



BS"D

To: parsha@parsha.net
From: cshulman@gmail.com

INTERNET PARSHA SHEET ON DEVARIM – TISHA B'AV - 5772

In our 17th year! To receive this parsha sheet, go to <http://www.parsha.net> and click Subscribe or send a blank e-mail to subscribe@parsha.net Please also copy me at cshulman@gmail.com A complete archive of previous issues is now available at <http://www.parsha.net> It is also fully searchable.

This week's Internet Parsha Sheet is sponsored anonymously in memory of
Chaim Yissachar z"l ben Yechiel Zaydel Dov

To sponsor a parsha sheet (proceeds to tzedaka) contact cshulman@parsha.net

This week's Internet Parsha Sheet is sponsored anonymously for a Refuah Shleimah for
**Yitzchak Yaakov ben Basia Sarah
Henna Sara bat Fayga Malya
b'soch sha'ar cholei yisroel**

**Rabbi Zvi Sobolofsky –
The Beis HaMikdash: The Ultimate Unifying Force**

TorahWeb <torahweb@torahweb.org>

Wed, Jul 25, 2012 at 9:37 PM

To: weeklydt@torahweb2.org

Rabbi Zvi Sobolofsky

The Beis HaMikdash: The Ultimate Unifying Force Chazal teach us that the second Beis HaMikdash was destroyed because of sinas chinam - baseless hatred between man and his fellow man. Unlike the first Beis HaMikdash that was rebuilt after seventy years, the second Beis HaMikdash has still not been rebuilt after almost two thousand years. Why is it impossible for sinas chinam and the Beis HaMikdash to coexist? The Rambam in Hilchos Beis Habechira, when discussing the purpose of the Beis HaMikdash, highlights its role in enabling us to perform the mitzvah of aliyah laregel, i.e. coming to the Beis HaMikdash on the shalosh regalim and offering special korbanos. There are korbanos offered in the Beis HaMikdash throughout the year, yet the Rambam emphasizes aliyah laregel as a primary purpose of the Beis HaMikdash. As such, Aliyah laregel can serve as a model to understand the essence of the Beis HaMikdash. On yom tov, we conclude the mi shebeirach with the phrase, "v'yizkeh la'alos l'regel im kol Yisroel echav - May he merit to fulfill aliyah laregel together with the entire Jewish People." After the Brisker Rov once received an aliyah on yom tov the gabbainadvertently omitted the words "im kol Yisroel echav" when reciting the mi shebeirach. The Brisker Rov then insisted that the mi

shebeirach be repeated. Apparently the mitzvah of aliyah laregel cannot be performed as an individual; visiting the Beis HaMikdash on the shalosh regalim must be done as part of the Jewish People. This idea is expressed in Devarim - "b'vo kol Yisroel- - when all the Jews come". The essence of aliyah laregel is Klal Yisroel coming, as a unit, to the Beis HaMikdash, and therefore the mi shebeirach must reflect this. Perhaps this is why the Rambam highlights aliyah laregel as a primary purpose for the Beis HaMikdash. The Beis HaMikdash is not just a place where an individual can offer korbanos to Hashem; it is the place of avodas tzibbur that enables the Jewish people as a whole to serve Hashem. The notion of avodas tzibbur in contrast to avodas yachid appears to be a halachic principle that applies to many korbanos offered in the Beis HaMikdash. Specifically, Chazal raise the following concern: the communal korbanos of the omer, shteihalechem, and lechem hapanim, which were purchased with the funds raised through machatzitz hashekel, were made of flour and had the status of a korban mincha. A korban mincha that belongs to a kohein may not be eaten. Since the kohanim gave a machatzitz hashekel and thus have a share in these communal menachos, how were these menachos allowed to be eaten? This dilemma led some to believe that kohanim were in fact exempt from giving a machatzitz hashekel. However, we accept the view that kohanim are in fact obligated in machatzitz hashekel and therefore we are faced with this difficulty. The permissibility of eating the aforementioned menachos presents a problem if one understands korbanos bought with communal (tzibbur) funds to be korbanos that belong to each and every individual that donated to the fund. The tzibbur, however, is not merely a group of individuals, but rather is a distinct entity called Klal Yisroel. As such, we need not be concerned that the kohanim's contribution to the machatzitz hashekel fund will render the menachos inedible, since the menachos did not belong to them as individuals, rather they belonged to Klal Yisroel as a distinct entity. The idea of avodas tzibbur being distinct from a joint avodas hayachid of many individuals expresses itself in hilchos tefillah as well. Our tefillos are patterned after korbanos and we therefore have both tefillas yachid and tefillas tzibbur. The Rav, elaborating on the wording of the Rambam, develops the idea that chazoras hashatz is said as a form of avodas tzibbur. First we approach Hashem as individuals who are gathered together for our silent shemoneh esrei. We then follow with a tefillah hatzibbur that is reminiscent of the korban tamid which was purchased with the communal funds of machatzitz hashekel. Recognizing that the Beis HaMikdash is the place of avodas tzibbur, we can understand why the presence of sinas chinam makes it impossible for the Beis HaMikdash to exist. A tzibbur can only be formed when there is love between the individual members who make up the tzibbur. As we mourn the destruction of the Beis HaMikdash, we are mourning the loss of the opportunity to serve Hashem as a tzibbur comprised of all of Klal Yisroel. May we succeed in overcoming the obstacle of sinas chinam, thus enabling us to once again offer korbanos tzibbur and merit the beracha, "v'yizkeh la'alos l'regel im kol Yisroel echav v'nomer amen."
Copyright © 2012 by The TorahWeb Foundation. All rights reserved

Havdallah When Tisha B'av is on Saturday Night

Author: Rabbi Eliezer Lerner

Article Date: Thursday March 22, 2007

http://www.yutorah.org/lectures/lecture.cfm/780160/Rabbi_Eliezer_Lerner/Havdallah_Wh..._7/20/2012

How does one recite Havdala when Tish'a B'av occurs right after Shabbat? The Gemara Brachot (20b) states that the mitzvah of Kiddush is a Torah obligation derived from the pasuk: "Zachor et Yom HaShabbat L'kadsho". However, the nature of the mitzvah of Havdala is unclear. The Rambam (Hilchos Shabbat 29:1) writes that Havdala is also a mitzvah from the Torah, derived from the very same pasuk. Kiddush

