



שמע קולנו

“יתגבר כארי לעמוד בבוקר לעבודת בוראו”



Parshas Nitzavim-Vayeilech

פרשת נצבים - וילך

Choose Life

Aryeh Kolber ('21)

Last week's *parsha*, *Parshas Ki Savo*, contains a *tochachah* (rebuke) which is very similar to all the other *tochachos* found in the *Torah*; if you serve *Hashem*, you will be rewarded, and if you do not, you will be punished. That is, after all, the point of the *tochachos*; to scare us, and show us the problem of continuing in our perceived self-immorality. This week's *parsha*, however, brings us a new possibility, a third option: *teshuvah*, repentance. Oftentimes, in life, we do an action which, once started, is irreversible. Once someone shoots a gun, the bullet is gone, and it can never be returned. The moment that trigger was pulled, the future was set in stone, unable to be reversed. If one drinks poison, then, by the laws of nature, that person will die. It's a simple if _____, then _____ statement. However, *teshuvah* goes against the laws of nature, allowing us to change the effects of our actions.

Unlike *Parshas Ki Savo*, *Nitzavim* not only offers us a third option, but it also urges us to choose that option. Moshe, more than once, lays out the options before us; it is made clear that the choice between life and death is in our hands. But now, he's also urging us to choose life, to make sure, even if we didn't follow the *Torah* initially, that we will do *teshuvah* and return to Judaism. Yehoshua, Moshe's protege, tells *Bnei Yisroel* the same thing when they enter *Eretz Yisroel*: "*Hashem* has done so much for you, so choose the right path and serve Him."

This is all very nice for when we lived in the *mid-bar*. Everything was black and white, good or bad. But the world we live in now is nothing of the sorts. Many good things are concealed as bad things, and vice versa. Living is complicated, and our decisions are no less so. Sometimes we make the wrong choice and have to live with the conse-

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Finding Teshuvah Within Ourselves

Rabbi Jacob Braun ('08)

In honor of Shema Koleinu's 25th anniversary, we are proud to present articles throughout the year from past editors of the publication. This week's Dvar Torah comes from Rabbi Jacob Braun, who served as Editor-In-Chief of Shema Koleinu in the 2009-2010 school year. Since graduating MTA, Rabbi Braun has gone on to learn in KBY and YU. He is currently privileged to serve as a rebbe in North Shore Hebrew Academy High School, and lives in Woodmere with his family.

It is told that when Rav Menachem Mendel of Vitebsk settled in Tzfat, he couldn't sleep. He explained that the air was so pure and clear there, that he heard Heavenly voices calling him to do *teshuvah*. As we approach the *Yamim Neoraim*, the air changes. *Hashem* personally calls for each of us to return to Him, if we would only stop to listen.

We often take for granted that there is an obvious need

quences, even if they were not what we expected them to be. What initially seemed to be a blessing can often turn into a curse. However, even in such a case, much of the situation depends on our attitude towards it. "One man's trash is another man's treasure" applies just as much in the blessings as it does in the rest of the world. In *Maseches Taanis*, the *Gemara* describes a man named Nachum *Ish Gam Zu*. The title "*Ish Gam Zu*", literally "man of *Gam Zu*", came from the fact that he would constantly declare "*gam zu litovah*" - this, too, is for the good - after every hardship he felt. He lost his legs, his arms, had boils all over his body, and yet, he still viewed all of life as a blessing. In a much less radical example, when one gives the common *beracha* of "May you have God fearing children," to a God fearing person, that's all he can ask for. He'd be ecstatic if his children grew up to be God fearing. To a non God fearing person, however, that is a tragedy, a curse. A blessing is not always treated as a blessing, and once it's no longer viewed as a blessing, then it has the possibility of becoming a curse. If we view it as a blessing, it will be just that, a blessing, but if we view it as a curse, then we're hopeless, and our future is set in stone. This is not telling the future, but rather, it's an inevitable eventuality of this attitude.

As we live as Jews, we have to make sure that we are going to be those Jews that treat our Judaism as a blessing, not as a curse. It can be viewed as a burden, that we were born into this charge, and we have no means of escape. But if we decide to choose life, like Moshe urges us to do, we choose to live with the right perspective. We choose to be happy as a Jew, and to serve God with joy.

This joy must be experienced for oneself, however. Just like one cannot imagine a new color, they must first see it, and one cannot tell another of a taste that the other has not yet tasted, so too, one must experi-

ence the joy of being a Jew for themselves. And sometimes, the joy will not come immediately, as the joy of eating a piece of candy does, but will have to be developed, and will only come with maturation. Wine, famously, is an acquired taste. Not many children enjoy the taste, but as they mature, many grow to like it. To enjoy *Torah* and Judaism, a person must grow up and mature their tastes. Even music, which can be enjoyed on a basic level, can be appreciated much more when it's heard on a higher level. Before it can be appreciated, however, one must first learn to appreciate the complexity of a symphony or orchestral composition; only then will they really enjoy the music on a deep and sophisticated level. Judaism needs that maturation and deeper understanding for a Jew to truly understand the joy that is involved in being Jewish.

Moshe's plea for us to choose life was not only in the sense that we should choose to do the *mitzvos*, or do *teshuvah* if we did not, but also for us to choose to enjoy our Judaism and enjoy the challenging task of serving God, despite it requiring us to mature and develop our understanding of Judaism. We all have the option in front of us: Choose a life full of *mitzvos*, or choose death, devoid of them. However hard it may be, Moshe's plea echoes thousands of years later: choose life.

