This parasha, with its blessings of abundance and its many many curses of degradation and destruction, always occurs prior to Rosh Hashonah. The Talmud tells us that Ezra arranged that the portion of the curses that are recorded in Leviticus should be read before Shavuot and the portion of the curses that are recorded in Deuteronomy read before Rosh Hashonah.

The Gemara [*Megillah 31b*] asks: What is the reason for this? Abaye said, and some say that it was Reish Lakish who said: In order that the year may conclude together with its curses. “*Tichleh Shana Uklaloteha*” – “may the year and its curses come to an end” was a common way to greet someone at the New Year - today the tendency is to say, “*Tachel Shana Uvirchoteha*” – “may the year and its blessings commence.” This may be more common in Israel as I found references to it on several Israeli websites.

In the month of Elul we are called to engage in *cheshbon ha nefesh*, an “accounting of the soul” prior to “meeting” with G-D on Rosh Hashonah.

Elul is an abbreviation for hk hsIsu hsIsk hbt

*“I am my beloved’s; my beloved is mine” (Song of Songs 6:3)* and is often quoted as a metaphor to illustrate the relationship between G-D and Israel. The accounting is to put our individual and collective relationship with G-D back into balance.

This means giving closure to the past year by engaging in self-reflection and outer action, seeking forgiveness and correcting wrongs we have committed against other people, and forgiving those who have wronged us. The relationships between people need to be sorted prior to “meeting” with G-D. It is also an opportunity to look forward into the New Year with its challenges to improve.

This parasha with its call to listen, and its repeated reminders of adhering to G-D’s laws (9 times) represents how this adherence or not is to work when B’nai Israel cross over into the Promised Land.

line 26:15-16:

*“The Lord your G-D commands you this day:* ***Hayom hazeh*** *Observe these laws and rules, observe them faithfully with all you heart and soul and you will walk in his ways and observe/obey his laws and commandments”*

I’ll begin with the phrase: **This day** - ie Is this referring to the specific day that Moshe is giving his address which the *Etz Hayyim* tells us is the first day of the 11th month in the 40th year after the Exodus. The first day of the 11th month is *Rosh Chodesh Shvat*. According to Sham’I, this was the new year for trees; Hillel ruled it was 15 Shvat. This is contrary to the other new year dates: 1 Nisan for festivals and regnal dates; 1 Elul for cattle; and 1 Tishré, Rosh Ha’Shana.

Or does the phrase ***Hayom hazeh*** “**this day**” mean each day is this day.

The Bostoner rebbe notes that The phrase *HaYom HaZeh* [this very day] is a common terminology found in the Torah – 33 times to be exact. However, Parasha *Ki Tavo* contains a relatively high concentration where the phrase appears three separate times. Rashi comments that

“each day G-d’s commandments should be to you (the individual) as something new, as though you had received the commands that very day for the first time”.

Mrs. Smiles’ shiur on *Ki Tavo* (2019) takes another approach. Mrs. Smiles teaches at Darchei Bina Seminary in Jerusalem; she also trains Torah teachers.

She quotes Rabbi Elie Munk, who comments that at Sinai, B’nai Israel took responsibility each for their own individual actions; in *Devarim* the emphasis is on the collectivity of B’nai Israel, ie that we are each responsible for one another. This responsibility is ongoing. It is not only for the one day, but each day is a recommitment to this idea that the covenant must be recreated each day. The words /verbs used to instruct are in the present - not the future and not the past. Mrs. Smiles called her summary of *Ki Tavo* Continuous Covenant....

What is it then that we are supposed to do each day?

It is not enough to observe the laws - it is how they are observed (faithfully and with one’s heart and soul);

“you have agreed to walk in His Ways, and observe His Laws”

Do these mean the same thing? does one modify the other? can one walk in G-D’s Ways and not observe the laws or conversely observe the laws but not walk in

G-D’s way?

To walk in G-D’s ways as the prophet Micah states (6.8) is “To act justly, to love mercy, and to walk humbly with your God.” To walk in G-D’s way requires to some extent observance of the laws - especially those laws that are concerned with relationships between humans.

