

5780 - Deuteronomy 29-30 – Nitzavim (You are standing)
– Vayelech (And he went)

In dramatic fashion, Moses assembles the people, *all* the people—leaders, tribes, elders, officials, children, wives, and strangers in the camp, from woodcutter to water-drawer—to renew the covenant prior to their entry into the land. He warns them solemnly that their future depends on their faithfulness to it. If they break it, they will suffer defeat, devastation, and exile. **Yet even then, the covenant and its promise would remain.** Even in the midst of dispersion and dislocation, if the people return to God He will return to them and cause them to return to their land. The choice will always be theirs. Therefore, “Choose life, that you and your children may live” (Deut. 30:19).

In the first of the following essays, I look at the phrase in which Moses says that he is making the covenant not only with the Israelites of his day but with all future generations of Jews. How can a covenant be binding on people not yet born? The second essay focuses on *teshuva*, “repentance” or “return.” Nachmanides¹ derives the concept from *Parashat Nitzavim*, while Maimonides² gives it a different source and understands it differently. I show how the two approaches came together in the post-biblical era. The third and fourth essays are about Moses’ statement that the Torah is **“not in heaven”** (Deut. 30:12) nor is it **“across the sea”** (30:13). **The former gave rise to a radical rabbinic reading about the authority given to the sages of each generation to interpret the Torah. The latter, I argue, is a warning against the recurring Jewish temptation to seek salvation outside Judaism.** The final essay is about choice itself, which turns out to be the fourteenth principle of Jewish faith.

Vayeilekh is the shortest of all *parashot*, a mere thirty verses long. Poignantly, Moses tells the people, “I am now a hundred and twenty years old, and I can no longer go forth and come in” (Deut. 31:2). He will not lead them across the Jordan into the Promised Land. He summons his successor Joshua and, in the presence of the people, gives him words of encouragement. He instructs the people to gather every seven years to hear a public reading of the Torah. God appears to Moses and Joshua, warning them that the Israelites may eventually stray from the covenant. He instructs them to write down the Torah and teach it to the people, as per-

manent testimony of the covenant itself. He then encourages Joshua, assuring him that He will be with him as he leads the people.

The first essay is about a subtle difference in the words Moses, and then God, say to Joshua, indicating two different styles of leadership. The second is about the national gathering every seven years to hear the Torah proclaimed in a covenant renewal ceremony. The third is about the 613th command, to write a *sefer Torah*, and what it tells us about the relationship between the people and the Book. The fourth is about the use of the word “song” in this command to describe the Torah. In what sense is the Torah a song?

*Not Beyond the Sea*³

When I was a student at university in the late 1960s—the era of student protests, psychedelic drugs, and the Beatles meditating with the Maharishi Mahesh Yogi⁴—a story went the rounds. An American Jewish woman in her sixties travelled to north India to see a celebrated guru. There were huge crowds waiting to see the holy man, but she pushed through, saying that she needed to see him urgently. Eventually, after weaving through the swaying throng, she entered the tent and stood in the presence of the master himself. What she said that day has entered the realm of legend. She said, “Marvin, listen to your mother. Enough already. Come home.”

Starting in the sixties Jews made their way into many religions and cultures with one notable exception: their own. Yet Judaism has historically had its mystics and meditators, its poets and philosophers, its holy men and women, its visionaries and prophets. **It has often seemed as if the longing we have for spiritual enlightenment is in direct proportion to its distance, its foreignness, its unfamiliarity.** We prefer the far to the near.

Moses already foresaw this possibility:

Now what I am commanding you today is not too difficult for you or beyond your reach. **It is not in heaven, so that you have to ask, “Who will ascend into heaven to get it and proclaim it to us so we may obey it?” Nor is it beyond the sea, so that you have to ask, “Who will cross the sea to get it and proclaim it to us so we may obey it?”** No, the word is very near you; it is in your mouth and in your heart so you may obey it. (Deut. 30:11-14)

Moses sensed prophetically that in the future Jews would say that to find inspiration we have to ascend to heaven or cross the sea. **It is anywhere**

1 Moses ben Nahman (1194-1270), known as Nachmanides (and RaMBaN) was a leading medieval scholar, Sephardic rabbi, philosopher, physician, kabbalist, and biblical commentator.

