

PARASHAT NITZAVIM

By Rav Ezra Bick

Parashat Nitzavim appears to repeat, in a movingly poetic and dramatic manner, the central theme of parashat Ki Tavo: You are parties to a covenant with God, and if you break it, you will be punished. Since we read Ki Tavo just last week, the question arises why this additional speech of Moshe is necessary, and what accounts for its peculiar language and style, riddled with difficult words and constructs and infused with a dramatic rhythm completely unlike that of the rest of Sefer Devarim. In fact, it is commonplace in synagogues for the opening sections of Nitzavim to be read with special musical emphasis by the reader, together with an almost unconscious tendency of the congregation to chime in and complete the verses together with him. It seems that we tend to respond to the special flavor of this parsha with our hearts (despite the rabbinic appeal to our heads to not interfere with the halakhic obligation to hear the reading from the Sefer Torah).

I would like to begin by following a suggestion of the Netziv. While the development of my point will be somewhat different than his, it is the finely-tuned ear of the Netziv's, as applied to the terms used in our parsha, that lay the groundwork for the understanding of the nature of our parsha that I would like to advance.

Moshe concludes the speech of Nitzavim by exclaiming:

Behold, I have placed before you this day life and the good, death and the evil; For I have commanded you this day to love HaShem your God, to follow His ways, and to keep His commandments, His laws and His precepts; and you shall live and prosper, and HaShem your God shall bless you in the land to which you are coming to inherit. (30:15-16).

The Netziv compares this presentation of two choices to that in Ki Tavo and notes that in all of Ki Tavo the choice was always between ACTIONS - "If you will listen to the voice of HaShem your God, to keep and perform all His commandments which I am commanding you this day...." (28:1); "But if you will not listen to the voice of HaShem your God, to keep and perform all His commandments...." (28:15). The significant addition in our parsha is the inclusion of LOVE of God, of an inner commitment, to the choice. The choice here is much more extreme - the way of life demands love and commitment to God; the alternative is death. Surely, asks the Netziv, there is a third possibility, one of obedience, of avoiding idolatry, even if it is not accompanied by true inner devotion?

The Netziv's answer is that Moshe is telling the Jews that if the inner commitment of heart is not strong, is not totally devoted to

the way of God, then in the end there will be no way to prevent corruption and decay - in the end, the weakness of the heart will lead to idolatry. And here the Netziv notices an important phrase. The next verse reads, "If your heart turn away and not listen, you will be drawn away and bow down to other gods and serve them" (30:17). Rather than directly warning them not to commit idolatry, Moshe warns against the "turning of the heart" ("im yifneh levavkha"). The RESULT of this turning, this inner distraction, is that "you will be drawn away" ("ve-nidachta"), eventually serving other gods. Hence Moshe states, "I tell you today that you will surely be destroyed." Surely, the repeated direct statement of God in the previous parshiot that idolatry will lead to destruction and exile does not need to be repeated by Moshe, emphasizing his personal warning - "I tell you today!" But what Moshe is saying is that even if you commit yourself to acting in accord with God's laws but you do not wholeheartedly devote yourselves to His love, the result will also be destruction. Amazingly enough, God does not say this to the Jews, for the simple reason that the punishment for not loving God is not destruction. But Moshe here is beginning the last exhortation of the Jewish people before his death, not so much passing over the commandments as seeking for a way to ensure that his mission will succeed after his passing, that what he foretells in the next parsha will not come to pass - "For I know that after my death you will be corrupted and turn from the path that I have commanded you, and the evil will befall you at the end of days, when you do evil in the eyes of God, to anger Him with the acts of your hands" (31:29). Moshe is not commanding the Jews, he is trying to sway them, to inspire them, to get beyond the heads into their hearts, where he believes the key to their history and destiny lies.

This call to love and God, as the real goal of the covenant, is repeated several times in the parsha. "To love HaShem your God, to listen to His voice and to cleave unto Him, for He is your life and the length of your days ..." (30:20). Earlier, the reaction of God to repentance is described as "And God will circumcise your heart and the heart of your children, to love HaShem your God with all your heart and all your soul, for your life."

The verb "yifneh" (to turn), with or without the explicit subject of "heart," is repeated throughout this parsha and the next:

"Lest there be among you a man... whose heart is turning (phoneh) this day from God...." (29:17). "If your heart turn (yifneh) and not listen...." (31:17). "And I shall hide My face on that day, because of all the evil that they have done, for they have turned (phana) to other gods" (31:18, and 31:20).

The opposite of the love of God is to "lifnot" away from Him, to turn one's heart away. In other words, the opposite of love is indifference rather than rebellion. Moshe is warning against the coldness of the heart, the lack of inner devotion, because he sees it as the first step in an inevitable decline that is the equivalent of idolatry, whose end result will be destruction.

