**S.A.L.T. – PARASHAT VAETCHANAN**

**By Rav David Silverberg**

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**IN LOVING MEMORY OF**

**Jeffrey Paul Friedman**

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**לע"נ**

**יהודה פנחס בן הרב שרגא פייוועל**

**כ"ב אב תשכ"ח – י' אב תשע"ב**

**ת.נ.צ.ב.ה**

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Motzaei Shabbat

 The Midrash, in its [introduction to *Eikha Rabba* (*Petichta* 11)](https://he.wikisource.org/wiki/%D7%90%D7%99%D7%9B%D7%94_%D7%A8%D7%91%D7%94_%D7%A4%D7%AA%D7%99%D7%97%D7%AA%D7%90_%D7%99%D7%90), presents a series of parallels between sorrowful verses from *Eikha* and joyous verses from the Torah. For each pair, the Midrash mournfully observes that had we been worthy, we would be reading the upbeat -verse in the Torah, but instead we must read the lament in *Eikha*. The final pair listed consists of two verses that begin with the word “*eikha*”: Moshe’s lament in Parashat Devarim (1:12), “*Eikha esa levadi*” (“How can I bear alone”), and the opening verse of *Megillat Eikha* - “*Eikha yasheva vadad*” (“How does she sit alone?”).

 The question naturally arises as to why this verse from Parashat Devarim is cited as a festive, joyful Biblical passage. In this verse, Moshe mourns, “How can I bear alone your troubles, your burdens and your quarreling?” He laments the overbearing burden he needed to bear trying to resolve the people’s conflicts and address all their concerns. Why is this verse cited as the joyous counterpart of Yirmiyahu’s lament of the fall of Jerusalem?

 The likely answer (as noted by Rav Baruch Epstein, in his [*Gishmei Berakha* commentary to Eikha](http://hebrewbooks.org/pdfpager.aspx?req=39147&st=&pgnum=2)) is that the Midrash refers also to the preceding verses, where Moshe jubilantly describes *Benei Yisrael*’s large size: “The Lord your God has made you abundant, and behold, you are today abundant as the stars of the sky. The Lord, God of your forefathers, shall increase you a thousandfold, and bless you as He has said to you.” Moshe’s rhetorical question, “*Eikha esa levadi*” is not a lament, but rather the observation of the difficulties that naturally result from growth and prosperity. The great blessing of *Benei Yisrael*’s population growth brought with it the challenges of governance, which necessitated appropriate adjustments to the structure of leadership. And thus Moshe was not complaining as much as noting the need to appoint additional leaders to assist him.

 If so, then the Midrash here reminds us that blessing and success do not mean perfection, as prosperity gives rise to challenges that need to be overcome. If we are worthy, the Midrash teaches us, then we will have “happy” problems to address. Our “laments,” like that of Moshe Rabbenu, will be about the difficulty in handling all that we have been given. People blessed with a large house “lament” the various maintenance issues, expenses and responsibilities that come with a large property. People blessed with children “lament” the hardships entailed in tending to all their children’s needs. People blessed with wealth “lament” the time and pressure involved in managing and protecting their assets. The Midrash subtly urges us to appreciate these “problems,” to cherish them, to embrace them, and to celebrate them. These are the kinds of “problems” people have when they are worthy, when they are the beneficiaries of God’s generous blessings. We must recognize that problems present themselves at every stage and under every circumstance, even when we are blessed and enjoy good fortune. We are to relish the “problems” that come with success, and recognize that they are far preferable to the actual lament of “*Eikha yasheva vadad*,” of terrible misfortune, Heaven forbid. If we have “problems” of “*Eikha esa levadi*,” the kinds of challenges that result from good fortune and success, then we should warmly and joyously welcome them, rather than ungratefully bemoan them.

Sunday

 The Gemara in Masekhet Megilla (5b) records a tradition that Rebbi (Rabbi Yehuda Ha-nasi) wanted to abolish the observance of Tisha B’Av, but the other sages opposed his position. Initially, this was understood literally, to mean that Rebbi sought to do away altogether with the observance of this day as an occasion of mourning. But it was then clarified that in truth, Rebbi sought to suspend the Tisha B’Av observance only in the specific case when the 9th of Av falls on Shabbat. He felt that once Tisha B’Av cannot be observed on its actual date, due to the celebration of Shabbat, it should not be observed at all in such a year. The other sages, however, felt that in such a case Tisha B’Av should be observed on Sunday, instead of being suspended, and this is, of course, the accepted practice.