First Hakhel

Dov Hochman (23)

In *Parshas Vayelech*, Moshe tells the *Bnei Yisroel* that Yehoshua will replace him as leader once he passes away. Immediately following this, Moshe tells the people about the *mitzvah* of *Hakhel*, that every seven years, on the *Sukkos* following *Shemittah*, the king will go on a platform in front of all of the people,

A SHORT VORT

Akiva Kra (21)

וַיִּלֶךְ מֹשֶׁה וַיְדַבֵּר אֶת־הַדְּבָרִים הָאֵלֶּה אֶל־כָּל־יִשְׂרָאֵל:

"Moshe went and spoke these things to all Israel" (Devarim 21:1)

Parshas Vayelech takes place over the last day of Moshe *Rabeinus'* life. The *Midrash* quotes the *Eitz Yosef* who says that, to try and convince *Hashem* to allow him to live longer, Moshe wrote 13 *Sifrei Torah* in one day, one for each *Shevet* (tribe).

While the *Eitz Yosef* himself acknowledges that this was a miracle, we can still learn a priceless lesson. The lesson we learn is to always start and believe in ourselves. Had Moshe said to himself "I am going to try to write 13 *Sifrei Torah* today" he might not have even started, because nobody can write even one *Torah* in a day. But, when one starts something, takes time, and believes in themselves, anything can happen. May we all be able to try and successfully accomplish all goals we attempt to.

and re-read the Torah to them. Why did the *Torah* place the *mitzvah* of *Hakhel* right after Moshe installed Yehoshua as the next leader of the Jewish people? Additionally, why was *Hakhel* read after *Shemittah*, instead of during the year, when people might have needed additional strength and support to get through a very stressful year without their normal method of *parnossah* (livelihood)?

According to Rabbi Mordechai Kriger, the *Meshech Chochmah* wrote that *Hakhel* was said after *Shemittah* precisely because it is **not** when the Jews were no longer under intense amounts of stress. Rather, after having spent a year following *Hashem's* word, they can celebrate in the whole *Torah*, knowing they will be able to appreciate it because of their dedication to the *Torah* and *mitzvos*, which they have observed from the time of Moshe. Rashi says that the words that Moshe used to replace himself with Yehoshua made it clear that "There is one leader for a generation, and not two leaders for a generation" (Rashi 31:7). *Hakhel* is all about reminding the people that regardless of what generation they are in, they have the strength and fortitude to observe even the most challenging of *mitzvos*. Thus, the *mitzvah* of *Hakhel* embodies this lesson for Yehoshua, and eventually, for all future leaders of *Klal Yisroel*. After having had faith in Moshe to lead the Jews for forty years, and dealing with all of the perceived dangers of the *midbar*, the Jews could now rejoice in a single leader who speaks in the ways of the *Torah* to continue to lead them. They now knew as they would after each *Shemittah*, that they could celebrate *Torah* leadership as the continuation of the legacy going back to Moshe, with the confidence that they would be able to uphold the *mesorah* and maintain their faith.

We Stand United

Meri Morrel ('22)

אתם נצבים היום כלכם לפני יהוה אלהיכם ראשיכם שבטיכם זקניכם ושטריכם כל איש ישראל
"You are standing here today, all of you before Hashem your God, your heads of tribes, your elders, your officers, every man in Yisroel" (Devarim 29:9)

Why does the end of this *possuk* speak in the singular of "*kol ish Yisroel*", "every man in Yisroel". Would it not make more sense to use a plural phrase, such as "all the men of Yisroel"?

5 Minute Lomdus

Shimi Kaufman ('21)

וְשָׁבַת עַד־יְהוָה אֱלֹהֶיךָ וגו' - *"And you shall return to Hashem, your God..."* (Devarim 30:2)

Q. *Teshuvah*, aside from being an exercise in our relationship with *Hashem*, is, according to many opinions, a *halachic* obligation with defined parameters and consequences. Most opinions hold that in order to be forgiven for sins, a person needs to complete the *teshuvah* process, which includes *vidui* (admission), *charatah* (regret), and *kabbalah li'asid* (renewed commitment). However, there is an opinion of Rabi Yehudah in the *Gemara* (Yoma 84a) that the very day of *Yom Kippur* automatically grants *kapparah* (atonement) for sins, even without any actual verbal *teshuvah*. This is interesting, in light of the *Gemara* (*Sanhedrin* 24a) which lists groups of people who are deemed invalid witnesses in light of certain unseemly actions in their pasts. These include, but are not limited to, a gambler, someone who loans on interest, and pigeon-racers. If it is known that one of these people has repented, then they are permitted to give testimony. However, we never find any opinion which maintains that anyone who falls into these categories is permitted to testify as soon as *Yom Kippur* passes! According to Rabi Yehudah, why does the inherent *teshuvah* of *Yom Kippur* not work to make these people permitted to testify?

