**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

In our last two editions of S.A.L.T., we’ve addressed the question regarding the recitation of *havdala* when Tisha B’Av is observed on Sunday. Since the fast begins immediately on *Motzaei Shabbat*, *havdala* – which includes, of course, the drinking of wine – is delayed until Sunday night, when Tisha B’Av ends. However, the accepted practice is that an ill patient who is exempt from the fast must first recite *havdala* on Tisha B’Av before eating in this case, since *Halakha* forbids eating or drinking after Shabbat before reciting or hearing *havdala*. This gives rise to an interesting question in the case of a woman who is ill, in light of the Rama’s ruling (O.C. 296:8) that women should (at least preferably) not recite *havdala* on their own, and should instead hear it recited by a man. As we saw the last two days, there is some discussion as to whether the case of a woman who is ill on Tisha B’Av marks an exception, and she should recite *havdala* herself, or if it is preferable for a man to recite *havdala* for her, and she then drinks the wine.

There is, however, also a third possibility. Rav Moshe Sternbuch, in *Moadim U-zmanim* (7:255), writes that it is preferable in this case for the woman to simply eat without reciting or hearing *havdala* at all. This is also the ruling of several other halakhic authorities, including Rav Efrayim Greenblatt (*Rivevot Efrayim*, 3:371.) The basis for this ruling is the halakhic concept of *sefeik-sefeika*, which states that we may be lenient in cases of halakhic doubt if two uncertainties are involved. In the case under discussion, there are two possible reasons to absolve the woman from *havdala*. First, as we have seen, the *Shulchan Arukh* (O.C. 296:8) cites two views as to whether women are included in the obligation of *havdala*. Thus, although *Halakha* follows the view that women should hear *havdala* every *Motzaei Shabbat*, this is a point of uncertainty. Secondly, the Ramban, in his *Torat Ha-adam* (cited by the Rosh, end of Masekhet Ta’anit), ruled that the obligation of *havdala* does not apply at all, to anybody, when Tisha B’Av is observed on Sunday. The reason for the Ramban’s ruling relates to the history of *havdala*, as discussed by the Gemara in Masekhet Berakhot (33a). The Gemara tells that at one point, when economic conditions in *Eretz Yisrael* became dire, and people could not easily afford wine for *havdala* every week, the Sages instituted the recitation of *Ata Chonantanu* in the *arvit* prayer on *Motzaei Shabbat* in lieu of the recitation of *havdala* over a cup of wine. Later, when financial conditions improved, the recitation of *havdala* over a cup of wine was reinstated. The Ramban claimed that on Tisha B’Av, when we are forbidden to eat or drink, we are considered “poor” and we therefore revert back to the previous practice of reciting *Ata Chonantanu* in place of *havdala*. In any event, although the Ramban’s position is not accepted, it nevertheless creates a second *safeik* (uncertainty) regarding a woman’s obligation to recite *havdala* in the case we are discussing. It should also be noted that the *Bach* (O.C. 556) ruled that in light of the Ramban’s ruling, which makes it questionable whether one must recite *havdala* when Tisha B’Av begins after Shabbat, one should not recite *havdala* in such a case (following the famous rule of *safeik berakhot le-hakel*). Accordingly, Rav Sternbuch suggests applying the rule of *sefeik-sefeika* to absolve the woman of the requirement to recite *havdala* in the case under discussion, as her obligation hinges on two assumptions which are both subject to debate – that women are included in the *havdala* obligation, and that the *havdala* obligation applies when Tisha B’Av is observed on Sunday.

Rav Asher Weiss, in [his discussion of this topic](http://www.torahbase.org/%D7%AA%D7%A9%D7%A2%D7%94-%D7%91%D7%90%D7%91-%D7%A0%D7%93%D7%97%D7%94-%D7%AA%D7%A9%D7%A2%D7%94/), parenthetically notes that this line of reasoning affects a woman’s status vis-à-vis *havdala* when Tisha B’Av is observed on Sunday even if she is not ill and completes the fast. In such a case, according to Rav Sternbuch’s ruling, she should not recite *havdala*, and is, in fact, not even required, strictly speaking, to hear *havdala*, due to the two points of uncertainty involved.

Regardless, as noted yesterday, Rav Weiss maintains that if a woman is ill and cannot fast in this case, it is preferable for her to hear *havdala* from a man and then drink the wine (or give the wine to a child who has reached the age of *chinukh* but is not old enough to fast).