 Tosefot raise the question of how the Gemara could have even entertained the possibility that Rebbi sought to abolish the observance of Tisha B’Av altogether. The Gemara elsewhere (Ta’anit 30b) notes the vital importance of mourning the fall of Jerusalem, and besides, Rebbi would not have had the authority to overturn the enactment issued by the sages of earlier generations to establish this observance. Tosefot’s first answer is that Rebbi sought not to abolish the entire observance of Tisha B’Av, but rather to repeal the unique measures of stringency that apply on this day. Tisha B’Av is just one of four fast days that we observe in commemoration of tragic events relating to the destruction of Jerusalem (the others being Tzom Gedalya, Asara Be’Tevet, and Shiva Assar Be’Tammuz). All four fasts are mentioned together in a single verse by the prophet Zecharya (8:19), suggesting that they are all of equal stature, yet Tisha B’Av is singled out for several special stringencies. Tosefot therefore suggest that Tisha B’Av was initially instituted as a fast no different than the other three, without any special measures of stringency, and it was later generations that began observing the stringent practices that are followed until today. Accordingly, Tosefot propose, the Gemara initially thought that Rebbi sought to abolish not the entire observance of Tisha B’Av, but only the practices that set it apart from the other three fasts.

 Tosefot’s comments are significant in that they point to two different tiers of prohibitions on Tisha B’Av. The initial formal institution of Tisha B’Av, according to Tosefot, included only the requirement to fast similar to the other three fast days, beginning from daybreak in the morning. It is only by force of accepted custom that we begin the observance at sundown the previous day, and that we abstain from other forms of physical comfort and enjoyment (bathing, applying ointment, marital relations, and wearing shoes).

 The precise opposite view is taken by the Ramban, in his *Torat Ha-adam*, as cited in *Beit Yosef* (O.C. 550). The Ramban claimed that to the contrary, all four of these fasts were initially established on the same level of stringency that is now observed on Tisha B’Av. This means that originally, after the fall of the First Commonwealth, it was forbidden even on the other three fasts to bathe, wear shoes, and so on, like on Tisha B’Av. Additionally, all four fasts began at sundown the previous day. However, when the Jews returned to the Land of Israel and built the Second Temple, although they continued observing these four fasts, they lowered the level of stringency except with regard to Tisha B’Av. According to the Ramban, then, no distinction exists between the various prohibitions observed on Tisha B’Av. All are observed by force of the initial institution of Tisha B’Av as a day of mourning, and thus all, presumably, apply on the same level of stringency.

 [Rav Asher Weiss](http://www.torahbase.org/738/) notes that these different perspectives might yield practical implications in the case of somebody who for health reasons cannot observe all the Tisha B’Av prohibitions. For example, somebody experiencing fatigue on Tisha B’Av might be able to continue fasting if he takes a shower, which will give him more energy. If the person is confident that he can avoid breaking his fast by bathing, then presumably, according to Tosefot, he should do so. Since the prohibition against bathing applies on a lower level of stringency than the requirement to fast, in a case where one must choose one over the other he should bathe so he can continue fasting. According to the Ramban, however, it is possible that the requirement to fast does not necessarily override the prohibition against bathing, as both were instituted together when Tisha B’Av was initially established. Therefore, a person who is forced to choose one over the other would have the option to either fast or bathe. (Rav Weiss adds, however, that one could still argue that even the Ramban would view the fasting requirement as more stringent than the prohibition against bathing, in light of the fact that on Yom Kippur, the fasting requirement is treated more stringently than the other restrictions, and on the other fast days the other restrictions do not apply at all.)

 It must be emphasized that this applies only in the rare case where the patient knows for certain that bathing would enable him to continue fasting. If he is uncertain whether his condition would improve after showering to the extent that he could continue fasting, then he should eat, rather than run the risk of having to violate both prohibitions.