A. The answer rests on a distinction between "*kapparah*" (forgiveness) and "*taharah*" (purity). Both are spoken about by the *pesukim* in regards to *Yom Kippur* (*Vayikra* 16:30), but each is fundamentally different in terms of their practical application. "*Kapparah*" refers to atonement for punishment from a sin; this is achieved without any effort on *Yom Kippur*. "*Taharah*", on the other hand, refers to cleaning oneself from the spiritual "dirt" of the sin, and removing the negative effect which the *aveirah* had on one's *neshamah*. What is needed in regards to these witnesses is *taharah*, to remove the spiritual uncleanness which makes them untrustworthy in court. This is supported by the fact that many of the categories which invalidate a person for testimony are not bona fide sins, but rather unseemly acts for a servant of God. Thus, even if *Yom Kippur* grants these people *kapparah*, it would not automatically give them the *taharah* necessary to testify in court.

-Source: Al Hateshuvah, Rav Yoshe Ber Soloveitchik, Section 1

nasim zeh lemalah mizeh” - they did not lift themselves up, one above the other. Rather, they stood together, ready to enter into Hashem’s *bris*.

In *Maseches Shavuot* (5b), when discussing the different shades of *tzara’as* (leprosy), the *Gemara* uses the phrase “*zu lima’alah mizu*” - this one above that one - in describing the different levels of *tuma’ah* which can come from varying types of *tzara’as*. In this context, this phrase implies distance; *tzara’as* is a punishment for slander which causes a person to be exiled. To the opposite extreme, when the Jews were appointing a “king in *Yeshurun*”, the *possuk*

calls them “*yachad*” (united) and “*hisasef*” (gathered). We see that these various phrases can be used to imply togetherness or distance, depending on the context.

This is a very key idea, all year round, but specifically now, as we approach the *Yamim Neoraim*. How could one return to God and ask forgiveness from Him for the sins we have committed, if we don’t show that we could do the same? We must increase our unity and our *ahavas chinam* (selfless love), and bring ourselves into these great days on the right foot.

CHUMASH B’TYUN

Not Hidden and Not Distant

Rabbi Mayer Schiller

כי המצוה הזאת אשר אנכי מצוך היום לא-נפלאה הוא ממך ולא רחקה הוא: לא בשמים הוא לאמר מי יעלה-לנו השמימה ויקחה לנו וישמענו אתה ונעשנה: ולא-מעבר לים הוא לאמר מי יעבר-לנו אל-עבר הים ויקחה לנו וישמענו אתה ונעשנה: כי-קרוב אליך הדבר מאד בפיך ובלבבך לעשתו

“For this commandment that I command you this day – it is not hidden from you and it is not distant. It is not in the Heavens to say” Who can ascend to the Heaven for us and take it for us, so that we can listen to it and perform it?” Nor is it across the sea for you to say, “Who can cross to the other side of the sea and take it for us so that we can listen to it and perform it?” Rather the matter is very near to you – in your mouth and in your heart to perform it.” (Devarim 30:11 – 14)

These famous *pesukim* are subject to variant translation, as well as assorted overall decipherings. Let us see if the different translations may be linked to the distinct approaches to the general meaning of this passage.

Rashi translates the phrase (“לא-נפלאה” *lo niflais*) as “it is not hidden (*mechuseh*) from you.” To prove this, he points to the *Targum Onkelos*’ translation of the word (יפלאה *yipaleh*), a word with the same root as נפלאה, in *Parshas Shoftim* (17:8). There, the Aramaic translation of the word reads *yiscaseh* or *titacseh* (different versions of the text), each of which means “covered.” It is strange that Rashi ignores the *Targum* on the *possuk* in our *parsha*, which renders this word to mean “separated” (*perisha*). This is in itself puzzling, but Rashi then goes on to quote a *possuk* in *Eichah* (1:9) where the word (פלאים *pla'im*; again, a similar root) is translated by the *Targum* as *bmatmoniyus* (“in hidden places”). Rashi then adds his own phrase as an added explanation of this word: “hidden and confined in a concealed place.” This is a quote from *Iyov* (40:13), where the subject is “faces [which] are confined in a concealed place.” Surprisingly, Rashi on *Eichah* translates *pla'im* as “strange and exceptional,” meaning to say that the tragedies which befell Yeushalayim were unlike those of any other city. The *Sha’arei Aharon* of Rav Aharon Yeshya Roter leaves the contradiction between our *Targum* here and in *Shoftim* as a *tzorech iyun* (requiring further investigation).

Matters may be further complicated by noting that in *Shemos* (33:16), Rashi translates the word (ונפלינו *vinifleinu*) as “separated”, similar to what he had said in *Shoftim*. What emerges are three possible translations of the word *niflais* – “covered,” “separated” and “exceptional.” Rashi, in various contexts, seems to adopt each of these three explanations. This is not as surprising as it may seem. Rashi’s commentators point out that this is not uncommon. Hebrew words have assorted nuances of meaning; Rashi seeks a precedent for each nuance, and then applies each when he finds it more appropriate. Whatever translation of the three we adopt, however, this phrase must be distinct from the subse-

quent “and it is not distant.” Otherwise, the *possuk* would be saying the same thing twice. Thus, the *peshat* of “separated”, which is in fact that of Onkelos, must be understood as “separated, but not too far away.” It may well be that this is why Rashi chose to quote Onkelos’ translation of this root in *Shoftim* rather than here, so as to avoid the redundancy of the first and second parts of *possuk*.