and Havdala are two parts of the same mitzvah. The Maggid Mishne comments that there are those who disagree with the Rambam and claim that Havdala is a Rabbinic obligation. Even according to the Rambam, the Torah obligation of Kiddush and Havdala involves only the recitation of certain ideas. The need to say these brachot over a cup of wine is mandated by Rabbinic decree. (Hilchot Shabbat, 29:1, 6) The Gemara Brachot (33a) relates that originally, the Sages legislated that the mitzvah of Havdala may be performed through davening. Later when the economic status of the Jews improved it became mandatory to recite Havdala on a cup of wine. Much later, when there was an economic decline, Chazal legislated that Havdala should again be said during davening, but must also be said over wine. With this background in mind, let us examine the question of saying Havdala when Tish'a B'av occurs on Motza'ei Shabbat. The problem is self-evident: one is required to recite Havdala on Saturday night on a cup of wine. Someone must drink the wine. It is Tish'a B'av and we are prohibited from drinking or eating. The Rosh (Ta'anit 4:40) cites four possible solutions to the problem: 1. The Gemara Brachot (27b) permits one to recite Havdala on Shabbat afternoon before sunset (after Plag HaMincha). The B'Hag (Ba'al Halachot Gedolot) raises the possibility that a person will recite Havdala before sunset on Shabbat and drink the wine. (Of course, one is still prohibited from performing melacha until nightfall.) This opinion is rejected because the moment he recites Havdala, it is equivalent to accepting the fast, and he is prohibited from drinking the wine. 2. A second possibility suggested by the B'Hag is to recite Havdala on Sunday night after the fast is over. Even according to the opinion in the Gemara that Havdala cannot be said after nightfall on Sunday, here it is allowed since it could not have been said earlier. This approach also met with some objection. One who is required to recite Havdala on Motza'ei Shabbat, but wasn't able to, can recite it as late as Tuesday afternoon (according to the more lenient opinion). However, if one wasn't obligated to say Havdala when Shabbat ends, there is no need (and no permission) to recite it later in the week. 3. The third possibility suggested by the Ramban, is to skip Havdala on wine. The Gemara mentioned earlier that Havdala was instituted over wine when the Jews became wealthier. On Tish'a B'av all Jews are considered poor and downtrodden, and therefore, YUTorah Online - Havdallah When Tisha B'av is on Saturday Night (Rabbi Eliezer Lerner) Page 1 of 2 http://www.yutorah.org/lectures/lecture.cfm/780160/Rabbi_Eliezer_Lerner/Havdallah_Wh... 7/20/2012 there is no need to say Havdala on wine. 4. The fourth suggestion is to recite Havdala on Saturday night and give the wine to a minor to drink. Even though the Gemara Eruvin (40b) rejects this possibility for Kiddush on Yom Kippur, here we are dealing with a Rabbinic fast day, and a situation which is not a normal occurrence (Tish'a B'av on Saturday night). What is the halacha? The Shulchan Aruch (O.C. 556:1) writes that one recites Havdala on Sunday night after the fast. The bracha on fire is said on Saturday night. There is no requirement to say the bracha on spices. (Normally the spices are meant to provide some pleasure to the soul. On Tish'a B'av we are supposed to be sad.) On Saturday night, of course one should recite the Havdala prayer in the Ma'ariv Shmoneh Esrei ("Atah Chonantanu") or at least say Baruch Hamavdil Ben Kodosh L'chol before performing any melacha. What should a person do if he is ill and is required to eat on Tish'a B'av? Since a person is prohibited from eating after the conclusion of Shabbat unless he recited Havdala on wine, he must say Havdala. However, it is preferable for him to use one of the permissible beverage alternatives to wine, or give the wine to a youngster to drink. If neither is possible, he may drink the wine himself, but should limit himself to the minimum necessary. (See Shmirat Shabbat K'hilchata 62:46). If a woman needs to eat, the situation is a little more complicated. There is a disagreement amongst the Rishonim whether women are obligated in Havdala (similar to Kiddush) or whether they are exempt from the mitzvah (since it is a mitzvah aseh she'hazman

grama.) The Rama (O.C., 296:8) writes that, consequently, women should not recite Havdala themselves; rather they should hear it from a man. The Mishna Brurah quotes the Bach and Magen Avraham who disagree. Ashkenazic custom is that women are allowed to recite the bracha on a mitzvah from which they are exempt. Havdala is no exception. In our situation, since there are those who say a woman should not say Havdala on her own (and there is an added factor here, that, according to some Rishonim, there is no need at all for Havdala when Tish'a B'av is on Sunday) it's preferable that a man recite Havdala for the sick woman, and she should drink the beverage (or give the wine to a minor). He will, at that time, fulfill his own obligation to say Havdala and has no need to repeat it after the fast. If there is no adult male available, the woman may recite Havdala herself. (Shmirat Shabbat 62:48) May we soon merit the prophecy of Zecharya (8:19) that the fasts of Tammuz, Av, Tishrei, and Tevet will become days of "Sasson, Simcha, u'Moadim Tovim". YUTorah Online - Havdallah When Tisha B'av is on Saturday Night (Rabbi Eliezer Lerner) Page 2 of 2

From: Shalom shabbatshalom@ounetwork.org 6:53 PM (7 hours ago)
Orthodox Union www.ou.org

**Britain's Chief Rabbi Lord Jonathan Sacks
Profits and Prophets**

There are few more blazing passages in the whole of religious literature than the first chapter of the book of Isaiah, the great "vision," chazon, that gives its name to the Shabbat before Tisha B'Av, the saddest day of the Jewish year. It is more than great literature. It expresses one of the great prophetic truths, that a society cannot flourish without honesty and justice. It could not be more relevant to our time.

The Talmud (Shabbat 31a) states that when we leave this life and arrive at the world to come, the first question we will be asked will not be a conventionally religious one (Did you set aside times for learning Torah?) but rather, Did you act honestly [be-emunah] in business? I used to wonder how the rabbis felt certain about this. Death is, after all, "the undiscovered country, from whose bourn no traveller returns." The answer it seems to me is this passage from Isaiah:

See how the faithful city has become a harlot! She once was full of justice; righteousness used to dwell in her—but now murderers! Your silver has become dross, your choice wine is diluted with water. Your rulers are rebels, companions of thieves; they all love bribes and chase after gifts. They do not defend the cause of the fatherless; the widow's case does not come before them. (Is. 1: 21-23)

Jerusalem's fate was sealed not by conventional religious failure but by the failure of people to act honestly. They engaged in sharp business practices that were highly profitable but hard to detect – mixing silver with baser metals, diluting wine. People were concerned with maximising profits, indifferent to the fact that others would suffer. The political system too had become corrupt. Politicians were using their office and influence to personal advantage. People knew about this or suspected it – Isaiah does not claim to be telling people something they didn't already know; he does not expect to surprise his listeners. The fact that people had come to expect no better from their leaders was itself a mark of moral decline.

This, says Isaiah, is the real danger: that widespread dishonesty and corruption saps the morale of a society, makes people cynical, opens up divisions between the rich and powerful and the poor and powerless, erodes the fabric of society and makes people wonder why they should make sacrifices for the common good if everyone else seems to be bent on personal advantage. A nation in this condition is sick and in a state of incipient decline. What Isaiah saw and said with primal force and devastating clarity is that sometimes (organised) religion is not the solution but itself part of the problem.

It has always been tempting, even for a nation of monotheists, to slip into magical thinking: that we can atone for our sins or those of society by frequent attendances at the Temple, the offering of sacrifices, and conspicuous shows of piety. Few things, implies Isaiah, make God angrier than this:

“The multitude of your sacrifices—what are they to me?” says the Lord... “When you come to appear before me, who has asked this of you, this trampling of my courts? Stop bringing meaningless offerings! Your incense is detestable to me ... I cannot bear your evil assemblies. Your New Moon festivals and your appointed feasts my soul hates. They have become a burden to me; I am weary of bearing them. When you spread out your hands in prayer, I will hide my eyes from you; even if you offer many prayers, I will not listen.”

The corrupt not only believe they can fool their fellow humans; they believe they can fool God as well. When moral standards begin to break down in business, finance, trade and politics, a kind of collective madness takes hold of people – the sages said adam bahul al mamono, meaning, roughly, “money makes us do wild things” – and people come to believe that they are leading a charmed life, that luck is with them, that they will neither fail nor be found out. They even believe they can bribe God to look the other way. In the end it all comes crashing down and those who suffer most tend to be those who deserve it least.

