuated by despairing regret over the mistakes of the past. Of course regret and renunciation of past sins is an essential component of repentance, but this can and even should be balanced and dominated by a sense of renewed hope for a better future once we have repaired our ways.

This approach complements the explanation we brought for the custom mentioned by the Ran. Repentance is not a tragic necessity, the result of the "freak accident" of sin. Rather, it is a natural part of human development, just as the creation of the world was a natural and essential preparation for the creation and subsequent development of man.

TANACH

SPIRITUAL AND ETHICAL ISSUES IN THE BEREISHIT STORIES

by **Dr. Meir Tamari**

Lot Rejects the Abrahamic Way [1]

When they journeyed from Haran to go to Eretz Yisrael, Avraham and Lot were a unity. However, now when they went up from Egypt, the Torah uses a description of Avraham's wealth to separate between their two names; this is indicative of their impending quarrel and separation (12:5 compared to 13: 2-5).

"And there was strife between the herds men of Avraham and the herds men of Lot; and the Canaanites and Perizzites were then dwelling in the land" (Gen. 13:7). To what shall we ascribe this quarrel? The text tells that they were both replete with flocks herds and wealth, so that the land could not bear them both. Was that sufficient to lead the Lot who had gone from Haran together with Avraham, who had followed him down to Egypt and who had not revealed the truth about Sarah to Pharaoh, to quarrel and ultimately separate himself from the Abrahamic path?

In truth, there was a problem of the scarcity of grazing and water in the area between Bethel and Ai, north East of Yerushalyim where Avraham and Lot camped. Further- more, at that time as our text tells us, the Canaanites and the Perizzites, two of the Seven Nations that then dwelt in the Promised Land, had encroached on that area originally allocated to Bnei Shem by Noah after the Flood. "The text tells us that the land could not carry these nations as well as Avraham and Lot" (Ramban).

However, throughout the Tanach, indeed throughout history, our Jewish sources see beyond the economic, political and social reasons that on the surface explain events in the lives of individuals and nations, to provide the ethical and spiritual motives that are the real causes. Here too, the real reason was not materialism but rather the question whether or not Lot desired to continue to cleave to the Abrahamic way, to do righteousness and justice.

Chazal tell us that the spiritual challenge of wealth is more difficult than that of poverty; "And Jeshurun [Israel] waxed fat and rebelled". It is not wealth per se that is evil nor is it even the pursuit of wealth; after all G-d created a world in which the satisfaction of human needs is to be found in material and natural ways and not through revealed miracles. However, the danger lies in not ever having enough, in greed and in the lack of faith that G-d supplies all the needs of all His creatures; "One who does not say in Ashrei, 'You open Your Hand and satisfy all that lives', does not fulfill their obligation" (Orech Chaim). These all lead to theft, robbery, fraud, oppression and bloodshed. It was the un-Abrahamic concept of how to earn and spend money that was at the root of Lot's quarrel and ultimate separation.

The shepherds of Avraham and of Lot echo the spiritual and ethical standards of their masters.

"The shepherds of Lot, echoing their master's evil thoughts, said to those of Avraham", You graze your animals while they are muzzled only because you are jealous of Lot. You know that your master is childless and that ours will inherit him, so you muzzle the animals to retard their growth thus cheating Lot out of his full inheritance" (Pesikta Rabbati 3). This mid- rash may seem to be either trivial or unreal, yet we know all too well the bitterness, recriminations and quarrels that divide siblings or heirs who previously were united and loving, as soon as inheritances become real and tangible. Jealousy, bickering and material desire that become apparent when inheritances are involved have little to do with the relative wealth of the heirs.

"The shepherds of Lot left their flocks and herds unmuzzled, which meant that they were free to graze everywhere even in the fields of others, while those of Avraham's were careful to prevent their sheep and cattle from grazing on the land of others. They rebuked Lot's men saying that their method meant the theft of other people's property. To which the shepherds of Lot replied, "G-d has given this whole land to Avraham and his descendants, and since Avraham is childless and Lot will inherit him, there is no theft or immorality involved in our method of grazing" (B'reishit Rabba).

Rationalization of unethical deeds is the way we all justify actions that we clearly know are wrong or forbidden by Torah, so that these arguments of Lot's men should not surprise us at all.

To the shepherds of Lot in both these midrashim, the actual reply of Avraham's men was the same. "It is true that G-d promised the whole of this land to the descendants of Avraham. However, that promise is only to be fulfilled in 400 years time, after a period of exile and slavery as recorded in the Brit Bein HaBetarim (Genesis 15: 13-21). This means that now neither Avraham himself nor Lot nor other descendants has any rights or privileges in the land therefore what you are doing is nothing more than theft and robbery".

