

INSIGHTS

Into The Weekly Parsha

בס"ד

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PARSHAS NITZAVIM

Nation Corporation

You are standing here today, all of you, before Hashem your G-d; your heads, your tribes, your elders, and your officers – all of Yisroel (29:9).

This week's *parsha* opens with Moshe Rabbeinu addressing all of Bnei Yisroel. Rashi (ad loc) explains that this was the last day of his life and Moshe was "standing" for all of the people, i.e. permanently affixing Bnei Yisroel into a new covenant with Hashem. Moshe goes on to list all the different entities bound by this covenant (leaders, elders, officers, all the men, women, children, converts, etc.) and then adds "whoever is here standing with us today...and those that are not here today" (29:14). Rashi (ad loc) explains that this is referring to all future generations (that they too are to be bound by this covenant).

What is the nature of this **new** covenant? Furthermore, as the Maharal (*Gur Aryeh* 29:14) asks, "How is it possible to bind all future generations to it as well?" In other words, how does my oath obligate succeeding generations so that if they don't follow the terms of the covenant they will be punished?

At the end of last week's *parsha* Moshe Rabbeinu spoke to the entire nation as a whole, however, in this week's *parsha* Moshe begins by creating an entire infrastructure. What changed?

Until now, Bnei Yisroel was an association of tribes and families under the leadership of Moshe Rabbeinu. On the last day of his life, Moshe established the Jewish people as a corporate entity. Just as companies have individuals with different roles, so too Moshe created a hierarchy of leadership and responsibility.

In other words, the Jewish people were

no longer just an associated group of people united by Moshe, but became a single entity with responsibilities for each other and towards each other. Maimonides (*Yad Hilchos Krias Shema* 1:4) quotes a verse from this week's *parsha* to illustrate that the unity of G-d is dependent on its acceptance by the entirety of the Jewish people. To understand this on a deeper level: Everything in creation is a reflection of Hashem; thus the concept of the oneness of Hashem is articulated by the harmony and indivisibility of the Jewish people.

At this point the Jewish people are now viewed as a single entity, a corporate body, as it were. Therefore, just as within a body if one area is injured or incapacitated it affects the entirety of the body, so too we all affect each other. Rashi (29:28) explains that with this covenant we became guarantors for one another and thus we can be punished for the misdeeds of our brethren. Rashi ascertains this from the Gemara (*Sanhedrin* 27b) which states that Bnei Yisroel were made guarantors for one another.

On the surface, this guarantee is hard to understand. First, there is no consideration here, how is this a legally binding guarantee? Second, a guarantor is only responsible for monetary restitution; a guarantor cannot be physically punished for another's misdeeds.

The word that the Gemara uses is that the Jewish people are guarantors one **with** another - "ערבים זה בזה" (as opposed



to one to another - ערבים זה לזה). This is also borne out by the word ערב, which means blended (e.g. this is how a community "eruv" works, we are a blended whole and therefore permitted to carry). Thus, this law of being a guarantor is similar to a person's body, when one leg doesn't work properly the other leg compensates. This obligation to guarantee or pay is because we are one unified, whole nation.

This is also why succeeding generations can be held responsible for the covenant. They are simply the next generation of cells in the ever-evolving corporate body of the Jewish people – an eternally unified nation.

Life and Living

Chazal refer to Rosh Hashana as the *Yom Hadin* – Day of Judgement. Throughout the Rosh Hashana *davening*, we constantly reiterate this – perhaps most prominently in the prayer known as "U'nasaneh Tokef" whereby many of the different types of deaths are typically intoned with trepidation and loud wailing.

Yet probably one of the most difficult aspects of understanding what we are doing on Rosh Hashana is trying to confront the reality that it doesn't empirically seem to make any difference if one even goes to shul on Rosh



Life and Living Continued

Hashana or asks Hashem to grant us another year. What actuarial tables definitively show that those who go to shul on Rosh Hashana live longer? Is there any proof that Jews who go to shul on Rosh Hashana have longer life spans? Most of us know deep down that almost everyone is going to live another year. So if we were to be honest with ourselves we would be compelled to ask, what are we actually trying to accomplish on Rosh Hashana?

In addition, as we all know, this is a very serious time of year, when a certain heaviness and foreboding descends upon the religious community. Nowhere is this more evident than in its Yeshivas where all the students are instilled with these feelings of fear and trepidation. This process begins with Rosh Chodesh Elul and builds to a crescendo with *Selichos*, Rosh Hashana, *Aseres Yemei Teshuvah*, and Yom Kippur. Yet Chazal refer to Elul as “*Ani l’dodi v’dodi li – I am to my beloved and my beloved is to me.*” How are we to reconcile pleading for life with a time that seems to be described as that of a honeymoon?