2 Moses ben Maimon (1138-1204), known as Maimonides (and RaMBaM), was a medieval Sephardic philosopher who became one of the most prolific and influential Torah scholars of the Middle Ages. In his time, he was also a preeminent astronomer and physician.

3 Rabbi Jonathan Sacks, *Covenant and Conversation, Deuteronomy*, (Maggid Books & The Orthodox Union), pp. 277-281.

4 Maharishi Mahesh Yogi (1918-2008) was an Indian guru, known for developing the Transcendental Meditation technique and for being the leader and guru of a worldwide organization that has been characterized in multiple ways including as a new religious movement and as non-religious.

but here. So it was for much of Israel's history during the First and Second Temple periods. First came the era in which the people were tempted by the gods of the people around them: the Canaanite Baal, the Moabite Chemosh, or Marduk and Astarte in Babylon. Later, in Second Temple times, they were attracted to Hellenism in its Greek or Roman forms. It is a strange phenomenon, best expressed in the memorable line of Groucho Marx:⁵ "I don't want to belong to any club that would have me as a member." **Jews have long had a tendency to fall in love with people who do not love them and pursue almost any spiritual path so long as it is not their own.** But it is very debilitating.

1. Deuteronomy 12:11-14

¹³**Be careful not to sacrifice your burnt offerings anywhere you please.**

a. 1Kings 12:25-33

²⁵Then Jeroboam fortified Shechem in the hill country of Ephraim and lived there. From there he went out and built up Peniel.

²⁶Jeroboam thought to himself, "**The kingdom will now likely revert to the house of David.** ²⁷**If these people go up to offer sacrifices at the temple of the LORD in Jerusalem,** they will again give their allegiance **to their lord, Rehoboam king of Judah.** They will kill me and return to King Rehoboam." ²⁸After seeking advice, the king made two golden calves. He said to the people, "**It is too much for you to go up to Jerusalem.** Here are your gods, Israel, who brought you up out of Egypt." ²⁹One he set up in Bethel, and the other in Dan. ³⁰And this thing became a sin; the people came to worship the one at Bethel and went as far as Dan to worship the other. ³¹Jeroboam built shrines on high places and appointed priests from all sorts of people, **even though they were not Levites.** ³²He instituted a festival on the fifteenth day of the eighth month, like the festival held in Judah, and offered sacrifices on the altar. This he did in Bethel, sacrificing to the calves he had made. And at Bethel he also installed priests at the high places he had made. ³³On the fifteenth day of the eighth month, **a month of his own choosing,** he offered sacrifices on the altar he had built at Bethel. So he instituted the festival for the Israelites and went up to the altar to make offerings.

When great minds leave Judaism, Judaism loses great minds. When those in search of spirituality go elsewhere, Jewish spirituality suffers. And this tends to happen in precisely the paradoxical way that Moses describes

5 Julius Henry "Groucho" Marx (1890-1977) was an American comedian, actor, writer, stage, film, radio, and television star. He is generally considered to have been a master of quick wit and one of America's greatest comedians.

several times in Deuteronomy. **It occurs in ages of affluence, not poverty, in eras of freedom, not slavery. When we seem to have little to thank God for, we thank God. When we have much to be grateful for, we forget.**

The eras in which Jews worshipped idols or became Hellenised were Temple times when Jews lived in their land, enjoying either sovereignty or autonomy. The age in which, in Europe, they abandoned Judaism was the period of Emancipation, from the late eighteenth to the early twentieth centuries, when for the first time they enjoyed civil rights.

The surrounding culture in most of these cases was hostile to Jews and Judaism. **Yet Jews often preferred to adopt the culture that rejected them rather than embrace the one that was theirs by birth and inheritance, where they had the chance of feeling at home.** The results were often tragic.

Becoming Baal worshippers did not lead to Israelites being welcomed by the Canaanites. Becoming Hellenised did not endear Jews to either the Greeks or the Romans. Abandoning Judaism in the nineteenth century did not end anti-Semitism; it inflamed it. Hence the power of Moses' insistence: to find truth, beauty, and spirituality, you do not have to go elsewhere. "The word is very near you; it is in your mouth and in your heart so you may obey it."