Sunday

The Midrash, in a famous passage in the introduction to *Eikha Rabba*, tells of God’s angst, as it were, following the Temple’s destruction, comparing Himself to the father of an only child who dies under his *chuppa*. God implored the prophet Yirmiyahu to call Avraham, Yitzchak, Yaakov and Moshe from their graves to weep on behalf of their descendants who had been driven into exile, and Yirmiyahu obliged. He went to the Makhpela Cave in Chevron, the burial site of Avraham, Yitzchak and Yaakov, and cried, “Arise, for the time has come when you are asked to appear before the Almighty.” The patriarchs asked Yirmiyahu why they needed to approach God, and Yirmiyahu untruthfully replied that he did not know. He pretended not to know, the Midrash comments, “because he was afraid that they might say, ‘This happened to our children in your times!’”

The Midrash’s account powerfully expresses the sense of uneasiness and pangs of guilt which Yirmiyahu experienced as he witnessed the horror of the fall of Jerusalem. As we know from Sefer Yirmiyahu, he suffered a great deal of torment as a result of his God-given role. He told the people the precise opposite of what they wanted to hear, clashing with the false prophets who earned the people’s support by giving favorable predictions. Yirmiyahu was imprisoned and tortured on the charge of treason, as he advocated the unpopular position of surrendering to the Babylonian Empire, as God had instructed. Seemingly, he did everything he could, faithfully conveying to the people every prophecy he received. And yet, a persistent, nagging thought weighed on his conscience: “This happened to our children in your times!” Ultimately, Yirmiyahu failed in his mission to avoid the *churban* by inspiring a change of heart among the people. And although he cannot necessarily be blamed for the catastrophe, he experienced pangs of guilt. He could not allow himself to simply say, “I warned them and they refused to listen; it’s their fault,” even though this was certainly true. He could not block from his mind the uncomfortable question of whether he could have perhaps done something differently in order to motivate the people and their leaders to change, if there was something he could have said, or should not have said, to be more effective. Yirmiyahu is certainly not to blame for the *churban*, and it does not appear that he blamed himself, but the Midrash’s account suggests that he could not fully absolve himself of accountability, either.

Tisha B’Av is perhaps the time for us to ask ourselves these uncomfortable questions, and to remember, “This happened to our children in your times!” Our state of exile is proof that we have been unworthy of complete redemption. Yirmiyahu’s response to the patriarch teaches that we cannot feel content and at ease with ourselves and the efforts we make, and cast the blame on the rest of the nation, who do not make those same efforts. Instead, we need to introspect and ask what else we could be doing in order for *Am Yisrael* to be once and for all deserving of our final redemption and the long-awaited return of the *Beit Ha-mikdash*.

Monday

The Torah in Parashat Devarim (4:41) briefly tells of the designation of three cities as *arei miklat* – cities of refuge to protect inadvertent killers. Moshe set aside three *arei miklat* east of the Jordan River, in the region which *Benei Yisrael* had captured from the kingdoms of Sichon and Og, and which was settled by the tribes of Reuven and God and half the tribe of Menashe. The Torah refers to the geography of this region with the term “*mizrecha shamesh*” (“east, [the direction of the] sun”), and the Gemara (Makkot 10a) and Midrash (*Devarim Rabba* 2:30) find it significant that the Torah mentions the sun in conjunction with the *arei miklat*. The Gemara states, “The Almighty said to Moshe: Shine the sun on the [inadvertent] murderer.” These cities of refuge are said to “shine the sun” on one who accidentally kills by offering him safety and protection.

How might we explain the association drawn between sunlight and the *arei miklat*?

One approach (suggested by Rav Yehuda Leib Ginsburg in *Yalkut Yehuda*) is that the cities of refuge allowed the inadvertent killer to live normally, without having to hide. If not for the *arei miklat*, the killer would be forced to live in hiding to protect himself from the victim’s vengeful relatives. Thus, the cities of refuge quite literally “shine the sun” on the inadvertent killer, by allowing him to go about freely outdoors, without having to hide.

Additionally, however, it has been suggested that the Gemara here speaks of sunlight in the symbolic sense. The institution of *arei miklat* is referred to by *Chazal* as “*galut*” (“exile”), expressing the punitive aspect of this law, the need to punish somebody who failed to exercise proper caution, and whose negligence led to the loss of human life. Here, however, the Gemara seems to point to an additional element of *arei miklat*, what we might call the therapeutic, or rehabilitative, aspect. An inadvertent killer is likely to fall into depression and experience intolerable pangs of conscience. The Levite residents of the city of refuge bear the responsibility of “shining the sun” on the new arrival, of lifting his spirits and easing his emotional distress. While on the one hand he is punished for his negligence, at the same time, the accidental nature of his crime should elicit empathy, sensitivity and understanding. This, perhaps, is the meaning of the Gemara’s comment, “shine the sun on the murderer.” Even as he is punished, he deserves to be helped through encouragement and empathy. (See Rav Yehuda Zoldan’s [article on this topic](http://www.biu.ac.il/JH/Parasha/masei/sol.html).)