Maimonides (*Yad Hilchos Teshuvah* 3:1-2) likewise rules, “Anyone whose merits are greater than his sins is (considered) righteous. One whose sins are greater than his merits is (considered) wicked. And so too with an entire country. A person whose sins are greater than his merits immediately dies in his wickedness and so too by a country they are immediately obliterated as we find by S’dom and Amora (the cities that Hashem destroyed because of their evil acts).”

Asks the Ravaad (ad loc), “It’s just not true that wicked people who are sealed for death immediately die – as we see there are many people wicked people still around living out their full lives!”

Moreover, Maimonides himself is difficult to understand. He attempts to prove that we find the same principle by sovereign states from the story of S’dom and Amora. Yet, in the Torah, we find an entire conversation between Hashem and Avraham Avinu, whereby Avraham is pleading for their lives and Hashem actually agrees that if there are

ten righteous people then He won’t destroy them! How can Maimonides bring this story as his source and say that we see from here that they are immediately obliterated?

Most people don’t really have a good understanding of what it means to have life. Atheists and agnostics have to deal with the fact that their total existence is an accident and purposeless. This is akin to one’s parents telling him that they never intended for him to be born which, for most people, would be emotionally devastating. The rest of the world knows that there is a purpose to creation and that one’s existence is actually meaningful because it is a gift bestowed upon them by Hashem.

Yet, since life is a gift, it also has the inherent drawback of feeling like charity, which is usually accompanied by the devastating shame that one feels when he cannot support himself. In fact, Chazal teach us that a poor person is considered as if he is dead. This feeling is perhaps best described by Shlomo Hamelech (*Mishlei* 15:27) “[...] *one who hates gifts shall live!*” Thus, being unable to sustain oneself is akin to being dead.

This is the incredible aspect of creation. The only real feeling of having life is rooted in one’s feeling that his existence is justified. Thus, Hashem in his infinite wisdom created a system that allows us to earn the right to live; we can absolutely justify our existence and support ourselves through our actions. When a person’s sins outweigh his credits, he is immediately forfeiting his right to exist. Hashem may not strike him down dead in that moment, but a condemned man is essentially a dead man. When a person has to constantly depend on the largesse of Hashem for his right to exist, he may be physically alive, but in reality it is as if he is dead already as he forfeited his right to live and Hashem can kill him at any time.

Maimonides isn’t proving this from the story of S’dom and Amora because they were destroyed. He is showing that Hashem ruled that they had forfeited their right to exist and that they were now susceptible to obliteration. At this point, He engages in a conversation in which Avraham pleads to Hashem that He not carry out that decision. Hashem agrees that if there were at least ten righteous people in the cities, then they

would have some reason not to be destroyed, even if they had already forfeited their right to exist perhaps they could be rehabilitated.

This is what we do on Rosh Hashana – we are literally earning a living. It isn’t merely about being alive, in fact, going to shul on Rosh Hashana doesn’t have any bearing on whether a person will survive the year or not. The *davening* on Rosh Hashana is about justifying our existence. We are gaining self-esteem, self-respect, and a sense of being entitled to our lives. This is an expression of Hashem’s love for humanity; he allows us to be independent and earn a living.

This is the ultimate difference between Hashem’s court and man’s court. In a court of law, if a person is found not guilty the most he can hope for is to be restored to his state prior to the court case. In other words, there isn’t much upside, only a steep downside. But in Hashem’s court, a person can actually improve upon his circumstances, he can earn the right to exist and not be solely dependent on Hashem’s charity. This is a tremendous incentive to go to shul and plead your case. A person who really internalizes this should be excited at the opportunity to better himself, which is why Maimonides says that one should be joyful on Rosh Hashana. Rosh Hashana isn’t about dying or not dying, it’s about earning a real life.

Nowadays, this value of justifying one’s existence has been lost. In the mid 20th century the Jewish sentiment was to poke fun at non Jews who’s sole aspiration was to take a government job – with little responsibility or accomplishments, but being able to take long coffee breaks and receive a life long pension. Basically, satisfied living on the dole. Unfortunately, today this malaise has infected the Jewish community as well. Everyone just wants to be taken care of, living off of government programs or some get-rich scheme. It’s this perspective that makes Rosh Hashana and the *Aseres Yemei Teshuvah* hard to tolerate.

When people begin to appreciate the opportunity of justifying their existence, they will appreciate the incredible opportunity of Rosh Hashana.



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