But one can observe the laws and not walk in G-D’s ways - ie give *tzedaka* but not give with one’s heart and soul; mitzvoth can also be grudgingly performed.

The next phrase of interest to me is found in 26:17 - you B’nai Israel) have affirmed - ‘*he’emarta*’ and G-D has affirmed ‘*he’emir’cha*.’

Ari Sacher in his blog on Ki Tavo notes that these two words - ‘*he’emarta*’ and ‘*he’emir’cha*’ do not appear anywhere else in the Torah. They are both in an unusual conjugation - the causative. The root of these words is aleph, mem, resh - to say, but these words have the meaning of “to have caused to say”. At least that is one interpretation for this one-word *lehe’emir.*

It is commonly translated as affirmed/declared. The *Etz Hayyim*, like the JPS uses affirmed, as does Plaut, the Soncino uses the phrase avouched as does the King James translation, Everett Fox uses declared, Aryeh Kaplan, in *The Living Torah*, reads it as “declared allegiance to”; Robert Alter and Richard Elliot Friedman render it as proclaimed, Steinsaltz translates it as “has elevated”. Rabbi Sacks lists a number of other interpretations: Rashi “separated to yourself”, Septuagint “chosen”, Sadia Gaon “recognised”, Malbim (Meir Leibush ben Yehiel Michel Wisser) “betrothed”, Chizkuni (Hezekiah ben Manoah) “exchanged everything else for”, “accepted the uniqueness of” (Rashi to Chagigah 3a), or “caused God to declare” (Judah Halevi, cited by Ibn Ezra).

The use of the word betrothed is interesting. Ari Sacher comments that he prefers the interpretation of the Lithuanian rabbi who straddled the 19th/20th centuries, Rabbi Baruch HaLevi Epstein published the “*Torah Temima*”*,* his commentary on the Torah. Rabbi Epstein interprets “*he’emir*” using the word “*ma’amar*, declaration, is used for betrothal in a Levirate marriage.

Sacher quotes Spanish poet-philosopher of the 12th century, Rabbi Yehuda Halevi who explains the sense of the passage in Hebrew this way: “you have done all that is proper (ie B’nai Israel has followed G-D’s instructions) to the point that [you cause] other people [to] say ‘He will be your G-D’; and G-D will likewise act toward you so as [to cause] you [to] say that you will be G-D’s treasured people.”

Lilly Kaufman, Director, Torah Fund of Women’s League for Conservative Judaism, in her discussion on *Ki Tavo* - “Speaking G-D, Speaking Humanity”

also comments on Moshe’s unique use of the verb a-m-r (“to say” or “to speak”). Her translation:

“Et Adonai *he’emareta* hayom” (“You have spoken G-d today”; Deut. 26:17).

“Ve’Adonai *he’emirekha* hayom” (“And Adonai spoke you today”; Deut. 26:18).

While Sacher emphasizes the **mutuality of the behaviours** of B’nai Israel and

G-D, Kaufman understands the use of these words somewhat differently.

Kaufman says the use of *lehe’emir*, a transitive verb isunusual and then shereiterates that all translation is interpretation and that these statements reflect Moshe’s belief in the **mutuality of the declared faith** between B’nai Israel and

G-D.

Kaufman then asks (rhetorically) What does it mean “to say” or “to speak” a person? What does it mean to say or to speak G-D.

What might it mean for one biblical character to ‘speak’ another, whether God is ‘speaking’ us, or we are ‘speaking’ God?’

She notes, “An early morning prayer gives us a clue”. *Barukh she’amar vehayah ha’olam* means “Blessed is the One who spoke, and the world became.” It praises God who created the world through speech in *Bereshit*.

God’s speech is transitive at Creation, creating *yesh me’ayin* (something from nothing).

She also notes that in the concluding service of Yom Kippor, we sing an early medieval poem that ends with the words *ki anu ma’amirekha ve’atah ma’amirenu* (“We are Your *ma’amar* [what-was-spoken], and You are our *ma’amir* [the One Who-spoke-us]”).