The reference to the presence of the other nations in Eretz Yisrael and the postponement of the rights of Avraham's descendants to the Promised Land highlights another vital

religious truth: "The seal of G-d is truth and He is a King of Justice, Melech Hamishpat". In the covenant of the Brit Bein HaBetarim it is made clear that at that time the sin of the Seven Nations had not yet sunk to the level of iniquity that deserves expulsion from the Holy Land, which does not stomach evil and tum'a. Avraham's descendants had therefore to wait until they could take possession. Later, the Torah says: "You shall not defile yourselves in any of these things that the nations who were before you in your Land defiled them-selves so that the Land was defiled, that the Land not vomit you out as it did those nations" (Vayira 18:24-28).

This is the 99th installment in Dr. Tamari's series on "Tanach and its messages for our times"

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[1] From the virtual desk of the OU **VEBBE REBBE**

The Orthodox Union – via its website – fields questions of all types in areas of kashrut, Jewish law and values. Some of them are answered by Eretz Hemdah, the Institute for Advanced Jewish Studies, Jerusalem, headed by Rav Yosef Carmel and Rav Moshe Ehrenreich, founded by HaRav Shaul Yisraeli zt"l, to prepare rabbanim and dayanim to serve the National Religious community in Israel and abroad. Ask the Rabbi is a joint venture of the OU, Yerushalayim Network, Eretz Hemdah... and the Israel Center. The following is a Q&A from Eretz Hemdah...

Q: As a ba'al tokei'a (shofar blower), I am asked to go to sick people's homes to blow for them. It can be very difficult to make it to everyone. Must I go to everyone, including women, who are not obligated in the mitzva of shofar?

A: There are points in this matter that are difficult to quantify or find clear halachic guidelines. We will try to put the matter in proper, halachic perspective.

The mitzva to hear the shofar on Rosh Hashana is a personal one, even though it is usually performed publicly. If one cannot go to shul, he is responsible to arrange to hear it elsewhere, assuming he is well enough to do so, and should be willing to spend money to facilitate it. (See Eretz Hemdah I, 1:7 and Moadim U'zmanim I, 4 regarding how much money/toil one is required to put out in order to fulfill a mitzva. In the final analysis, this is a somewhat subjective determination).

In order to perform a mitzva on another's behalf, the one who performs it must be obligated in the mitzva. Yet, even if one already fulfilled the mitzva, the fact that his friend is obligated in the mitzva makes him obligated enough to perform the mitzva on his friend's behalf (Rosh Hashana 29a). This is based on the concept of arvut (responsibility to help one's counterpart with his halachic obligations) (Rashi, ad loc.). The practical parameters of this obligation are unclear. However, "conventional halachic wisdom" is that one does not have to expend as much to ensure his friend's fulfillment of a mitzva as his own. The question of these parameters applies not only to money, but, as in this case, to toil and curtailing the enjoyment and mitzva of a festive meal after a long day in shul, as well. In theory, a ba'al tokei'a can demand monetary compensation for the toil of making such "house calls." We suggested this concept to a mohel who was asked to spend Shabbat away from home under difficult conditions in order to perform a Shabbat Brit (B'mareh Habazak I, 32). In practice, we assume that under normal circumstances, one would agree to blow shofar for free on Rosh Hashana even if it is inconvenient.

So, while one who is capable of blowing shofar for the homebound has a responsibility to do so, it is hard to determine how much he has to extend himself, at least for free, to do so. Another pertinent factor is that a community is likely to have more than one person who is capable of blowing. If so, this lowers the responsibility on any given ba'al tokei'a, especially if he has already done his share (see B'mareh Habazak, ibid.). Even less talented ba'alei tokei'a can and should share the task of going to hospitals and house-to-house if they can do a valid job.

The Torah indeed exempts women from the mitzva of shofar (Shulchan Aruch, Orach Chayim 589:3). Consequently, although we assume that there is arvut between men and women, there is none where the woman is not obligated herself (see Shut R. Akiva Eiger I, 7). However, the minhag has been for centuries that women make every effort to fulfill the mitzva of shofar. (See Shulchan Aruch ibid.:6 regarding the b'racha.) There are discussions over whether the fact that women regularly practice this mitzva obligates them to continue doing so, as a form of neder (vow) (see Magen Avraham 489:1 regarding the counting of the omer). If it does, others would be required to help fulfill this new obligation. However, a woman's possible obligation is less likely in a case where illness makes it difficult to fulfill the mitzva. Rav Ovadia Yosef (Yabia Omer, II, OC 30) rules that at least if the situation is temporary, a sick woman is exempt during her incapacitation without requiring a special hatarat nedarim (absolution of vows).