The result was that Jews enriched other cultures more than their own. Part of Mahler's⁶ Eighth Symphony is a Catholic mass. Irving Berlin,⁷ son of a *chazan*, wrote "White Christmas." Felix Mendelssohn,⁸ grandson of one of the first "enlightened" Jews, Moses Mendelssohn,⁹ composed church music and rehabilitated Bach's long-neglected St Matthew Passion. Simone Weil,¹⁰ one of the deepest Christian thinkers of the twentieth century—described by Albert Camus¹¹ as "the only great spirit of our times"—was born to Jewish parents. So was Edith Stein,¹² celebrated by

6 Gustav Mahler (1860-1911) was an Austro-Bohemian Romantic composer, and one of the leading conductors of his generation.

7 Irving Berlin (1888-1989) was an American composer and lyricist, widely considered one of the greatest songwriters in American history.

8 Jakob Ludwig Felix Mendelssohn Bartholdy (1809-1847), born and widely known as Felix Mendelssohn, was a German composer, pianist, organist and conductor of the early Romantic period.

9 Moses Mendelssohn (1729-1786) was a German-Jewish philosopher to whose ideas the Haskalah, the 'Jewish Enlightenment' of the eighteenth and nineteenth centuries, is indebted.

10 Simone Adolphine Weil (1909-1943) was a French philosopher, mystic, and political activist.

11 Albert Camus (1913-1960) was a French philosopher, author, and journalist. He won the Nobel Prize in Literature at the age of 44 in 1957, the second-youngest recipient in history.

12 Edith Stein (1891-1942) or St. Teresa Benedicta of the Cross was a German Jewish philosopher who converted to Catholicism and became a ... Carmelite nun.

the Catholic Church as a saint and martyr, but murdered in Auschwitz because to the Nazis she was a Jew. And so on.

Was it the failure of Europe to accept the Jewishness of Jews and Judaism? Was it Judaism's failure to confront the challenge? The phenomenon is so complex it defies any simple explanation. But in the process, we lost great art, great intellect, great spirits and minds.

To some extent the situation has changed both in Israel and in the Diaspora. There has been much new Jewish music and a revival of Jewish mysticism. There have been important Jewish writers and thinkers. But we still spiritually underachieve. The deepest roots of spirituality come from within: from within a culture, a tradition, a sensibility. They come from the syntax and semantics of the native language of the soul: "The word is very near you; it is in your mouth and in your heart so you may obey it."

The beauty of Jewish spirituality is precisely that in Judaism God is close. **You do not need to climb a mountain or enter an ashram to find the Divine Presence.** It is there around the table at a Shabbat meal, in the light of the candles and the simple holiness of the Kiddush wine and the *challot*, in the praise of the *Eshet Chayil* and the blessing of children, in the peace of mind that comes when you leave the world to look after itself for a day while you celebrate the good things that come not from working but resting, not from buying but enjoying—the gifts you have had all along but did not have time to appreciate.

In Judaism, God is close. He is there in the poetry of the psalms, the greatest literature of the soul ever written. He is there listening in to our debates as we study a page of the Talmud or offer new interpretations of ancient texts. He is there in the joy of the festivals, the tears of Tisha B'Av, the echoes of the shofar of Rosh HaShana, and the contrition of Yom Kippur. He is there in the very air of the land of Israel and the stones of Jerusalem, where the oldest of the old and the newest of the new mingle together like close friends.

God is near. That is the overwhelming feeling I get from a lifetime of engaging with the faith of our ancestors. Judaism needed no cathedrals, no monasteries, no abstruse (obscure, perplexing) theologies, no metaphysical ingenuities—beautiful though all these are—**because for us God is the God of everyone and everywhere, who has time for each of us, and who meets us where we are, if we are willing to open our soul to Him.**

2. **God does not live in buildings. He lives in builders.** He lives not in structures of stone but in the human heart. What the Jewish sages and mystics pointed was that in our parsha God says, "**Let them build me a sanctuary that I may dwell in them**" (Ex. 25:8), not "**that I may dwell in it.**"¹³

a. Psalm 73:26-28

²⁸But as for me, **it is good to be near God.**

b. Hebrews 10:19-25

... ²²**let us draw near to God** with a sincere heart and with the full assurance that faith brings, having our hearts sprinkled to cleanse us from a guilty conscience and having our bodies washed with pure water.