Let us for the moment leave aside the question of precise translation, and explore what exactly the *possuk* is referring to with the phrase “*hamitzvah hazos*” (this *mitzvah*). We will return shortly to the translation, as it relates to the question of the overall meaning of this *possuk*.

The Ramban cites an anonymous opinion that *hamitzvah hazos* refers to the entire *Torah*. This also seems to be the approach of the *Gemara* in *Eiruvim* (55a), where these *pesukim* are used to teach us that *Torah* is not found “in heaven”, among arrogant people who hold their heads in the sky, or “across the sea”, among businessmen who often go away on long trips. The Rambam quotes these explanations in the *Mishneh Torah* (*Hilchos Talmud Torah* 4:8). Likewise, the *Gemara* there (*ibid.* 54b) refers to the last *possuk*, which states “in your mouths”, as requiring us to say the words of *Torah* out loud when we learn. The Rambam brings this *lihalacha* as well. In fact, the Rambam bases many *halachos* on our four *pesukim*. He clearly felt that they were referring to the entirety of *Torah*, and not just to one *mitzvah*.

However, this approach comes under criticism by the Ramban, who argues that *kol hamitzvah* (*Eikev* 8:1) might mean the entire *Torah*, but “this mitzvah” cannot be so understood. Instead, the Ramban links our *parsha* to the preceding one, where the *mitzvah* of *teshuvah* is revealed in “and you will return to the Lord your God” (30:1).

Thus, our *pesukim*, as the Ramban describes them, are saying that the commandment of *teshuvah*, “is not hidden and not distant”; even though you are “dispersed at the ends of Heaven” (30:4), you will be able to return to God and “act according to everything I command you” (30:2). Although others question why *teshuvah* is presented here as narrative and not as an imperative, the Ramban explains that this is a stylistic choice, “to allude to the fact that the matter [i.e. mass *teshuvah*] is destined to occur.” Along these lines, the Ramban explains the concluding *possuk* of “in your mouth and in your heart” as a description of the *vidui* (confession) process, which must be oral. In fact, although the Rambam famously omits *teshuvah* as a *mitzvah*, while only counting *vidui*. (*Sefer Hamitzvos*, *Aseh* 73) he is of the opinion that, at the end of days, the Jewish people will have to repent in order to be redeemed (*Hilchos Teshuvah* 7:15). He too links the narrative to a necessary, at very least, historical imperative.

If we do not wish to view the *derashos* in *Eiruvim* as to the *peshat* the meaning of our passage, then conceivably the Ramban, who remains silent on the precise meaning of *niflais*, might side with Rashi who translates it as “covered.” In other words, one might think the *teshuvah* process will be “covered” from us while in the alien environment of exile. It is too lofty in Heaven to be arrived at or too far removed from us outside of the holiness of the Land of Israel. It is, in short, “covered.” The translation of “exceptional” would be difficult to fit according to the Ramban, whereas separated might work but not nearly as well as “covered.” The reality is that the potential for *teshuvah* is ever present, but simply “covered.”

The explanation of the *possuk* as referring to *teshuvah* may seem to flounder in light of Rashi’s comments on “it is not in the Heavens”, where he writes, “for if it were in the Heavens, you would have to go up after it to learn.” Of course, this is only a question if verse 11 and 12 are speaking about the same subject. Perhaps, verse 11 refers to *teshuvah*, and verse 12 to the entire *Torah*. This way, the “it” of verse 12 would not be the same as the “commandment” of verse 11.

The motivation of Rashi in departing from the standard translation of *niflais* remains far from conclusive, and there is much room here for further linguistic and textual research. The *Shelah Hakadosh* (1555 -1630) notes that *krias hatorah* unleashes spiritual forces at the time of the reading. Thus, during *Parshas Bo* and *Beshalach*, there were *minhagim* to sing *niggunim* relating to *Pesach*. It was the custom in the great *mussar yeshivos* of *Lita* to have two *mussar sedorim* each day, beginning on *Rosh Chodesh Elul* and continuing until *Yom Kippur*. In this context, it is good to recall the saying of Reb Pinchas of Koritz (1726 - 1791, one of the *Baal Shem Tov*’s primary disciples), who would often remark that the greatest *mussar sefer* we have is *Sefer Devorim*. Indeed, for these are words of *mussar* from the Creator Himself. So, whether we say these verses are teaching the accessibility of *Torah* study or of *teshuvah*, they are particularly potent messages as we stand poised before the *Yamim Neoraim*.

to do *teshuvah*, but where do we learn this from? The *Torah* states in *Parshas Nitzavim* (30:2):

וְשָׁבַת עַד ה' אֱלֹהֶיךָ וְשָׁמַעְתָּ בְּקוֹלִי כָּל אֲשֶׁר אֲנִי מְצַוְךָ הַיּוֹם
אֶתָּה וּבְנֶיךָ בְּכֹל לְבָבְךָ וּבְכֹל נַפְשְׁךָ:

And you will return to Hashem your God, and you shall listen to his voice, like all that I will command you today, you and your sons, with all your heart and soul.

After all the curses which *Hashem* predicts come to pass, and we find ourselves trudging along at the end of *galus*, Moshe *Rabbeinu* here tells us, “*And you will return to Hashem.*” The Ramban understands this as a source for the *mitzvas aseh* (positive commandment) to do *teshuvah*, as do several other *Rishonim*. However, the Rambam, in the beginning of *Hilchos Teshuvah* (1:1) describes this *mitzvah* in a peculiar way. He says:

כְּשֶׁיַּעֲשֶׂה תְּשׁוּבָה וְיָשׁוּב מִחֻטְאוֹ חַיֵּב לְהַתְוֹדוֹת...