In most cases, though, the ba'al tokei'a is not practically "off the hook" from helping a sick woman hear shofar blowing. To the contrary, even if she is exempt, she has a right to ask for a chesed to enable her to continue her lifelong practice. If for no other reason, one must normally accommodate her with such a visit because of the mitzva of bikur cholim (visiting the sick).

Ask the Rabbi Q&A is part of Hemdat Yamim, the weekly parsha sheet published by Eretz Hemdah. You can read this section or the entire Hemdat Yamim at www.ou.org or www.eretzhemdah.org. And/or you can receive Hemdat Yamim by email weekly, by sending an email to info@eretzhemdah.org with the message: Subscribe/English (for the English version) or Subscribe/Hebrew (for the Hebrew version). Please leave the subject blank. Ask the Vebbe Rebbe is partially funded by the Jewish Agency for Israel

[2] **Candle by Day**

Listen, to reason.

From A Candle by Day by Rabbi Shraga Silverstein

[3] **CHIZUK and IDUD**

(for Olim & not-yet-Olim respectively)

You stand this day all of you before the Lord your God, your heads your tribes, your elders and your officers, each man in Israel (D'varim 29:9).

Moshe's declaration to the assembled Israelites comes at a most pivotal moment in our history and contains a most vital message. After forty years in the wilderness, the Israelites are about to enter Eretz Israel. This is the new generation physically toughened by the austere life of the desert and spiritually sensitized by exposure to the teachings of the Torah and by having witnessed the partial fulfillment of God's promise.

This generation is about to face new and painful dangers and challenges; the uncertainties of a changing leadership, years of warfare, a strange culture, a different sedentary way of life. Through- out Sefer D'varim Moshe had addressed them as a collective, "all of you". Now, however, Moshe turns to them and reminds them that ultimately we stand before God as individuals ("each person Israel"), each one responsible and accountable for his or her decisions and actions. As they make their way into the land, each individual will have to choose his profession, his particular way of life and what to emphasize in worshiping God.

Diaspora Jewry today finds itself similarly challenged. You too have been witness to a clear and dramatic fulfillment of a central part of the prophetic promise. Over five million Jews have returned to a sovereign Jewish state in Eretz Israel. The Jewish character of the state will be determined during the next few years by the number and religious quality of the people living there.

As we near the completion of the reading of the Torah and approach the days of Judgment, every individual Jew is standing before God. Precisely because in our day, Torah authorities do not agree what sort of mitzva is Yishuv Eretz Yisrael and whether ours is a time of the beginning of the redemption, each individual must make his own decision. Will you be among those who seize the opportunity to come to live in Israel and help to shape its future? The decision and the responsibility is yours and yours alone.

Rabbi Shubert Spero, Jerusalem

[4] **A Touch of Wisdom, A Touch of Wit**

R' Chananiah Yom Tov of Sighet, the author of Kedushas Yom Tov, would be besieged by countless chasidim during the Selichos period. Everyone wished to receive his blessing. He would spend some time with each one, and this would take time away from learning.

He would say, "I wish that I could attain the level of the average Jew. The average Jew, when Elul arrives, spends less time on his job and more time in learning Torah and doing good deeds. But when Elul arrives, I spend more time on my job and less time in learning Torah and doing good deeds."

A chasid came to R' Mordechai of Denaburg, and asked

permission to leave early.

"Why are you in such a hurry?" asked R' Mordechai.

"Rebbe," the chasid answered, "I will be leading the davening on Rosh Hashana and I need to review the machzor and prepare."

"The machzor," said R' Mordechai, "will not change. It is more important for you to review your deeds and to prepare yourself."

Shmuel Himelstein has written a wonderful series for ArtScroll: Words of Wisdom, Words of Wit; A Touch of Wisdom, A Touch of Wit; and "Wisdom and Wit" — available at your local Jewish bookstore (or should be). Excerpted with the permission of the copyright holder

[5] **Torah from Nature**

Gemsbok - the exotic Shofar

The Shofar of choice is the ram's horn, from a male sheep. But the horns of all kosher animals (not solid antlers, but horns that have a distinct inside and outside) except bovine (cow family) are kosher for the mitzva. Spiral and curved horns are preferred to straight ones, but straight is still kosher for the mitzva. The Gemsbok is a large antelope of arid regions of southern Africa, having long sharp straight horns, a tufted tail, and distinctive black and white markings on the head.

[6] **Parsha Points to Ponder - NITZAVIM**

1) Why does the Torah specify (30:6) that G-d will not only remove the obstacles in YOUR HEARTS but also THE HEARTS OF YOUR CHILDREN? The Torah's message is for all generations so the hearts of the children are already included in the words YOUR HEARTS.