Monday

 Rav Shimshon Bloch, in his [*Nezirut Shimshon* (554)](http://hebrewbooks.org/pdfpager.aspx?req=7946&st=&pgnum=46), addresses the case of somebody who, due to his physical condition, is unable to complete the entire fast of Tisha B’Av, but would be able to fast for a considerable portion of the twenty-five-hour period. Such a person, Rav Bloch writes, should eat and drink on the night of Tisha B’Av and then refrain from food and drink throughout the day of Tisha B’Av. This is preferable, he maintains, to beginning the fast at sundown as usual and then breaking the fast when necessary during the day. Rav Bloch explains that the primary requirement to fast applies during the day of Tisha B’Av, and fasting during the night is required only as an additional stringency. Therefore, if one knows from the outset that he cannot observe the entire fast, he should eat at night and begin his fast in the morning.

 [Rav Asher Weiss](http://www.torahbase.org/738/) noted that this ruling might hinge on the debate we discussed yesterday regarding the history of the Tisha B’Av observance. As we saw, Tosefot in Masekhet Megilla (5b) assert that Tisha B’Av and the other three fasts commemorating events related to the Temple’s destruction were all initially established as fasts extending only from daybreak until evening, and in which only fasting is required. It was only later, Tosefot claim, that the custom developed to observe special stringencies on Tisha B’Av – namely, beginning the fast from sundown the previous day, and refraining from other forms of bodily comfort and enjoyment. The ruling of the *Nezirut Shimshon*, whereby we treat fasting during the night of Tisha B’Av as a more lenient requirement than fasting on Tisha B’Av day, is likely predicated on Tosefot’s viewpoint. The Ramban, however, in *Torat Ha-adam*, writes that to the contrary, all four fasts were initially established as days requiring all the measures we currently observe only on Tisha B’Av. Later, it was decided that the other three fast days would be observed in more lenient fashion, by refraining only from food and drink, and only from daybreak. According to the Ramban, it would seem, the night of Tisha B’Av is likely no different from the day in terms of the severity of the fasting requirement. As such, in his view, a person who cannot complete the fast should likely begin fasting with everybody else and then break the fast when necessary.

 As Rav Weiss proceeds to note, one could certainly argue that even Tosefot would require the person in such a case to begin the fast at sundown. Although fasting at night is a less stringent obligation than fasting during the day, nevertheless, it might be preferable to seize a present *mitzva* opportunity rather than sacrifice it for the sake of facilitating a greater *mitzva* opportunity in the future. Rav Weiss cites a debate among the halakhic authorities concerning the case of a person who, due to health concerns, is unable to observe two fasts in a single week, and therefore cannot fast on both Tzom Gedalya and Yom Kippur. While some authorities ruled that the individual in this case should eat on Tzom Gedalya so he can observe the Yom Kippur fast, which constitutes a Torah obligation, others maintained that he should fast on Tzom Gedalya, which is observed first, in order to seize the present opportunity. According to this second view, one should fulfill the *mitzvot* that currently apply rather than setting them aside so he would be able to fulfill a higher-level *mitzva* later. Another expression of this concept is the well-known ruling of the Radbaz, cited by the *Mishna Berura* (90:28), concerning the case of a prisoner whose captors offered him one day a year when he can be released and do as he wished. The Radbaz ruled that the captive should choose to go free the first day he could each year, rather than choose Yom Kippur or some other special occasion as his opportunity to pray with a congregation. The *Chakham Tzevi* (cited in *Be’er Heiteiv*) disagreed, and ruled that the captive should choose Yom Kippur. Once again, we encounter the question of whether one should squander a current *mitzva* opportunity for the sake of facilitating a greater *mitzva* opportunity in the future. According to the perspective reflected in the Radbaz’s view, it is entirely possible that even Tosefot would require somebody to begin fasting at sundown when Tisha B’Av begins even if he knows he will then have to break his fast during the day.

Tuesday

 The *Shulchan Arukh* (O.C. 559:4) famously rules that the solemn *tachanun* prayer, in which we beseech God for forgiveness, is omitted on Tisha B’Av, because Tisha B’Av is described with the term “*mo’ed*.” The reference here is to a verse towards the beginning of Eikha (1:15), which speaks of the “*mo’ed*” (“occasion”) that brought calamity upon *Am Yisrael*. The term “*mo’ed*” used in regard to Tisha B’Av connotes, counterintuitively, an element of joy in the otherwise mournful Tisha B’Av observance, and thus just as we omit *tachanun* on all festive occasions – Shabbat, Rosh Chodesh and holidays – we likewise omit *tachanun*, ironically, on Tisha B’Av.

