

Nitzavim I: A Covenant of All of You

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September 21, 2011

“Today you all stand before Gd, your chiefs, your elders...all of Israel, your children, wives, the strangers in your midst, from the woodchopper to the water carrier, to enter into a covenant with Gd...”

With these words, the covenant between Gd and the people of Israel is established, or re-established, as we shall suggest later in the shiur. However, the verse itself is problematic in several ways. First of all, there is that unusual word, “nitzavim”, meaning “standing”. Furthermore, the segment lists all these types of societal positions, then sums them all up in the superfluous phrase “all of Israel”, a phrase double enigmatic because it uses a singular voice- the clause is literally “kol ish yisrael”- every person of the people of Israel, after listing a plurality of professions.

In order to understand this passage, we will move from textual explanations to a novel reading of this episode in its entirety. Along the way, we will encounter some interesting ties to Rosh Hashana, as this perasha is traditionally read the week before the New Year.

Rashi presents three different readings of this passage. He begins with the “peshat”, the so-called literal reading of the text. He then offers two “midrashic” readings, the second of which explains the word “nitzavim”, standing, as derived from the word “matzevah”, which means monument, and explains that at this moment, Moshe made of the people a monument, in order to make them more ready to listen, or more obedient (Rashi points out that in later transfers of leadership the root “nitzav” is also used). The Shem M’Shmuel takes off from this nitzav=matzeva connection to build his approach. He explains that a mizbeach, the sacred altar of the Temple, was made up of many stones, whereas the matzevah, the earlier form of monument or altar, forbidden after the Temple was constructed, was made up of one stone. Thus, for the covenant to be established, the people, despite their individual differences, must come together like the single stone altar, as one people. In other words, the purpose of the textual play between multiple societal roles and singular language is to emphasize the need for all to come together as a united whole. Furthermore, he adds, the term “Nitzav” means to be without fear, as in Bamidbar 16:27, and when the people are unified there is nothing to fear. Unity is strength, as it were. This approach is found in many of the later Hassidic thinkers. Rav Zadok Hacoen believes this interplay between higher and lower class positions in society versus the singular “all of Israel” suggests a time in which the entire nation will reach such a high spiritual plateau that all attain equal spiritual awareness, as was the case at the splitting of the sea, where it is described that the most lowly maidservant experienced Gd as acutely as did the greatest prophets. The unity of peoplehood will raise up the status of every member of society.

In a similar fashion, the Sefat Emet reads these passages as reminding us of the crucial nature of unity. The “today” at the beginning of the verse means “today”, that is, now, at this very moment, we are all called to stand before Gd, and the way to best do so is for the individual to make himself part of the klal, to surrender himself unto the people as a whole. This is the message of the extra word “kulchem”, all of you, as a people. Continuing as per Rashi, our unity stands as a matzevah, as a monument and reminder for future generations as well, as the verses state; the remedy for an individual who wishes absolution from sin, is to

stand together with the people. And the reverse, so to speak, is also true. In order to become a part of the klal, it is adequate to be willing to shoulder the responsibilities imposed by the brit, by the covenantal community. Thus, in the later Hassidic commentators, the emphasis is on the communal rather than the individual.

As we move towards earlier Hassidic commentators, we find the opposite approach. The Meor V'Shemesh, a Hassidic thinker of the middle generations, may serve as an illustrative middle ground, containing both positions. On the one hand, the communal side, he argues that the verse speaks to us now, reminding us that "we, the people, are standing today", that is, still exist today because there is a unity among the people as a whole despite the societal distinctions- no matter what position in society the individual occupies, ultimately we all share a deep love for the entire people.

On the other hand, leaning towards the centrality of the individual, he suggests that the odd word "nitzavim" derives from the word "nitzav", which is used uniquely in Judges 3:20 to refer to the haft of the sword, the handle which supports the cutting blade. This etymology is meant to suggest a reading whereby Moshe is telling the people that no matter what position in society their life has placed them, they are each individually capable of serving as the vehicle for the revelation of Gd's message to the world. In other words, rather than emphasizing the group nature of the covenant, there is an emphasis on the individual within the group as being primary, or more importantly, there is a recognition that each individual is made up of an entire set of identities, what we would today refer to as polyvocality. To quote Kenneth Gergen, who argues that one of the effects of contemporary technology, especially information technology, upon the individual is a situation of "fractionated being":

By dramatically expanding the range of information to which we are exposed, the range of persons with whom we have significant interchange, and the range of opinion available within multiple media sites, we become privy to and engaged within multiple realities. Or more simply, the comfort of parochial univocality is disturbed...to the extent that these standpoints are intelligible, they also enter the compendium of resources available for the individual's own deliberations. In a Bakhtinian vein, the individual approaches a state of radical polyvocality...in this move from the private interior to the social sphere, the presumption of a private self as a source of moral direction is subverted. If negotiating the complexities of multiplicity becomes normalized, so does the conception of mind as moral touchstone grow pale...

