

Parshat Ki-Tavo – Romancing God

Simon Wolf

The Gemara in Megilla states that Ezra instituted for Klal Yisrael that they should read the curses of Torat Kohanim (Bechukotai) prior to Shavuot and the curses of Mishne Torah (Ki-Tavo) before Rosh Hashana.¹ The reason given for this practice is in order that the year and its curses should terminate together. Symbolically, it is as if to say let us clear the deck and begin the new year with a clean slate by putting all the difficulties and failures of the previous year behind us. Tosafot already points out that this is not our practice.² We always read Parshat Nitzavim or Nitzavim-Vayelech prior to Rosh Hashana and Parshat Bamidbar before Shavuot. This inexplicable practice is only compounded by the question raised in the Beit Midrash of Rav Nissim Gaon.³ In years when there are two non-Holiday Shabbatot between Rosh Hashana and Sukkot, why do we in the previous year combine Matot-Masei (two very long Parshiot) and divide Parshat Nitzavim-Vayelech into two separate Parshiot (the two shortest Parshiot in the Torah)? It would make far more sense to do just the opposite and read Matot-Maasei individually on separate Shabbatot and instead read a combined Nitzavim-Vayelech together on a single Shabbat. This would also have the added benefit of complying with Ezra's institution to read Parshat Ki-Tavo immediately prior to Rosh Hashana. Rav Nissim Gaon suggests that our practice is really just an enhanced version of the institution of Ezra. Since Parshat Nitzavim also contains within it punishments for those that breach the covenant established between God and Bnei Yisrael, it is subsumed in the Klalot (curses) of Sefer Devarim.⁴ It therefore makes sense to also complete its reading prior to Rosh Hashana in order to put all the negativity and curses behind us. Tosafot rejects this view on two grounds. Firstly, the Gemara in Bava Batra⁵ states that the Klalot (curses) of Sefer Devarim span from V'Haya Im Lo Tishma (והיה אם) until V'Ein Koneh (ואין קונה) which does not include Parshat Nitzavim.⁶ In addition, Parshat Ha'azinu also contains within it predictions of negative consequences for non-compliance with the will of God. If the suggestion of Rav Nissim Gaon is correct then we should also read Parshat Ha'azinu prior to Rosh Hashana. In order to explain our practice, Tosafot suggests that preceding Rosh Hashana and Shavuot we read an additional Parsha

as a buffer between the curses and these seminal days. As Ezra suggested, we want to put the "curses" of the previous year behind us, but we also want to symbolically end on an optimistic note as a positive omen for the upcoming year. Moreover, according to many Rishonim, Parshat Nitzavim contains within it the Mitzvah of Teshuva which is obviously topically relevant entering the High Holidays.⁷

After the first two Mitzvot in Parshat Ki-Tavo (מקרא) (ביכורים וודוי מעשר), the Torah launches into what seems to be a preamble to the covenant of Har Grizim and Har Eival that follows.

דברים פרק כו

(טז) היום הזה יקוּק אֱלֹהֶיךָ מִצִּוְךָ לַעֲשׂוֹת אֶת הַחֻקִּים הָאֵלֶּה וְאֶת הַמִּשְׁפָּטִים וְשִׁמְרָתָם וְעִשִּׂיתָ אוֹתָם בְּכָל לְבַבְךָ וּבְכָל נַפְשְׁךָ:

(יז) אֵת יְקוּק הָאֱמֶרֶת הַיּוֹם לְהִיּוֹת לְךָ לְאֵלֵהֶם וּלְלַקֵּחַ בְּדַרְכֵי וּלְשַׁמֵּר חֻקֵּי וּמִצְוֹתָיו וּמִשְׁפָּטָיו וּלְשַׁמֵּעַ בְּקוֹלוֹ:

(יח) וַיְקוּק הָאֱמֶרֶת הַיּוֹם לְהִיּוֹת לוֹ לְעַם סִגְלָה כַּאֲשֶׁר דִּבֶּר לְךָ וּלְשַׁמֵּר כָּל מִצְוֹתָיו:

