

B”H

COMMENTARY ON THE TORAH

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Parshat Nitzavim-Vayelech



RABBI ELI BRACKMAN

NITZAVIM - VAYELECH

Deuteronomy 29:9-12 & 30:11-14

This collection of commentary discusses the covenant that was forged between the Jewish people and G-d to receive the Torah before the passing of Moses. As the people had already entered into the covenant at Sinai, what is the context and nature of this additional covenant? Some commentaries reflect on the importance of the unity of the people, whereby there is no distinction at all amongst the different ranks in society when entering into a covenant with G-d, while other commentaries point out the intention of the verse to list the people according to their hierarchy.

9. You are all¹ standing² this³ day⁴ before the L-rd, your G-d⁵ the leaders of⁶ your tribes,⁷ your elders⁸ and your officers,⁹ every man of Israel,¹⁰

¹ ‘You are standing this day all of you:’ all of you regardless of your social standing in the community are equally standing facing the L-rd, in order to enter into the new covenant. (see verse 11). This had already been announced by Moses in the verses of our chapter leading up to this point. (Chizkuni, R. Chizkuni ben Monoach on the Pentateuch. MS. Michael 568 (1683)).

² ‘You are standing this day all of you before the eternal your G-d:’ The meaning thereof is that you are standing and ready before G-d to be initiated into His covenant. For, in order to accept the Torah with its interpretation, they had gathered before him [Moses], or they may have stood before the ark of G-d. The covenant was the oath and imprecation which he mentioned (29:7): ‘that thou shouldest enter into the covenant of the Eternal thy G-d, and into His oath.’ It is possible that he made another covenant with them like the first covenant which he made with them at Mount Sinai, namely, that he offered a burnt-offering on their behalf, and took half of the blood to sprinkle upon the altar and he sprinkled half of the blood upon the people, but it was unnecessary for him to mention this. And by way of the Truth, [the mystic teachings of the Cabala], I have already informed you of [the secret of] this covenant. (Nachmanides on the Torah, MS. Opp. 33).

³ What is the meaning of: ‘You are all standing this day?’ Rashi commented in the previous portion on the verse (29:3): ‘the L-rd has not given you a heart to know, eyes to see,’ that ‘on the very day that Moses gave the Torah scroll to the sons of Levi, all Israel came before Moses and said to him: “Moses, our teacher! We also stood at [Mount] Sinai and accepted the Torah, and it was also given to us! Why, then, are you giving the members of your tribe control over it. Moses rejoiced over this matter and it was on account of this, that he said to them, “This day, you have become a people [to the L-rd your G-d]” (Deut. 27:9).’ Similarly, in this context, once Moses saw they cherish the Torah on their own, Moses said: ‘You are all standing,’ because until this day, Moses was like one whom taught his disciple Torah against his will, whereby the student would withdraw from the teachings of the Torah if had the ability to do so, for he does not value the Torah. In such a case it is not sustainable; it is like a water pit that requires refilling of water, for otherwise it will no longer provide water. (Meshivat nefesh, R. Yochanan Luria (1445-1511). MS. Oppenheim Add. 4° 91 (1526-1575) and MS Opp. 223).

⁴ ‘You are all standing:’ This teaches us that on the day of his death, Moses assembled Israel in the presence of the Holy One, Blessed is He, to bring them into [His] covenant. (Rashi. In MS. Oppenheim 34 (1201-1225), it states: ‘*she’ba she’kinsom*; In MS. Canon. Or. 81 (1396), it states: ‘*k’dei l’hachnisam*;’ In MS. Michael 384 (1399), it states: ‘*b’yom mot Moshe*;’ In MS. Canonici Or. 35 (1401-1425), it cites also: ‘*ha-yom*’ and states: ‘*lif-nei ha-Makom*;’ In MS. Huntington 425 (1403), it states: ‘*le-hachnis*’).

⁵ ‘Before the L-rd, your G-d:’ So that anyone who is capable of misleading me cannot mislead Him. You will accept this covenant in His presence, on His authority, not merely on mine. point (R. Obbadyah Sforno on the Pentateuch. Can. Or. 16 (1576-1600)).