I am a rabbi. For many years I was a chief rabbi. But in the end I think it was we, the rabbis, who did not do enough to help people open their doors, their minds, and their feelings to the Presence-beyond-the-universe-who-created-us-in-love that our ancestors knew so well and loved so much. We were afraid—of the intellectual challenges of an aggressively secular culture, of **the social challenges of being in yet not entirely of the world**, of the emotional challenge of finding Jews or Judaism or the State of Israel criticised and condemned. So we retreated behind a high wall, thinking that made us safe. High walls never make you safe; they only make you fearful.¹⁴ What makes you safe is confronting the challenges without fear and inspiring others to do likewise.

What Moses meant in those extraordinary words, "It is not in heaven ... nor is it beyond the sea," was: *Kinderlach* (Yid., "children"), your parents trembled when they heard the voice of God at Sinai. They were overwhelmed. They said: If we hear any more we will die. So God found ways in which you could meet Him without being overwhelmed. Yes, He is creator, sovereign, supreme power, first cause, mover of the planets and the stars. But He is also parent, partner, lover, friend. He is *Shekhina*, from *shakhen*, meaning, the neighbour next door.

So thank Him every morning for the gift of life. Say the Shema twice daily for the gift of love. Join your voice to others in prayer so that His spirit may flow through you, giving you the strength and courage to change the world. When you cannot see Him, it is because you are looking in the wrong direction. When He seems absent, He is there just behind you, but you have to turn to meet Him.

Do not treat Him like a stranger. He loves you. He believes in you. He wants your success. To find Him you do not have to climb to heaven or cross the sea. His is the voice you hear in the silence of the soul. His is the light you see when you open your eyes to wonder. His is the hand you touch in the pit of despair. His is the breath that gives you life.

(1) See Rashi to Numbers 13:18.

3. Romans 10:5-13 (CJB)

⁵For Moshe writes about the righteousness grounded in the *Torah* that the person who does these things will attain life through them. **Moreover**, the righteousness grounded in trusting says: "Do not say in your

heart, 'Who will ascend to heaven?' (Deu 30:12)—that is, to bring the Messiah down—⁷or, **"Who will descend into Sh'ol?" (Deu 30:13)**—that is, to bring the Messiah up from the dead. ⁸What, then, does it say? "The word is near you, in your mouth and in your heart." (Deu 30:14)—that is, the word about trust which we proclaim, namely, ⁹that if you acknowledge publicly with your mouth that Yeshua is Lord **AND** trust in your heart that God raised him from the dead, you will be delivered. ¹⁰For with the heart one goes on trusting and thus continues toward righteousness, while with the mouth one keeps on making public acknowledgement and thus continues toward deliverance. ¹¹For the passage quoted says that *everyone* who rests his trust on him will not be humiliated. ¹²That means that there is no difference between Jew and Gentile—**ADONAI is the same for everyone**, rich toward everyone who calls on him, ¹³since *everyone* who calls on the name of ADONAI will be delivered (Joel 2:32).

a. ⁷or, **"Who will descend into Sh'ol?"**

—¹³'Who will cross the sea for us, bring it to us (Deu 30:13).

b. Sha'ul quoted from the *Torah* in order to show that **the righteousness grounded in trusting** (v. 6) is exactly the *same* as "the righteousness grounded in the *Torah*" (v. 5). He proves this by showing that the very trust implicit in the *Torah* quotation of v. 5 ... is taught explicitly as well—the *Torah* itself commands the very trust Sha'ul is talking about, trust in God and in his Messiah when he comes. Thus vv. 6-8 sharpen the meaning of v. 5, which is then seen to imply that the person who practices "the righteousness grounded in the *Torah*" (v. 5) will necessarily have **the trust** in Yeshua the Messiah **that we proclaim** (v. 8). That is, he will see that the *Torah* itself guides him toward the goal of trusting in the Messiah Yeshua (v. 4) ...¹⁴