 The concept of Tisha B’Av being a “*mo’ed*” is taken much further in an obscure Midrashic source cited by Rav Avraham Yehoshua Heschel of Apta, in his *Oheiv Yisrael* (Parashat Devarim). The Midrash comments, “There was never a ‘*mo’ed*’ for Israel like the day when the Temple was destroyed.” Whereas the *Shulchan Arukh* noted the fact that Tisha B’Av is referred to with the term “*mo’ed*,” a startling assertion in its own right, this Midrash makes the astonishing claim that Tisha B’Av is the quintessential “*mo’ed*,” the greatest such occasion on the Jewish calendar.

 The Rebbe of Apta offers a meaningful approach to explain how Tisha B’Av could be described in such terms. He cites the *halakha* established by the Gemara (Yevamot 62b) requiring a husband to spend meaningful and intimate time with his wife before embarking on a journey. As the husband will be taking leave from his beloved wife for an extended period of time, during which she will be left alone without his love and companionship, he is to spend time with her and shower her with affection before he departs. The Apter Rebbe suggests that a similar concept applies to our relationship with the Almighty. He points to the story of Yaakov, who left the Land of Israel for what would be the final time in his life, and along the way he stopped to offer sacrifices to God (Bereishit 46:1). As he was leaving the Land of Israel, the home of the *Shekhina*, as it were, where he lived in the presence of the Almighty, Yaakov took the time to give God a final embrace, so-to-speak, to experience an intimate moment with God before he took leave of His presence.

 It is in this sense, the Apter Rebbe explained, that Tisha B’Av is the quintessential “*mo’ed*.” The term “*mo’ed*” refers to closeness and bonding. A “*mo’ed*” is a time when we, as a nation, experience a special connection to the Almighty and bring our relationship with Him to new heights. As such, there is no greater “*mo’ed*” than Tisha B’Av. At the time of the Temple’s destruction, when God was compelled to withdraw His presence from *Am Yisrael* as we were no longer worthy of it, he gave us a final “embrace,” so-to-speak. Ironically, but profoundly, the day we were separated from God and thrust into a long, bitter exile is not only a day of extreme sorrow, but also a day of extreme closeness. Like family members who lock in a long, intimate embrace before taking leave of one another for a long, indefinite period of time, God “embraced” the Jewish Nation for one last time as He bid us farewell. And thus there is no greater “*mo’ed*’ than Tisha B’Av, when we focus our attention on our great love for the Almighty and commemorate both the devastation of the destruction and the special closeness with God we experienced at that time.

 This notion is reflected in the Gemara’s depiction in Masekhet Yoma (54b) of the sight the enemy soldiers beheld at the time they destroyed the Temple. The Gemara tells that when the troops raided the *kodesh ha-kodashim* – the innermost sanctum of the *Beit Ha-mikdash* – they saw that the *keruvim* situated atop the ark were locked in an embrace. Several *Rishonim* raised the question of how to reconcile the Gemara’s comment with its discussion elsewhere (Bava Batra 99a) of the miraculous nature of the *keruvim*. When *Benei Yisrael* faithfully observed the Torah, the Gemara teaches, then the cherubs embraced, but at other times, they did not. It goes without saying that at the time of the Temple’s destruction, the Jewish People failed to properly observe the Torah, which is the very reason why this calamity befell them. Why, then, were the *keruvim* embracing at this time? The answer, perhaps, is that this was a moment of intense closeness between God and His people, and the embrace of the *keruvim* depicted the emotional farewell “embrace” between the Almighty and *Am Yisrael* on that painful, tragic day, when they took leave of one another for an indefinite period of time. (This insight into the embrace of the *keruvim* was shared by Rabbi Dov Loketch.)

 Thus, the concept of Tisha B’Av being a “*mo’ed*,” and being the quintessential “*mo’ed*,” is not at all inconsistent with the mournful nature of the day. Our banishment into exile was a grave calamity, but it was also an occasion of special closeness with God, who remained committed to us and retained His love for His nation even as He felt compelled to withdraw His presence. The final “embrace” we received on that tragic day serves to provide us with encouragement and reassurance during the long, difficult period of exile, guaranteeing us that we will eventually return and our relationship with the Almighty will be fully restored.