In short, the Torah as a book of law, addressing one's mind with primarily a code of conduct, has ended in Ki Tavo. Now, on what is according to most commentators the last day of Moshe's life, we are reading his final attempts to address the hearts of his people in order to ensure that the Torah will implant itself deep enough to survive after his death.

This emphasis on inner devotion casts a new light on the famous passage at the end of the parsha.

For this mitzva which I am commanding you today, it is not beyond you, nor far away. It is not in the heaven, where you would have to say who will climb up for us to the heavens and bring it to us ... nor over the sea ... But the thing is very close to you, IN YOUR MOUTH AND YOUR HEART TO DO. (30:11-14).

The subject of this statement - "this mitzva" - is unclear, as no clearly defined mitzva precedes the statement. There are a number of answers given by the commentators to this problem, but we should first notice that the Torah is being deliberately unclear here, as is shown by the unusual phrase "ha-davar" (the thing) in verse 14. It seems as though the Torah is going out of its way to use a neutral and characterless noun, so as not to have define just what is the thing which is "in your mouth and heart to do."

Rashi refers these verses to the entire Torah (14). The Ramban claims that it refers to the mitzva of teshuva (repentance). I would like to suggest that it refers to both, but not in the sense of the performance of the mitzvot of the Torah, or of the mitzva of teshuva. Nowhere has the Torah suggested until now that observance of the mitzvot is difficult, over the sea or high up in heaven. Moshe is addressing the special difficulty identified by the Netziv, the need to commit one's heart and devote it solely to God. Man claims that he cannot control his heart, he is not master over his emotions. A pure heart - that is "beyond one, far away." Moshe assures them that that is not so - for it is very close to you, it is inherent in your very being, in your mouth and your heart to do. As the verses continue (in the section quoted above and commented on by Netziv) - life and death, good and evil, they are before you to choose, and the choice is "to love HaShem your God." But, if "you turn away and not listen...." To love God is in your hearts - to not do so is to turn away.

This question, whether love of God is a committed action of man, or a state for which he cannot take responsibility, is, I believe, the key to understanding one of the difficult verses at the beginning of the parsha.

Lest there be among you a man or woman, family or tribe, whose heart is turning today away from HaShem our God, to go and worship the gods of those peoples, lest there be among you a root which grows gall and wormwood. And when he hears the words of this curse (Note: "ala" is a curse, but not in the sense which we use it today - it is the oath which binds one to the sanctions for breaking a covenant), he shall bless himself in his heart saying: It will be well with me, for I go with the strength of my heart, in order that the satiated add to the thirsty. God shall not agree to forgive him.... (29:17-19. I have translated the cryptic middle verse as literally as possible,

since there are multiple and radically different explanations of the difficult phrases).

The textual questions on this passage are: Why does the individual, after hearing the terrible punishments in the berit (in Ki Tavo), believe that all will be well with him? What does it mean, when he says "ki bi-shrivot libi eilekh" (go with the strength of my heart)? Why is this sinner described here as a "root growing gall and wormwood?" What does "sfot ha-rava et ha-tzemei'a" (the part about the satiated and the thirsty) mean? And aside from the textual problem, we must ask what is different about this individual that distinguishes him from the repeated injunctions against idolatry throughout Devarim and especially the curses of Ki Tavo?

Commentators disagree in regard to the syntactical position of the phrase "for I go with the strength of my heart." The Ramban basically cites both possibilities.

1. "He will say in his heart, 'it will be well with me from all these (curses) when I do what I please'" (Ramban 29:18). According to this possibility, "FOR I will go with the strength of my heart" is a continuation of his sinful declaration of unconcern with the berit. It will all be well with me, and I will do what my heart bids me do. The problem with this possibility is that it leaves unexplained why someone would hear the curses and yet think that all will be well when he worships idols. And if one argues that we need not be concerned with the psychology of sin, the question still remains why it is necessary to state that God will punish him. All of parshat Ki Tavo stated that breaking the covenant will lead to punishment - the fact that he is unconcerned is surely not a reason why he should avoid punishment. (One possible answer to this question is based on the clear distinction between this passage, addressed to an individual "man or woman," and Ki Tavo, addressed to the nation as a whole. The Ibn Ezra interprets the phrase "sfot ha-rava et ha-tzemei'a" to mean that he is thinking that the righteous (rava - satiated with mitzvot) will protect him (a thirsty, unwatered plant), since they are many and he is only an individual. He is assuming that the berit applies ONLY to the nation as a whole).

2. "Or the meaning of "FOR" ("for I will go with the strength of my heart") is that he is saying that it will be well with him BECAUSE he does not accept the oath, for he goes according to the strength of his heart all his days and does what he pleases" (Ramban, *ibid.*). This reading provides an answer why this individual is indifferent to the terrible curses of Ki Tavo. He is claiming independence of conscience. The berit, like any covenant, is a freely-willed agreement. If in his heart he has not committed himself to it, he feels that he is not bound by it and will not be punished for transgressing it.

