**S.A.L.T. – PARASHAT VAETCHANAN**

**By Rav David Silverberg**

Motzaei Shabbat

Yesterday, we noted the question addressed by numerous *Acharonim* regarding the nature of the Tisha B’Av observance on the 10th of Av when the 9th falls on Shabbat. Do we view the observance on Sunday as a “make-up” of the missed fast, which could not be observed on the ideal day – the 9th of Av? Or, should we view the 10th of Av as the actual date of the Tisha B’Av observance in such a year? One basis for this second perspective would be the fact that the *Beit Ha-mikdash* actually burned mainly on the 10th of Av, not the 9th (Ta’anit 29a). Hence, although we generally observe the day of mourning on the 9th, the day when the *Mikdash* was set on fire, in a year when we cannot mourn on the 9th we declare the 10th as the day of mourning.

A number of *Acharonim* (including *Ketav Sofer*, O.C. 101) suggested explaining on this basis the debate among the halakhic authorities concerning the status of the 9th of Av when it falls on Shabbat. Although we obviously do not fast or observe outward displays of mourning on the 9th of Av in this case, the Rama (O.C. 554:19) ruled that marital relations are prohibited on this day. In his view, although we do not outwardly observe mourning, we must nevertheless mourn in private, and thus we must observe the prohibition against intimacy on Tisha B’Av on this day. This ruling seems to reflect the perspective that Tisha B’Av fundamentally is observed on the 9th of Av even in this case, notwithstanding the fact that the mourning practices, by necessity, are delayed to the 10th. The *Shulchan Arukh*, however, rules that marital relations are permissible on Shabbat in this case, likely reflecting the perspective that Tisha B’Av in such a year is completely transferred to the 10th of Av. Indeed, one of the sources of the *Shulchan Arukh*’s ruling is a responsum of the Rashba (1:520), who writes that marital relations are permitted on the 9th of Av when it falls on Shabbat because in this case the Sages “completely uprooted it from the 9th and established it on the 10th.” The Rashba proceeds to note that since the 10th in any event could have been designated as the day of mourning, since the Temple burned primarily on this day, it is designated as the day of mourning in a year when the 9th of Av falls on Shabbat, and thus no mourning whatsoever is observed on the 9th.

Likewise, it has been suggested that this issue underlies the question surrounding the status of the week before Tisha B’Av in such a case. Whereas Ashkenazic custom is to observe certain restrictions (such as eating meat and wine) already from the first of Av, Sephardic practice is to observe these restrictions only from the end of the Shabbat preceding Tisha B’Av. (And even according to Ashkenazic customs, certain stringencies apply specifically during the week of Tisha B’Av.) Do these restrictions apply in a year when the 9th of Av falls on Shabbat and the fast is delayed until Sunday? On the one hand, we might say that the entire previous week has the status of “*shavua she-chal bo*” – the week before Tisha B’Av – as it is the week before the 9th of Av. On the other hand, one could argue that since Tisha B’Av is observed on Sunday, and not on Shabbat, there is no period of “*shavua she-chal bo*” in such a case. The *Shulchan Arukh* (O.C. 551:4) brings two different views on this subject. Conceivably, this issue hinges on the question regarding the status of the 9th of Av when it falls on Shabbat. If we view Tisha B’Av as fundamentally being observed on Shabbat, with the fasting and mourning practices simply delayed to Sunday, then it stands to reason that the entire previous week must be treated as “*shavua she-chal bo*,” as it is the week before Tisha B’Av. But if we say that the 10th of Av is Tisha B’Av in such a year, then presumably, the restrictions of “*shavua she-chal bo*” do not apply at all that year.

However, [Rav Asher Weiss](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/) noted that at least two *Rishonim* did not accept this conceptual link between the questions of marital relations on the 9th of Av which is Shabbat, and the status of the previous week in such a case. Both the Maharil and the Mordekhai permitted marital relations on Shabbat in this situation, but ruled that the entire previous week has the status of “*shavua she-chal bo*.” Apparently, in their view, the 9th of Av in this case is not considered Tisha B’Av at all, and yet we nevertheless treat the previous week as “*shavua she-chal bo*.” The explanation, seemingly, is that the status of “*shavua she-chal bo*” does not depend on the formal observance of Tisha B’Av, and rather serves the practical need of mentally and emotionally preparing us for Tisha B’Av. Therefore, the restrictions are observed during the week before the observance of Tisha B’Av, irrespective of whether it can formally be called “*shavua she-chal bo*.”