(יט) וּלְתַתֵּב עֲלֵיוֹן עַל כָּל הַגּוֹיִם אֲשֶׁר עָשָׂה לְתַהֲלָה וּלְשִׁמָּה וּלְתַפְאֶרֶת וּלְהִיִּתֶךָ עַם קָדֹשׁ לִיקוּק אֱלֹהֶיךָ כַּאֲשֶׁר דִּבֶּר: ○

The language of the opening verse seems to bring closure to the two main sections of Sefer Devarim. "The Lord your God commands you this day to observe these decrees and statutes (חוקים ומשפטים); faithfully observe and perform them with all your heart and with all your soul (בכל לבבך ובכל נפשך)." It has wording that is evocative of the first main section of Sefer Devarim that deals with one's fundamental, emotional and attitudinal relationship with God, that opens with Sh'ma (שמע) and concludes with V'Haya Im Sha'mo'a (והיה אם שמע).⁸

דברים פרק יז

(ה) וְאַהֲבֵתָ אֶת יְקוּק אֱלֹהֶיךָ בְּכָל-לְבַבְךָ וּבְכָל-נַפְשְׁךָ וּבְכָל-מְאֹדְךָ:

In addition, it mentions the guiding motif words (חוקים ומשפטים) of the other main section dealing with the building of a moral, religious and political nation. That second section opens and closes with the description of the covenantal ceremony that is to be performed upon entry into the Land of Israel by Har Grizim and Har Eival.⁹

דברים פרק יב

(א) אֲלֵה הַחֻקִּים וְהַמִּשְׁפָּטִים אֲשֶׁר תִּשְׁמְרוּן לַעֲשׂוֹת בְּאֶרֶץ אֲשֶׁר נָתַן יְקוּק אֱלֹהֵי אֲבוֹתֶיךָ לְךָ לְרִשְׁתָּהּ כָּל-הַיָּמִים אֲשֶׁר-אַתֶּם חַיִּים עַל-הָאָדָמָה:

¹ תניא, רבי שמעון בן אלעזר אומר: עזרא תיקן להן לישראל שיהו קורין קללות שבתורת כהנים קודם עצרת, ושבתורת תורה קודם ראש השנה. מאי טעמא? אמר אביי ואיתימא ריש לקיש: כדי שתכלה השנה וקללותיה (מגילה לא):

² תוד"ה קללות שם וגם תוד"ה וקללם ב"ב פח:

³ שאלו בבית המדרש של רבינו נסים למה מחלקים פרשת נצבים וילך לשנים כשיש ב' שבתות בין ר"ה לסוכות בלא יוה"כ ואין מחלקין מטות ומסעי שארוכות יותר (שם)

⁴ ההסבר הזה לא מסביר את המנהג לקרוא פרשת במדבר לפני שבועות וגם נעלם ממניעים אחרים כמו לקרות את פרשת דברים בשבת חזון ואתחנן בשבת נחמו

⁵ ואילו משה רבינו ברכן בשמונה וקולן בעשרים ושתיים, ברכן בשמונה - מוהיה אם שמעו תשמעו ועד לעבדם, וקולן בעשרים ושתיים - מוהיה אם לא תשמעו עד ואין קונה (בבא בתרא פח):

⁶ דברים כח, טו-סח

⁷ רמב"ן ל, ב, ו, יא ומשך חכמה שם סמ"ק מצוה נג

⁸ דברים פ'קיים ו-יא

⁹ דברים פ'קיים יא-כו

The closing verse utilizes language that is reminiscent of Ma'amad Har Sinai ("a **treasured people**...who shall observe all His commandments....to be a **holy nation** to the Lord your God").

