



ש"פ תצבים-וילך
875
 כ"ג אלול תשס"ט • Sep. 11-12, '09



This Shabbat is the 348th day (of 354), 50th Shabbat (of 50) of 5769
 לַמַּעַן צִיּוֹן לֹא אֲזוּשָׁה וּלְמַעַן יְרוּשָׁלַם לֹא אֲשָׁקוּט... הפטרה
PIRKEI AVOT: P'rakim 5 & 6 in Israel and elsewhere

Return, Return, Return, Return

NITZAVIM is always read on the last Shabbat of the year, the Shabbat right before Rosh HaShana. Sometimes it is read alone - specifically when Rosh HaShana is Monday-Tuesday or Tuesday-Wednesday. A bit more often, it is read together with Vayeilech (when RH is THU-FRI or SHABBAT-SUN). The official reason for the tweaking of the schedule of weekly sedras causing Nitzavim to be read on the Shabbat before RH is to let it be a buffer between the harsh TOCHACHA of Ki Tavo and Yom HaDin, a.k.a. Rosh HaShana. Perhaps a more substantial and significant reason for its being read on the Shabbat before Rosh HaShana is the perfectly appropriate topics contained in little Nitzavim - the topics of T'shuva, Reward and Punishment, and Free Will.

Candle Lighting
 (Earliest candle lighting - PLAG) and **HAVDALA** times
 Israel Summer Time

TT 875 • Rabbeinu Tam (J'm) - 8:02pm

6:14 (5:32)	Yerushalayim	7:26pm
6:32 (5:35)	S'derot	7:28pm
6:30 (5:33)	Gush Etzion	7:26pm
6:31 (5:34)	Raanana	7:28pm
6:31 (5:33)	Beit Shemesh	7:27pm
6:31 (5:34)	Rehovot	7:28pm
6:31 (5:34)	Netanya	7:28pm
6:29 (5:34)	Be'er Sheva	7:27pm
6:31 (5:33)	Modi'in	7:27pm
6:14 (5:34)	Petach Tikva	7:27pm
6:14 (5:32)	Maale Adumim	7:26pm
6:30 (5:33)	Ginot Shomron	7:27pm
6:29 (5:32)	Gush Shiloh	7:26pm
6:30 (5:33)	K4 & Hevron	7:26pm
6:30 (5:33)	Giv'at Ze'ev	7:26pm
6:31 (5:34)	Yad Binyamin	7:27pm
6:32 (5:35)	Ashkelon	7:28pm
6:19 (5:32)	Tzfat	7:26pm

Rambam's Hilchot T'shuva is introduced by a note on the topics to be presented in this particular section - the final one - of Sefer Mada, the Book of Knowledge. Those are T'SHUVA and other concepts that come along in its wake - namely, Reward and Punishment and Free Will. And these are exactly the topics presented in Nitzavim.

Let's take a look at the way the Torah presents the topic of T'shuva. Paraphrasing... When you will be punished for turning away from G-d by being dispersed among the nations of the world... YOU SHALL RETURN TO G-D and keep the mitzvot... And G-d will RETURN you to the Land (of Israel)... and He will help in the process of your return... You shall RETURN...

continued on page 3



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Other Z'manim

Ranges are 10 days, WED-FRI
 20-29 Elul (September 9-18)

Earliest Talit & T'filin	5:29-5:35am
Sunrise	6:20-6:26am
Sof Z'man K' Sh'ma	9:27-9:29am (Magen Avraham: 8:42-8:44am)
Sof Z'man T'fila	10:30-10:30am (Magen Avraham: 10:00-10:00am)
Chatzot (halachic noon)	12:36½-12:33¼pm
Mincha Gedola (earliest Mincha)	1:08-1:04pm
Plag Mincha	5:34¼-5:21¼pm
Sunset (based on sea level: 6:52-6:40pm)	6:57-6:45pm

Word of the Month
 If we "benched" Rosh Chodesh Tishrei, this Shabbat would be Shabbat M'vorchim. But we don't. We can say (along with other reasons given) **cont. p.3**

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RETURNING has two facets - returning to G-d and returning to Eretz Yisrael. These are NOT two different things, because return to the land is part of and conditional upon return to G-d.

Can a Jew return to the Land and not to G-d? Technically, he can, but that's not the point. Look at D'varim 30:1-10 and see how intertwined and interdependent the two facets of return are. The Torah's promises of prosperity when we return is qualified by its happening in the Land.

Some of these p'sukim are quoted in the Prayer for the State of Israel. The full prayer includes the part about the Ingathering of the Exiles AND of G-d's circumcising our hearts to facilitate our love and commitment to Him. When Jews come back to Torah and to Eretz Yisrael, we can talk of Israel being the "beginning of the flowering of our redemption". Just physically coming here does not give Israel that beautiful depiction. May we all return fully.

WORD of the MONTH cont. from p.2

A weekly TT feature to help clarify practical and conceptual aspects of the Jewish Calendar, thereby enhancing our appreciation of G-d's gift to us of HaChodesh HaZeh Lachem...

Rosh HaShana eclipses the Rosh Chodesh aspect of 1 Tishrei, and that RH's coming is purposely kept a little quieter than we might have expected.

What is ironic is that Tishrei's molad is the only one of the year that isn't announced in public, though it is far more "important" to the calendar than any other molad. Every molad is used to calculate the time range for Kiddush L'vana, Tishrei included, of course.

But Tishrei's molad is used to fix the calendar as to when Rosh HaShana is and how long Cheshvan and Kislev, the two variable months will be.

And here's how 5770 is "fixed" without peeking at a calendar. (Or here's how the calendar people do it) 5770 divided by 19 is 303 remainder 13. This means that 5770 is the 13th year of the 304th Lunar Cycle since Creation. Based on the fixed pattern of 12-month and 13-month years, 5770 is a SHANA P'SHUTA, i.e. one Adar, 12 months.

The molad of Tishrei 5770 (based on our traditional method of calculation) is Shabbat morning, 10h 47m 7p. By the main rule for fixing RH, RH 5770 begins on Shabbat.

The molad of Tishrei 5771 will be Wednesday evening. RH is therefore fixed to begin on Thursday.

From Shabbat, 1 Tishrei 5770 until Thursday, 1 Tishrei 5771 in a 12 month year, there are 355 days - one more than the "normal" situation. The extra day, so to speak, is 30 Cheshvan. Kislev keeps its "regular" 30 days - in this case, the year is called SHALEIM, complete or full.

And that's it: 5770 is a פ"ש year. PEI for P'shuta (12 months). SHIN for SHALEIM. And ZAYIN is Shabbat, the first day of the year. This is one of 14 different year-types. The second most common one, by the way, with a frequency of 13.7%. Some code the year ז'שז, where ז is the first day of Pesach, Tuesday.