When you do teshuvah and return from your sins, you are obligated to confess

The Rambam here states that when one does *teshuvah*, there is an obligation to do *vidui*, to verbally admit one's aveiros. But there is no outright mention of any initial obligation to do *teshuvah* in the first place – it almost sounds as though the Rambam believes *teshuvah* to be optional, with the pertinent *halachos* only applying if we choose to repent! The Rambam later outlines that the *teshuvah* process is comprised of *azivas hachet* (abandoning the sin), *charatah* (regret), and *vidui* (confession). So why is it that only this last step, *vidui*, is mentioned in the beginning of *Hilchos Teshuvah* as a *mitzvah* and a *chiyuv*? The *Minchas Chinuch* suggests, based on the Rambam's wording, that he in fact does not think there is an obligation to do *teshuvah*. The Rambam himself in *Hilchos Teshuvah* (7:5) explains the *posuk* in our *parsha*, “*vishavta ad Hashem Elokecha*”, as a guarantee that *Bnei Yisroel* will do *teshuvah* at the end of *galus*, not that there is a *mitzvah* to do *teshuvah*. Rather, the Rambam believes that if you want to do *teshuvah*, then there is a *mitzvah* to do it in the proper way, namely, by fulfilling the *mitzvah* of *vidui*. (This is similar to what we find by *shechitah* (slaughtering) – one doesn't have to go out of their way to *shecht* an animal, but if one wants to eat *ko-*

sher meat, then there is a proper way to do it).

The *Avodas Hamelech*, authored by Rav Menachem Korkovsky, does not agree with the *Minchas Chinuch's* approach. How could it be that *teshuvah* is merely an optional *mitzvah*?! But if the Rambam does believe *teshuvah* to be obligatory, why then does he not describe it as such? The answer, he suggests, is because *teshuvah* is something that is so obvious and innately understood that we don't need the *Torah* to spell out an explicit *chiyuv* – would anyone really think that it makes sense to not feel remorseful and change your ways after committing an *aveirah*? The fulfillment of the entire *Torah* rests on the principle of *teshuvah*! This is why the Rambam doesn't describe *teshuvah* as a *mitzvas aseh*, because even without an explicit *mitzvah* to do *teshuvah*, it is something that we should obviously do. The only *chiddush*, says the *Avodas Hamelech*, is that there is a *mitzvah* to do *vidui*, to also verbalize an admission of what you did. The essence of *teshuvah*, however, is clearly something so inherently fundamental to our *Avodas Hashem*, as well as so profoundly personal, as it is something that we should sense within ourselves to be important. Perhaps this even explains the promise that the Rambam sees in the *pasuk* in *Nitzavim* above – *Hashem* is not taking away our free will by telling us we will do *teshuvah*, but is instead guaranteeing that we will have the strength to look within ourselves and discover the drive for *teshuvah* there.

Chazal (*Pesachim* 54a) tell us that the whole idea of *teshuvah* was created before the world, as it is something that supports the very existence of the universe. This explains something peculiar about *teshuvah* – how can a person truly “undo” what they have done in the past? The Maharal explains that the power of *teshuvah* is that *Hashem* allows you to hit a restart button on your world. Just as *teshuvah* preceded the creation of the world, so too, when you connect to this gift from *Hashem*, you have the ability to recreate your world in a fresh way, as it was before you did an *aveirah*.

Teshuvah is something so essential to the fabric of this world and our ability to renew ourselves in our relationship with *Hashem*. It is something so personal and so powerful. *Hashem* should help us find the strength to do *teshuvah*, and create ourselves anew for a stronger, healthier, and holier future.

FROM THE EDITOR'S DESK

A Torah Odyssey

"For this commandment that I command you today – it is not hidden from you and it is not distant. It is not in the Heavens to say "Who can ascend to the Heaven for us and take it for us, so that we can listen to it and perform it?" Nor is it across the sea, for you to say, "Who can cross to the other side of the sea and take it for us, so that we can listen to it and perform it?" Rather, the matter is very near to you – in your mouth and in your heart to perform it." (Devarim 30:11 – 14)

The *Gemara* (*Eiruv* 55a) brings an interesting explanation of the two consecutive *pesukim* which say "it is not in the Heavens... it is not in the sea." The *Gemara* explains that the first phrase is referring to those who carry their heads in the Heavens, like the people at *Midgal Bavel* (The Tower Of Babel), who in their arrogance tried to challenge God's mastery over the world. The *Gemara* elsewhere (*Taanis* 7a) states that the *possuk* compares *Torah* to water in order to teach that just as water flows to the lowest possible place, so too, *Torah* is most often found by those who lower themselves rather than raising themselves up. The *Torah* here warns us that raising ourselves up to the heavens is not a tenable path to becoming a *talmid chacham*.