2) What does the Torah mean when it says LO BASHAMYIM HI (it is not in heaven) with regard to the mitzva of teshuva? (see 30:12)

3) Moshe Rabbeinu says SEE I HAVE PLACED BEFORE YOU TODAY THE LIFE AND THE GOOD AND THE DEATH AND THE EVIL (15:30). Why does Moshe use the word TODAY considering the fact that every word of his message was meant for Jews in all generations?

THESE ARE THE ANSWERS

Ponder the questions first, then read here

1) The Sfat Emet answers that through the words AND THE HEARTS OF YOUR CHILDREN the Torah is teaching that when parents repent and improve in their service of G-D, this has an automatic positive effect on their children. The verse should be read that G-D will improve your hearts and then inevitably the hearts of your children will improve as well.

2) The Kli Yakar explains that many people might fear that while they might take steps towards repentance, who is to say that this repentance will be accepted by G-D in the heavens? To counter this concern, Moshe explains that once we begin the teshuva process, G-D, as it were, automatically comes down to us and does not remain distant in the heavens.

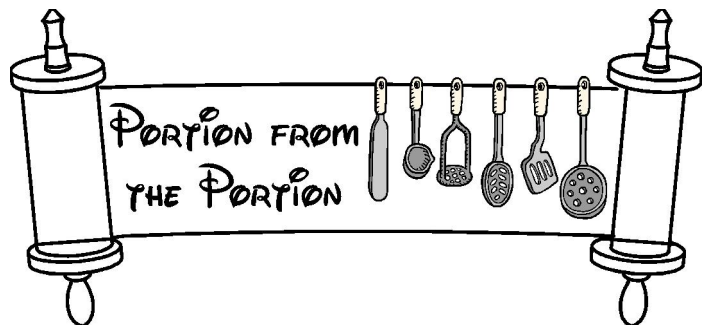
3) Rav Moshe Feinstein taught, based on this verse, that a person should never feel confident in his spiritual standing. Every single day a person is presented with new challenges in

the spiritual realm and we can only be successful once we recognize that it is a constant battle on a daily basis as Moshe indicates with the word TODAY.

Parsha Points to Ponder is prepared by Rabbi Dov Lipman Mashgiach Ruchani, Yeshivat Yesodei HaTorah in Bet Shemesh, author of "DISCOVER: Answers for Teenagers (and adults) to Questions about the Jewish Faith", soon to be re-published by Feldheim • ppp@israelcenter.co.il

[7] MicroUlpan

English-Hebrew double micro-Ulpan: Multipara refers to a woman who has given birth two or more times. Grand multipara, 6 or more times. Grand multipara in Hebrew? VALDANIT



[8] Portion for the Portion by Rakel Berenbaum - FEEDback to berenbau@acrc.com.net.il

The word ROSH usually conjures up positive connections - ROSH Hashana, the beginning of a new year, Sheniye l'ROSH velo l'zanav - we wish to be the head and not the tail. But in Parshat Nitzavim the word ROSH appears in a negative context. It describes the marginal Jew, the SHORESH POREH ROSH V'LA'ANA - a root, sprouting gall and wormwood (29:17-20).

What do these words in the pasuk mean? This metaphor from the vegetable world comes to impress upon us the dangers in even insignificant evil beginnings (SHORESH - the root). ROSH V'LAANA are two of the most bitter herbs around. They can skew one's view of reality, affect one's thinking, and can even be poisonous. According to Arama, this pasuk refers to an evil thinker who wants to enjoy the privileges of being a member of the Jewish community without having any of the duties (SHALOM YEHIYEH LI KI B'SH'RIRUT LIBI EILECH). He wants to exclude himself from the Covenant (the Brit, the responsibilities) but save himself from punishment just by being a member of the community. For this, the Torah warns, G-d will not forgive him (LO YOVEH SELOACH LO).

These beliefs are the opposite of what the Torah expects from us, says Nechama Leibowitz. Each individual is supposed to take on responsibility for the community as a whole, as we see in Rambam's Hilchot T'shuva 3,4. "Every person should regard himself the whole year round as if equally balanced between guilt and innocence. The same applies to the world as a whole. One sin can tip the scales for himself and the whole world to the side of guilt and can bring destruction down on it. If he performs but one good deed, he thereby tips the scales for himself and the whole world to the side of merit and brings salvation for himself and the whole world."

Let us hope that this Rosh HaShana the blasts of the SH-O-F-AR (the first letters, roshei tevot - scrambled a bit - of SHORESH POREH ROSH V'LEANA) will uproot these and other evil bitter beliefs and bring blessing on our whole

community.

ROSH - is either hemlock or gall poppy, a species of opium poppy seeds that grows in Eretz Yisrael. Here is a recipe for poppy seed dressing that is good on any salad. Try it on an avocado, orange and spinach salad for a fresh beginning to the new year.