⁶ For cannot say that it means literally: ‘your tribes’ (*shiv-tei-chem*), because it states afterwards, again: ‘all of Israel’ (*kol ish yisrael*), rather, certainly, it has a missing ‘*lamed*,’ and it is as if it states: ‘your heads of the tribes’ (*ro-she-chem l’shiv-te-chem*). In this way, it makes sense: the more distinguished ones were mentioned first. If it reads literally ‘your tribes’ (*shiv-tei-chem*), it would be listing ‘your elders’ after ‘your tribes’ and ‘the more distinguished ones were mentioned first’ would be not be applicable. According to Nachmanides, ‘your elders’ and ‘your officers’ are explanations of ‘your heads,’ and ‘all of Israel’ explains ‘your tribes.’ This does seem correct to Rashi, however, for there is no need for the Torah to be ambiguous first and afterwards have to go back to clarify what it said earlier. (Be’er Mayim Chaim al Pirush Rashi. R. Chaim ben Bezalel Loew, c. 1506-1588. MS Opp. 195 & 196).

⁷ ‘Your heads:’ ‘*Ro-she-chem*’ (your heads) is similar to: ‘*ha-o-he-lah, Sara i-mo*,’ translated in the construct form: ‘the tent of Sarah his mother,’ (Gen. 24:67) and: ‘the prophecy, Oded the prophet,’ translated also in the construct form: ‘translated in the construct form: ‘prophecy, Oded the prophet’ (II Chron. 15:8). Similarly, ‘*ro-she-chem shiv-te-chem*’ (your heads, your tribes) is to be interpreted as your heads, who are the heads of your tribes. *Ro-she-chem* (your heads) is like the word ‘*va-ni-ram*’ (we have shot at them) (Num. 21:30). The word is to be so interpreted (in the construct form: heads of your tribes) for the princes were closest to the ark. After them came the elders, followed by the officers, after whom came all the men of Israel, that is, the males, followed by the male little ones, after whom came the women, followed by the strangers. (See also Rashi) (R. Abraham Ibn Ezra on the Pentateuch)

⁸ ‘Your elders:’ This refers to the judges. It calls them elders because their wisdom, as in: ‘elders of the city.’ It, thus, lists them according to hierarchy, first heads of the tribes,

10. your young children, your women, and your convert who is within your camp both your woodcutters and your water drawers,

followed by the judges and the officers. (R. Levi ben Gershom on the Pentateuch, known as Ralbag. MS Michael 361, MS Opp. Add. 4to, 12 (1390), MS Hunt. 110).

⁹ Rashi comments: ‘your elders and your officers: the more distinguished ones were mentioned first, and after this: “every man of Israel.”’ It is difficult: Since the verse also states: ‘every man of Israel’ (*kol ish Yisrael*), why does Rashi not include this in his citation of the verse, followed by his comment? The difficulty for Rashi earlier in the verse is: it states first: ‘your leaders’ (*ro-shei-chem*) and then ‘your tribes’ (*shiv-tei-chem*): why is it necessary to write: ‘your elders and your officers’ (*zik-nei-chem ve-shot-rei-chem*), since they are already included in: ‘your tribes’ (*shiv-tei-chem*)? If it had said: ‘your elders and your officers’ (*zik-nei-chem ve-shot-rei-chem*) before: ‘your tribes’ (*shiv-tei-chem*), as with the phrase: ‘your leaders’ (*ro-shei-chem*), it would make sense, but since it is written *after* ‘your tribes’ (*shiv-tei-chem*), it appears redundant? Rashi answers this question: The word: ‘your tribes’ (*shiv-tei-chem*) juxtaposed to ‘your leaders’ (*ro-shei-chem*), should be read in the construct form: ‘your leaders *of* your tribes’ (*ro-shei-chem l’shiv-tei-chem*), not literally: ‘your tribes’ (*shiv-tei-chem*), i.e., it is not a stand-alone word. After this, follows: ‘your elders and your officers’ (*zik-nei-chem ve-shot-rei-chem*), as Rashi comments: ‘the more distinguished ones were mentioned first, and after this: “every man of Israel.”’ In this way Rashi is explaining the flow of the verse, and all is precise. It remains however difficult: why does the verse not phrase it clearly, in the construct form: ‘your leaders *of* your tribes’ (*ro-shei-chem l’shiv-tei-chem*)? The reason is: it comes to inform that: ‘your leaders’ (*ro-shei-chem*) is the same as ‘your tribes’ (*shiv-tei-chem*), meaning to say: the leaders are considered as all the tribes combined, as per the dictum: ‘the prince of any generation is the equal of the whole generation.’ Such is stated also in Rashi in *Parshat Chukat* on the verse (Numbers 21:21): ‘Israel now sent messengers. (Biorim shel Maharar – R. Nathan Shapiro of Hrodno, MS. Opp. 200).