This perspective on the *arei miklat* reminds us that many times, even those who deserve to be reprimanded and punished also deserve sensitivity and understanding. The fact that somebody acted wrongly does not necessarily negate the need to “shine the sun” upon him, to try to lift him out of the darkness into which he has fallen and offer encouragement and support. If the person truly regrets his wrongdoing and seeks a new beginning, we are to provide whatever “light” we can to lift his spirits and help him regain his confidence and peace of mind as he tries to overcome his mistakes and move forward.

Tuesday

In the opening verses of Parashat Vaetchanan, Moshe recalls how after *Benei Yisrael*’s capture of the Emorite territory east of the Jordan River, he pleaded with God to allow him to join the nation in crossing the river into *Eretz Yisrael*: “Let me please pass so I can see the good land…”

The Kotzker Rebbe found it significant that Moshe prayed not only to cross into the Land of Israel, but also to “see the good land.” Even when our wishes are granted and we receive great blessing, the Rebbe explained, we do not necessarily appreciate and recognize the goodness and blessing. Moshe therefore prayed not just for the privilege of crossing into *Eretz Yisrael*, but also for the ability to always “see the good land,” to always recognize and feel grateful for this privilege.

We all enjoy blessings for which we had longed and prayed. Often, however, with the passage of time, we take those blessings for granted, fail to appreciate how significant they are, and find what to complain about instead of feeling grateful and content. The Kotzker Rebbe reminds us to pray not only for what we need and want, but also for the wisdom to appreciate what we have and see it all as “*tova*,” a manifestation of God’s grace and kindness which ought to bring us the all-too-elusive sense of contentment and joy that we too often lack.

Wednesday

In one of his warnings against idolatry in Parashat Vaetchanan, Moshe says to the people, “Be careful, lest you forget the covenant of the Lord your God, which He made with you, and make for yourselves an idol, any image, which the Lord your God commanded you” (4:23).

The final clause of this verse – “which the Lord your God commanded you” – caught the attention of several commentators, who noted the difficulty of this construction. It seems that this phrase modifies the nouns “idol’ and “any image,” as though these were “commanded” by God. Of course, the precise opposite is true – God specifically and sternly warns against building statues and idols. Rashi resolves the difficulty by explaining, very simply, that Moshe means to say, “which the Lord your God commanded against.” Moshe’s intent is to warn against violating God’s command not to create graven images. Another approach is taken by Chizkuni, who suggests that the phrase “which the Lord your God commanded you” modifies not the idols which Moshe forbids, but rather the covenant which he mentions earlier in the verse. Ibn Ezra suggests solving the problem by reading the reading the word “*asher*” (“which”) as an abbreviated form of the word “*ka’asher*” (“as”). According to this reading, Moshe is simply stating that the people should avoid fashioning idols as God had commanded them.

The Kotzker Rebbe, however, draws upon this unusual formulation to suggest an especially novel – and striking – reading of the verse. He explains that Moshe warns against creating fake “images” of that which God has commanded us. An image is not real; it is merely a physical representation of that which it depicts. In this verse, the Kotzker Rebbe explained, Moshe warns against creating fake replicas of the *mitzvot*. If we just go through the motions, or focus exclusively on the externalities of the *mitzvot* without any sincere emotional component, then we are doing nothing more than creating an “idol of that which the Lord your God has commanded.” Through this interpretation of the verse, the Kotzker Rebbe admonishes that our *avodat Hashem* must be genuine and real, not superficial and phony. We must fulfill our religious obligations with a sincere desire to serve and to connect with the Almighty, and not just for show or as “something to do.” If our *mitzvot* are all external, devoid of any inner feeling of devotion, then we are creating “images” of *mitzvot*, rather than performing actual *mitzvot*.

Thursday

The Torah in Parashat Vaetchanan lists the three cities east of the Jordan River that Moshe designated as *arei miklat* – cities of refuge for the protection of inadvertent killers fleeing vengeful relatives of their victims (4:43). The Gemara in Masekhet Makkot (10a) notes that the Torah first lists the city Betzer, which was situated in the territory of Reuven, before mentioning the other cities, which were located in the regions assigned to Gad and Menashe, respectively. This sequence, the Gemara comments, served to give honor to Reuven, who was the first who tried to rescue Yosef when his brothers plotted to kill him. As we read in Sefer Bereishit (37:22), as the other brothers planned to kill Yosef, Reuven intervened, suggesting that instead of killing Yosef directly, they should instead cast him into a pit, and allow him to then die naturally. Reuven’s intent was to later return to the pit to rescue Yosef. Since he was the first to try to save Yosef’s life, the Gemara says, the tribe of Reuven is mentioned first in the context of the *arei miklat*, which serve the purpose of saving people’s lives from those trying to kill them.