שמות פרק יט

(ה) וְעַתָּה אִם-שָׁמַעְתָּ תִשְׁמָעוּ בְקוֹלִי וְשִׁמְרֶתֶם אֶת-בְּרִיתִי וְהָיִיתֶם לִי **סֻגְלָה מִכָּל-הָעַמִּים** כִּי-לִי כָל-הָאָרֶץ:
(ו) וְאַתֶּם תִּהְיוּ-לִי **מַמְלַכַת כֹּהֲנִים וְגוֹי קָדוֹשׁ** אֱלֹהֵי הַדְּבָרִים אֲשֶׁר תִּדְבַּר אֶל-בְּנֵי יִשְׂרָאֵל:

It recalls the destiny and mission embedded in the original covenant of the revelation at Sinai ("a **treasured people** from amongst the nations...a kingdom of priests and a **holy nation**") as a precursor to the covenant of Arvot Moav (ערבות מואב) in order to emphasize that the two covenants are interdependent rather than mutually exclusive. This concept can readily be seen in the closing Pasuk of Parshat Ki-Tavo.

דברים פרק כח

(ט) **אֱלֹהֵי דְבָרֵי הַבְּרִית אֲשֶׁר-צִוָּה יְקֹוֹק אֶת-מֹשֶׁה לְכַרֵּת אֶת-בְּנֵי יִשְׂרָאֵל בְּאָרֶץ מוֹאָב מִלִּבְד הַבְּרִית אֲשֶׁר-כָּרַת אִתְּם בְּחָרֵב: פ**

The middle two verses seem to be stating the recitals for the upcoming covenant. They name the parties and what seems to be the overarching impetus for each party entering into this bilateral commitment. The difficulty is that the two Pesukim employ an abstruse verb (האמרת-והאמירך). "You have He'e'marta (האמרת) the Lord to be your God...and God has He'e'mircha (האמירך) today to be for Him a treasured people..." Rashi begins his commentary on these verses with a bold declaration that there is no analogous usage of these verbs anywhere else in Tanach.¹⁰ Without any precedent or comparable, it obviously makes it very challenging to understand these verbs. One could intuit a general sense of the Pasuk and the meaning of these verbs from their context, but that inexactitude comes at a price, especially given that this is the fundamental reason for the covenant. Understanding this arcane verb would shed light on what God expects from Bnei Yisrael and vice versa.

Rashi gives a number of different options as to how to understand this verb. In Chumash, he speculates that the word denotes **setting apart or separating** (הפרשה והבדלה).¹¹ This is in consonance with his explanation of the verb in the Gemara Gittin where

he suggests it means to **designate** (ייחדת).¹² The meaning of the Pasuk would then be, "today you have uniquely chosen the Lord to be your God from amongst the gods...and God has picked you from amongst the nations." At the end of his commentary in Chumash and in his comments to Chagiga, Rashi muses that maybe the word is similar to the Pasuk in Tehillim, "All the workers of iniquity **praise** themselves (יתאמרו כל פועלי און).¹³ The Ibn Ezra makes a similar initial suggestion, based on the Pasuk in Yishayahu (בראש אמיר), that it means **greatness** (גדולה).¹⁴ In that sense, it would mean that "you have exalted and praised the Lord to be your God...and He has commended and aggrandized you to be his treasured people..." The Hadar Zekanim makes a similar suggestion to the Ibn Ezra that the verb means "of great heights (גבהות)," but he then interestingly proposes that maybe the word derives from "to **exchange** (תמורה)."¹⁵ This would then have the Pasuk read, "You swapped all other gods in favor of making the Lord your God...and God exchanged all the other nations in order to choose you..." All of these interpretations seem to be following in the footsteps of Chazal in the Gemara Chagiga which translate the verbs (האמירך-האמרת) as Chativa Achat (חטיבה אחת).¹⁶ God said to Bnei Yisrael, you have made Me a **single entity** in the world by declaring Sh'ma Yisrael (שמע ישראל ה' אלקינו ה' אחד), therefore I will make you a **single entity** in the world by proclaiming, "Who is like Your people Israel, a unique nation on earth (ומי כעמך ישראל גוי אחד) (בארך)."¹⁷ The Gemara has the added nuance that God's choosing of Bnei Yisrael is quid pro quo for Bnei Yisrael's selecting of God, but otherwise the common denominator of all these suggestions is that each side of the covenant actively chose their partner. Based on the Pasuk in Divrei Hayamim, "the hewers, who cut timber (לחטבים לכרתי העצים),"¹⁸ the Torah Temima submits that maybe the Gemara's Chativa Achat (חטיבה אחת) is synonymous with the Biblical term to "cut a covenant (לכרות ברית)."¹⁹ In other words, the selecting and designation of the counter-party is done through the establishment of the covenant.