Sunday

Although an ill patient is exempt from fasting on Tisha B’Av, the *Mishna Berura* (550:5) writes that the patient must eat and drink only as needed to sustain his or her health, and should not indulge in food and drink beyond what is necessary.

Rav Yitzchak Zilberstein (*Chashukei Chemed*, Yoma 73b) addresses the interesting situation of a frail patient who needs to eat on Tisha B’Av, but who could minimize his food consumption by eating meat. Meaning, if he eats meat, a small quantity would suffice to give him strength, but if he eats other foods, such as bread, he would require a larger amount. As *Halakha* forbids eating meat from the Motza’ei Shabbat before Tisha B’Av (or, according to Ashkenazic custom, from the beginning of Av) until midday on the 10th of Av, should this patient refrain from meat, and eat other foods to sustain his health? Or, does the interest in minimizing his consumption on Tisha B’Av override the prohibition against eating meat?

Rav Zilberstein begins by citing the theory advanced by Rav Velvele Soloveitchik (*Chiddushei Ha-Griz*, Hilkhot Ta’aniyot) that technically speaking, the prohibition against eating meat applies only to the *se’uda mafseket* – the final meal before Tisha B’Av. Although we customarily extend the prohibition to the week before Tisha B’Av, and until the day after Tisha B’Av, the technical halakhic prohibition pertains only to the meal eaten right before the fast. At this meal, Rav Velvele explained, we all have the status of an *onein* – a person whose family member has died but has yet to be buried – who is forbidden from eating meat, and this is when partaking of meat is strictly forbidden. According to this theory, it seems clear that in our case, eating a smaller quantity of meat is preferable to eating a larger quantity of other foods, as there is no technical halakhic prohibition against eating meat during this period (except, of course, by virtue of the requirement to fast, which is waived in the case of an ill patient).

However, Rav Zilberstein then proceeds to cite his father-in-law, Rav Yosef Shalom Elyashiv (*Kovetz Teshuvot*, 57), as claiming that Tisha B’Av itself is no different in this regard than the *se’uda mafseket*. In Rav Elyashiv’s view, partaking of meat is strictly forbidden on Tisha B’Av both by virtue of the fast, and also by virtue of the prohibition against eating meat in a state of *aninut* – before one’s deceased family member has been buried – the condition in which we are all in on this day of mourning. Accordingly, Rav Zilberstein cites his brother-in-law, Rav Chaim Kanievsky, as claiming that it would be preferable to eat a larger quantity of other foods in order to avoid the prohibition of eating meat on Tisha B’Av.

Rav Zilberstein then proceeds to note that this ruling may not apply in a case where the patient has the option of eating meat in a quantity smaller than the minimum quantity one needs to consume to violate the Tisha B’Av fast. The *Chafetz Chayim*, in *Bei’ur Halakha* (554:6), writes that like on Yom Kippur, one violates the Tisha B’Av fast by partaking of a *kotevet* (the size of a large date). The question then becomes, if a patient can sustain his strength on Tisha B’Av by eating less than a *kotevet* of meat, or a *kotevet* or more of other foods, which should he eat? It would seem, Rav Zilberstein writes, that in this case eating meat would be the preferable option, as one thereby does not technically break the fast. Since in this case the patient has the possibility of avoiding violating the fast, this would certain appear preferable to breaking the fast in order to avoid eating meat.

Monday

In Parashat Vaetchanan (4:44), the Torah introduces one of Moshe’s speeches delivered to *Benei Yisrael* before his death with the famous verse, “*Ve-zot ha-torah asher sam Moshe lifnei Benei Yisrael*” – “This is the teaching that Moshe presented to the Israelites.”

The Gemara in Masekhet Yoma (72b) comments that the phrase “*ha-torah asher sam*” can be read as comparing Torah to “*sam*” – potion. If one is “meritorious,” the Gemara comments, then his Torah study is beneficial for him like a “*sam chayim*” – a life-giving potion. But if not, then his one’s learning becomes a “*sam mavet*” – a deadly potion. From context, it is clear that the Gemara’s speaks here of the gravity of Torah studied without sincere religious commitment. This remark is made shortly after the Gemara’s warning of the tragic fate that will befall Torah scholars who learn without *yir’at Shamayim* (fear of God). Thus, the analogy comparing Torah study to “potion,” too, should be understood in this light, as warning that Torah study bereft of piety is not only worthless, but harmful. A similar comment is made by the Gemara in Masekhet Berakhot (17a), where it states that if one studies Torah for the wrong reasons, “it would have been preferable for him not to have been born.”