¹⁰ The different attributes used in this verse include: even women, children, converts; these latter are included under the sub-heading of ‘every householder in Israel’ (*kol ish yisrael*). (Pirush al haTorah – Da-at Zekeinim. MS Huntington 569).

11. that you may enter the covenant of the L-rd, your G-d, and His oath, which the L-rd, your G-d, is making with you this day,¹¹

12. in order to establish you this day as His people, and that He will be your G-d, as He spoke to you, and as He swore to your forefathers to Abraham, to Isaac, and to Jacob.

Deuteronomy 30:11-14

11. For this commandment¹² which I command you this day, is not concealed from you, nor is it far away.

¹¹ As it said earlier (29:8): 'Therefore observe faithfully all the terms of this covenant,' it juxtaposes immediately the verse (29:9): 'You are all standing this day, etc. that you may enter the covenant of the L-rd, your G-d, and His oath,' in a manner that they would be unable to say that all were not present at the time of the covenant. (Tzror haMor, R. Abraham Saba (1440-1508). MS Opp. Add. 4to 11 (1501–1525)).

¹² 1. Rabbi Yannai said: This is comparable to a loaf suspended in the air. The fool says, "who could bring it down [to earth]?" The alert one says, "No one took it?" He gets a ladder or pole and brings it down. Similarly, all fools say, "When will I read the entire Torah?" Whereas the alert one, what does he do? - he studies one chapter each day, until he concludes the entire Torah. G-d says: "It is not mysterious", and if it is, it is "from you" [i.e. due to you]. This explains the verse (Deut 30:11) "This commandment".

2. Another matter, Rabbi Chaiya said: Anyone who begins a commandment but does not complete it, it is attributed to him as if he had buried his wife and children. How do we know this? From Judah, who commenced a commandment but did not complete it. For when Joseph's brothers wanted to kill him, as it is said, "Come, let us kill him" (Genesis 37:20), Judah intervened and said, "What profit will it be if we kill our brother?" (Genesis 37:26). He saved Joseph from being killed, but because he did not finish the commandment, his wife and children died, as it is written, "And the daughter of Shua, Judah's wife, died" (Genesis 38:12).

3. 'Because it is close to you:' Rabbi Shmuel bar Rav Nachman said, what is this like? It's like a princess unrecognized by people. The king had a favored friend who was constantly in his presence. The king's daughter also stood before him. The king said, "See how much I favor you; no one recognizes my daughter, yet she stands before you." Similarly, G-d said to Israel, "See how beloved you are to me; no one in my realm recognizes the Torah, yet I gave it to you." As it says, "It is hidden from the eyes of all living" (Job 28:21). (Deuteronomy *Rabba* 8: 4 and 7) (Midrashic commentary on the Torah by R. Elijah Menachem Chalfan ben R. Abba Mari. MS. Opp. 722, fol. 381 (1523)).

12. It is not in heaven, that you should say, "Who will go up to heaven for us and fetch it for us, to tell [it] to us, so that we can fulfill it?"

13. Nor is it beyond the sea, that you should say, "Who will cross to the other side of the sea for us and fetch it for us, to tell [it] to us, so that we can fulfill it?"

14. Rather, [this] thing is very close to you; it is in your mouth and in your heart, so that you can fulfill it.

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