Isaiah is making a prophetic point but one that has implications for economics and politics today and can be stated even in secular terms. The market economy is and must be a moral enterprise. Absent that, and eventually it will fail.

There used to be a belief among superficial readers of Adam Smith, prophet of free trade, that the market economy did not depend on morality at all: “It is not from the benevolence of the butcher, the brewer, or the baker that we expect our dinner, but from their regard to their own interest.” It was the brilliance of the system that it turned self-interest into the common good by what Smith called, almost mystically, an “invisible hand.” Morality was not part of the system. It was unnecessary.

This was a misreading of Smith, who took morality very seriously indeed and wrote a book called *The Theory of Moral Sentiments*. But it was also a misreading of economics. This was made clear, two centuries later, by a paradox in Games Theory known as *The Prisoner’s Dilemma*. Without going into details, this imagined two people faced with a choice (to stay silent, confess or accuse the other). The outcome of their decision would depend on what the other person did, and this could not be known in advance. It can be shown that if both people act rationally in their own interest, they will produce an outcome that is bad for both of them. This seems to refute the basic premise of market economics, that the pursuit of self-interest serves the common good.

The negative outcome of the Prisoner’s Dilemma can only be avoided if the two people repeatedly find themselves in the same situation. Eventually they realise they are harming one another and themselves. They learn to co-operate, which they can only do if they trust one another, and they will only do this if the other has earned that trust by acting honestly and with integrity.

In other words, the market economy depends on moral virtues that are not themselves produced by the market, and may be undermined by the market itself. For if the market is about the pursuit of profit, and if we can gain at other people’s expense, then the pursuit of profit will lead, first to shady practices (“your silver has become dross, your choice wine is diluted with water”), then to the breakdown of trust, then to the collapse of the market itself.

A classic instance of this happened after the financial crash in 2008. For a decade, banks had engaged in doubtful practices, notably subprime mortgages and the securitization of risk through financial instruments so complex that even bankers themselves later admitted they did not fully understand them. They continued to authorize them despite Warren

Buffet’s warning in 2002 that subprime mortgages were “instruments of mass financial destruction.” The result was the crash. But that was not the source of the depression/recession that followed. That happened because the banks no longer trusted one another. Credit was no longer freely available and in one country after another the economy stalled.

The key word, used by both Isaiah and the sages, is *emunah*, meaning faithfulness and trust. Isaiah in our haftara twice uses the phrase *kirya ne’emana*, “faithful city.” The sages say that in heaven we will be asked, Did you conduct your business *be’emunah*? – meaning, in such a way as to inspire trust. The market economy depends on trust. Absent that, and depend instead on contracts, lawyers, regulations and supervisory authorities, and there will be yet more scandals, collapses and crashes since the ingenuity of those who seek to sidestep the rules always exceeds those whose job it is to apply them. The only safe regulatory authority is conscience, the voice of God within the human heart forbidding us to do what we know is wrong but think we can get away with.

Isaiah’s warning is as timely now as it was twenty-seven centuries ago. When morality is missing and economics and politics are driven by self-interest alone, trust fails and the society fabric unravels. That is how all great superpowers began their decline, and there is no exception.

In the long term, the evidence shows that it is sounder to follow prophets than profits.

To read more writings and teachings from the Chief Rabbi Lord Jonathan Sacks, please visit www.chief Rabbi.org.

Yeshiva University • A To-Go Series • Av 5772 Tishah B’Av:

Mourning and Mo’ed

Rabbi Daniel Z. Feldman

Rosh Yeshiva, RIETS Understanding the Day It is clear that there are many layers within Tishah B’Av. It is a day that is, at once, marked as a “mo’ed”, or festival, labeled now and destined for the future to contain a joyous character; and at the same time it is observed as the saddest day on the Jewish calendar, with fasting and crying dominating the day. However, this complexity is found even before one contrasts the day’s present with its future – attempting to understand the occasion as it takes one down a path of competing characterizations. The question begins with the undeniable observation that Tishah B’Av is treated with a severity that transcends even other fast days of the year, including those fast days that are also dedicated to marking the destruction of the Beit HaMikdash. While a standard fast day (other than Yom HaKippurim) is usually observed during the daytime hours, and requires only the avoidance of food and drink, Tishah B’Av is a 25 hour ordeal, mandating the abstention from the five areas of physical benefit prohibited on Yom HaKippurim (eating and drinking, bathing, anointing with oils, wearing of shoes, and marital relations), in addition to other mournful practices. The Talmud¹³ provides the first step in understanding this distinction when it notes that Tishah B’Av is unique because it is a time of “multiplied tragedies”. As noted by Tosafot,¹⁴ this phrase cannot simply mean that many bad things happened on that day; other days, such as the 17th of Tammuz, also hosted multiple calamities. Rather, the Tosafot suggest two alternative understandings: a) The distinction is not quantitative, but qualitative; the severity of the destruction of the Beit HaMikdash simply transcends that of other tragedies. B) While other days hosted multiple tragedies, Tishah B’Av is unique in that the same disaster happened twice. While these approaches help to explain the basis for treating Tishah B’Av with greater severity, we are still left to understand the process and the framework by which Tishah B’Av is distinguished from other fast days. Upon consideration, it emerges that this contrast can happen through one of two perspectives: either the intensification of Tishah B’Av, or the deintensification of the other fast days. ¹⁴ *ibid.* s.v. *ho’il*. ¹⁵ Yeshiva

University • A To-Go Series • Av 5772 The latter approach is expressed by the Ramban.¹⁵ He discusses the passage in the Talmud which seeks to contextualize the promise of Zechariah¹⁶ that the fast days which address the destruction of the Beit HaMikdash would ultimately be observed as festivals. Three categories emerge from that passage: a) in a time of "shalom", these days will be considered festivals; b) in a time characterized as "shmad", or destructive persecution, they will retain their character as fast days; c) in an era that is neither shalom nor shmad, the days will be optional fast days. However, this last category does not apply to Tishah B'Av; because of its aforementioned severity, it is either a fast day or a festival, but never a day of optional observance. Accordingly, posits the Ramban, this passage accounts for the distinction in severity. As we are no longer enduring active shmad, in his formulation, the fast days are of optional status. Were this not to be the case, they too would be observed as 24 hour fasts, with all five prohibited benefits; this is the biblical model of a fast day. However, since the Jewish people are observing these days voluntarily, they are given the discretion to modify them to more manageable models, and thus observe them in the more lenient format, fasting only during the daytime hours, and then only abstaining from food and drink.¹⁷ Tishah B'Av, however, has no optional category, and thus maintains its default, intense nature.¹⁸ Many, including the Netziv,¹⁹ disputed this analysis, and asserted that the other fast days were always at their current level of intensity (arguing that the Bible contains more than one model of a fast day)²⁰ and that Tishah B'Av is not the default but rather the result of intensification.²¹ If one assumed that this is indeed the case, another question still remains: what is the nature of this intensification? Once again, at least two possibilities emerge. One possibility, favored by the Netziv, who cites the Behag, takes note of the fact that many of the added elements on Tishah B'Av are common to another area of Jewish law, namely the observance of aveilut. As such, it seems that Tishah B'Av is characterized as a fast day that is merged with practices of mourning, in that it is the "yahrzeit" of the Beit HaMikdash, and the stringencies flow from this hybrid nature. Alternatively, it can be noted that many of the additional elements of Tishah B'Av are common to yet another observance, namely, Yom HaKippurim; indeed, the Sefer HaChinukh²² groups the two together. Accordingly, it might be suggested that Tishah B'Av derives its severity from being an enhanced fast day, a day that is not merely a commemoration but one that has its basic