Many writers have raised the question of how to reconcile these comments with the more famous remark made by the Gemara in Masekhet Pesachim (50b) affirming the value of Torah study and observance “*she-lo li-shmah*” – with impure motives. The Gemara there states that such study and observance is valuable because by accustoming oneself to learn and to perform *mitzvot*, he or she will, with time, eventually learn and perform for the right reasons. If this is the case, then how could the Gemara elsewhere warn of Torah acting as a “death potion” for those who study with impious motives?

*Tosefot* (in Pesachim) suggest distinguishing between different kinds of impious motives. When the Gemara condemns studying for the wrong reasons, *Tosefot* explain, it refers to those who learn for the sake of challenging scholars or asserting their intellectual superiority. Such study is not only worthless, but condemnable. When the Gemara encourages study “*she-lo li-shmah*” as a means of attaining sincere commitment to Torah, it refers to those who learn without passionate commitment, but not with a desire to use their knowledge for harmful purposes.

Rav Aharon Lichtenstein *zt”l* [is cited](https://www.etzion.org.il/he/%D7%96%D7%9B%D7%94-%D7%A0%D7%A2%D7%A9%D7%99%D7%AA-%D7%9C%D7%95-%D7%A1%D7%9D-%D7%97%D7%99%D7%99%D7%9D) as having drawn a different distinction. He suggested that there is value to studying “*she-lo li-shmah*” only if the student recognizes the value of Torah learning and strives to reach the level at which he learns with sincere motives, without incentives or any personal interest. If, however, one learns without any appreciation for the great importance and value of Torah study, then his learning is harmful and destructive. Torah study that is bereft of respect and reverence for the enterprise of *talmud Torah* is not only missing an important element, but is analogous to a “death potion.”

An entirely different approach is suggested by Netziv, in one of his responsa (*Meishiv Davar*, 1:46), where he distinguishes not between different kinds of impure motives, but between different kinds of Torah study. When the Gemara encourages learning “*she-lo li-shmah*,” Netziv explains, it refers to the accumulation of Torah knowledge. Learning and understanding Torah material is inherently and immensely valuable, and thus regardless of one’s motives for engaging in this endeavor, it should be encouraged. The Gemara’s warning about the evils of insincere engagement in Torah refers to what Netziv calls “*pilpulah shel Torah*” – the process of analysis and questioning aimed at arriving at new insights and conclusions. This is a very delicate art, Netziv writes, and it can be either immensely valuable or terribly destructive. It is very dangerous when insincerely driven scholars analyze the material they’ve mastered to suggest new interpretations and issue new halakhic rulings. This important exercise is reserved for those who are genuinely committed to determining God’s will as expressed through our Torah tradition, without any ulterior motives or agendas, and for them, this is enterprise is truly a “*sam chayim*.”

Tuesday

Parashat Vaetchanan includes the section read as the first paragraph of the daily *Shema* recitation, in which the Torah issues the famous command to love God “with all your heart and with all your soul and with all your strength” (6:5). The Gemara in Masekhet Berakhot (61b) brings Rabbi Akiva’s interpretation of the phrase “*u-v’khol nafshekha*” (“with all your soul”) to mean that we must love God “even if He takes your soul” – meaning, even if this requires dying a martyr’s death. Tragically, as the Gemara proceeds to tell, Rabbi Akiva himself was executed by the Roman authorities for defying their ban on Torah study, and in his final moments, as he was tortured to death, he expressed how his martyrdom marked the fulfillment of the lofty command to love the Almighty “with all your soul.”

Rav Shlomo of Radomsk, in his *Tiferet Shelomo* (Parashat Vaera), suggests that the requirement to love God “with all your soul” might include more than the willingness to surrender one’s life for his or her faith. He notes that the word “*nefesh*” – generally translated as referring to the human spirit – is also used to mean “wish” or “desire.” For example, when Avraham spoke to the Chittites about his interest in purchasing the Makhpeila Cave as a burial site, he says, “*…im yeish et* ***nafshekhem*** *li-kbor et meiti*” – “if it is **your will** to bury my dead” (Bereishit 23:8). If so, the *Tiferet Shelomo* writes, then when Rabbi Akiva says that we must love the Almighty “even if He takes your *nefesh*,” this might be understood to mean “even if He takes your will” – meaning, even if it appears that He has stripped us of our desire to serve Him. Not infrequently, circumstances or just certain moods can cause us to lose our fervor and passion for religious observance. But even when this happens, we must still love God and remain committed to Him.