If we reread this passage in light of the principles explained above, we see how this interpretation is supported.

"Lest there be among you a man or woman, family or tribe, whose heart is turning today away from HaShem our God, to go and worship the gods of those peoples" - we have already seen that the phrase "turning of the heart" refers not to forbidden actions, but to the original lack of commitment and weakening

of devotion. This man is not actively planning now to worship idols, but is turning away from God inwardly, which the Torah defines as a turn in the direction of "to go and worship the gods of those peoples." This immediately gives us the explanation of the phrase "a root which grows gall and wormwood." It is not his present actions which are problematic in themselves (he is not a full-grown weed), but their potential - a root which will grow in the future to be a bitter and destructive influence. In Ki Tavo the Torah addressed sin - forbidden actions. Here the Torah is addressing the heart. Why is this individual then not worried about his path away from God? Because he says, "all will be well with me, for I am following the dictates of my heart." I am sincere in my ways, and am merely being honest, true to myself. The modern ear will immediately recognize this argument. Faith is a matter of conscience, not a matter of law, and it is unfair to expect those who do not truly profess the faith to be bound by its strictures. We have been taught to even admire one who sticks to his principles, even if we disagree with them. This then is the argument that one can do no wrong if one is true to the dictates of one's heart. "To thine own self be true," said Polonius. Being insincere, according to this viewpoint, is worse than being immoral; in fact, it is the true measure of insincerity.

Our individual's blithe self-confidence is based on the obverse of Moshe's concern above. Actions are ultimately the expression of our inner commitments. Moshe knows that without such a commitment, the expressed acceptance of the berit will not endure. Similarly, it may be argued that they have no reason to endure, no validity. If the mitzva is close to your mouth and heart to do, then if there is no heart, it may not even make sense "to do."

("Sfot ha-rava et ha-tzemei'a" is interpreted by the Ramban according to this approach to mean that a heart that is satiated and not lusting will develop more lusts and desires - thirst - by being exposed to them. The Torah is warning that one who follows his heart will degenerate, his heart spinning out of control beyond what he originally desired. In other words, the law cannot be only an expression of the heart, for it guards the heart from itself, and ensures the purity of the heart's desires.)

To this God responds with what can only be described as fury:

God will not agree to forgive him, for the anger of God and His vengeance shall flame (lit. smoke) against that man, and the entire curse written in this book shall fall on him, and God shall wipe out his name from beneath the heavens. And God shall separate him from all the tribes of Israel, according to all of the curses of the covenant, written in this book of the Torah.

The Midrash Tanhuma at the beginning of this week's parsha (though not on this verse specifically) ties this to a verse in Yechezkel (20,32-33):

That which you imagine will simply not be; what you are saying: We will be like the nations, like the families of the earth, to worship wood and stone. By My life, says HaShem the God, I shall rule over you with a mighty hand, an outstretched arm, and with anger poured out.

Here too we see a special measure of anger on God's part when facing the thought of detachment from being God's nation.

Hence, this section ends with the famous conclusion: "Hidden matters are for God, but the revealed ones for us and our children forever, to do all the words of this Torah" (29:28). Hidden matters - Rashi explains that these are thoughts of the heart. The Ramban adds that they may even be hidden from the person himself, citing the prayer-verse, "Errors who can fathom, from hidden matters cleanse us" (Tehillim 19,13). God is demanding, the existence of the Torah and the berit demand, that one be responsible for one's heart as well as one's actions. Bi-shrirut libi eilekh, I will follow the dictates of my heart, is not an acceptable way for those who have entered into the berit.

Again, Nitzavim (followed by the next two parshiot as well) deals with the heart that must lie behind the Torah, the inner state of man underneath the external law-abiding citizen. Moshe is making a last-ditch post-berit effort to inculcate the Torah into the people who will be the ones to truly fulfill its message. We now understand why Nitzavim uses such evocative poetical language. Moshe is speaking to the heart, not the mind. The words have to go from your mouths to your hearts, "to do." This language will soon flower into the "shira" of Haazinu.

Further points.

1. The Netziv cites Yehoshua 24 as a comparable example of the tension between acceptance of rules of behavior vs. inner commitment. See 24,19-22, and then v. 23. What is Yehoshua demanding in this verse that was not already included in the previous ones? Note the phrase "hatu et levavkhem" - sway your hearts. What is the answer of the people to this additional demand?

2. I have claimed that Ki Tavo is the end of the Torah as the book of external mitzvot. There are, however, two mitzvot yet to go (in Vayeilekh) - hakhel and writing the Torah. Why are they in the post-berit section?

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