¹⁵ In his *Torat haAdam*, cited in *Ran* to *Rosh HaShanah*, 4b in pages of the *Rif*, s.v. *v'd'amrinan*. ¹⁶ *Zechariah* 8:19. ¹⁷ See *Responsa Ketav Sofer*, O.C. 100, and *Responsa Teshuvot VeHanhagot*, IV, 121. ¹⁸ The assumption that the contemporary status of the other three fast days is of a lesser obligation than it had been originally is endorsed by *Responsa Mishkenot Ya'akov*, O.C. 149; however, note the language of the *Rambam* in *Hilkhot Ta'anivot* 5:2-4. See also *R. Shmuel David*, in the journal *Barkai*, III, p. 86-93; *Responsa Chemdah Genuzah*, I, 22; and *Ginzei Chaim*, O.C. 551:1:1. ¹⁹ *He'amek She'alah* #158. ²⁰ Another major point of contention is the assumption that the status of shmad is no longer applicable; see *Responsa Minchat Elazar*, IV, 5. ²¹ See also *Torah Temimah*, *Vayikra* 18, #14, and compare *Ritva*, *Ta'anit* 30b with *Be'ur HaGra*, O.C. 686. ²² *Mitzvah* 313. ¹⁶ *Yeshiva University • A To-Go Series • Av 5772* character - at this point, a negative one - inherent in the day itself. Such a formulation would emerge from the recognition of Tishah B'Av as a "day prepared for disasters", a date colored by tragedy from the time of the acceptance of the report of the meraglim, when G-d declared He would establish "crying for the generations" on the day the nation cried without justification.²³ This inherent negativity creates a sort of "inverted festival", similar in strength to the biblical festivals but possessing (currently) an opposite character. As *R. Eliyahu Levine*²⁴ notes, it is possible to locate these two approaches in the aforementioned explanations of *Tosafot* for Tishah B'Av's severity. The notion that the

"multiplicity" refers to the intense tragedy of the Beit HaMikdash implies that the focus is on our current state of mourning for that loss. Alternatively, the suggestion that the severity comes from the same event repeating itself presents the issue as the creation of a pattern, suggesting that the day has some inherent aspect that results in negative events, even the same event, occurring repeatedly.²⁵ Some Possible Implications of the Question Once these two possible intensifiers have been identified, they can be perceived as underpinning a number of discussions regarding the laws and concepts of Tishah B'Av. One such area is the situation that occurs when, as it is this year, the 9th of Av falls on Shabbat. In that circumstance, the fast is observed on Sunday. This practice necessitates a conceptual question: is Tishah B'Av actually moved, uprooted in totality from its eponymous date and relocated to the 10th of Av? If Tishah B'Av is an observance of mourning, it may be portable; indeed, the practice of shivah is routinely delayed when it would otherwise begin on a festival. Or, perhaps we should maintain that this is impossible in the case of Tishah B'Av; the occasion is inextricably linked to the date, and cannot be moved. Nonetheless, fasting is prohibited on 23 *Ta'anit* 29a. 24 *Divrei Shirah: Bein HaMeitzarim* #6. 25 Another interesting application of these two possibilities can be found in *R. Nachum Eisenstein's* work *Avnei Shoham* (pp. 142-145) addressing the passage in the Talmud (*Megillah* 5a) which relates that *Rebbe* wanted to "uproot" Tishah B'Av. The *Tosafot*, astonished that *Rebbe* would wish to ignore such a crucial day, offer two alternative suggestions: either he wished to modify and de-intensify the day, thus equating it to other fast days; or he wanted to move it to the 10th of Av, thus sharing the view of *R. Yochanan* (*Ta'anit* 29a) that the 10th is a more appropriate date, as most of the Beit HaMikdash burned on that day. As the *Turei Even* and the *Vilna Gaon* note, this second suggestion is particularly difficult to reconcile with the original Talmudic passage, which itself challenges the viability of *Rebbe's* position, and softens it with a different suggestion: the context was a year when Tishah B'Av fell out on Shabbat, and thus was pushed off to Sunday, and the proposal was that once it cannot be observed on its appropriate day, let it be left out completely that year. It thus emerges that according to *Tosafot*, *Rebbe* wanted the day to always be observed on the 10th, but when that indeed happened because the 9th was on Shabbat, he wanted it cancelled completely! *Avnei Shoham* addresses this apparent contradiction by suggesting that *Rebbe* and his colleagues argued as to the driving force of the added intensity of Tishah B'Av. *Rebbe* felt it was *aveilut*; thus, the 10th was a more appropriate choice, as that was the day of the most loss. His colleagues, by contrast, focused on the importance of the calendaric date, the ongoing inherent negativity of the 9th of Av. Thus, *Tosafot's* suggestions may be read as follows: *Rebbe* was arguing that, in his view, the 10th should always be the date of the observance, to properly host the *aveilut*. If it is instead to be the 9th, two conclusions can be drawn: a) Tishah B'Av should be no more intense than other commemorative fast days; and b) the observance is not portable – if it cannot take place on the actual calendaric date, there is no option of moving it to a different day. 17 Shabbat, and therefore will not happen on that day, with a fast scheduled for the following day as a replacement.²⁶ This analytical question affects a number of included issues: A) While fasting is prohibited, there are some observances that are compatible with Shabbat, i.e. those that are categorized as non-public mourning. Whether or not these are in effect on Shabbat that is the 9th of Av is the topic of debate among the early authorities, with *Rabbenu Yitzchak* taking a stringent position and the *Maharam Rotenberg* and the *Rosh* maintaining a lenient one.²⁷ Similarly, Torah study is prohibited on Tishah B'Av, with an extension into the prior afternoon. There are a number of views as to the required practice when Tishah B'Av is on Shabbat, including: the suspension of the prohibition on Shabbat itself; the application of the prohibition on that day; and the treatment of Shabbat as *Erev Tishah B'Av* for this