Whatever words are used, context is required to give words their meaning. The context for these words I mention, is ethical behaviour. *Devarim* 26:12-15 is about the agricultural tithing cycle and the tithing of produce for the poor, the widowed, the orphan, the stranger, and the Levite.

Kaufman quotes an interpretation from the Kli Yakar, Rabbi Shlomo Ephraim ben Aaron Luntschitz (late 16th - early 17th century) who “noticed the word (26.15) *hashkifah* (look down). Rabbi Luntschitz comments that the Bible typically uses this word to describe God looking at us critically. The only exception is when God notices people giving gifts to the poor:” When we transform our attitude toward needy people from anger to compassion, we are noticed by G-D and any anger

G-D had, is also transformed.

And as mentioned previously, this month is for self-reflection and transformation.

Transformation begins with the act of listening. Several times throughout *Devarim* we are told, *Shema Yisrael* (“Listen, Israel”). When that phrase appears in this week’s parasha, it tells us much about the act of listening itself.

We are not simply told to listen. We are told *haskeit u'shema Yisrael* (“Be quiet”), and only then “Listen, Israel.” Listening can occur only after we have become quiet.

Listening is not about the past or the future. Listening, by definition, must happen in the present. We are told not only to “Be quiet” and then “Listen, Israel,” but right after to do so *hayom hazeh* and *hayom*, “this day” and “today.”

Andrea Cantor shares her thoughts on one of the curses as it relates to listening and doing. The curse is: “In the morning you shall say, ‘If only it were evening,’” and “in the evening you shall say, ‘If only it were morning.’” The curse she opines is not being able to live in and to appreciate the moment itself, to wish instead to be in some other time or some other place.

Like the words already discussed above, the word *hascet* in 27:9 is also found only in Ki Tavo, nowhere else in the Torah. Before one can listen, one needs to be silent. *Hascet* is variously translated as “be silent” or “listen” or “shut up” in various texts. Moshe is very concerned that in their hearing, B’nai Israel will not fully understand what they have signed on to do. To be able to fully heed G-D’s laws they must listen to what is required and the only way to do that is to be silent.

Rabbi Sacks in his blog *Covenant and Conversation* talks about the use of *shema* in general andspecifically as it applies to this parasha. He comments that “the root sh-m-a is a keyword that occurs 92 times in *Devarim*.”

In his discussion of *Ki Tavo*, Rabbi Sacks points out that while it is natural to think of the word “obey” in response to a command, there is no word for obey in Hebrew and that when Hebrew was resurrected as the language of daily use, “the word, *letsayet*, had to be borrowed from Aramaic.” He notes that the response to a mitzvah in the Torah is *shema*.

Rabi Sacks provides five examples from *Bereishit* on the various meanings of *shema*.

1. “to hear” as in “Avram *heard* that his relative (Lot) had been taken captive “(14:14).

2) “To listen, pay attention, heed” as in “Then Rachel said: G-D has vindicated me; he has *listened* to my plea...(30:7).

1. “To understand” as in “Come, let us go down and confuse their language so they will not *understand* each other” (11:17).
2. “to be willing to obey” After the binding of Isaac, G-D said, “Through your offspring all nations on earth will be blessed, because you were *willing to obey* me” (22:18).
3. “To do what someone else wants” as in “*Do* whatever Sarah tells you” (21:12).

Rabbi Sacks comments that “the fact that *shma* has all these meanings indicates that there is no concept of blind obedience” in Judaism. That G-D, having given us the power to think wants us to *understand* His commands. Keeping G-D’s laws involves the act of listening to ensure understanding.

Between the first set of curses beginning (28:16) and the end of the blessings (28:14), the reminder to obey the laws is couched in the negative, if you do not, if you fail, if you do not heed, threads through the curses.

However, the parasha does end on a positive note “Observe faithfully all the terms of this covenant that you may succeed.... and here we are 3000 years later

Shabbat Shalom