As I said, I believe Sha'ul quotes Deuteronomy to prove the *Torah* itself teaches that righteousness requires trust. But **some think Sha'ul misuses the Torah by quoting selectively in order to apply the passage to the Messiah**, whereas the original refers clearly and only to the *Torah*:

"For this commandment which I command you this day is not hidden from you, nor is it far away. It is not in heaven, which might make you say, 'Who will go up to heaven for us and bring it to us, so that we may hear it and do it?' Nor is it beyond the sea, which might make you say, 'Who will cross the sea for us and bring it to us, so that we may hear it and do it?' On the con-

trary, the word is very near you, in your mouth and in your heart, so that you can do it." (Deu 30:11-14)

However, Sha'ul is not picking and choosing. He plays by the rules. According to the canons of rabbinical citation, the context is assumed as given—**even a brief quotation is supposed to call to the reader's mind the entire passage of which it is a part** ... Sha'ul knows this; he knows his readers cannot be "deceived" into ignoring the context, particularly the words adjacent to the ones he cites. Therefore, far from changing the *p'shat* ("simple sense") of the text, Sha'ul is assuming his readers know the *p'shat* already, so that he can base upon it a *drash* ("teaching") which should win the acceptance of anyone who approaches *Torah* in a spirit of trust.

Christian theologians who think the Mosaic Law offers only "works-righteousness" and not "faith-righteousness" (and Jewish critics of the New Testament who wrongly but understandably suppose that they can rely on such Christian commentators to expound the New Testament correctly) say that in v. 8 Sha'ul intentionally stopped short of quoting the phrase, "so that you can do it," at the end of the passage, because he knew they couldn't do it. In other words, these theologians think that Sha'ul knew something Moses didn't, namely, that no one was capable of keeping the *Torah*; and that therefore he extracted phrases from context and gave them the opposite meaning from the one they have in their original setting. Can Jewish critics be blamed for calling Sha'ul deceptive, if this is what he did?

But Sha'ul certainly was not a deceiver, as he himself protested when so accused (1C 9:20-22&N, 2C 4:2&N). Rather, in his *drash* he is referring the "commandment" and "word" of the Deuteronomy passage to God's requirement that Israel is to trust in the Messiah when he comes, the "prophet like me" whom Moses wrote about (Deu 18:15-19) ... Furthermore, even though he doesn't quote the words, "so you can do it," he implies them by including this "doing" in his *drash* at vv. 8b-10. This is not deception but midrashic exposition.

In v. 7 Sha'ul's substitution of "descend into Sh'ol" for "cross the sea" does not seriously alter the underlying thrust of the *p'shat*, but it does make its application to the Messiah clearer.

Just as no human effort is needed to bring the *Torah* from heaven, where, according to Jewish tradition, it existed from eternity past, before God gave it to Moses on Mount Sinai; so likewise no one needs to **ascend to heaven**, where the Messiah once was (Yn 6:36, Pp 2:6-8)—even, according to Jewish tradition, from eternity past (compare Micah 5:1(2))—in order **to bring the Messiah down**. Nor

¹⁴ David H. Stern, Jewish New Testament Commentary, (Jewish New Testament Publications, Inc.), pp. 398-400.

need one **descend into Sh'ol**, according to the *Tanakh* the place of the dead. where Yeshua also was (for three days; Psalm 16:10, Mt 12:39-40, Yn 2:19-22, 1Ke 3:19), **to bring the Messiah up from the dead**, because God has already done it (Acts 2:24-32). If there is no need to bring the Messiah from where he has once been (Sh'ol). all the more is there no need to bring him from where he has not been ("beyond the sea"); this is an implied *kal v'chomer* argument (see Mt 6:30). In any case, the purpose of both the Deuteronomy passage and this one is to show that self-effort is neither necessary nor possible: both *Torah* and Messiah were given by God's grace, without human assistance, so that Israel might "hear... and do."

1) Matthew 6:30

²⁷Can any one of you by worrying add a single hour to your life?

²⁸"And why do you worry about clothes? See how the flowers of the field grow. They do not labor or spin. ²⁹Yet I tell you that not even Solomon in all his splendor was dressed like one of these.

³⁰**If that is how God clothes the grass of the field**, which is here today and tomorrow is thrown into the fire, **will he not much more clothe you**—you of little faith?