purpose.²⁸ B) There is a discussion, as well, concerning a minor who attains adulthood on the 10th of Av in such a year. Apparently, the first day of his obligation in mitzvot is a fast day. However, technically speaking, a case can be made that the fast day is only a replacement for the fast necessitated by the occasion of the previous day; as this new bar or bat mitzvah was not yet obligated at that point, he or she is similarly exempt from making up the responsibility the next day.²⁹ C) This question also impacts the observance of the days prior to Tishah B'Av. The entire three week period between the 17th of Tammuz and Tishah B'Av has a status reflective of sadness and mourning; however, particular intensity is given to the week in which Tishah B'Av takes place, known as "Shavuah SheChal Bo". When Tishah B'Av is on Shabbat, there are two completely opposite ways to understand how this concept should be observed. Either it is assumed that Shabbat, actually, is Tishah B'Av, rendering the entire previous week Shavuah SheChal Bo (the longest possible observance); or it is understood that Tishah B'Av has actually been moved to Sunday, which would eliminate the status of Shavuah SheChal Bo that year, as there are no days in that week prior to Tishah B'Av.³⁰ 26 See the discussions in Responsa Emek HaTeshuvah, III, 43; Responsa Chukkei Chaim, I, 43; and Responsa Divrei Shlomo (R. Shlomo Schneider), II, 72. 27 See Tur O.C. 554, and the debate between the Shulchan Arukh and the Rama in 554:19. See also R. Yitzchak Hutner's comments in Sefer Zikaron LeMaran Ba'al HaPachad Yitzchak, #24. 28 See Magen Avraham O.C. 553:7 and Taz #2, and Responsa Chatam Sofer O.C. 156; Responsa Ketav Sofer O.C. 101; Responsa Siach Yitzchak #250; Responsa Divrei Yisrael, II, likutei teshuvot 17; Responsa Shevet HaLevi VI, 70; and Responsa Divrei Yatziv YD 241. See also Responsa Maharam Lublin 99; Responsa Meged Yehudah, Y.D. 36:8; the journal Ohr Torah (Kol Aryeh, III, 106); Responsa Minchat David II, 90; IV, 47 and 48; and Responsa VaYevarekh David 77, as well as more generally, Responsa Even Pinah I, 46 and 47, and Responsa Shema Yisrael, 82. 29 See Responsa Rashba I, 520; Responsa Maharsham III, 363; Responsa Machaneh Chaim, 33; Responsa Yad Sofer, 7 (and see also #54); Responsa LeHorot Natan V, 33-36; Responsa Hittorerut Teshuvah III, 353; Responsa Moznei Tzedek, I, 55 and 57; Responsa Shevet HaLevi IV 72:2; Responsa Avnei Nezer, O.C. 426; Da'at Torah, 252; Responsa Afarkasta D'Anyah, II, 83. 30 See the debate brought in the Tur, O.C. 551 and Beit Yosef. s.v. V'im chal Tishah B'Av; see also Responsa Mevasser Tov, II, 132, Responsa Rivvevot Ephraim II, 155:11; Responsa Kinyan Torah BeHalakhah III, 71; Responsa Even Pinah, 18. Differences Between the Aveilut & Yom HaKippurim Models The question of whether the additional elements of Tishah B'Av are more comparable to aspects of aveilut or of Yom HaKippurim is also relevant because there are subtle differences in application between the two. One such difference regards the prohibition of bathing. The Minchat Chinukh³¹ notes that a mourner may bathe in cold water,³² while this is prohibited on Tishah B'Av, due to an equation to the rules of Yom HaKippurim.³³ Another difference may be found in relation to the prohibition of anointing with oils, which appears to be the subject of a debate between the Talmud Yerushalmi,³⁴ which allows the usage of oils to remove a blemish, and the Talmud Bavli,³⁵ which does not acknowledge any such exemption when considering differences between Yom HaKippurim and Tishah B'Av. As R. Chanoch Eigish explains in his Sefer Marcheshet,³⁶ the Bavli seems to be understanding the additional aspects of Tishah B'Av to derive from an equation to Yom HaKippurim, while the Yerushalmi sees them as emanating from aveilut. Should Tishah B'Av be shorter, or longer? Further relevance may be found in two questions, opposite in nature, regarding the length of Tishah B'Av. The first, which involved the premise that Tishah B'Av should be foreshortened, is posed in a question to R. Hai Gaon. In the practice of personal aveilut, there is a concept known as "miktzat ha-yom ke-kulo" ("a portion of the day is considered as the whole day") which results, for example, in the last day

of shivah ending immediately after the morning has begun. Why, then, should the same not apply to the public mourning of Tishah B'Av, allowing Tishah B'Av to end in the morning, rather than after dark so many hours later? R. Hai Gaon offered three possible answers: a) since Tishah B'Av should have actually extended into the 10th of Av, when the Beit HaMikdash continued to burn, it already benefits from shortening; b) the observances of Tishah B'Av do not emanate from aveilut, but rather from the laws of the fast day; c) shortening the day would be appropriate only for some elements of Tishah B'Av and not for others, and it would be unfeasible to have Tishah B'Av partially end early and partially continue. Rav Soloveitchik³⁷ observed that these three responses reflect three possibilities in how to understand the additional elements of Tishah B'Av: a) they derive from aveilut (and thus miktzat I, 48; Responsa LeHorot Natan V:33 and 35; Responsa Divrei Pinchas 2; Responsa Perach Shoshanah, 90 (and see that author's article in the journal HaDarom, XXVII., pp. 67-69). 31 313:11. 32 Moed Katan 15b; Y.D. 381:1. 33 Note the different approach of the Brisker Rav in Chiddushei Maran Riz HaLevi, Hilkhot Taaniyot, p. 20; see also Tiferet Torah, #15, and Masa Yad, III, p. 179-180. 34 Yoma 8:1. 35 Pesachim 53b 36 Vol. I, 42:10. 37 Cited in the journal Mesorah, vol. 6. 19 hayom should have theoretically applied); b) they derive from something other than aveilut (and thus miktzat hayom is not applicable³⁸); and c) there is a combination of influences involved. The opposite possibility, that Tishah B'Av should be lengthened, may emerge from a different discussion. The Talmud (Pesachim 54b) debates the status of "bein hashemashot" of Tishah B'Av. In the case of Shabbat and biblically mandated festivals, the day begins the previous night; and since the twilight period is of indeterminate status, it is considered night as a stringency appropriate to biblical law. In the case of Tishah B'Av, it is less obvious that this should be the case, as Tishah B'Av is not commanded by the Torah, and one might be justified in assuming the lenient approach should be taken and twilight should not be included in Tishah B'Av. Nonetheless, the practice, as codified by the Rambam,³⁹ is to take the stringent position and include bein hashemashot as a part of Tishah B'Av. One possible explanation is to view Tishah B'Av, since it sourced in Scripture (albeit post-Pentateuchal) and thus termed "Divrei Kaballah", as comparable to Torah law in terms of severity.⁴⁰ Others, however, assume the inclusion of the twilight period is for the purposes of "Tosefet", the extending of the day applicable to Shabbat and festivals.⁴¹ It emerges, then, that there is a dispute as to whether the concept of tosefet is relevant to Tishah B'Av. This would seem to revolve around the question of whether the dominant model is a "Yom HaKippurim model" or an "aveilut model". If the latter is the case, aveilut is not subject to expansion; quite the opposite, it is generally minimized, as seen above in regards to miktzat hayom ke-kulo. However, if Yom HaKippurim is the model, then tosefet is appropriate; in fact, the basic concept of tosefet is derived in the context of Yom HaKippurim.⁴² A similar question can be asked regarding the obligation to train a minor, not yet responsible for mitzvot, in the observance of Tishah B'Av. On the one hand, practices of aveilut are generally not subject to the imperative of chinukh (training). Alternatively, if Tishah B'Av is to be compared to Yom HaKippurim, that day is included within chinukh, with the Mishnah⁴³ recommending that minors begin fasting a year or two prior to obligation.⁴⁴ The Kri'at HaTorah of Tishah B'Av Another arena in which to study the nature of Tishah B'Av may be that of the Torah reading for the day. On a regular fast day, the Torah is read both in the morning and afternoon, and both times the reading is "Vayichal" (Shemot 32:11-14 and 34:1-10). On Tishah B'Av, however, Vayichal is read in the afternoon, but the morning reading is "Ki Tolid Banim" (Devarim 4:25- 38 The contemporary practice of applying miktzat hayom only to aveilut is the subject of a longer discussion outside the scope of this treatment. 39 Hilkhot Ta'aniyot 7:2. 40 Per the general approach of the Turei Even,