Nitzavim-Vayeilech

STATS	Nitzavim	Vayeilech	N & V
of 54 sedras	51st	52nd	—
of 11 in D'varim	8th	9th	—
lines in a Torah	87	72	159
rank	52	53	(41)
Parshiyot	4	3	7
P'tuchot	1	2	3
S'tumot	3	1	4
P'sukim	40	30	70
rank (Torah/D'va.)	53/10	54/11	(48)
Words	657	553	1210
rank	51/8	53/10	(42)
Letters	2575	2123	4698
rank	51/8	53/10	(39)
MITZVOT	0*	2	2
positive	0*	2	2
prohibitions	0	0	0

*Some Mitzva-counters count T'shuva from Nitzavim

N & V are the two shortest sedras in the Torah, but their p'sukim are the two longest in the Torah. Look at the (hypothetical) rank of the combined N/V and notice the jump from p'sukim thru words to letters.

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.

Some Natural Cloves

Kohen - First Aliya

3+3+14 p'sukim -
29:11-28

[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 (Ashkenazim and S'faradim, religious and secular, Mitnagdim 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...

And there is more. The second three-pasuk set proclaims 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.

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*

Learn well the lesson of exile

"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.

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.

Rashi interprets this pasuk in the narrow context of the punishments presented in the previous p'sukim. However, this pasuk also 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.

And/or we can apply the concept of the pasuk to things that happen in this world that we don't understand. Whether it is the classic, "TZADIK V'RA LO...", that righteous people sometimes have a very hard life, and wicked people seem to enjoy their lives, or whether it is coping with the death of a child **וְרֵא**, or attempting to understand the SHO'AH, and a myriad of things that strike us as unfair, things that prompt us to "question G-d" - for all of the above, this pasuk succinctly tells us that there are mysteries in this world that

are understood by G-d only, and that those He chooses to reveal to us, become ours to understand. This concept does not "answer" nagging questions, but it must become part of our belief system, because it is a truth that can help us cope, and understand that we are not capable of understanding everything. People resist this notion, but it is no less true because of that.

Levi - Second 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 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 Jew exiled 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

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as a whole - in being given a second chance to live a true Torah life.

MitzvaWatch

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. There is no need to "justify" counting Repentance as one of the mitzvot in the Torah - The Torah commands, V'SHAVTA AD HASHEM ELOKECHA, And you shall return to HaShem, your G-d. But how do we explain the absence of T'shuva from the list of mitzvot.

One can say that Rambam counts only specific, distinct mitzvot. A command which is all-inclusive, such as "Keep My mitzvot", "Be holy", "Be straightforward with G-d", is not numbered on its own, because it is really part of all other mitzvot. T'shuva can be viewed the same way. 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 Shma 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. Just know that whether T'shuva is numbered among the 613 or not, it is an extremely important mitzva, always applicable - but especially at this time of year.

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.

Shlishi - Third Aliya 4+4 p'sukim - 30:7-14

If 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.

[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.

R'VI' - Fourth Aliya 6+3+3 p'sukim - 30:15-31:6

The fourth Aliya is ALWAYS the bridge between the two parts of a double sedra.

[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.

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

Chamishi - 5th Aliya 3+4 p'sukim - 31:7-13

[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".

Moshe next commands the People concerning the mitzva of "Hak'hel" **[612,A16 31:12]**. On Sukkot following a Sh'mita 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".

Shishi - Sixth 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.

MitzvaWatch

Our Sages include in this mitzva the significance of acquiring Sifrei Kodesh (holy books) from which to

Par'o confronted the midwives and asked them why they did this thing, giving life to the babies (Sh'mot 1:18). Perhaps it was so that we could become the people who would fulfill ...**ושבת עז ה' אלקינו**... These two p'sukim are gematriya twins.

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 (that will be used). 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 sformim - 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.*

Sh'VII - Seventh Aliya II p'sukim - 31:-20-30

Because, G-d explains, I am bringing the people to a Land flowing with milk & honey, the People will eat in contentment and turn from G-d. The Torah, however, will not be completely forgot-

PILA & CHERPAK

ten 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 "commanded" 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 and say that Yehoshua wrote those verses.)

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.

The last 3 p'sukim are reread for the Maftir.

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

Final of the seven 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.

Parsha Points to Ponder Nitzavim-Vayeilech

1) Why does the Torah suddenly switch to the singular (L'OVRICHA) when describing the Jews actually making the covenant with G-D after using the plural throughout the rest of this section of the Parsha (29:11)?

2) The Torah describes the fact that this new covenant is not only binding on those who were there at the time but on future generations as well (29:14). Why does it describe those other people as THOSE WHO ARE NOT HERE WITH US TODAY (IMANU) instead of simply saying THOSE WHO ARE NOT HERE TODAY without the word IMANU?

3) Why does the Torah describe G-D removing the spiritual obstacles from our hearts "to enable us to come to love Him" (30:6) after it already described our repentance and return to G-D at an earlier stage in the process (30:2)?

Parsha Points to Ponder

is prepared by

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Answers are somewhere else in this issue
Look for them, but only after a good pondering

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WISDOM & WIT

by Shmuel Himelstein

The Chafetz Chayim would explain what one does in this world in terms of a parable.

"Imagine," he said, "that a man wanted to build a gracious mansion. He called in an architect and told him, 'On my plot of land, I want you to build a magnificent corridor leading to an equally magnificent living room.'

"The architect went home, studied the plot, and told the man, 'Unfortunately, I cannot build both on your land. You will need to make a choice - either simplify the corridor, or make a magnificent corridor at the expense of having a very small living room. I would strongly urge you to cut down on the corridor, because a magnificent corridor leading to a small living room would be the height of incongruity.'

"And we, too, are faced with the same choice," said the Chafetz Chayim. "We can invest all our efforts into furthering ourselves in this world - the corridor to the World to Come - and as a result lose out on our portion in the World to Come. Or we can 'invest' all of our efforts while we are in this world in furthering our position in the World to Come. Yes, it will mean that in this world we will not strive for all the luxuries, but we will be ensuring that our lot in the World to Come will be a fine one."

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 permission

Statement by Rabbi Yaakov Luban in Response to Criticism of OU Kosher Standards in Israel, Sep'09

Recently, an investigative journalist posted an article that appeared on a number of blogs, which was critical of OU supervision of hotels and restaurants in Israel. Within a few days, the OU arranged for me to visit Israel and determine if the criticism was valid.

I spent one week in Israel and visited these OU locations multiple times, both with the OU representative responsible for oversight, and on my own, at different times of day and night. The conclusions of my investigations are as follows:

While the investigator accurately reported what he saw and heard, the report did not capture the entire picture, as there were other pieces of relevant information that the journalist did not reflect in his article, perhaps because of a lack of awareness on his part. One of the strong criticisms of the article was that the OU rubberstamps the existing Rabbonut supervision at these locations with no oversight of its own. This is not the case.