The *Gemara's* explanation of the next phrase in the *possuk*, "it is not over the sea", is a bit more out of the box. The *Gemara* explains this to mean that the *Torah* will not be found by merchants and traders, who are constantly found on ships sailing across the sea. The implication of this is that since these people do not have time to study properly, they will be unable to truly acquire *Torah*. Such a statement is rather strange in Judaism. For one, we know that the *possuk* we recite daily in *krias shema* enjoins us to study *Torah* "when you are sitting in your house, or when you are walking on the way." Why does the *Gemara* seem to say that those who spend all day "on the way" will be unable to learn properly? Additionally, we know that throughout *Shas*, professional work to earn a livelihood is encouraged; the *Gemara* (*Kiddushin* 31b) says that a father who fails to teach his son a trade is considered to have taught him to steal, since he will have to resort to extralegal measures in order to survive. Why does the *Gemara* here make it sound as though trader's are leading a less-than-ideal lifestyle, one bereft of *Torah*?

The *pesukim* tell us (*Bamidbar* 9) that when it came time for the first *Pesach* celebration in the *midbar*, a group of men complained to Moshe that they were unable to bring the *Korban Pesach* due to their status of *tuma'ah* (impurity). "*Lamah nigara*" - "why should we lose out?!" they claimed. Moshe brought the issue to *Hashem*, who said that there should be a new holiday, called *Pesach Sheni*, exactly one month from the first *Pesach*, on which all those who missed the first opportunity to bring the *Korban Pesach* could get a second chance. The *Gemara* (*Sukkah* 25a) brings down an opinion that the people who were complaining were the ones assigned to carry the corpse of Yosef *Hatzaddik* for burial in *Eretz Yisroel*. Carrying the dead body caused them to be *tamei*, but they felt that it was unfair that they should lose out on bringing the *korban* just because Rav Yoel Teitelbaum, the Satmar Rav, asks a fundamental question on this story. Why was this complaint deemed valid? Being *tamei* is not a punishment; it's a simple matter of *metzius* (reality)! These people were not being punished for carrying Yosef's bones, but the fact is that they were *tamei*! Why should they now get a chance to make up their missed opportunity?

My 11th grade *rebbe*, Rav Baruch Pesach Mendelson *shlit"a*, answered this question based on a *yesod* from Rav Dovid Lifschitz *zatzal*, one of the former RIETS *Roshei Yeshiva*. Rav Lifschitz would say "there are many excuses not to learn, and many of them are entirely valid. But, you

won't become a *talmid chacham* that way." Rav Mendelson explained that the carriers of Yosef's *aron* were not satisfied with simply being *patur* (exempt) from the requirement to bring a *Korban Pesach*. Yes, they were involved in a noble act in fulfilling the people's promise to bring Yosef's bones to *Eretz Yisroel*, but that in no way meant that they should not strive to also do other *mitzvos*! The greatness of these people was their desire to make up for missed opportunities, even if they were missed for entirely valid reasons. Therefore, a *Pesach Sheni* was instituted.

Yes, it is important to make a *parnossah* (livelihood), and yes, it is possible to learn even while travelling. But to a certain extent, one's learning is diminished, both in time and quality, when they are not situated in one place. (The Maharasha writes in several places throughout his commentary on *Shas* that he did not write his *chiddushim* on certain *perakim*, since he learned them while he was out of the *yeshiva* on business, and felt that they were not up to par because of that fact). This does not diminish the validity and necessity of making a living, but at the same time, one must ask themselves, "*lamah nigara*" - why should I lose out? The *Gemara* is not telling us that *Torah* is not found by merchants and traders, but rather, that merchants and traders often do not become *talmidei chachomim*, based on the mistaken belief that they cannot or are not obligated to make up the time for learning missed for business. The *Torah* is not found across the ocean, because when the people across the ocean come back to port, they do not feel obligated to open a *sefer* and learn with the same *hasmodah* (diligence) as a *yeshiva* student.

School comes with many obligations and commitments, many of which are extremely important and valid. However, everyone must ask themselves - *lamah nigara*? Why should I lose out on time for learning because of my other responsibilities? Why can't I make time for both? We must make sure not to get trapped "across the ocean", unable to make a requisite amount of time in our nightly schedules for learning because of various other concerns. The only true way to grow in *Torah* is to commit to learning a set amount, no matter what else comes up. After all, "there are many excuses not to learn - but you won't become a *talmid chacham* that way."

Wishing everyone a great *Shabbos*,
-Shimi Kaufman

Nitzavim Vs. Omdim

This week's *parsha*, *Parshas Nitzavim*, opens with the *Bnei Yisroel* standing in front of *Hashem*, in the midst of Moshe's final speech to them on the final day of his life. As Moshe is continuing to go through the *kelalos* (curses) which began in last week's *parsha*, the opening *pesukim* of our *parsha* push in and remind the *Bnei Yisroel* of their past, and the many wonders which *Hashem* had performed for them. Rashi comments that the purpose of this interruption was to keep the people in front of *Hashem*, so that they would be in awe of him, and would not be scared off by the numerous *kelalos*. There is a question to be asked on the wording of these first few *pesukim*. The *kelalos* were coming at a very sensitive time for the *Bnei Yisroel*. They had to hear all of the terrible things that would befall them on the day that they knew they were going to lose their leader of over forty years. That is why they needed some extra final words of encouragement from their beloved leader before they could withstand hearing more awful things. But despite this point, a question can be asked about the use of the term "*nitzavim*". We know that the word *nitzavim* means standing, but why does the Torah here opt to use this strange word, instead of the far more common "*omdim*"? It must be that there is some extra lesson to be gleaned from this switch. Consequently, the question to be asked is: what extra characteristic does the word *nitzavim* add that *omdim* intrinsically omits?