Megillah 5b, s.v. Chizkiyah. See Maggid Mishnah and Responsa Chazon Nachum (Tosefet Shvi'it, 67). 41 See Sefat Emet to Pesachim and Responsa Shem MiShimon, O.C. 24. 42 Rosh HaShanah 9a. 43 Yoma 81b. 44 See Responsa Mevasser Tov, II, 132. 20–40). R. Ya'akov Betzalel Zolty, in his Mishnat Ya'avetz,⁴⁵ poses the question of how to understand the morning reading. On the one hand, it may be that it is a standard fast day Torah reading, despite the fact that the selection is different. Alternatively, perhaps the Torah reading is not because of the fast day, but is rather in honor of the “festival” of Tishah B'Av; just as every festival includes a Torah reading relevant to its theme, perhaps Tishah B'Av does as well.⁴⁶ As a practical application of the question, R. Zolty invokes a similar question posed by R. Akiva Eiger⁴⁷ regarding the afternoon reading on Yom HaKippurim, when Vayichal is again replaced with another selection. In that discussion, it is assumed that if the reading is characterized as an aspect of the fast, then one who is not fasting, e.g., one who is ill, would not be entitled to receive an aliyah. However, if the reading is in honor of the festival, even one who is not fasting may participate. However, this ramification is disputed, as there are a number of authorities who ruled that an aliyah may be given regardless, even to one who is not fasting.⁴⁸ Conclusion It emerges from the above that the intensity of Tishah B'Av may be drawn from at least two possible sources (or a combination of both): either the grafting of aveilut onto a fast day, or the fact that the day is a “mo'ed”, a “festival” of inherent significance, which infuses the day with additional weight. There is, at present, an irony in that term, as mo'ed is a word usually connotative of joy and celebration. However, the irony is temporary: the day is destined to transform into one that does full justice to the definition. That reality, though, is contingent on the first possibility: allowing the mourning to be given its full expression is the very act that will activate the festive nature of the day: “All who mourn for Jerusalem, will merit and see in its comfort.”⁴⁹ Through our efforts to properly understand and internalize the concepts of the day as practiced currently, we hope to soon realize the prophet's promise that this day too “shall become times of joy and gladness, and cheerful feasts to the house of Yehudah”. 45 O.C. 49. 46 See also Birkat Kohen al haTorah (#142). Regarding the Torah reading on the fast days in general, see Responsa Imrei Avraham, I, 22. 47 Responsa I, 25; see also Marcheshet, I, 14; Responsa Divrei Yisrael II, likkutei teshuvot 105; Responsa Shavei Tziyon, 21; and the journal Mesorah, VII, pp. 19-21 and p. 24. . 48 See Responsa Chatam Sofer O.C. 157; Minhag Yisrael Torah 135:4; Responsa Maharil Diskin, kuntres acharon 5:7; Responsa Divrei Shlomo (Schneider) I, 50; Responsa Even Pinah I, 50; Responsa Divrei Yatziv O.C. 246; Responsa Minchat Aharon, I, 227, and Keter Ephraim, 29. See also Responsa Minchat David, I:64:94, regarding one who is wearing leather shoes on Yom HaKippurim. 49 Ta'anit 30b.

expressed, we can begin to understand the awesome silence of loss. When we have no words, there is no way to transmit information. A tragic result is that often the most profound losses are also the least understood, and most often forgotten. To our great-grandchildren, the horror of the Holocaust may become a dusty relic of antique memory, much as the Spanish Inquisition is to us. No one today can begin to understand the enormity of the loss of the Holy Temple in Jerusalem, the Beit HaMikdash. When it stood, the Temple let us experience spirituality directly. God's presence could be felt in every stone, in every corner -- no external catalyst needed. We have been mourning the loss of this connection for thousands of years, and we no longer have the words to convey its meaning. We go through the motions of mourning, but we need words to make it real. Let us focus on what the loss of the Temple 2,000 years ago means to us in the new millennia.

The words Beit HaMikdash literally means “Holy House.” A house is by definition a place to find shelter, comfort and express our identity. Without a house to call our own, Jews experience discomfort in the world. Physically, we are not comfortable in the face of ceaseless persecution. Nor are we psychologically comfortable unless we have spiritual means of being ourselves. Without it, our collective life is painful and gray. The need to express our most genuine selves manifests at times in pursuit of justice. This is reflected in social activism. Our collective need to give has been reflected in our caring and generosity. We are an extraordinarily interactive people, but we are still restless. The inner serenity that we seek eludes us; we are not quite at home. The material world that fulfills us also distracts us from searching for our deepest sense of identity, and at time corrupts us. In recognition, other religions have idealized “rising above” worldly desire. Jews recognize the power and beauty of the world as a catalyst for our capacity to live meaningfully, and we embrace it. But our two worlds, the outer one and the inner one, sometimes remain separate realms. In the Beit Hamikdash, the spiritual world was not obscured by the physical. The two worlds existed perfectly together through the grace of God's presence. God Himself is referred to as HaMakom, “The Place.” He is the place in which the world exists. The engaging nature of the world conceals God from us, and we drown in the endless pursuit of what the world cannot give us. The exception to this was intense realization of God in the Temple, where the physical stones revealed more holiness than they concealed. It was a place of intense joy. There, we were truly home. We were ourselves, at our best. The Beit Hamikdash was the glue that held us together as a people. Not only were we “at home,” but we also developed a collective identity -- one family with common goals, while retaining our individual roles. In such a setting, the external differences between individuals fades, leaving only our yearning for goodness. Yet when our ability to see the common bond of goodness fades, our focal point changes. Inexorably we focus on the limitations that separate us. Our sense of justice is degraded into ceaseless negativism and biting criticism. This eventually leads to senseless hatred. Hatred is senseless when there is no desire to improve the relationship between oneself and another person. The fact that “they” are not you, is enough of a threat to fear them at first, and then hate them. The more different they are, the greater the threat. The Temple's destruction was caused by senseless hatred. The factionalism and xenophobic fear of others catapulted a 2,000-year journey toward rectification. Now, the physical return to Israel has given us, for the first time in centuries, a physical means of redefining our nationhood. And though there are signs in the right direction, we are not yet at home. THE KEY TO REDEMPTION Will we ever be truly home? Is there a way out? Maimonides offers a formula that has often been referred to as “senseless love.” We must reach out to each other without agendas that corrupt into another form of acquisition. The process is transformative in the way that it changes our focus: •We are obligated to speak well of other people, sharing our joy at having glimpsed his/her

http://www.aish.com/h/9av/oal/Feeling_the_Loss.html

HOME Jewish Holidays Tisha B'Av Overview & Laws Feeling the Loss

On the 9th of Av we can understand the source of the senseless hatred that caused the destruction of the Temple in Jerusalem and dedicate ourselves to “senseless love.”

by Rebbetzin Tziporah Heller

Mourning is never easy, nor is it meant to be. Recognizing the empty space that can't be filled with distraction or replacement is one of life's most profound experiences. There are losses so devastating that words, no matter how carefully selected, are cheap and banal at best and patronizing at worst. When there is nothing to say, nothing is more eloquent than silence. There are losses that not only defy any lexicon, but they are so enormous that even our minds cannot grasp them, and we find ourselves in emotional denial. When we realize that the life of any Holocaust survivor has chapters that can never be digested, let alone

inner beauty. The act of speaking positively allies us to each other. It makes us aware that we are on one team.