The Jerusalem Plaza is supervised by Rabbi Eliezer Mendelson, who works on behalf of the OU, and has made various enhancements to the supervision in the past year. The article quoted a source who said that Rabbi Mendelson "is not really in charge of Kashrus." This is not true, as Rabbi Mendelson was appointed by the owner to be the Rav of the hotel, and in conjunction with this he serves as the OU representative.

The report notes that Rabbi Turetzky is the supervisor at Jerusalem Gate Hotel on behalf of the Jerusalem Rabbinat, but that there is no OU presence. It is true that

Rabbi Turetzky is in the employment of the Jerusalem Rabbinat, but he is also an employee of the OU. As such, he is at the hotel in a dual capacity.

The report does not touch on the Ramada, which is under Rabbonut Mehadrin, as well as the OU. The OU has reviewed the hotel and has verified that the Mashgichim are of excellent caliber and the Kashrus system is well controlled.

During my visit, I met with Rabbi Shmuel Burnstein, who heads the division of supervision of the Rabbonut Mehadrin hotels. I reviewed the Kashrus in all OU hotels and found it to be tightly controlled by a team of very competent Mashgichim.

The OU supervises four dairy restaurants in Yerushalayim. In each of the restaurants only Jews cook in the kitchen, which obviates the concern of bishul akum. There is a very strong system of yotzei vinichnas (spot inspections) with a Mashgiach coming regularly throughout the day and night. In each of these restaurants, the OU arranged for Mashgichim and the OU insisted that all ingredients meet Mehadrin standards. In addition, Rabbi Turetzky spot-checks to insure that everything is in order. The OU is comfortable with this situation.

The OU supervises three meat restaurants where the OU arranged for Mashgichim to be present. The OU has a strong presence in these establishments and is not blindly rubber stamping the supervision.

The article reported on other irregularities as well. For example, the journalist waited in the morning for the Mashgiach at Pappagio, a meat restaurant, for 40

minutes, but the Mashgiach did not arrive. In the interim, the restaurant was in operation. I confirmed with the Mashgiach that he was not present, but what was not reported was that the Mashgiach was ill that morning and could not arrive because of a severe back problem. Though the Mashgiach arrived late that particular day, this is not standard operating procedure at the restaurant. One cannot prevent such emergencies from occurring. The question is how to respond when the Mashgiach is late because of an emergency: Should the restaurant open or not? This depends on the individual facility, and the Mashgiach felt that he had sufficient control and knowledge of the facility to not warrant shutting down the store until his arrival, particularly since the management anticipated his presence shortly and they did not know when he would arrive. The grill (where most of the cooking occurs) was not in operation before the Mashgiach arrived, and only prep work was occurring in the kitchen. In addition, the chef's are Jewish and there was no concern of bishul akum. When the Mashgiach did arrive, he was able to confirm that everything was in order.

The journalist reported that he visited Taiku three times and never saw the Mashgiach. The arrangement in Taiku is that a Shomer Shabbos chef, who does all the cooking, is present at all times. In addition, a Mashgiach is present at least eight hours a day during the busiest time of operation. It is common practice to rely on Shomer Shabbos employees (we refer to them as "working Mashgichim") in certified restaurants.

The report also claimed that dairy liquor was used in a meat establishment. I asked the journalist for the name of the liquor and he said it was Southern Comfort. To

our knowledge, this is not dairy. It is true that in America the OU does not allow Southern Comfort because it lacks supervision, but in Israel it is commonly used. Nonetheless, the point of consistency is valid and we are reviewing this situation.

I met with the reporter in Israel and he expressed to me that there was a lack of transparency in the standards and procedures in Israel. This, in part, created some of the confusion. This is a valid point which we hope to correct in the future by publicizing the OU standards in food establishments in Israel.

The reporter also expressed frustration that he was not permitted entry into the kitchens without the presence of our supervisor. This creates the impression that we are seeking to hide information. I explained that this is not the case, and it is common practice to have a supervisor present during a review to insure that misunderstandings do not occur. We are happy to escort people through the kitchen and explain the basis of our supervision.

I was glad that I came to Israel to review these establishments. It is always possible to improve and enhance supervision. In general, the Kashrus of the OU restaurants and hotels in Israel was good, but I did find some areas where I felt improvement can be made. I hope to implement these changes in the near future.

If you would like to discuss this matter with me directly, please call me at 212-613-8214 and I will be happy to speak to you.

Rabbi Yaakov Luban
Executive Rabbinic Coordinator
Orthodox Union Kashrut Division

Divrei Menachem

Moshe Rabbeinu, in the opening lines of our parsha, starkly reminds us of our privileged position, namely, that we stand before Hashem. Moreover, Moshe reminded the assembled gathering that those present consisted of, "the heads of your tribes, your elders, and your officers - all the men of Israel; your small children, your women... your proselyte... from the hewer of your wood to the drawer of your water" (D'varim 29:9-10).

Interestingly, all strata of society are mentioned. It made sense - as Moshe was about embark on the sunset of his life - that the heads of the society were present to take upon the responsibilities of leadership. It made sense, too, that the adults were acknowledged at the threshold of entering upon a new covenant designed to imprint upon them the dual relationship between the Jewish people and Hashem.

But what of the small children and the working-class Jew, so far removed from the echelons of power and so obviously lacking in authority?

Perhaps we should first recall that Judaism is inclusive of all members of the faith, irrespective of age and position. More to the point, however, is that we all, in our own ways and at every level, influence those around us (Ohr Hachayim). This surely indicates that it is not only what we know that is significant; it is what we do with what we know that counts.

📖 When we feel that "our whole world is breaking apart", it is therapeutic to look at ourselves in the mirror and find that we are substantially the same. Indeed, at such times we are often amazed to discover that our outward appearance has undergone no change, though inwardly we may feel ourselves a bloody chaos. Sometimes, however, the effect is negative. We are led to feel assured that our evil actions are not quite so evil as we feel them to be when we find that we have not been perceptibly changed by them in any way.

From "A Candle by Day" by Rabbi Shraga Silverstein

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Bobby pin = סיכת־ראש

Hair pin = סיכת־סבתא

Either is also called

מַכְבֵּנָה

Hair clip (what many people use to keep their kipa on, rather than a bobby pin) = אָטב־שָׁעָר

Barrette = סיכת־איסוף

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.

Q *Someone locked his bike to the banister next to the steps leading to our building. The wheel blocked a third of the steps. This created a significant inconvenience (especially to an old, sick man) and caused a couple of people to trip (it was not easy to notice the protruding wheel). After waiting several weeks when apparently no one moved the bike and being unable to ascertain the owner's identity, we broke the chain and moved the bike nearby to a place where it does not disturb. Must we buy a new chain to lock up the bike to prevent its theft? (In our safe neighborhood, carriages and (often) bikes are left unlocked, and they can remain many months without being stolen.)*

A We need to first see if you had a right to break the chain and move the bike, as it impacts on your question also. In general, one may “take the law into his own hands” to remove/prevent damages in a manner that causes the least necessary loss to the damager (Bava Kama 28a; Shulchan Aruch, Choshen Mishpat 4:1). One may break things that prevent him from getting out (ibid. 412:2). It seems that the accumulated inconvenience and potential danger the bike caused justified doing something. If you exhausted reasonable efforts to find the owner and have him remove the bike, it was proper to break the chain and remove it.