Rav Shmshon Raphael Hirsch points out that *nitzavim* is a stronger *lashon* than *omdim*, because it means more than just standing; *nitzavim* implies standing firmly, or being planted. The *Midrash Tanchuma* points out that the word itself serves as a lesson to the Jewish people. By using the word *nitzavim*, the *Torah* is telling us that we as a people will remain rooted and firm in the face of the adversity that beats down on our backs. But even more than that, Rav Hirsch points out that the enduring of this pain itself leads to the betterment of us as people. The idea that the pain itself is for the forge from which we will emerge with a stronger and more solid foundation is an important lesson for all of us to keep in mind in times of personal troubles or turbulence on a national scale.

Further, Moshe's final message of “you are planted and will ensure forever” also serves as a bit of a farewell address. Moshe is saying that despite the fact that he is moving on, you, the people, will endure under Yehoshua, the next leader, and for all generations to come. It is us, the nation, which has the spirit of endurance that enables us to continue living for years and years, for all of eternity. It is the nation that serves as *Hashem's* pillar in this world that enables the world to keep on spinning. Without us, the world would not need to exist, so we will exist, endure, and prosper, as long as we stay true to our side of the *bris* (covenant) which we made with *Hashem*, to keep his *mitzvos* and his holy *Torah*. If we stay true and loyal to our mission, *Hashem* will ensure that we remain planted and upright in the face of adversity, *leolam va'ed*.

Shabbat Shalom Everyone,
Yisroel Hochman

PARSHA PUZZLERS

Submit your answers to shemakoleinu@yuhsb.org along with your name and cell phone number to be entered into a raffle at the end of the sefer! 1 answer = 1 entry!

(Hint: Use the commentaries in the Mekraos Gedolos Chumashim, along with the Toldos Aharon on the side to find relevant Gemaras and Midrashim)

1. The first *possuk* in this week's *parsha* uses a unique word to mean “standing” - *nitza-vim*. In what other four places does this word appear in the *Torah*?
2. This *parsha* begins on the final day of Moshe's life, when he turned 120 years old. Where else in the *Torah* do we find that 120 years of age is a fitting age to die?
3. Where in *Parshas Vayelech* do we find a *kal vichomer* argument used?

THE ELEPHANT IN THE ROOM: ANIMALS IN THE PARSHA

The Distinction of Words

Yisroel David Rosenberg (23)

In this week's *parsha*, *Parshas Nitzavim*, there is a *possuk* that describes the blessing we will have once we have returned in *teshuvah*. The *possuk* says that there will be *bracha* "בְּפֶרִי בְטֶנֶךָ וּבְפֶרִי בְהֶמְתֶּךָ, וּבְפֶרִי אֲדָמָתְךָ," "on the fruit of your womb, the fruit of your animals, and the fruit of your land." This language may seem somewhat familiar. It was in fact used in last week's *parsha* to describe the *berachah* that we will have as long as we keep the *mitzvos*. This phrase is also repeated as the *tochacha* begins, at which point the *Torah* stresses that all of these things will be cursed rather than blessed if we should ever leave the way of *Torah*.

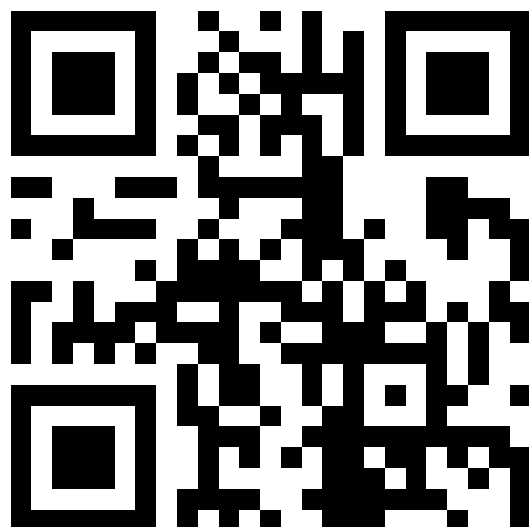
But if we look even further back, all the way to *Parshas Bereishis*, we have the commandment of *peru urevu* (be fruitful and multiply). This phrase first appears by the creatures of the ocean and the sky on day five of creation, and then by man and woman on day six. Here, the *Torah* uses the same language of "fruitfulness", from the root of "*peru*", as a command for humans and animals to have offspring.

While the *possuk* regarding animals reads "*vayivarech osam Elokim leimor*" - and *Hashem* blessed them, saying - regarding people, it says "*vayivarech osam Elokim vayomer lahem*" - and *Hashem* blessed them, and he said to them. In other words, when it came to animals, *Hashem* declared a *berachah* - *leimor*. When it came to people, *Hashem* told them what their *berachah* was - *vayomer lahem*. This is an important distinction made between humans and animals. Humans have the ability to understand language, and therefore the words of this *berachah*, while animals do not have this ability. (The distinction between the *pesukim* is highlighted by Nechama Lebowitz.)

With this ability comes the responsibility that is so heavily stressed in this and last week's *parshiyos*. We have the ability to choose what to do based on language, and so we can listen to the words of the *Torah*, heed them, and be rewarded, or we can ignore them and be punished likewise.