Or to put it more simply, here is Roland Barthes talking of himself:

Philosophically, it seems that you are a materialist (if the word doesn't sound too old fashioned); ethically, you divide yourself, as for the body, you are a hedonist; as for violence, you would rather be something of a Buddhist! You want to have nothing to do with faith, yet you have a certain nostalgia for ritual, etc. You are a patchwork of reaction; is there anything primary in you?

This approach, cognizant of the complex make up of each individual, is evident in several of the early Hassidic thinkers. For example, R. Nachman of Breslov reads this verse regarding the individual at prayer- he explains that the standing referred to in 29:9 is standing in prayer (as in BT Berachot 6:), and the ten types of societal position refer to the ten fingers (in other words, they are a part of our own being), which clap during ecstatic prayer! Likewise, in the Or Penei Moshe, the ten job descriptions listed here actually refer to every individual's spiritual levels. These spiritual levels are inherent in every member of the people (his argument runs: these levels all inhere in our forefather Jacob, also called Israel, as in the verse "all the souls to the house of Jacob" Bereshit 48:27, and consequently inhere in every one of us). All these levels need to be recognized in every individual person. (It is worth noting that R. Menachem Mendel Schneerson of Lubavitch, in one of his early lectures, synthesizes the Alter Rebbe's approach, which refers to each person in the community as though they were an integral organ, ie, stressing the individual within society, with the later communal approach, and states that both the individual and the communal are perfected

together, simultaneously, thus combining both approaches).

An attractive reading of this verse, addressing the polyvocal self, is found in the Tiferet Shelomo, where the verse is also linked to the High Holidays- the “hayom” , the “today”, in our verse, refers to a specific “today”, the big day of Rosh Hashana. The covenant is then read as a covenant regarding teshuva, repentance. In order to properly “stand before Gd”, in true contrition, one must analyze and recruit every aspect of one’s personality, explains the Tiferet Shelomo. He quotes the Magid of Zlotchov, who taught that “dividing up all the organs” of a sacrifice teaches us to align all the most innermost parts of our personality upon any action (it might be interesting to read this in terms of Deleuze’s “body without organs”). So, then, certainly on Rosh Hashana, when we are reexamining our lives, we need to involve and contemplate all the different aspects of our personality as part of what we call soul searching- but its not just the lofty soul aspects we involve here- the Tiferet Shelomo explains the phrase “kulchem”, all of you, as referring to both the physical body and the spirit, and explains the two trades listed, the wood hewer and the water carrier, not as referring to two different individuals, or as two different economic classes or strata- but as symbolic of every person’s journey, representing the starting point and goal within every individual trajectory: one starts out hacking away at the Tree of Life, as it were, referring to the spiritual Torah life, and ultimately one reaches the “water drawing” point where they draw forth the holy merciful efflux signified traditionally by water.

In this light, I would actually like to return to the text and suggest a more than metaphorical reading for our passage here in Perashat Nitzavim. Much has been written of the centrality of “covenantalism”, the covenant at Sinai; David Hartmann in his important book stresses the covenant at Sinai as central to the Jewish experience, and R. Soloveitchik speaks frequently of the concept. However, Rabbenu Bachye, following the Ramban, suggests that the covenant here in this section of the Torah, refers to an additional covenant that was enacted. (Technically, there needed to be a second covenant because the covenantal bond at Sinai was damaged by the sin of the golden calf.) This second covenant is defined by the Rabbis in BT Shavuot 39. as centering on the phrase in verse 13, which binds all future generations, not only to the commandments of Sinai, as in the initial covenant, but also includes within the “contract” a responsibility to relate to the imperatives of future societal challenges, including the enactments proposed by the Jewish leadership later in history (the example given is reading the Megilla on Purim). The binding covenant enacted here is that of the Oral Law, which derives its authority not from above, as in the Sinai covenant, but from the needs of the people, of the individual and societal challenges which arise over the course of a continued unfolding history. For this reason this text contains all these stringent warnings against division within the community which lead to breaking away from the people, as in verse 17. The Oral Law, as we’ve seen in previous perashiyot, is meant to ensure that any individual injustice within society is recognized and alleviated and prevented from recurring. Allegiance to the multiple voices and needs of all the different aspects of society, which as we’ve seen really means being true to the many voices we hear in that which we call our “selves”, and establishing a just society whereby all these elements are heard protected and cherished- that is the covenant Moshe established in our perasha, as his last words before the people were to enter the land, as the crucial message for the beginning of the Jewish People Project .