Honey & Poppy Seed Dressing

2 tbsp. lime or lemon juice
2 tbsp. honey
1 tsp. poppy seed
2 tsp. mustard (more if needed)
4 tsp. salt
8 tsp. pepper
3 cup of oil

LAANA - wormwood, gives the bitter taste to vermouth. This Shabbat put out a bottle of vermouth (it's wine; needs a hechsher) or try this marinade to baste a turkey.

Garlic salt to taste
Paprika for sprinkling
1 cup vermouth, plus more as needed

[9] Divrei Menachem

Parshat Nitzavim is always read on the Shabbat before Rosh HaShana. Not surprisingly, for the opening words translate as, "You are standing." We are asked to stand before the Judge of all Judges, as the Day of Judgment approaches.

In preparation for Court, as it were, the parsha also directs us to the all-important mitzva of Teshuva or Repentance. In essence, the Hebrew term Teshuva means "return", implying that having strayed from G-d, we must now return to Him - in thought, speech and action.

One of the most intriguing images in this week's text is found in the verses relating to our being in Exile (D'varim 30:1-5). For we are told that after contemplating the blessings and curses that transpired, not only will we find the way back to G-d, but that He, in turn, will, "bring back your captivity and have mercy on you and will gather you in from all the peoples to whom Hashem, your G-d, has scattered you."

There is a discernible repetition in this description of Hashem's act of returning the exiles. The Meshech Chochma suggests that this indicates two types of Jew. The first yearns for Eretz Yisrael and is deserving of G-d's mercy. He is the first to be returned. The other Jew seeks redemption but does not feel the loss of Eretz Yisrael. However, even he will "return" some day.

**Shabbat Shalom and Shana Tova,
Menachem Persoff**

Towards better Davening and Torah Learning

In response to several readers' questions, we'd like to clarify an old murky issue that probably will never be truly clarified. But we'll try. And count on some of our more expert readers to correct us if we are wrong.

Let's start with the word that brought about the reader comments. First word in the 3-pasuk portion about the first Shabbat of Creation, which we say in the Amida of Leil Shabbat, repeat it right after the Amida, and say it as the first part of Friday night Kiddush.

vai-chu-LU, accent on the last syllable, but that isn't our focus at this moment. The second letter of the word is a YUD. It has a SH'VA under it. The SH'VA is NACH. Therefore, the YUD with its SH'VA close off the first syllable of the word, VA and YUD /SH'VA make VAI.

The YUD does not sound like a Y beginning the second syllable. Not Y'CHU - the YUD belongs to the first syllable.

On the one hand, this works well for the VAV/PATACH, since the PATACH is a short vowel and a letter with a short vowel does not usually stand alone as an "open syllable". It is usually closed off by another letter with a SH'VA NACH.

The problem is the CHAF after the YUD. By the rules of DAGESH KAL, there should be one in the CHAF, since it follows a SH'VA NACH. VAI-KU-LU. But we don't say that.

Had there been a DAGESH CHAZAK in the YUD, it would have done double duty, closing off the first syllable and beginning the second syllable. Then the CHAF would not even think of getting a DAGESH. But the YUD does not have a DAGESH in it.

Nonetheless, the rule seems to be that the SH'VA is NACH, the YUD/SH'VA closes the first syllable, and the following letter does not have a DAGESH.

Apparently, this bothered some DIKDUK people in the past sufficiently that they created a new type of SH'VA, in addition to the NA and the NACH. They called it a SH'VA M'RACHEIF, a floating SH'VA.

Having a third type of SH'VA resolved the problem of the missing DAGESH from the CHAF of VAI-CHU-LU. The only problem is that there are only two types of SH'VAs.

Here's a word from NITZAVIM with the same situation. 29:18 - BIL-VA-VO. The word for his heart, L'VAVO, has a SH'VA NA under the LAMED, which precludes a DAGESH KAL in the VET that follows it. With the BET prefix making the word BIL-VAVO, in his heart, the SH'VA changes to a NACH, and it becomes part of the first syllable of the word BIL. The BET/CHIRIK is not strong enough to let the LAMED stay with the rest of the word it is part of. That's one of the unusual features of this kind of SH'VA and it is what creates resistance to pronouncing these kind of words correctly.

29:28 - Here's another one. BANEINU, our children. L'VANEINU, to our children. The LAMED/SH'VA NA prefixed to the word causes the the DAGESH to drop from the BET. Not L'BANEINU, but L'VANEINU. So far, so good. Next comes the conjunctive VAV. The VAV/SH'VA (NA) it would have been becomes an U (SHURUK), because you cannot have two consecutive SH'VAs at the beginning of a word. And unlike a regular SHURUK that vowels another letter, which would produce a strong syllable by itself, this SHURUK is weak and takes the LAMED to its syllable, changes the SH'VA from NA to NACH and becomes UL. It might seem that the DAGESH

should go back into the VET, following a SH'VA NACH as it does, but the DAGESH remains absent. UL-VA- NEI-NU. Not U-L'VA-NEI-NU.