At this point, why should you not have the normal responsibilities of hashavat aveida (which includes preserving the object until the owner is found - see Tosafot, Sukka 25a)? Perhaps you could claim to be exempt because there is no aveida, as the owner presumably knows where the bike is. Indeed, when one leaves his object purposely in a certain place, no one should take it to return it (see Bava Metzia 26b). However, this is not relevant because when the owner left it, the bike was chained up and now it is not. This resembles the case of one who hid an object in a garbage dump that was not slated to be vacated and now it is slated for removal, in which case there is an obligation of hashavat aveida when feasible (ibid. 24a).

However, a different exemption from hashavat aveida seems to apply. The gemara mentions in a few places (including Bava Batra 87b, Bava Metzia 25b) the situation of aveida mida'at (literally, an intentional losing). The common denominator of the cases is that an owner purposely left his object in a situation where its chances of remaining intact and in his possession are poor. In that case, one is not required to do hashavat aveida. The Rambam (Aveida 11:11) derives this from a pasuk (apparently based on a

Talmudic source - see Shut HaBach 97) that one does hashavat aveida when the object was “lost from him” (D'varim 22:3), as opposed to an intentional loss. The Rambam says that while there is no mitzva of hashavat aveida in this case, the finder may not claim the object. The Tur (Choshen Mishpat 261) says that the finder may take it because we consider the owner to have been mafkir (relinquish rights to) the object. According to the Rambam, there appears to be a rule that one does not have to go to greater efforts to protect someone else's possession than the owner did (see Netivot Hamishpat 261:1; Even HaEzel, Aveida 11:11). Similarly, in our case, when one left his bike in a manner that he should have expected people to eventually exercise their right to cut the chain, he knowingly exposed it to the prospect of being unprotected. Thus, you are not required to take steps to remove the danger he should have anticipated. The Tur probably agrees to this concept, in cases of aveida mida'at where hefker does not apply (see Bava Batra 87b; Netivot Hamishpat 261:1).

In summary, you are probably not required to obtain a chain for the bike you moved, especially if the bike is in a situation where he still has good chances of getting it back. On the other hand, you do not know what caused the owner to leave the bike as he did, and it would be a responsible move and nice gesture to protect it.

Machon Puah

Fertility Extension

Until now, our review of fertility preservation has focused primarily on its use with cancer patients. Our discussion included a review of the halachic implications of fertility preservation as well as the halachic differences between those that apply to married or single patients.

This same technology can and has been adapted for use in other situations that have raised serious halachic concerns. The most prominent application involves unmarried women of advancing age. In this example, a single woman who has no medical indications to require fertility treatments is concerned that she will soon be too old to have children. Freezing her eggs or even sections of the ovary in order to extend her fertility may allow her to mother children later on in her life at a time when she would otherwise be infertile.

Although the procedures are the same as in female fertility preservation, this application is known as fertility extension. Both are elective procedures; fertility preservation is indicated because of other medical concerns (such as cancer or premature menopause) while fertility extension is considered to be a completely elective procedure.

Medically there is no distinction between the procedure of egg freezing for fertility extension or preservation. Similarly, there is no medical difference between a single or

married woman. Of course, in the case of fertility extension there is no husband involved. The option of freezing fertilized eggs is not available for fertility extension unless donor sperm is used (which raises additional halachic complications of its own).

Halachically there is a difference between the two applications. Elective surgery is frowned upon by halacha; in certain circumstances it is actually forbidden. This applies to all elective surgery, especially when the surgery involves specific prohibitions such as castration. Ovarian freezing might in some cases be considered to be a form of castration. Even freezing human eggs may have ramifications later on in life. Therefore using these processes are not a simple halachic issue.

As we discussed in previous articles, many poskim allow these procedures for fertility preservation for terminally ill patients on the basis of pikuach nefesh. Having these procedures done strengthens the patient's desire to fight the illness and can

result in a stronger likelihood of recovery. However, fertility extension does not involve this extenuating circumstance. The poskim are more cautious in this case.

The source for permitting any elective surgery is a Tosafot (Shabbat 50b) which states that embarrassment is considered as pain in halacha. Therefore, one who is embarrassed to walk

outside due to some disfigurement is permitted to remove it, even if this contradicts certain prohibitions.

The definition of what is considered sufficient and legitimate embarrassment is a matter of debate and each case must be examined individually. However, it is quite a stretch to say that a single woman without children suffers the level of embarrassment that would be seen as "pain" in the eyes of halacha. There is no question that she may suffer great frustration, loneliness and pain. Unfortunately these are not necessarily enough to be considered serious enough for fertility extension to be allowed halachically.

Furthermore, the Poskim have additional societal concerns over this procedure. This will be discussed next week.

Rabbi Weinreb's Weekly Column:
The Person in the Parsha
for Parshat Nitzavim-Vayeilech

An Attitude of Gratitude

"Thank you".

I think that those two words are the most important two words in our language. I often recommend to new parents that these two words become one of the first things that their baby learns to speak.

The idea behind this deceptively simple phrase is the concept of gratitude. Every one of us, no matter how difficult our position in life, has much to be thankful for. And yet, few of us feel thankful, and fewer still express our gratitude to others.

The world would be a much better place if we each could cultivate an "attitude of gratitude".

There are two factors which make it difficult for many of us to have this attitude and to articulate it.

The first factor is the sense of entitlement that so many of us have, which seems to pervade our contemporary society. We feel that we are owed all that we have, that it is somehow "coming to us".

We raise our children to believe that all their needs will be provided for and that they need not exert much effort on their own to achieve the necessities and even luxuries of life.

It is no wonder that our children feel no sense of gratitude toward us. No one can appreciate the benefits of life

if he or she feels entitled to them.

There is another factor which stands in the way of the "attitude of gratitude". It is a consequence of the stress our society places upon the value of autonomy. The totally autonomous person is convinced that he is the source of all his achievements and, therefore, is beholden to no one else. The delusion of extreme autonomy becomes translated into that powerful biblical phrase, "It is my strength and the might of my hand that brought about my success".

In this week's Torah portion of Nitzavim-Vayeilech, there recurs a frightening litany of phrases: "G-d will not forgive him." "G-d's anger and passion will rage against him." "In anger and fury and in great wrath". (Do we need any punctuation within these phrases?)

These phrases are nothing less than the Almighty's reaction to ingratitude. "I have taken you out to Egypt... I have included you in My covenant... I have set before you life and prosperity... that you may thrive and increase..." And yet, you do not thank Me. You are not grateful. You fail to appreciate the blessings I have bestowed upon you.