The *Tiferet Shelomo* here acknowledges the reality that we do not always feel naturally inclined to devote ourselves to God. There are times when we lose our spiritual vitality, when we fall into a state of lethargy and fatigue, when we feel uninspired and unmotivated. The Rebbe of Radomsk reminds us that our religious responsibilities apply even under such circumstances, even when we lack the rigor and enthusiasm that should ideally accompany our service of God. The absence of this energy and excitement should not lead us to despair, or to absolve ourselves of our obligations. We are required to do our best under whichever circumstances we find ourselves in, and in whatever “mood” we happen to be in at any given moment. Even if we feel uninspired, we should muster whatever energy we can to achieve to the best of our limited ability, recognizing and accepting our limits but without excusing ourselves from reaching them.

Wednesday

Parashat Vaetchanan begins with Moshe recalling his impassioned plea for God to allow him the privilege of entering the Land of Israel: “*Va-etchanan el Hashem ba-eit ha-hi*” – “I pleaded with the Lord at that time…” *Ba’al Ha-turim* makes a curious remark commenting on this opening verse, noting that the *gematria* (numerical value) of the word “*va-etchanan*” is the same as that of the word “*shira*” – “joyous song.” To explain this connection, *Ba’al Ha-turim* writes that Moshe “sang before Him so that his prayer would be answered.” As Moshe prayed for his lifelong wish to be fulfilled, he also engaged in “*shira*” – joyously song.

How might we understand the meaning of this concept – festive singing as a necessary accompaniment to prayer? Is *Ba’al Ha-turim* suggesting that we sing joyously when pleading to the Almighty for something we need?

The answer, perhaps, is that *Ba’al Ha-turim* here teaches of the need to maintain a degree of joy and gratitude even as we desperately plead to God to fulfill our needs and wishes. We are certainly allowed, and encouraged, to turn to God for help when we face some problem or have unfulfilled wishes. In fact, the Gemara in Masekhet Berakhot (32b) teaches that if a person prayed for something and his request was not fulfilled, he should pray again. Whereas in requesting favors from human beings it would be inappropriate to repeatedly make a request that was consistently denied, we are encouraged to beseech God repeatedly for what we desire. And thus, for example, the Midrash (*Devarim Rabba* 11:9) tells that Moshe prayed over 500 times to be allowed to enter *Eretz Yisrael*, until God told him to stop praying. However, *Ba’al Ha-turim* perhaps alludes to the fact that even as we plead for our wishes to be fulfilled, and focus our attention on what our lives lack and what we still need, we must also express “*shira*” – joy and contentment over what we do have. The process of “*va-etchanan*” – praying for what we want – must be accompanied by “*shira*” – genuine joy and gratitude over what we have already been given. Rather than focus exclusively on what our lives are still missing, we should be ever mindful of what our lives already have, even as we plead for all our wishes to be fulfilled.

Thursday

Towards the end of Parashat Vaetchanan (6:20), Moshe foresees the time when, after *Benei Yisrael* settle the Land of Israel, the children will turn to their parents and ask, “What are the testimonies, statutes and laws which the Lord our God has commanded you?” Moshe instructs the parents to explain to their children the history of *Benei Yisrael*, how our nation were downtrodden, oppressed slaves in Egypt until God miraculously rescued them, taking them as His servants and giving us laws which we are duty-bound to obey.

This verse is famously cited by the *Haggadah* as expressing the question posed by the “wise son,” the son who sincerely inquiries about the “testimonies, statutes and laws,” passionate in his quest for knowledge and understanding. The *Haggadah* instructs parents to indulge this child’s ambition and satisfy his craving for knowledge, explaining to him all the laws of the Pesach *seder* down to the most minute details. The question of this “wise son” is presented in contrast to the question foreseen by the Torah earlier, in Sefer Shemot (12:25) – “What is this service to you?” – which the *Haggadah* attributes to the “wicked son.” Whereas the “wise son” displays genuine curiosity and interest in knowing about the Torah’s laws observed by his parents, the wicked son dismisses them, asking disparagingly, “What is this service to you?”

Many commentators raised the question as to the basis for the *Haggadah*’s interpretation of these two verses. Seemingly, as the questioners in both verses refer to God’s laws in second person, they implicitly exclude themselves from the community of observers. Just as the “wicked son” asks, “What is this service to you?” the “wise son” similarly asks, “What are the…laws which the Lord…has commanded **you**?” Why, then, does the *Haggadah* consider the questioner in Sefer Shemot “wicked,” because “he removed himself from the community” (“*hotzi et atzmo min ha-kelal*”), whereas the questioner here in Parashat Vaetchanan is deemed “wise”?