•We are obligated to care for each other's material needs. By being aware of how frail and needy our bodies make us, we become more forgiving and tolerant. •We are obligated to seek out situations that bring honor to others. By doing so, we give them the precious gift of self-esteem and simultaneously remove ourselves from the egotistical traps of center stage. This three-step process is deceptively simple. Yet it can change us dramatically. It can change not only our relationship to others, but can lead us to rediscover ourselves. In doing so, the endless mourning for our lost selves, and for our national tragedies, will cease.

Tisha B'Av, the day we lost the First and Second Temple, is also the day in which the Inquisition edicts were signed over 500 years ago. It is also the fateful day in 1914 that started the World War One, which inevitably led to the worst atrocity mankind has ever experienced, the Holocaust.

Click here to receive Aish.com's free weekly email. For two millennia, the Jewish people have been targeted again and again by hatred and persecution. It seems that we are held together by the world's hatred rather than by love for each other. Yet things can change. We only need to take the steps from hatred to love, from criticism to appreciation.

God Himself has promised that once we achieve this transformation, we will merit to truly come home.

YESHIVA UNIVERSITY • TISHA B'AV TO-GO • AV 5769 What Mourning Means: Reflections of the Rav on Tisha B'Av
Rabbi Eliakim Koenigsberg Rosh Yeshiva, RIETS

The customs we observe on the day of Tisha B'Av are strikingly similar to those of an avel, one whose close relative has recently passed away. We abstain from washing ourselves and putting on perfume, from wearing leather shoes and talking frivolously. We even refrain from studying parts of the Torah which are unrelated to the events and the mood of the day. Instead we sit on the floor or a low chair and solemnly contemplate the loss of the Beis HaMikdash. On Tisha B'Av the sense of mourning and sadness is palpable. But, in truth, the observances of mourning begin long before Tisha B'Av itself. Already from the 17th of Tamuz, at the start of the "three weeks" period, Ashkenazic communities minimize their involvement in pleasurable activities like getting married, taking haircuts and buying new clothing. From the beginning of the month of Av through Tisha B'Av, what is commonly referred to as the "nine days", we refrain as well from doing laundry and from wearing freshly laundered clothing. Tisha B'Av is certainly the most restrictive of the entire "three weeks" period, but the observances of aveilus (mourning) are not limited to that day alone. Rav Yosef Dov Soloveitchik zt"l used to say that these three periods of time mirror the three periods of mourning that a child observes when losing a parent. Tisha B'Av is like the seven-day period of shiva when the sense of mourning is most intense. The "nine days" beginning with Rosh Chodesh Av is similar to the period of shloshim, and from the 17th of Tamuz until the month of Av we observe laws of mourning similar to the twelve-month period of aveilus that a child observes after losing a parent. What's interesting, though, is that the order of observances is reversed. The child who loses a parent observes shiva first, then shloshim and then the twelve-month period of aveilus, while during the "three weeks" we first observe the aveilus of the twelve-month period, then shloshim, and only on Tisha B'Av do we keep to the restrictions of shiva. Why is the order changed when we mourn the loss of the Beis HaMikdash? 30 YESHIVA UNIVERSITY • TISHA B'AV TO-GO • AV 5769 The Rav explained that there is a fundamental difference between aveilus chadasha (a new private mourning), as the Rabbis refer to it (Yevamos 43b), and aveilus yeshana (the old, annual mourning for the Beis HaMikdash). When a close relative passes away, the grief, the pain, the sense of loss come naturally and easily. It is therefore most

appropriate to begin the observances of aveilus with shiva, the most intense expression of mourning. But after seven days, the avel is ready to take a step back. Although his loss is still very much on his mind, nevertheless his emotions have tempered; his feelings of sorrow have lessened. For him, the observances of shloshim are more fitting. By the end of thirty days, the avel has gained perspective on his loss. For most relatives, he is now able to conclude the observances of aveilus. Even for a parent, while he continues to mourn, he still reduces his aveilus once again. In the case of aveilus yeshana, on the other hand, this progression is out of place. We have become so used to living in a world without the Beis HaMikdash, that it would be unfair to expect anyone to begin the "three weeks" with the observances of shiva. It simply would be unnatural for anyone to suddenly break down and cry over the loss of the Beis HaMikdash. The sense of mourning for the destruction of the Beis HaMikdash can be internalized only through gradual increments. Only by slowly increasing our observances of aveilus from the 17th of Tamuz through the "nine days", while at the same time reflecting on the significance of this three-week period, can we hope to approach the day of Tisha B'Av with the right frame of mind. By engaging in this three-week learning experience, we prepare ourselves mentally so that when the day of Tisha B'Av finally arrives we are ready to grieve appropriately. The Unique Character of Aveilus Yeshana The Rav added that in certain ways aveilus yeshana for the Beis HaMikdash is even more stringent than aveilus chadasha. Although the Talmud (Moed Katan 27b) mentions that the first three days of shiva are days of crying, there is no obligation for an avel to cry. The Talmud simply says that during the first three days of shiva it is natural for an avel to want to cry. But on Tisha B'Av, crying is one of the motifs of the day. As the navi Yirmiyahu (9:16-17) says, in the haftarah we read the morning of Tisha B'Av, "Summon the dirge singers...send for the wise women...Let them hurry and raise up a lament for us; let our eyes run with tears and our eyelids flow with water." Mourning for the destruction of the Beis HaMikdash requires an expression of raw emotion. It obligates us to show how overcome we are with our longing for the Beis HaMikdash. That is why we spend much of the morning of Tisha B'Av reciting kinos (lamentations) which bemoan the loss of the Beis HaMikdash and describe the pain and suffering the Jewish people has endured as a result. The kinos are designed to awaken our emotions until we cry out uncontrollably because only by crying can we properly mourn the loss of the Beis HaMikdash. The navi Zechariah (7:1-3) describes how once the rebuilding of the second Beis HaMikdash had already begun, some of the exiles still living in Bavel sent a delegation to ask the leaders of the Jewish community in Eretz Yisrael whether they should continue to observe Tisha B'Av. What's noteworthy about this inquiry is the formulation that was used in posing the question. The Jews of the Diaspora didn't ask whether they should continue to mourn on Tisha B'Av. The 31 YESHIVA UNIVERSITY • TISHA B'AV TO-GO • AV 5769 language they used was, "Shall I cry in the fifth month (of Av) – haev'ke b'chodesh ha'chamishi?" This clearly demonstrates how central a role crying plays on Tisha B'Av. It is not simply a commendable expression of grief. Rather, it is an essential component of our obligation to mourn for the Beis HaMikdash. It is the activity, more than any other, which defines our aveilus experience on the day of Tisha B'Av. There is another important difference between the observances of aveilus yeshana and those of aveilus chadasha. The Rabbis never placed any limitation on how much a person is allowed to mourn for the Beis HaMikdash. To the contrary, one who mourns the loss of the Beis HaMikdash incessantly is praised. In fact, the very last kina we recite on Tisha B'Av is Eli Tzion V'areha, in which we ask Yerushalayim and her surrounding cities to continue to cry for the destruction of the Beis HaMikdash. "Weep and wail," we call out to Tzion, "like a woman in the travails of labor, like a young lady who has just lost her husband." Don't stop crying until Hashem rebuilds the Beis HaMikdash and returns