Wednesday

 The Torah in Parashat Vaetchanan (4:41) briefly tells of Moshe’s designating three cities as *arei miklat* – cities of refuge where people who accidentally killed can flee and protect themselves from the victim’s vengeful relatives. God had earlier (Bamidbar 35) commanded that six such cities be set aside – three in the region east of the Jordan River, which was settled by the tribes of Reuven and Gad, and three across the river, in *Eretz Yisrael* proper. Moshe was told he would not be allowed to join *Benei Yisrael* across the river, and so he was only able to set aside the three cities east of the Jordan.

 The Gemara (Makkot 10a) finds it significant that Moshe decided to involve himself in this undertaking. Although the region east of the Jordan River was settled at that time by Reuven and Gad, the three *arei miklat* in that area could not begin functioning as cities of refuge until the other three cities in *Eretz Yisrael* were also set up for this purpose. *Chazal* understood from the Torah’s commands regarding the *arei miklat* that they were all interdependent on one another, and thus the three cities east of the Jordan would not serve as *arei miklat* until the three cities west of the Jordan were also established. Nevertheless, Moshe was eager to do all he could, and so he took it upon himself to designate three cities east of the Jordan even though he would not live to see them begin functioning as *arei miklat*. The Gemara views this as a testament to Moshe’s passion for *mitzvot*, which led him to seize every *mitzva* opportunity he could even if he would be unable to see the *mitzva* through to completion.

 *Chazal* elaborate further in the Midrash (in some editions of *Devarim Rabba*), which comments that Moshe had anticipated establishing all six cities of refuge. He had hoped that God would permit him to cross the Jordan River together with *Benei Yisrael*, and thus he would be able to fulfill this *mitzva* in its entirety. When he realized that he was destined to die east of the Jordan River, without entering the Land of Israel, Moshe decided to do what he could, to establish the three eastern *arei miklat*, and leave the other three for Yehoshua. The Midrash cites in this context the verse from Sefer Kohelet (9:1), “*Kol asher timtza yadekha la-asot be-kochakha asei*” – “Everything you are capable of doing when you have strength – do.”

 Oftentimes we find it difficult to “shift gears” when we see that our original plans cannot be carried out as we had envisioned. Many people find that their careers or other undertakings take unexpected twists and turns, or that circumstances do not allow them to fulfill their wishes or to follow the precise course upon which they had set themselves. The Midrash here uses the example of Moshe and the three cities of refuge to demonstrate the importance of flexibility, the need to adapt ourselves to changing and unexpected circumstances and do the best we can under the conditions that present themselves. If we find that we cannot achieve a goal the precise way we had planned, this does mean we should just give up. Just as Moshe did not despair from the *mitzva* of *arei miklat* when he saw that his plan would not materialize, similarly, we must not despair when circumstances prevent us from realizing our ambitions to their fullest. We need to instead adapt ourselves to the unforeseen conditions and achieve to the best of our ability, without falling into despair with the realization that the final product will fall short of our initial plans.

Thursday

 Parashat Vaetchanan includes the first paragraph of the daily *Shema* recitation, in which we are commanded, “You shall love the Lord your God with all your heart” (6:5).

 Rashi cites two explanations of this command from the *Sifrei*, the second of which is, “*she-lo yiheyeh libekha chaluk al ha-Makom*” – literally, “that your heart shall not be divided with regard to the Almighty.” At first glance, this appears to mean that the command to love God “with all your heart” requires us to be devoted to Him without any equivocation or reluctance. Rav Shlomo of Karlin, however, is cited as having interpreted the *Sifrei*’s comment in more specific terms, as requiring us to remain devoted to the Almighty in all settings. Oftentimes, the Rebbe of Karlin observed, people become lax in their Torah fulfillment in certain settings or under certain circumstances, and they absolve themselves of accountability by pointing to the challenges of their situation. The command of “*be-khol levavekha*,” to love the Almighty “with all your heart,” counters this attitude, requiring us to remain steadfast in our fealty to God regardless of the circumstances.