In these nearly final passages of His Torah, G-d reserves His harshest scorn for our failure to "count our blessings". What an important and relevant lesson this is for us today!

How many of us feel, truly feel, gratitude that we live and breathe, that we are healthy, that we live in an affluent and free society, that we have friends and family about us? Quite the

The Puah Institute for Fertility and Gynecology in Accordance with Halacha is based in Jerusalem and helps couples from all over the world who are experiencing fertility problems. Puah offers free counseling in five languages, halachic supervision, and educational programs. Puah has offices in Jerusalem, New York, Los Angeles and Paris. To contact the Puah Institute please call (02) 651-5050 in Israel or in the US 718-336-0603. website: www.puahonline.org

contrary. Are we not instead ridden with complaints and petty disappointments?

Gratitude is the very stuff out of which healthy human relationships are made. Grateful children are happy children, and are a delight to raise.

A husband and wife who feel grateful to each other and who express these feelings of thanks are a happily married couple.

Our sense of wonder, so important for a full expression of our humanity, depends upon our gratitude for our natural environment and its beauty. The fact that we take the natural world for granted is the main reason that we abuse it so, ultimately to our own detriment.

The great blessing of possessing good friends is something to be grateful for. And ironically, one earns good friends through mutual expressions of gratitude and thankfulness.

From a religious perspective, gratitude towards G-d is a confessional statement. By expressing gratitude, we acknowledge that we are limited creatures, dependent upon the Divine, whose support and sustenance we could not survive without. We recognize that one can, in the last analysis, achieve nothing with "one's own powers and the might of one's own hands". Thanking G-d in prayer or in contemplation is an expression of humility and an acceptance of human limits.

No wonder then that in Hebrew, the word for confession, *hoda'ah*, is the same as the word for gratitude.

No wonder, too, that the very word which identifies us, "Jew", derives from the name given by our Matriarch Leah to her son Yehuda, which she gave him because Yehuda means thanksgiving.

I remember nodding my head in assent when I heard Isaac Bashevis Singer deliver his Nobel lecture in Stockholm, 1978. Surely one of the greatest masters of the Yiddish language, Singer keenly observed that the Yiddish language is unique not only in its humor, but also in the theme of gratitude which pervades it:

"There is a quiet humor in Yiddish", Singer told the world, "and a gratitude for every day of life, every crumb of success, each encounter of love..."

Well said. But the British poet Thomas Gray perhaps said it even better:

"Sweet is the breath of vernal shower,

The bees collected treasures sweet,

Sweet music's melting fall, but sweeter yet.

The still small voice of gratitude."

HEI/SH'VA

There are over 1200 words in Tanach that have a HEI with a SH'VA under it - most related to the word HAYA. Just trolling Nitzavim and Vayeilech for samples, we find EH-YEH, TIH-YEH, and YIH-YEH. The SH'VA under a HEI is ALWAYS a SH'VA NACH, and the HEI closes the syllable it's in with an aspirated HEI sound - identical to a MAPIK HEI at the end of many words. YIH-HH and then YEH, the second HEI not sounded at all (the transliterated H used in this case to help the reader pronounce the syllable). YIH-YE, not YI and H'YE. The SH'VA of the HEI is never NA. Caution: the wrong pronunciation of the HEI/SH'VA is the more natural way to say the words in question; therefore, it takes practice and care to pronounce the word correctly.

There is one more HEI/SH'VA in Nitzavim that presents to other challenge to correct pronunciation of the HEI/SH'VA. Like the overturning of S'dom - כְּמִהֶפְכַּת. In this word - and others like it - the common way to pronounce it is to ignore the HEI's sound. K'MA-PEI-CHAT. This would be fine if there was no SH'VA under the HEI. Then it is totally silent. But with a SH'VA, the HEI contributes its sound to the word. K'MAHHH-PEI-CHAT. Again, the wrong pronunciation comes more naturally, and one should take care to aspirate the HEI.

All this is similar to the H in English with words like honest and herbs, etc.

Pirkei Avot • ending

Since we are officially ending the reading/learning of Pirkei Avot (actually, it is a good thing to learn all year round) with the 5th and 6th chapters of the fourth cycle since Pesach, let's take another look at the mishna borrowed from Masechet Makot and used to conclude each week's learning.

רַבִּי חֲנַנְיָא בֶּן עֲקִישָׁי אָמַר, רִצָּה הַקָּדוֹשׁ בְּרוּךְ הוּא לְזָכוֹת אֶת יִשְׂרָאֵל, לְפִיכָךְ הִרְבָּה לָהֶם תּוֹרָה וּמִצְוֹת, שְׁנַאֲמַר (ישעיה מב) ה' חִפֵּץ לְמַעַן צְדָקוֹ יַגְדִּיל תּוֹרָה וַיֵּאדָר:

The key word (okay, one of the key words) in this mishna is HIRBA, heaped upon us, akin to the word HARBEI, a lot - G-d did not just give us the Torah and Mitzvot, He "piled it on" us, so to speak. This, from His "desire" to give us more merit (for keeping Torah and Mitzvot).

We can include in this idea, the many areas of mitzvot that have both a positive command and a prohibition that essentially say the same thing: FAST on Yom Kippur; do not eat or drink on YK. Do not do any Melacha on Shabbat; abstain from Melacha... Many mitzvot like this, where either the ASEI or the LAV would suffice. HIRBA.

This also includes the proliferation of mitzvot that could be combined into a single mitza. Do not rob, steal, cheat, move a boundary marker, extort, kidnap... All forms of stealing; one command would have sufficed. HIRBA.

Also, leave the corner of your field of grain, your vineyard. Don't cut the corner of your field, your vineyard. Separate mitzvot. HIRBA.

The many mitzvot we have are gifts from G-d to His chosen people - not burdens to weigh us down. They are challenges and they are the keys to our lifelong striving towards K'DUSHA, holiness.

Spiritual and Ethical Issues in the Bamidbar Stories

by **Dr. Meir Tamari: Korach & Co. {6}**

Just as the revolt against the prophecy of Moshe and the Word of G-d therein, of Korach, Datam and Aviram was singular and absolute, so too, the punishment that was meted out to them was singular and far removed from anything else that is described in Tanach. The fate of the 250 firstborns was similar to that of Nadav and Avihu, and the plague that was visited on Israel later was basically similar to the punishments of the other rebellions of the people. While the punishment for the sin of the Eigel was postponed and that of the Spies took 40 years to be complete, the Midat HaDin for Korach and congregation took effect immediately and dramatically. "The fire-pans of the 250 firstborn was sanctified since through them the truth was established and sheker was exploded" (Akeidat Yitschak). However, everything that belonged to Korach and his congregation, all their possessions, even petty items like needles, descended down into She'ol. In contrast, the children of Korach who did not die (Bamidbar 26:11) were great and pious adults; the prophet Shmuel, who is compared to Moshe himself, was one of Korach's descendants.