The Malbim makes an interesting suggestion that the etymology of the verbs is similar to the term Ma'amar (מאמר) used by Chazal in the Gemara Yevamot to describe the **wedding vows** of a

¹⁰ האמרת - והאמירך אין להם עד מוכיח במקרא (רש"י דברים כו, ז)
¹¹ ולי נראה שהוא לשון הפרשה והבדלה הבדלתי לך מאלהי הנכר להיות לך לאלקים, והוא הפרישך אליו מעמי הארץ להיות לו לעם סגולה (שם)

¹² האמרת - ייחדת (רש"י גיטין נז:)
¹³ ומצאתי להם עד והוא לשון תפארת כמו יתאמרו כל פועלי און (רש"י דברים שם)

האמרת - שבחת, כמו יתאמרו כל פועלי און (תהלים צד) - ישתבחו שדרכן צלחה. חטיבה אחת - שבת אחד, שבת מיוחד, לומר: אין כמוך, לך בחרון אלוך. (רש"י חגיגה ג.)

¹⁴ מלשון גדולה, וקרוב מגזרת בראש אמיר (ישעי' יז, ו)

¹⁵ לשון תמורה כלומר החלפת כל האלקות שבעולם בעבורו וה' האמירך שהחליף כל האומות לבחור בך לתתך עליון וי"מ לשון אמיר וענף שהוא לשון גבהות כלו' שאתה נותן גבהות וגדולה להקב"ה על כל אלקים והוא כמו כן נותן לך גבהות על כל עם.

¹⁶ ועוד דרש: את ה' האמרת היום וה' האמירך היום אמר להם הקדוש ברוך הוא לישראל: אתם עשיתוני חטיבה אחת בעולם, ואני אעשה אתכם חטיבה אחת בעולם - אתם עשיתוני חטיבה אחת בעולם דכתיב שמע ישראל ה' אלקינו ה' אחד, ואני אעשה אתכם חטיבה אחת בעולם שנאמר ומי כעמך ישראל גוי אחד בארץ (חגיגה ג.)

¹⁷ דה"א יז, כא

¹⁸ דה"ב ב, ט

¹⁹ תורה תמימה דברים פרק כו, ז הערה פ

levirate marriage.²⁰ In a similar vein, Rav Chaim Paltiel advances that maybe the word derives from the word Amira (אמירה), to **speak**. In this context, it would mean to **focus one's speech** on the other party akin to young lovers whose thoughts and conversations continuously revolve around their beloved.²¹ Both of these submissions seem to rest on the Gemara in Gittin that interprets the word to mean to take an oath.²² We have **sworn** our allegiance to God and God has **promised** to never exchange us with another nation.

