



Writing the Torah, Preserving the Torah
By Rabbi David Silverberg

Toward the end of Parashat Vayelekh, God instructs Moshe to write the poem of *Ha'azinu*, which is presented in the next *parasha* (chapter 32). This poem foresees the time when *Benei Yisrael* will breach their covenant with God, who will respond by bringing foreign nations to wage war against them and exile them from their land. The purpose of this poem is to serve as testimony that these calamities which will befall *Benei Yisrael* are the result of their violation of the covenant. It was not God who decided without reason to forsake them, but rather the people who chose to breach their agreement with the Almighty and embrace the beliefs and practices of other nations. This breach resulted in the exile and persecution which our nation has endured.

The Gemara in Masekhet Sanhedrin (21b) cites this verse as the source for the Biblical obligation to write a *Sefer Torah* (Torah scroll). When God instructs, “And now, write this poem for yourselves” (31:19), he refers not only to the writing of *Ha'azinu*, but rather to an obligation upon every Jew to write a Torah scroll. (Nowadays, it is generally assumed that we fulfill this *mitzva* through the purchase of *Chumashim* and other books of Torah literature.)

Many scholars have addressed the question of how the Sages inferred the obligation to write a *Sefer Torah* from this verse. It is clear from context that God speaks here specifically of the poem of *Ha'azinu*. What led *Chazal* to expand this obligation to refer to writing the entire Torah?

Maimonides briefly discusses this question in the Hilkhos Sefer Torah section of *Mishneh Torah* (7:2), where he introduces the obligation to write a Torah. He cites this verse from Parashat Vayelekh, and then writes, “Meaning, write for yourselves the Torah which contains this poem, because the Torah may not be written in [separate] sections.” According to Maimonides, the Torah could not refer here to an obligation to write only the section of *Ha'azinu*, because a separate law forbids writing individual sections of the Torah. It is forbidden to write any given part of the Torah individually, and hence when the Torah requires writing the poem of *Ha'azinu*, it must mean that we are to write the entire Torah.

Rav Baruch Epstein (Russia, 1860-1942), in his *Torah Temima*, notes the obvious difficulty in Maimonides' rationale. Simply put, God is entitled to legislate as He pleases. There is nothing stopping the God who forbade writing individual sections of the Torah from making an exception to this rule for the sake of writing the section of *Ha'azinu*. For example, God instituted the concept of a levirate marriage, whereby a man must marry the childless widow of his deceased brother, despite the prohibition against marrying one's sister-in-law. Similarly, there seems no reason not to explain the verse, “And now, write this poem for yourselves” as referring specifically to *Ha'azinu*, despite the prohibition against writing individual sections of the Torah. In fact, as Rav Epstein notes, the Torah commands writing selected sections to place inside *tefillin* and *mezuzot*,

despite the general prohibition against writing individual portions of the Torah. By the same token, we could easily interpret the verse here in Parashat Vayelekh as referring only to the poem of *Ha'azinu*, as the verse clearly implies.

Dr. Alexander Klein of Bar-Ilan University (www.biu.ac.il/JH/Parasha/eng/nitzavim/Kle.html) suggested defending Maimonides' explanation by noting the underlying purpose and goal of this *mitzva*. As explained by the *Sefer Ha-chinukh*, the command for every Jew to write a Torah scroll is intended to ensure the availability of study texts, thereby guaranteeing the perpetuation of the Torah. This objective would clearly be undermined if we would write only an individual section of the Torah, which would undermine its wholeness and integrity. In approaching this verse, the Sages worked on the assumption that God's command is geared toward ensuring the accurate transmission of the Torah from one generation to the next. As such, Maimonides explained, it is inconceivable that the Torah in this context would command writing only one section. Although we place individual portions of the Torah in our *tefillin* and *mezuzot*, this cannot be the case when dealing with a *mitzva* intended primarily for the purpose of ensuring the Torah's ongoing perpetuation.

The *mitzva* of writing a *Sefer Torah* is the final of the 613 Biblical commands presented in the Torah – and understandably so. The Torah's final command to us is to guarantee its perpetuation, to see to it that it does not end up in the ashbin of intellectual history or as an ancient relic serving merely to feed historical curiosity. And for this reason, as Maimonides writes, this *mitzva* cannot possibly be confined to any one section of the Torah. The obligation to perpetuate Torah, by definition, includes the obligation to preserve it in its entirety and authentic form, and to protect it from any attempts at modification or revision.