"If these men die like the common death of all men and if a doom like all men is appointed for them, then G-d did not send me" (Bamidbar 17:29). Moshe requested the special death as a sign that G-d had sent him; Eliyahu prayed that G-d should send down fire so that the people would acknowledge Him and do T'shuva (Melachim Alef

18:37); Micha ben Yamlah (Melachim Alef 22:28) prophesied that if Achav, whose punishment for the death of Navot was to be death in battle, returned in peace, that would prove that his prophesy was not from G-d"

(Yerushalmi, Sanhedrin 10:1). "Moshe asked that a new creation be made so that the deaths of Korach and his congregation should not be like that of ordinary people. People have children and the merits of these children help them in the World to Come. It is true that the Torah tells us that the sons of Korach did not die with him, however, he was denied their merits".

"If G-d will create a new creation and the earth open its mouth and swallow them up with all that they have and they go down to the grave alive, then you will know that these men have derided G-d (Bamidbar 7:30).

Resh Lakish taught that this verse is the Torah source for the mitzva of Bikur Cholim. "Ravah explained that the way of the world is for people to become ill before they die and then their relatives and acquaintances visit them, inquire after their health and offer assistance [thus mitigating some of their pain and suffering]" (Nedarim 39b). Morally and spiritually it is fitting that this mitzva should be seen as flowing from the punishment of Korach's evil.

"Seven things were created before the creation of the world: Torah, T'shuva, Gan Eiden, Gehinom as the earth opened up and swallowed them, the

Throne of Glory, Bet HaMikdash and the name of Mashiach" (Nedarim 39b). Our sages, in their commentaries both on the Gemara and on the Chumash, express G-d's desire for the world to continue despite the acts of evildoers and their resultant punishment. Reward, Punishment, and T'shuva are fundamental and essential to the existence of the world and the continued life of all its creatures; all seven of the things created before the creation of the world are related to Divine reward and punishment. Everything in the world is precious to G-d but Israel is especially precious and the Torah given to us shows us how to live. The gates of T'shuva are always open so that all can repent and find atonement, while Gan Eiden and Gehinom assure us of reward and punishment. The Throne of Glory is of the source of that reward, punishment and t'shuva while in the Bet HaMikdash mankind meets G-d. Mashiach brings redemption.

"A new creation was essential in view of Korach's denial of the truth of Torah Moshe. Such a denial raised doubts and disbeliefs not only in the mitzvot and in the role and rights of the Kohanim and Leviyim but equally in the whole story of G-d's creation of Heaven and Earth. This would mean that there was no Creator, no divine intervention in the affairs of mankind, and no reward and punishment. Only a new creation could establish the truth of Moshe's words. The creation whereby the earth opened up and swallowed Korach and his congregation was radically and obviously different from the earthquakes that occur. In an earthquake, the earth opens and stays that way, whereas

here it opened, swallowed the people but then closed on them; everything returned to normalcy - in truth a new creation" (Abarbanel).

"If they had died ordinary deaths and met with ordinary fatal accidents which would be no less the fulfillment of G-d's pronouncements, still such a death and fate could not serve as a proof of Moshe's mission. For that mission was based on the intervention which was accomplished in a manner beyond the natural order of things. G-d stands in free power over and beyond the laws of nature that originate from Him; by His Will they act, yet He is not bound by them. The mission was to reveal Him not only as He Who once created the world but also as He Who has the power at any moment to introduce a completely new future and Who is ready to use this power for the benefit of human beings whom He has gifted with a breath of His Own free-willed freedom of will. With this mission of Moshe, G-d wished to begin educating and elevating mankind up to Him and to the exercising of His free-willed moral power" (S. R. Hirsch).

"All Israel fled from the sound of weeping [of those descending into She'ol]. They screamed from the depths, 'G-d is righteous, His verdict is true, and the words of His servant Moshe are true. We are evil because we rebelled against Him'" (Targum Yonatan, Bamidbar 26:11).

A little more TBDATR

The word HAK-HEIL (the mitzva is #612 and is in Parshat Vayeilech) is hard to say. The HEI is easily swallowed by saying HAKEIL. Again, one needs practice and care to say HAK-HEIL. First syllable HAK; second one HEIL

RAKEL BERENBAUM'S
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GOOD CROWDS AND BAD CROWDS

Some people hate crowds. They much prefer the solitude of a deserted island where they can contemplate the meaning of life, learn to understand themselves and hear the chirping of the birds.

Other people love crowds. They search out a party, a conference, a rally - any big event. They like the thrill of seeing all those different faces, all the different styles and hearing all the different ideas. They enjoy the noise and the bustle.

There are good things about a crowd. One can be stimulated by the ideas of others. One can be motivated to do positive things that alone one might not get to - KIN'AT SOFRIM TARBEH CHOCHMA - because of others around a person will strive harder.

But there are also bad things about a crowd. A bad crowd can lead a person to sin. The ALSHICH explains that the sin of the Golden Calf came about through the gathering of a crowd. VAYAKHEL HA'AM AL AHARON – THE PEOPLE GATHERED AROUND AHARON (Shmot 32:1). The people grew nervous that Moshe hadn't returned and a mob mentality took over.

The ALSHICH continues that since the Sin of the Golden Calf came about through the gathering of a crowd, it

needs to be rectified through the gathering of another type of crowd. Hence the mitzva we read about in our portion - HAKHEL (31:12). Every seven years on the holiday of Sukkot all the nation gathers in Jerusalem to hear the king read from the Torah. This is to help them better observe the Torah. "Gather together the nation - the men, women, children and strangers." Everyone was encouraged to join this crowd.

We see from here the importance of being part of a group, but joining the right group.

Becoming or renewing membership in the Israel Center and participating in its many activities is definitely being in a good group. Joining those who take classes such as how to improve your memory at the Institute for the Study of Aging www.melabev.org/posts/97 or those who go on Melabev's Walkathon this Dec. www.melabev.org/posts/103 or join Brainspa workshops for memory improvement www.brainspa.co.il are also good groups.

CHILI FOR A CROWD

- 6-8 lbs, beef
cut in chunks ¼-½ inch cubes
- ¼ cup olive oil
- 2 large onions, diced
- 1 whole head garlic cloves,
peeled and minced
- 1 8-ounce can tomato sauce, w/chili
- 2 cups hot water
- 6 Tbsp chili powder
- 4 Tbsp ground cumin
- 1 Tbsp freshly cracked black pepper
- 1 Tbsp salt

- 1 Tbsp paprika
- 2 tsp Tabasco sauce
- 3 Tbsp flour
- 3 Tbsp cider vinegar
- 4 Tbsp ketchup
- cayenne pepper, to taste

Heat olive oil. When hot, brown beef in batches. Don't add too much at once, otherwise it will steam rather than brown. Add more olive oil as needed. As meat is browned, transfer to a large kettle or stockpot. After meat has been cooked and removed, saute onion in same pot until translucent; add garlic and sauté until lightly toasted but not browned. Transfer onion and garlic to same pan as meat; mix thoroughly.