Good *Shabbos*, and I hope you are all looking forward to reading this week's *parsha* as much as I am!

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GEDOLIM GLIMPSE: MAHARAM OF LUBLIN

Meir Morell (22)

Rabbi Meir ben Gedaliah (1558 - 1616), later shortened to Maharam, was born in Lublin, Poland. Maharam's knowledge of *Shas* and *poskim* was such that he was invited to the rabbinate of Kraków in 1587, when he was not yet thirty years old. In 1591, he became rabbi at Lemberg. In Lemberg, he was engaged in a controversy with Rabbi Joshua Falk (1555-1614) concerning a *halachic* issue regarding a *get* (divorce document). In 1613, he became the rabbi of Lublin, and established a *yeshiva*. Many of his students be-



Gravesite of the Shelah Hakodesh, one of the Maharam's most prominent students.

came prominent rabbis or roshei yeshiva; his most famous student is probably Rabbi Yishaya Horowitz, the *Shelah Hakodesh*. A daughter of the Maharam was married to Rabbi Binyamin Beinisch Gelernter, whose parents were Rabbi Zachariah Mendel Gelernter and the daughter of the Maharal of Prague.

R' Meir was a sharp polemicist and critical of the people around him, and did not refrain from criticizing the most respected scholars of his generation. These included major and prominent *talmidei chachomim* such as the Rama, *Beis Yosef*, Maharsha, and Maharshal. He even disagreed with the *Rishonim* on occasion, when he felt that they had erred. He was forceful in rejecting opinions contrary to his own "without any doubt, and there is no way of settling [the issue] in any other way." When the Maharsha's commentary to *Shas* was first printed, he dismissed it and wrote "you can see that he cannot find his hands and feet in the house of learning, and [his

sefer] is an error." Only later, when he realized that the Maharsha was a greatly respected scholar, did he confess to him "what happened, happened, and love covers all sins." When a rabbi in Worms, whom he thought to be a lesser authority than him, rejected his opinion, he was deeply offended. He writes that he wanted to embarrass him in the *shul* of Lublin, and to convene with the leaders of the communities to demote him from his position, but he elected not to, writing "perhaps it will be an honor for him that a person like me is occupied with someone like him."

While he served as the *Rosh Yeshiva* in Lublin, Rav Shimon Wolf Aurbach, the son-in-law of the Maharshal, headed another *yeshiva* in the same town. They both had different styles of interpretation, and this usually led to quarreling among the students, as everyone claimed that their *rebbe* had the correct methodology in learning. From then on, the communal leaders decreed that the students could not tell one another of the *chiddushim* that their *rebbe* had said, and that whoever violated this ban would be expelled from the *yeshiva*. However, this didn't last for too long. When the Maharam once had difficulty explaining a *Tosafos* and was eager to find out how Rav Shimon Wolf had resolved the issue, he asked his students to find out. When the right opportunity came up, they grabbed one of the students of Rav Shimon Wolf, beat him up, and forced him to repeat the interpretation of his Rabbi. When the Maharam heard Rav Wolf's interpretation, he openly declared that only his interpretation was the correct one. A great controversy flared up between the two *yeshivos*. The leaders of Lublin decided that they would send a letter to Rabbi Sholomo Aboav Rav of Amsterdam to decide which one is the correct interpretation, and whichever opinion he determined to be correct, the other *rosh yeshiva* would step down from his position. When the answer came back from Amsterdam, it was clear that it was in favor of Rav Shimon Wolf. The communal leaders therefore decided to demote the Maharam from his position as *Rosh Yeshiva*. But, the humble Rav Shimon Wolf refused to accept this decision. Instead, they invited the Maharsha to assume the Rabbinate in Lublin. The Maharsha gave a sermon on *Shabbos* night, and convinced the community of Lublin to keep both of these *Torah* giants among them, thereby ending the controversy.

The Maharam died on 16 Iyar, 5376. *Me'ir Einei Chachomim* is his best known work, mainly focusing on issues of *cheshbon* (evaluation of opinions) in the Gemara, Rashi, and *Tosafos*. This *sefer* can be found in the back of most *Gemaros*, directly below the Maharsha and beside the Maharshal. (That is very interesting, being that the grandchildren of the Maharam and Maharsha eventually married each other.) After his death, over 140 of the *halachic* questions posed to him were published in a collection of responsa entitled *Manhir Einei Chachomim*.



A manuscript of the Maharam's halachic responsa

Parsha Summary

On the final day of his life, Moshe begins to conclude his last will and testament by summing up the messages which he has relayed throughout *Sefer Devarim*. Moshe reminds the people of their unique *bris* (covenant) with *Hashem*, and warns them what will happen if they violate *Hashem's* commandments. However, Moshe also speaks about the potential for *teshuvah* (repentance), telling the people that the *Torah* "is not in the heavens, or over the ocean." Moshe enjoins the people to be strong and courageous in their conquest of the land, and gives similar encouragement to Yehoshua. Moshe then writes the entire *Torah* and gives it to the *kohanim* and *zekeinim* (elders), and instructs the people regarding the *Hakhel* ceremony, in which the people gather every seven years on *Sukkos* to hear the Jewish king read from the *Torah*. Moshe gathers the people to hear a song, which is related in next weeks' *parsha*.

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שבת שלום!!!

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