Interestingly, Reuven here is praised for his efforts, despite the fact that they were only partially successful. By the time Reuven returned to the pit to rescue his brother, Yosef had been lifted out of the pit and sold as a slave. Moreover, the Gemara (Shabbat 22a) famously comments that the pit contained snakes and scorpions – a comment that could perhaps be understood as subtle criticism of Reuven, who tried to save Yosef’s life by casting him into a pit full of deadly reptiles. Nevertheless, Reuven is credited with acting first, before Yehuda, who later advised his brothers to sell Yosef into slavery rather than take his life. Although Reuven’s initiative was fundamentally flawed and woefully insufficient, he deserved praise for his zeal in rushing to try to save his brother’s life.

Significantly, in Yaakov’s final remarks to Reuven before his death, he criticized his firstborn son for his rash, impulsive nature: “*Pachaz ka-mayim – al totar*” – “As you are reckless like water – you shall not exceed [your brothers in prominence]” (Bereishit 49:4). While this is generally understood as referring specifically to the incident of Bilha, which Yaakov mentions more explicitly in the next clause (“*ki alita mishkevei avikha*” – “because you ascended onto your father’s bed”), it might also have been intended as a more general criticism of Reuven’s nature. Yaakov felt that Reuven was too rash and quick to serve in a leadership role, which requires patient and careful deliberation. Leadership was thus granted to Yehuda, who was more patient and deliberate. Ironically, the same trait for which Reuven is praised by the Gemara – his rapid reaction to the brothers’ plot to kill Yosef – is the reason for why he was deemed unfit for leadership.

Zeal and haste are both admirable and dangerous. People who act quickly display passion, sincerity and resolve to the cause, but also run the risk of failing to adequately plan and calculate. The different aspects of Reuven’s quality of “*pachaz ka-mayim*” thus reflect the tension that exists between the value of alacrity and the dangers of impulsivity, the need to act with rigor and zeal, on the one hand, while at the same time ensuring to think patiently and carefully in order to avoid reckless decisions and actions.

(See Rav Avraham Nesher’s [*Pirchei Shoshana*, Parashat Vayechi](http://hebrewbooks.org/pdfpager.aspx?req=41907&st=&pgnum=51&hilite=))

Friday

Parashat Vaetchanan includes the first paragraph of the text of the daily *Shema* recitation, in which the Torah commands us to love God with “all your heart,” with “all your soul,” and with “*kol me’odekha*” (6:5). Rashi, based on the Gemara (Berakhot 61b), explains the term “*me’odekha*” as a reference to one’s financial assets. According to this interpretation, the Torah here commands us to be prepared to sacrifice our property when this is necessary for the sake of God. The Gemara, as Rashi cites, raises the question of why this command was necessary, in light of the fact that this verse also commands us to love God “with all your soul,” which *Chazal* explain as a reference to the requirement to sacrifice one’s life for God under certain circumstances. Seemingly, once we are required to be prepared to surrender even our lives for God, it is understood that we must be prepared to sacrifice our material possessions, as well. The Gemara explains that the command of “*be-khol me’odekha*” is necessary because there are some people who cherish their money more than their lives. For them, the Torah needed to emphasize that their obligations to the Almighty must be a higher priority than not only their lives, but also their material possessions, which they cherish more than anything else.

Much has been written about the Gemara’s suggestion that the Torah here addresses people who value their money more than their lives. Why would the Torah find it necessary to speak to such fools?

One possibility, suggested by the Tolna Rebbe, is that the Gemara here seeks to teach us that the command of *ahavat Hashem* is relevant to us all, even to those who fallen to such depths of foolishness that they prioritize their money over their physical wellbeing. We might have assumed that such a lofty requirement, the command of *ahavat Hashem*, which requires developing a strong emotional bond with God and being prepared to make great sacrifices for Him, is reserved for the spiritual elite, or at least excludes those on the lower spiritual rungs. The Gemara teaches us that even as we are mired in the abyss of grave misconceptions and misplaced priorities, we are bound by this vital *mitzva*. We are each to love and devote ourselves to the Almighty on his or her level, in whatever position a person happens to be in at any given moment. Our job is to do and achieve to the best of our ability at our current level, and so we must never despair and think that we have fallen too far for the Torah’s laws to continue being relevant to us and our lives. Regardless of our current spiritual standing, the Torah speaks to us, obliges us, and calls upon us to work hard to take whatever steps forward that we can.

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