Prizes for best solution sets (when awarded) are furnished by Noam Productions and/or Big Deal.

Last issue's (KI TAVO) TRIDDLES:

[1] canary's rife

The Canary Islands are a Spanish archipelago (large group of islands) which, in turn, forms one of the Spanish Autonomous Communities and an Outermost Region of the European Union. The archipelago is located just off the northwest coast of mainland Africa... Tenerife, with 865,070 inhabitants, is both the Canary Islands' and Spain's most populous island. So, canary's rife is TENE, as in (fruit) basket form the Bikurim parsha at the beginning of Parshat Ki Tavo. Words related to TENE occur four times in all of Tanach - all in Ki Tavo. Twice, in reference to the basket for Bikurim and twice in the blessing and the opposite, as in Blessed is your fruit basket and your store(house) -

meaning economic prosperity (or the opposite).

[2] Is that anything like the YVAN?

YVAN is NAVY backwards. In the haftara of Ki Tavo (Yishayahu 60) we find the words YAM CHEIL (they don't belong to the same phrase; they are just sequential words). CHEIL YAM is the (Israeli) navy, so YAM CHEIL might be like YVAN.

[3] Yaakov, Moshe, and the VM declarer

The phrase LO ACHALTI, I have not eaten, occurs four times in the Torah (three more times in the rest of Tanach). Yaakov Avinu said it to Lavan when he indignantly defended his faithful service to his conniving father-in-law (and uncle). Moshe Rabeinu said it twice when telling the people of Israel about his time on Har Sinai, when (and where) for 40 days and 40 nights, he did not eat bread (anything) nor drink water. The VM - Vidui Maasrot declarer, says that he did not eat Maaser Sheni in any situation that would be forbidden to eat it.

[4] This week and 4 weeks ago - and that's all

This week's sedra (meaning Ki Tavo) begins with the word V'HAYA. Four weeks earlier, EIKEV also began with V'HAYA. And that's it - these are the two sedras that begin with the word V'HAYA.

[5] 3/5 of D'varim; 3/10 of Torah; 3/13 of Tanach

ERETZ ZAVAT CHALAV UDVASH occurs 15 times in Tanach. We will subtract two times immediately because they were uttered by Dan and Aviram. Once, they used it to describe Egypt and the other was sarcastic, to further deride Moshe Rabeinu. We will not count them in the 13 times that the Tanach describes Eretz Yisrael with this beautiful phrase that was defiled by D&A. Of the 13 times, 10 are in the Torah. Of those 10, 5 are in the book of D'vrim. Of those 5 (of those 10 and of those 13), three are in Parshat Ki Tavo, which makes Ki Tavo the largest source of that phrase in all of Tanach.

[6] knee dur Caesar

The answer is SID (whitewash or lime), as in SIDney, SIDdur, and SID caesar. SID is mentioned as a noun and as a verb several times (total) related to the stones which are to be erected in Eretz Yisrael shortly after entry, to be inscribed by words of the Torah.

[7] Pavorati in Brooklynese

He's TENE again. Brooklynese, a popular dialect of English, often drops the R from words ending with an -er or -or. E.g. Teacha (rather than teacher). So too, TENE for tenor, which Pavarati was. By the way, the Rs do not get lost - Brooklynites tend to add them to word that don't end in them, such is idear and sodar.

[8] What the Gileadites smoked

This refers to the episode in the book of Shoftim wherein the word Shibolet was used to identify people of Efrayim in contrast to the people of Gil'ad. Here's an entry from the Columbia Encyclopedia (internet) Shibboleth: in the Bible, test word that the Gileadites made the Ephraimites pronounce. As Ephraimites could not say sh but only s as in "Sibboleth," this was regarded as a test of an Ephraimite; 42,000 Ephraimites were thus detected. The word now has a broader set of meanings, based on this Biblical episode -

1. A word or pronunciation that distinguishes people of one group or class from those of another;
2. A word or phrase identified with a particular group or cause; a catchword;
3. A custom or practice that betrays one as an outsider.

For this TTriddle, the word that jumped out of the sedra was SH'GAR, in the phrase SH'GAR ALAFECHA, translated as the "produce of your cows" or the "calves of your herds". SH'GAR is what the Gileadites smoked.

It's the only one of about 240 of them that Tradition says should definitely be

[9] 1's first & last, 3's two and 4's two

The Tribes of Israel were to divide themselves between Har G'rizim and Har Eival. The tribes on Har Eival were the first and last sons of Yaakov's first wife, Leah - Reuven and Zevulun, the third wife's, Bilha's two sons - Dan and Naftali, and Zilpa's (the fourth wife) sons - Gad and Asher. The others (1's second through fifth sons and 2's two) were on Har G'rizim. For this TTriddle, we counted Yaakov's wives in the order in which they became wives, and without distinguishing between the status of Rachel and Leah on the one hand and Bilha and Zilpa on the other.

More TTriddles

indivisibility jinxes jujitsu

equus quagga traversing
perambulators'
instructions

Rose's rebellious
buffalo

Going in and going out

THE JERUSALEM INSTITUTE OF JEWISH LAW

Rabbi Emanuel Quint, Dean

Lesson # 491 TENA'IM

As I stated many times in these lessons, these lessons are not meant as a halachic guide, but rather to acquaint the readers of TT to the issues involved.

What follows is one of many options dealing with tena'im.

In halacha, the marriage ceremony consists of two distinct parts - (1) the betrothal part which means that the bride and groom are betrothed and not yet married, that is that in the event she dies he does not inherit her; in halacha, a husband inherits his wife, and if he is a kohen and she dies he may not attend her funeral any more than he can attend funerals of others, except, of course, permitted relatives. If after the betrothal part the marriage is not completed, she may not marry anyone else without a formal Get (divorce) or his death;

(2) the second part is the marriage.

Nowadays in most instances these two parts are celebrated in one ceremony, with the reading of the ketuba acting to separate the two halves. The first part is called erusin and the second part is called nisu'in.

There is a ritual that many couples have at their wedding, preceding the actual ceremony. In some communities this writing of the tena'im may precede the wedding by days or months, as the parties desire. In many weddings, the officiating rabbi may discourage the writing of tena'im altogether, since the purpose is to get the parties to go through with the

wedding and they are all there to do exactly that.

Also, by having tena'im it permits the wedding party to have two additional guests participate in the ceremony. Very often there are many prominent persons there and it adds to the list of those who have honors at the wedding. And, most often, the mothers of the bride and groom break the plate together and this makes them active participants in the ceremony.

The writing of the tena'im

The term tena'im generally applies to the written agreement made before a betrothal, which contains all settlements and conditions agreed upon by the parents or by their representatives. Usually the bride and groom attach their signatures to this agreement which is attested to by two witnesses.

It is essential that the bride and groom and their representatives make a kinyan, the legal formality of symbolic delivery, by letting the parties hold someone else's handkerchief, that they will fulfill whatever is provided for in the tena'im.