SHEYIBANEH BEIT HAMIKDASH...

A series of articles on Beit HaMikdash-related topics by Catriel Sugarman intended to increase the knowledge, interest, and anticipation of the reader, thereby hastening the realization of our hopes and prayers for the rebuilding of Jerusalem and the Beit HaMikdash.

Herod's Refurbished Mikdash;

"A Work of Heaven!"

As the height of the rising walls began to exceed the reach of the tallest cranes, Herod's workmen laboriously built earthen or rough stone ramps and preceded to move the cranes or rebuild them on their summits. Newly positioned, the workmen continued to lay the carved building blocks in their proper places in the uppercourses. Refurbishing the Azara and the Bayit presented another very serious logistical problem; the daily Avoda could not be disturbed even for a single day. In the restricted areas, much of the work was done by Kohanim. Josephus notes how Herod, "bought a thousand sacerdotal garments for as many of the priests, and had some of them (the Kohanim) taught the art of stonemasons, and others of carpenters." It is likely that the construction work began every day at the conclusion of the afternoon Tamid. As the Kohanim of the Mishmar filed out of the Azara, the "Kohanic stonemasons" immediately began work and they toiled until the stars came out (Shavu'ot 51a, Hil. Beit HaBechira 1:12). They paid particular attention to technical problems. Already 150 years earlier, the author of the Letter of Aristeas (90) could write, "And the whole (Azara) floor is paved with stone and sloped leading to the appropriate places to allow for the flushing of water which occurs so as to cleanse the blood from the sacrifices. For many tens of thousands of beasts are brought for sacrifice on the days of the festivals... There were also many openings at the base (of the Mizbei'ach) which were invisible to all except those who have the duty of carrying out the Service, so all the blood of the sacrifices, which is collected in huge amounts, is cleansed by the downward momentum and slope." Since, "all of Herod's structures were up-to-date in both materials and methods of construction", we can be sure that Herod greatly improved the already efficient drainage system. Herod surfaced the Azara floor with great slabs of hewn limestone; his engineers understood perfectly that a wobbly stone could invalidate the Avoda. As the sky darkened, the priestly workmen swiftly moved the unset stones to the side and disposed of rubble before they vacated the premises. Neatly stacked stone building blocks on Mikdash grounds furnished a backdrop to two very striking Mishnayot!

A popular celebration in the Mikdash associated with Sukkot which served as a point of contention between the Sages and the Sadducees was the Mitzvat Ha'Arava - the "Precept of the Willow Branch". Ordained by the prophets (i.e. Haggai, Zecharia and Malachi), Mitzvat Ha'Arava had no specific source in the Written Torah, and for that reason, was unacceptable to the Sadducean High Priesthood (Sukka 44a). The Mishna reads, "...they came and set (willow branches) on the side of the Mizbei'ach so their tops were bent over the altar. Then they blew on the Shofar... Each day (the first six days of the Sukkot festival) they went in procession around the Mizbei'ach one

time... but on that day (the seventh day) they circumambulated the altar seven times... As the rite was during the week, so it was on Shabbat except that then they would gather the (willow branches) on Erev Shabbat and place them in (water) in golden basins so they would not wither" (Sukka 4:5,6). The Gemara relates how on one "seventh day" which fell on Shabbat, the "Boethusians" - akin to Sadducees - removed the willow branches and hid them under stones. Confident that the Sages would not move the stones on Shabbat to retrieve the branches, they assumed that the ceremony which they opposed would be cancelled. "But the next day, some Amei Ha'aretz (who were not exactly meticulous in their observance of Mitzvot) found the branches and took them out from under the stones. The Kohanim brought them in and fixed them to the sides of the altar" (Sukka 43b).

Anchoring support posts in the ground and tying crossbeams with ropes, the workmen constructed scaffolding to facilitate their access to the upper reaches of the Bayit. The inner areas of the Bayit were built by trained Kohanim who erected enormous partitions to block the interiors of the Kodesh HaKodashim and other holy areas from public view while they were being refurbished. An idea of the kind of precautions taken by the Mikdash authorities can be gleaned from the Mishna in Midot (4:5) "And in the upper story were openings into the Kodesh HaKodashim by which they used to let down the workers in boxes, so they should not feast their eyes on the Kodesh HaKodashim." Tiferet Yisrael (49) explains, "...the boxes (were) closed on three sides so they - the workmen - would be not able to look around". Herod's engineers, in consultation with the Mikdash authorities, took great care to ensure that the Kedusha of Kodesh HaKodashim and the other sacred areas of the Bayit was violated as little as possible. The daily Avoda continued without interruption.