While all of these interpretations are reasonable and beautiful, they seem to be missing a nuance in the verbs chosen by the Torah. The verbs are conjugated in what seems to be the "causative" form (הפעיל).²³ That means that the subject of the Pasuk is triggering the object of the verse to do whatever one interprets the verb to mean. The first amongst the commentaries to take this approach is the Rashbam who explains the Pasuk to mean (את ה' האמרת) that **you compelled God to say** that He would like to be your God and (וה' האמירך) that **God convinced you to declare** yourselves His nation.²⁴ The problem is in each case the latter part of the verse seems to enumerate the subjects commitments based on their choosing the object. For instance, "You have chosen today the Lord to be your God, to walk in His ways, observe his decrees, commandments and statutes and to obey Him." That makes sense if Bnei Yisrael is choosing God in the Pasuk, but if God is choosing Bnei Yisrael then why is the verse speaking about Bnei Yisrael's obligations to God. The Ibn Ezra quotes from Rabbi Yehuda HaLevi an interpretation that he favors and which solves this problem.²⁵ Rabbi Yehuda HaLevi's view is that the latter half of the Pasuk is the reason that compelled the objects declaration in the first half of the verse. Since you chose to follow the ways of God and acted properly, you compelled God to say that He wanted to be your God and the fact that God set you above the other nations and gave you fame, renown and glory induced you to declare yourselves His nation. The Ramban does something similar, but interprets the verb to mean exalted rather than to say.²⁶ Since you, Bnei Yisrael, accepted the Torah with all its obligations, **you caused God to be exalted** and because God chose you alone to be the recipients of his Torah, **He engendered your being His chosen treasured people** amongst the nations.

The Malbim asks why is it necessary to have the additional covenant described in Parsht Ki-Tavo if, as described at the end of the Parsha, the original Sinai covenant is still extant. He suggests that Bnei Yisrael were about to undergo significant changes that required a "booster" covenant to strengthen the people's resolve and commitment to God. In addition, he suggests that the covenant at Sinai could be annulled by the claim that it was entered into under duress. What did a slave-nation burdened with their difficulties know about the world? They were just thankful to be freed from the physical strain of enslavement to Egypt. Moreover, God then takes them into the desert where they were completely dependent on Him for their sustenance. How could they not follow the word of God? A new generation might arise, who is worldlier, lives in inhabited and civilized areas and were never slaves, and declare that covenant was a result of coercion which renders it invalid. Therefore, God insists on a "new" covenant be entered into with the next generation, the children of those that experienced the Exodus and who faced none of the shortcomings of their parents. Their willing acquiescence to such a covenant would be an everlasting and binding reaffirmation of the original covenant.

While our practice, as noted above, somewhat deviates from the original institution of Ezra, the custom promoted by Ezra suggests that there is a connection between Parshat Ki-Tavo and Rosh Hashana. The Gemara assumes that the relationship is tangential and thematic, but is it possible that there is a more fundamental bond between the two? The High Holidays are a time of introspection and repentance. We focus on remediating ourselves by repairing that which is wrong and eliminating all the negative behaviors and characteristics that have gotten the better of us in the previous year. The starting point for all of this is Rosh Hashana. Unlike the remaining ten days of penitence, Rosh Hashana is focused on our special relationship with God. It is our opportunity to coronate the King because of our unique standing as the chosen and treasured people of God. Parshat Ki-Tavo reminds us of the time when we willingly entered into this relationship. It helps set the standard for that cherished relationship and prompts us to pine for our romantic beginnings. As

²⁰ יש לומר שהוא לשון מאמר הנזכר בלשון המשנה ביבמה ועשה בה מאמר שפירושו שקדשה. ונקרא בשם קידושין כשאר קדושי אשה מפני שהיא כבר זקוקה לו. כן בזה הענין כי במעמד הר סיני כבר קבלו בני ישראל על עצמם עול מלכותו יתברך וה' הבטיחם אז שיהיו לו לעם סגולה ועתה חידש ברית עמהם...