 The Tolna Rebbe noted that according to this understanding of “*she-lo yiheyeh libekha chaluk al ha-Makom*,” this explanation offered by the *Sifrei* closely relates to its other explanation, as cited by Rashi. This other approach given by the *Sifrei* – which appears also in the Mishna (Berakhot 9:5) – explains the command to love God “with all your heart” to mean “*bi-shnei yetzarekha*” – with both our natural inclinations, with both our positive instincts and impulses, and our negative instincts and impulses. One way of understanding this requirement is that we must remain devoted to God even when we feel strong inner resistance to obeying His commands. We all, at various different times and in various different situations, feel the need to struggle against our natural instincts to do the right thing and to obey Torah law. *Chazal* here teach us that even under such conditions, we are not absolved of our Torah obligations. Our religious responsibilities do not depend on our mood or natural proclivities at any given moment. Even when we need to struggle, we are bound to comply with the Torah’s laws. The Torah was given not to angels, but to human beings, who are created with conflicting “*yetzarim*,” with both positive and negative tendencies. Struggle and inner conflict, therefore, is part and parcel of Torah life. Our Torah obligations are relevant and binding not only when we feel naturally inclined to fulfill them, but also in situations of challenge and struggle, when we are not instinctively drawn to fulfill our duties.

 According to both interpretations of “*be-khol levavekha*,” then, this command instructs us to remain faithful and subservient to God even under circumstances that do not naturally lend themselves to faithfulness and subservience, that in all situations, we must do the best we can, within our human limitations, to observe the Torah’s laws.

Friday

 Parashat Vaetchanan begins with Moshe recalling his impassioned prayer after *Benei Yisrael*’s conquest of the region east of the Jordan River, beseeching God for permission to cross the river into *Eretz Yisrael*. Moshe prayed that just as he was granted the privilege to experience *Benei Yisrael*’s miraculous triumph over the Emorite kingdoms east of the river, he should likewise be allowed to see the completion of the process across the Jordan. His prayers were rejected, however, as God refused to annul the decree condemning Moshe to die before entering the Land of Israel.

 Rashi, commenting on the word “*va-etchanan*” which Moshe uses here in reference to his prayer, explains, based on the *Sifrei*,that the root *ch.n.n.* refers to the request for a “*matenat chinam*” – an undeserved gift. When Moshe prayed for the right to enter the Land of Israel, he did not claim that he deserved this privilege, but rather begged God to allow him to enter in His infinite mercy and compassion. Rashi writes, “Even though the righteous are able rely upon their good deeds, they ask the Almighty only for an undeserved gift.”

 *Chazal* here admonish us not to live with a feeling of entitlement, that we are somehow owed the blessings we wish for in life. Exceptionally righteous people, Rashi writes, might be expected to make requests on the basis of their worthiness, but they don’t, because the more righteous a person is, the more he humbly recognizes how little he deserves. A truly righteous person is honest and self-effacing, and is keenly aware of his deficiencies. As nobody – not even Moshe Rabbeinu – lives perfectly, without any mistakes or failures, there is nobody who can honestly claim to rightfully deserve all that he wants. Moreover, a truly righteous person understands that human beings are created to serve God, not to have God serve them. We are to humbly and submissively obey His will, not demand that He obeys ours. And thus when the righteous make their requests, they ask for a “*matenat chinam*,” a gift of which they feel undeserving, without any sense of entitlement or feeling that they are owed anything.

 The lesson conveyed by the *Sifrei*’s comments applies to our interpersonal relationships, as well. In our dealings with other people, too, we should not necessarily assume that we are entitled to their favor and grace. Of course, there are certain legal obligations that people have towards one another, and certainly an employee may claim his wages and the victim of damage is rightfully expected to file a claim against the responsible party. However, outside the context of legal obligations, we should not live with the feeling that the people in our lives, or society in general, owe us the things we need and want. The question we should be asking ourselves is what more we could be doing to perfect ourselves and to contribute to the world, rather than what more we should be receiving from others. The benefits and favors we receive from other people should be viewed as a “*matenat chinam*,” an undeserved gift, rather than something we are owed. This mindset will help ensure that we devote our lives to the effort to grow, achieve, give and contribute, rather than complacently sitting back and expecting others to fulfill our wishes.

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