"Of what did he (Herod) build it? Rabbah (a Babylonian Amora who was born 200 years after the Churban) said, 'Of yellow and white marble ...of blue... marble'. He (Herod) originally intended to cover it with gold but the Sages advised him not to, since it was more beautiful as it was, looking like the waves of the sea" (BabaBatra 4a, Sukka 51b). But headstrong Herod, whose heart was set on a "world-class temple", was not going to take architectural advice from anybody! Josephus writes, "Now the outward face of the Temple in its front wanted nothing that was likely to surprise either men's minds or their eyes; for it was covered all over with plates of gold of great weight and at the first rising of the sun, reflected back a very fiery splendor, and made those who forced themselves to look upon it to turn their eyes away, just as they would have done at the sun's own rays" (Wars, 5:5). Even the Sages were forced to admit, "He who has not seen the Temple of Herod has never seen a beautiful building" (Baba Batra 4a). And in fact another Gemara rhapsodizes, "In the days of Herod when the people were occupied in rebuilding the Temple, rain fell during the night but in the morning the wind blew and the clouds dispersed. The sun shone so the people were able to go out for their work, and then they knew that they were engaged in the work of Heaven" (Ta'anit 23a). But Herod, with an unerring instinct, promptly frittered away any good will he might have garnered among the people by placing a large gold Roman eagle over one of the gates. When Herod was close to death, "one Judas, the son of Saripheus, and Mathias, the son of Margalothus, two of the most eloquent men of the Jews, and the most celebrated interpreters of the Jewish laws ...and well-beloved by the people persuaded (their students) to pull down the golden eagle ...so in the very middle of the day (in front of many witnesses) they got upon the

place... pulled down the eagle and cut it into pieces with axes... (They said to Herod), '...we contrived (it) ...and we performed it (the deed) and that with such a virtuous courage as becomes men... we will undergo death and all sorts of punishments with pleasure, since we are conscious to ourselves that we shall die not for any unrighteous actions but for our love for religion'. ...Herod ...burned Matthias, who had raised the rebellion, with his (forty!) companions alive" (Antiquities 17:6;1-3). But the demolished Roman Eagle was not replaced.

Catriel's book in progress: The Temple of Jerusalem, A Pilgrim's Perspective; A Guided Tour through the Temple and the Divine Service

from page 3 PARSHA PIX

The family in the upper-left represents the beginning of Nitzavim that describes all who are standing today before G-d. Included are men, women, and children, and all types of people, including the woodcutter (George Washington) and the water-drawers (Jack & Jill).

The family also stands for those who were to participate in HAK-HEL - men, women, and children.

HAK-HEL is also represented by the crowned Torah-reader - the king, and by the Torah in the Sukka, in the lower-right.

The feather writing letters is for the mitzva to write a Sefer Torah. That mitzva is also represented by the open gemara.

The Xed out moon, planets, and stars is LO BASHAMAYIM HI.

The acid rain symbol is for the description of the punishment for turning away from G-d.

The Megila is for the hidden "clue" to Esther in the Torah - HESTEIR PANIM.

The questioned road signs is the choice of choosing Life or Death, Good or Evil.

The plant growing a Tzedaka box is from the haftara, referring to G-d, YATZMI'ACH TZEDAKA.

The Chatan and Kallah under the Chupa is also from the haftara. And the chemical expression is sulfur and salt burning...

Dots above the family are for the dots above LANU ULVANEINU (and the AYIN of AD).

TTRIDDLES...

are Torah Tidbits-style riddles on Parshat HaShavua (sometimes on the calendar). They are found in the hard-copy of TT scattered throughout, usually at the bottom of different columns. In the electronic versions of TT, they are found all together at the end of the ParshaPix-TTRiddles section. The best solution set submitted each week (there isn't always a best) wins a double prize a CD from Noam Productions and/or a gift (game, puzzle, book, etc.) from Big Deal

Last issue's (KI TAVO) TTriddles:

- [1] who'd we tell it to before the kohen?
- [2] HaShem (3), Torah (7), Shira, and who?
- [3] Ark, Place, Kohein/Kohanim, King
- [4] Shiur: One over basket
- [5] obverse, not reverse
- [6] It has alchemists drooling
- [7] your fathers, my family, the Land, where, where, and whom
- [8] plus 5 elements from the ParshaPix

And the envelope, please...

[1] This TTriddle started with VANITZ'AK EL HASHEM... and we called out to G-d... This phrase produced only two results, and revealed that when Moshe sent messengers to the King of Edom, to ask for permission to go through his land (we did NOT receive the permission), the messengers were instructed to tell the events that are similar to that which the Bikurim-bringer declares before the kohein.