It is the custom to break an earthen vessel after the reading of the tena'im. An earthen vessel is broken to signify that just as a broken earthen vessel can never be repaired, so is a broken engagement usually irreparable. I have seen some authorities who write that the breaking of the vessel is similar to the breaking of the glass at the wedding itself.

The parties to the tena'im must therefore be extremely careful not to break the

engagement after the tena'im is written.

It has been reported in the name of the Gaon of Vilna who writes (in Sefer Sha'arei Rachamim) "It is preferable to dissolve the bond of marriage by divorce than to break an engagement."

A form of Tenaim

FORTUNE

May it come up and sprout like a green garden, whosoever finds a wife finds a great good, and obtains favor of the Lord, Who ratifies this union.

May He who predestinates, bestow a good name and future to the provisions embodied in this agreement which were agreed upon by the two parties hereto, that is, as party of the first part, Mr. _____, who represents the groom Mr. _____, and as party of the second part, Mr. _____, who represents the bride Miss _____.

That the above named groom agrees to take to himself as wife, the above named bride, through chupa and betrothal, in accordance with the law of Moses and Israel; that they will not hide or conceal from one another any property whatsoever, but they shall equally have power over their property pursuant to the established custom. The aforesaid groom obligates himself to present the bride with gifts according to custom. The above named bride obligates herself to give as her dowry the sum of _____ in cash, and clothes, pillows and linens as is the custom.

The wedding will take place, if the Almighty so wills it on the _____ day of _____, in the year _____.

A fine to be paid by the party breaking this agreement to the other in the fixed sum of _____, and also in accordance with the law of the land.

All of the foregoing was done with perfect understanding and due deliberation and by means of the most effective method in accordance with the ordinance of the Sages of blessed memory, and in accordance with the law of the land, by means of shaking hands, by solemn promises, by true affirmation by handing over an object from one to the other to take effect immediately, and this is not to be regarded as a mere forfeiture without consideration, or a mere formula of document. We have followed the legal formality of a kinyan by handing over an object between the groom and the bride and their representatives by using a garment for this purpose, to validate all that is stated above.

And everything is valid and confirmed.

For the purpose of making this agreement binding and obligatory, the groom and the bride themselves have attached their signatures hereunto this _____ day of _____ in the year _____ at _____.

Attested to _____ (bride)

Attested to _____ (groom)

In our presence the undersigned witnesses did the abovenamed groom and bride attach their signatures, to affirm all that is stated above in our presence did they go the legal formality of symbolic delivery by handing over and object from one party to the other, that this agreement take effect immediately and we have verified and affirmed it as is required by law. In witness whereof we have hereunto

set our hands this _____ day of _____ in the year _____ at _____.

Attested to _____ witness

Attested to _____ witness

ParshaPix

- ✍ 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, as in the cherry tree)
- ✍ and the water-drawers (Jack & Jill, or is it water fetchers?)
- ✍ 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, since Hak-hel takes place on the Sukkot after Sh'mita.
- ✍ The feather writing letters is for the mitzva to write a Sefer Torah.
- ✍ That mitzva is also represented by the open gemara, since acquiring S'farim to learn from is also part of the mitzva.
- ✍ 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...
- ✍ The musical note is, of course, for HASHIRA, the Song, which is a poetic way the Torah refers to the Torah. Interesting that the word HASHIRA occurs only 10 times in Tanach, 8 of which are in the Torah, 5 of which are in Parshat Vayeilech. Aside from the Torah referred to as HASHIRA, we find that in B'shalach and Chukat, HASHIRA refers to the Song of the Sea and the Song of the Well, respectively - both water, which is very often a "code word" for Torah. Note too that the word SHIRA does not appear in the Tanach, only with the HEI as HASHIRA, THE Song, making the case for its meaning the Torah even stronger.
- ✍ The Shofar is not for the Shofar blown during Elul or for the Shofar about to be blown on Rosh HaShana. It was intended to point to the RASHEI TEIVOT (initial letters) of the phrase SHORESH POREH ROSH V'LAANA, a reference to bad people among us - something like the rotten apples in a barrel - in the "warnings of Nitzavim". The Shofar is a call for SHIPUR (same root), improvement, of ourselves, our community, and all of Klal Yisrael - and stands in opposition to its Rashei Teivot "namesake".

SUGGESTED ANSWERS

- 1) The Da'at Zekainim Mibaalei HaTosfot answers that the Torah wants to emphasize that the entire nation was standing there as one unit so that no one can try to claim that he was not there and did not accept the covenant.
- 2) The Kli Yakar teaches that this alludes to the fact the others WHO ARE NOT HERE refers to souls who had not yet entered the word but existed at the time. They were not HERE WITH US but they were here, in existence. This also explains how a covenant can be binding on future generations. If the people do not yet exist, how can they be bound to a covenant made years earlier? The fact that all our souls were in existence and aware of the covenant being made solves that problem.
- 3) The Ohr Hachayim explains that there are three components to serving G-D. One is Torah study, second is avoiding transgressions, and the third is fulfilling positive commandments. The first repentance described in pasuk 2 refers to a return to Torah study. The removing of the spiritual obstacles in pasuk 6 refers to avoiding sin. The third step in pasuk 8, where the Torah states AND YOU WILL REPENT (V'ATA TASHUV) refers to a return to doing the positive commandments.

Concerning the future redemption of the Jewish people from their exile, Moshe prophesies (D'varim 30:3): "Then the HaShem your God will return (V'SHAV) your captivity, and have compassion upon you, and will return (V'SHAV) and gather you from all the nations among whom your God has scattered you." Even a most perfunctory reading of the text catches the obvious misuse of the Hebrew term V'SHAV. Quoting the Talmud (Megila 29a), Rashi points out that the appropriate form of the word is the causative V'HEISHIV - "and He shall bring back". Instead Moshe uses the simple form V'SHAV - "and He shall return", i.e. God Himself shall return. The problematic word V'SHAV is found not once, but twice in the verse.

Rashi explains each of the two occurrences. As for the first V'SHAV, Rashi cites the answer suggested by the Gemara: "Rabbi Shimon bar Yochai teaches: Come and see how beloved are the children of Israel before the Almighty. For every destination whereto they were exiled, the Divine Presence was also exiled. So too, only when they shall be redeemed, shall G-d Himself be redeemed." The Talmud and Rashi understand the word ET as a preposition, "with". Moshe is not saying that God will return your captivity, but rather that God Himself will return together with your captivity.

Rashi's creative genius bursts forth in his interpretation of the second V'SHAV: "Moreover, so great an event albeit so fraught with hardship is the ingathering of the dispersed, that God Himself takes hold of each returnee's hand to accompany him from his place."

What a magnificent description of each modern olah's journey to Israel. As he descends the staircase from the plane, not only is he redeeming his children, grand-children and generations beyond, but he is returning together with God Almighty Himself.

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