The Tosafists (*Rabboteinu Ba’alei Ha-Tosafot*, Parashat Vaetchanan) offer a simple answer, noting that the use of the second person form by the questioner in Parashat Vaetchanan is not exclusionary, but rather factual. This question is being asked by a child of parents who first heard God’s laws transmitted from Moshe Rabbeinu. This child did not receive the commandments directly from God as the parents’ generation did, and thus he describes the laws as those which God “commanded you,” since he heard the command from his parents, and not from God as his parents did (through Moshe, the Almighty’s mouthpiece, as it were). This child does not deny the relevance of the commands to his generation, and to the contrary, he expresses interest in learning about them so he could practice them, even though they were transmitted to him only indirectly, through his parents. This is unlike the son in Sefer Shemot, who cynically asks, “What is this service to you?” indicating his denial of the *mitzvot*’ssignificance for him.

In essence, the Tosafists here distinguish between acknowledging a more distant relationship with God, and excluding oneself from this relationship. The “wise son” is “wise” in that he eagerly seeks to learn about and observe the *mitzvot* even as he recognizes that he will never be as close to their source – *Matan Torah* and the prophecy of Moshe – as his parents’ generation. Although he is, and will always be, a step more distant from Sinai than his parents, he nevertheless understands the relevance of the covenant of Sinai to his life. And precisely herein lies the difference between the “wise son” and the “wicked son.” The latter views the Torah as relevant to and binding upon only those who received its laws firsthand, learning them directly from Moshe Rabbeinu. But for the second generation, who did not have this experience, the Torah has no significance. For the “wise son,” by contrast, the relative indirectness of transmission has no bearing upon the Torah’s relevance. He understands that all generations are equally bound by the Torah’s laws, no matter how distant they are from Sinai and Moshe Rabbeinu.

If so, then the depictions of the “wise son” and the “wicked son” remind us that the Torah remains forever relevant and binding under all circumstances, even if we feel distant and incapable of forging the same kind of spiritual personality that others achieve. Even assuming it is true that modern-day realities make it impossible to live with the type of deep spiritual awareness with which Jews of prior generations lived, this in no way absolves us from striving for excellence. The “wise son” teaches us that although the Torah’s laws were commanded “to you” – to prior generations, whose relationship to God and His laws was far closer and more direct than that which subsequent generations can achieve – nevertheless, we must endeavor to learn, study and observe them to the very best of our ability. The Torah’s laws are eternally relevant, regardless of our circumstances and realities.

Friday

Parashat Vaetchanan includes the first paragraph of the text of the daily *Shema* recitation, in which we are commanded that the words of the Torah shall be “upon your hearts” (6:6). Seforno explains this command as requiring is to make the Torah’s laws and values the purpose towards which all our actions are geared. Placing the words of Torah “upon your heart” means making them our highest priority and the focal point of everything we do in life.

Rav Moshe Alshikh, in a remarkable passage in his Torah commentary, adds that this command is but an introduction to the next verse, in which we are commanded, “*ve-shinantam le-vanekha*” – to teach our children Torah. In order to teach our children effectively, Rav Alshikh explains, we need to place the words of Torah “upon our hearts.” In the Alshikh’s words: “In order for your words to be effective, to enter your children’s heart, you must first accept them upon yourself in your heart…and then, when you teach your children, the words will penetrate and enter into their heart.” We need to first commit ourselves fully and passionately to Torah, before we can hope to successfully inspire this commitment within our children’s hearts.

The Alshikh adds that for this reason, the Torah formulates the obligation to teach children with the unusual word “*ve-shinantam*,” rather than using the more familiar term “*ve-limadetem*.” The word “*ve-shinantam*,” he suggests, stems from the root *sh.n.n.*, which means “sharp,” and is used in reference to especially sharp, pointy arrows used in warfare (“*chitzei gibor shenunim*” – Tehillim 120:4). The command “*ve-shinantam*” requires us to do what we can to ensure that our words of Torah instruction and guidance will penetrate our children’s hearts like finely-pointed arrows. This command is therefore preceded by the command to place the words of Torah “upon our hearts” – to assure that our own hearts are firmly devoted and committed to God’s laws, as this is a necessary prerequisite for the success of our efforts to guide and inspire our children. The words we teach become “sharp arrows” capable of penetrating our children’s hearts when our own hearts are imbued with a genuine love of Torah and passionate desire to study and observe it to the best of our ability.

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