Nitzavim-Vayelech II. Face Hidden, Face Revealed

The opening verse of Perashat Nitzavim states: You are all standing together “lifnei”, before Gd. The Hebrew word “before” derives from the word “panim”, face.

The Kedushat Levi connects this opening use of the word panim in our perasha to the Talmudic explication (Rosh Hashana 16.) of the central prayers of the Rosh Hashana service. The Rosh Hashana service centers around three sets of verses dealing with the ideas of “malchuyot”- Gd’s kingly rule, “zichronot”- covenantal memory regarding the Jewish people, and “shofarot”-verses focusing on the use of the shofar.

The Talmudic quote goes: Say 'before me' malchiyot...; in Hebrew the term 'before me' is again the term lifanay, deriving from "panim" "face". The Kedushat Levi offers a set of definitions of the term "panim", face, and its opposite, "achor", which translates as "back of the head" connoting the face averted. He explains that when the term panim is used, it represents actions in accordance with Gd's will, whereas achor is a signifier for not being in concord with Gd's will. Hence, our desire on Rosh Hashana is that our prayers should re-establish the covenantal moment of panim, that is, the signifying face representative of the positive relationship between man and the Divine Presence. The moment of our perasha is indeed that moment which established that covenantal relationship, as the verse states: You are all standing lifnei Hashem, before the "face" of Gd, basking in this divine good will meaning to benefit humanity. This is the desired state.

On the other hand, perashat Vayelech essentially ends (just prior to introducing Moshe's last words, the poem that begins with the word Haazinu), with several repeats of the word panim in a negative context. In 31:17, we are warned that if the people become idolatrous, Gd will be angered and avert His face from them. Then, the people will say, because we have not Gd within us we are in such trouble, (verse 18), and Gd will hide his face from them for all the evil they have done, in their turning to idolatry. The Ramban wonders why, after the first "hester panim", where the people clearly understand, as the verse states, that they have betrayed Gd, why this second turning away on the part of Gd? His answer is that the people need to be brought to feel an even more profound sense of distance from Gd so that an even deeper level of repentance and subsequent "reconciliation" may be achieved.

R. Zadok Hacohen is unsatisfied with the Ramban's answer, for after all, we believe that even the most preliminary unverballed teshuva ("repentance") is transformative, so why would Gd continue to bring about sufferings upon an already repentant community? He then offers a reading which is radically unique- that the "hastarat panim", the "averted face" here refers not to Gd's turning away from the people- rather it is a declaration that Gd will turn his face away from the people's sins; that Gd will overlook even idolatry if the people are truly penitent and truly turn to Gd. In other words, verse 31:18 reads: On that day (that is, after the people recognize that their plight is due to their failed relationship with Gd), Gd will turn his face away from all the evil the people have committed, overlook their mistakes even if they went as far off course as to worship false gods!

Thus, we suggest that the moments of the "turning away" by Gd may contain within them at the very same time the seeds of redemption and forgiveness; it is all a question of what is being turned away from. Perhaps we may be able to even re-incorporate the Ramban, who argues that increasing distance may bring about a greater reconciliation. This may be the great secret of the schizophrenic nature of Rosh Hashana, being both a day of fear and awe, as well as being a holiday, a day of joy.

The Netivot Shalom (Slonim) points out the paradoxical nature of Rosh Hashanah as contained within one verse: tik'u bahodesh shofar, bakeseh l'yom haggeinu, "sound the shofar at the time when the month commences, as the new moon (literally the day the moon is hidden) signifies the holiday"- "bakeseh" means in the "hidden-ness", and "yom hageinu" refers to a day of joy- we can read this verse as suggesting that Rosh Hashanah is an opportunity to meditate upon the state whereby we experience Gd's keshah, "concealment", the averted Face, the chasm created by sin between us and Gd. From that selfsame state of sorry distance we do not have far to travel, within this suffering lies the seed of joyous reunion. By reaching the existential despair of "concealment" we are brought back to a face to face relationship with Gd- and this is facilitated by virtue of the shofar, suggests the verse, because the shofar emits a simple sincere wordless cry from the heart, which symbolizes our true yearning for closeness to Gd, even as the tragedy of our lives renders us otherwise mute and unable to theorize or verbalize.

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