[2] His (your brother's) donkey (A) or ox (B) fallen, his (brother's) ox (B) or sheep (C) lost -- that's the whose and what so far. The what not is to ignore the situation. (See D'varim 22:1,4)

[3] ET KOL DIVREI... all the words of... The phrase appears 30 times in Tanach, 12 of which are in the Torah and in this TTriddle. 7 of the 12 are followed by the words HATORAH HAZOT, all the words of this Torah. One other time, the phrase is ET KOL DIVREI HASHIRA HAZOT, but it too refers to the Torah. Thrice it is DIVREI HASHEM that occurs (which is also the Torah, really). Which brings us to the answer to the TTriddle's question - who. Yosef. After Yosef revealed himself to his brothers, he sent them back to Yaakov. The Torah tells us that the brothers told Yaakov all that Yosef had said to them - ET KOL DIRVEI YOSEF...

[4] This TTriddle is based on a Baal HaTurim and a misdirection. Shiur, not a Torah lesson as I wanted readers to think, but rather an amount, a quantity. The shiur for Bikurim is unspecified by the Torah. Technically, bringing a single grape (in a basket) would fulfill one's obligation of Bikurim. Our Sages "recommended" 1/60 as the part of the yield that should be brought. Baal HaTurim points out that the numeric value of the word TENE, basket, is 60, a "remez" to the one over 60 portion of Bikurim.

[5] In numismatics, the side of a coin that bears the principle stamp or design is called the obverse side. The other side is the reverse (also known as verso). In the US and many other countries, the obverse of a coin has the image of a person's face. Hence, that side became known as "heads". The obverse probably became known as "tails" in contrast to heads, not because of anything specific appearing on the verso of the coin. In Israel, by the way, the "heads" of a coin is known as PALI, short for Palestine, which appeared on the obverse of coins before Statehood. "Tails" is called EITZ for the common image of a palm tree on the reverse of the coin. Even with a 10 on one side and a menorah on the other, the sides are still called PALI and EITZ. Oh, yes. This is a TTriddle for Parshat Ki Tavo. Almost forgot. The promise, if we follow the Torah, is that we will be "head" (obverse) and not "tail" (reverse).

[6] The haftara of Ki Tavo has a prophecy of the time of the Geula, when copper will be replaced by gold and iron will be

replaced by silver. Copper and iron are among the list of base metals and gold and silver are among the noble metals. The transformation of base metals into noble metals, especially gold, is the quest of the alchemist. Nay, it is the definition of alchemy.

[7] TAVO EL, you will come/go to... is followed by "your fathers", when G-d spoke to Avra(ha)m at the Brit Bein HaBetarim, telling him some of the future of his descendants. My family, MISHPACHTI, follows KI TAVO EL in the context of Avraham sending Eliezer to his hometown. EL HAARETZ appears a number of times. Elsewhere in Tanach, the phrase is followed by two WHEREs and a WHO - Bavel, Eretz M'shovevet... and MELECH HATZAFON, the king of the north.

And 5 unexplained ParshaPix elements

[8] Green pepper with YES & NO. Is pepper a PRI HAADAMA. Well, as far as Ki Tavo is concerned, the answer is YES and NO. The command to take of the first fruits of the land, PRI HAADAMA does NOT include green pepper. Only the Seven Species. On the other hand, later in the sedra when the PRI HAADAMA is to be blessed (if, and not so if not), pepper is assumedly included in that term.

[9] At the top of the ParshaPix is a (spice) rack, representing another promise for our faithful behavior, that will be RACK L'MAALA, just at the top. (Please forgive bad Hebrew-English puns.)

[10] The opened lock is for the prophecy in the haftara, that your gates will be open always, day and night they will not be closed...

[11] The flower next to the 12 stones is a "forget-me-not", as in "... I did not violate any mitzvot, nor did I forget." Part of Vidui Maasrot.

[12] The golf club (it's an IRON) is UNDER the STONES, as in the haftara: V'TACHAT HA-AVANIM BARZEL.

This week's TTriddles:

[1] Moshe, Yehoshua, David, yehu, Baruch, Yirmiyahu, and who?

[2] Dalet, Ayin, Mem - only 3 of 16 (in a 4WS) without what?

[3] Please my tears in their mouths to us

[4] What mood is 9? (upside down 6)

[5] Bottom of the first, they are repeatedly called upon

[6] Opens with important advice for a happy RH

[7] When a piece of myocard replaces the gastrocnemius

[8] Rain on it would produce oil of vitriol

Attention PDF TT-files recipients:

This week (again) there are extra PDFs, mostly for Yom Kippur.

K'TIVA VACHATIMA TOVA