²¹ ...ולפי פשוטו משמע דהוא לשון אמירה את יי האמרת, יחדת אמירה שלך אליו, ויי האמירך היום גם הוא מכל אומה יחד אמירה שלו אליך מכל אומה ולשון

²² אמר להו', כתוב בתורה: את ה' האמרת וגו' וה' האמירך היום, כבר נשבענו להקדוש ברוך הוא שאין אנו מעבירין אותו בקל אחר, ואף הוא נשבע לנו שאין מעביר אותו באומה אחרת (גיטין נד):

²³ עיין רש"ר הירש וסוף האבן עזרא דברים כ, ז

²⁴ אתה הזקקתה שאמר הקדוש ברוך הוא ונתרצה להיות לך לאלקים, כי הדבר תלוי בו ליעשות הוא אלקיך ויושיעך מתוך שקבלת מצוותיו, וגם הוא האמירך, הפעילך שאמרת ונתרצית שתהיה לו לעם, לפי שעשה נסים וגבורות עד שנתרצית להיות לו לעם. האמרת פאשדירא בלע"ז:

²⁵ ...ויאמר רבי יהודה הלוי הספרדי נ"ע, כי המלה מגזרת 'ויאמר', והטעם - כי עשית הישר, עד שיאמר שהוא יהיה אלקיך. גם הוא עושה לך. עד שאמרת שתהיה לו לעם סגולה, ויפה פירש. והנה תהיה מלת האמרת פעל יוצא לשנים פעולים

²⁶ כיון שקבלתם עליכם כל התורה בפירושה ובקדוקיה ובחדושיה, הנה גדלתם השם ורוממתם אותו שיהיה הוא לבדו לכם לאלקים לא תודו בקל אחר כלל... והשם רומם וגדל אתכם בקבול התורה שתהיו לו לעם סגולה מכל העמים, ולשמר כל מצותיו - כי לכם לבדכם יתן תורתו ויצוה אתכם בכל המצות הרצויות לפניו לא לעם אחר

Shir HaShirm so aptly describes that unwavering bond, "I am to my beloved and my beloved is to me (אני לדודי ודודי לי)."²⁷ The ambiguous verb used to describe our relationship with God in Parshat Ki-Tavo underscores the multi-faceted nature of our love affair with God. Embedded in it is the designating and exalting of the other party. It is all at once a wedding vow, an obsession with the other and a complete rejection of all others in favor of our beloved. Most importantly, the formulation as a causative verb means that it is not about what one receives, but rather about that which one gives that engenders this unique relationship. We must cause God to choose us and we must make it obvious to the other nations why God has chosen us. God will reciprocate by compelling us to choose Him and we will then fulfill our mission as a "kingdom of priests, a holy nation, a treasured people" that makes the way of God the way of the world. It is reminiscent of Abaye's statement the Gemara in Yoma,²⁸ "And you shall love the Lord your God" (ואהבת את ה' (אלקיך), which means that **you shall cause the name of Heaven to be beloved**. How should one do so? One should read Torah, learn Mishna, and serve Torah scholars, and he should be pleasant with people and honest in his business transactions. What do people say about such a person? Fortunate is his father who taught him Torah, fortunate is his teacher who taught him Torah, woe to the people who have not studied Torah. So-and-so, who taught him Torah, see how pleasant are his ways, how proper are his deeds. The verse states about him and others like him: "You are My servant, Israel, in whom I will be glorified (ויאמר לי עבדי אתה) (ישראל אשר בך אתפאר)."²⁹

Shabbat Shalom

²⁷ ר"ת אלול

²⁸ אב"י אמר: כדתיניא, ואהבת את ה' אלקיך - שיהא שם שמים מתאהב על ידך, שיהא קורא ושונה ומשמש תלמידי חכמים, ויהא משאו ומתנו בנחת עם הבריות, מה הבריות אומרות עליו - אשרי אביו שלמדו תורה, אשרי רבו שלמדו תורה. אוי להם

לבריות שלא למדו תורה, פלוני שלמדו תורה - ראו כמה נאים דרכיו, כמה מתוקנים מעשיו, עליו הכתוב אומר ויאמר לי עבדי אתה ישראל אשר בך אתפאר. (יומא פו.)
²⁹ ויאמר לי עבדי אתה ישראל אשר בך אתפאר: (ישעיהו ג, ג)