Yerushalayim to its former beauty and prominence. The Talmud (Ta'anis 29a) relates that Rabbi Yochanan felt that the fast for the destruction of the Beis HaMikdash should have been established on the tenth day of Av, not the ninth, because although the Beis Hamikdash was set on fire late in the afternoon on the ninth of Av, it continued to burn throughout the next day. Since most of the heichal, the main Temple structure, was destroyed on the tenth of Av, Rabbi Yochanan maintained that it would have been more appropriate to establish the fast on that day. The Talmud Yerushalmi (Ta'anis 4:6) records that some Amoraim fasted on both the ninth and the tenth days of Av – the ninth because the destruction began on that day, and the tenth because most of the heichal was consumed on that day. How was it permissible for these Rabbis to add an extra fast day? If one may not sleep in the sukkah on Shemini Atzeres (Rosh Hashanah 28b) because that would violate the Biblical prohibition of bal tosef, adding to the mitzvos, then how could a few individual Rabbis add an extra fast day once it had already been established on the ninth of Av? Just as it is forbidden to add to any Biblical commandments, so too, we are not allowed to add to any mitzvos instituted by the Rabbis! The Ramban (Toras Ha'adam, Chavel ed., p. 242) answers that mourning for the Beis HaMikdash is different. Not only is one allowed to add to the mourning, but such behavior is praiseworthy. An avel who cries or mourns too much for his relative is criticized. As the Talmud says (Moed Katan 27b), "Anyone who grieves excessively over his dead will ultimately weep over another deceased." But one who weeps bitterly for the Beis HaMikdash is rewarded. In fact, Rav Yosef Karo writes in the very first chapter of the Shulchan Aruch (Orach Chaim 1:3): "It is proper for every G-d fearing person to feel pain and anguish over the destruction of the Beis HaMikdash." The need to feel a sense of loss for the Beis HaMikdash is not restricted to the day of Tisha B'Av alone. It is supposed to be a daily activity, an ongoing experience in the life of every Jew. Why didn't Chazal place any limitations on our expression of aveilus yeshana for the Beis HaMikdash just like they did for the private mourning of aveilus chadasha? The Rav explained that an avel is enjoined from crying too much for his relative because, as the Rambam writes 32 YESHIVA UNIVERSITY • TISHA B'AV TO-GO • AV 5769 (Hilchos Avel 13:11), death is minhago shel olam; it is part of the natural course of events in this world. But the destruction of the Beis HaMikdash was an unnatural event. The Beis HaMikdash was much more than a physical edifice. It symbolized the relationship between Hashem and the Jewish people. It was the focal point of spirituality in the world. When we mourn the loss of the Beis HaMikdash, we are not crying for the wood and the stones. We mourn the fact that we no longer see Hashem's presence as clearly in the world and that our relationship with Him is strained. We long for the day when the Jewish people will reunite with Hashem and feel his closeness once again. In other words, we hope for the day when the world will return to its natural state. That is why we are obligated to cry on Tisha B'Av and there is no limit to our mourning because the loss of the Beis HaMikdash is a reality we can never come to terms with. The Tefilla of Tisha B'Av There is something else remarkable about Tisha B'Av which highlights the unique sense of mourning we feel on this day. Aside from being a day of mourning, Tisha B'Av is also a ta'anis tzibbur, a communal fast day. It is similar to the fasts that were decreed in Eretz Yisrael in the event of a prolonged drought (Ta'anis 12a). The fast begins at sunset, as opposed to the more minor fasts, like those of the 17th of Tamuz and the 10th of Teves, which begin at sunrise. On Tisha B'Av, in addition to the prohibitions of eating and drinking, we refrain as well from washing and anointing ourselves, wearing leather shoes and engaging in marital relations. On the surface, the laws of Tisha B'Av seem to follow those of Yom Kippur and other communal fasts. And yet, while Tisha B'Av does share the restrictions of these other fasts, the focus of the day is significantly different. On a typical ta'anis tzibbur, we place much of our attention on tefilla. We beseech

the Ribbono Shel Olam to have mercy and compassion on the community. But on Tisha B'Av, many critical components of the tefilla of a ta'anis tzibbur are missing. We do not recite Selichos or Avinu Malkenu. There is no tefilla of Neila, like we have at the end of Yom Kippur. We even omit the Tachanun prayer and the section of Tiskabeil Tzlos'hon U'vaus'hon (accept our prayers and supplications) during the Kaddish at the end of Ma'ariv and Shacharis. If Tisha B'Av is a ta'anis tzibbur, then why do we not engage in prayer on Tisha B'Av like we do on other fasts? The Mordechai (Ta'anis, sec. 635) offers two answers. First, he suggests that perhaps we do not recite Selichos, Avinu Malkenu or Tachanun on Tisha B'Av because it is called a moed (a special time), as the posuk (Eicha 1:15) says, kara alay moed ("He proclaimed about me a set time"). Presumably the meaning behind this interpretation is that Tisha B'Av is treated like a yom tov, a moed, because we hope that when the Beis HaMikdash will be rebuilt, all days which were previously designated as days of mourning for the destruction of the Beis HaMikdash will become days of festive celebration. For this reason we omit Selichos, Tachanun and any other prayer which would be inappropriate for a yom tov. But this seems difficult. Why should Tisha B'Av be treated like a yom tov when the Temple Mount still lies in ruin? If anything, Tisha B'Av nowadays should be considered a yom kina or a yom aveilus, not a yom tov. What's more, the simple understanding of the posuk in Eicha seems to be making this very point, that Tisha B'Av was a day that was divinely ordained as a time for inflicting pain and torture on the Jewish people, not a time for festive celebration! And besides, 33 YESHIVA UNIVERSITY • TISHA B'AV TO-GO • AV 5769 even if Tisha B'Av can be called a yom tov, how does this explain why we omit the section of Tiskabeil in Kaddish? The Mordechai offers a second approach which the Rav frequently quoted (see Nefesh HaRav, p. 200). He writes that perhaps we leave out Selichos, Tachanun and Tiskabeil in order to show, as the Talmud (Brachos 32b) states, "From the day the Beis HaMikdash was destroyed, the gates of prayer have been sealed, like the posuk says (Eicha 3:8) 'Even as I cry out and plead, He shut out my prayer (sasam tefillasi)'." With the loss of the Beis HaMikdash, all tefilla is less effective. It's as if Hakadosh Boruch Hu no longer wants to listen to our prayers. On a regular ta'anis tzibbur we add extra prayers to our tefilla. We try to break through the barriers separating between the Ribbono Shel Olam and ourselves. But on Tisha B'Av, when we commemorate the destruction of the Beis HaMikdash, the event which weakened the power of our tefilla, we leave out any extra supplications we would have liked to add to our tefilla, in order to demonstrate that we realize that without the Beis HaMikdash the strength of our prayers have been undermined, sasam tefillasi. We omit Tiskabeil from Kaddish after Ma'ariv and Shacharis as an expression of sadness, as if to say that we understand we have become estranged from Hakadosh Boruch Hu, and it's as if He doesn't want to accept our tefillos. This custom of leaving out Tiskabeil applies only to the aveilus yeshana of Tisha B'Av, not to a regular aveilus chadasha (see Nefesh HaRav there), because it is only on Tisha B'Av that we mourn the loss of our close relationship with the Ribbono Shel Olam. Comfort on a Day of Grief After chatzos (midday) on Tisha B'Av, we get up from the floor, put on our tefillin and recite the bracha of nachem, asking Hashem to console Yerushalayim and us. Where is there room for consolation on such a dark day? The Rav explained with a Midrash (see Tosafos, Kiddushin 31b). The posuk in Tehillim (79:1) says, "A song of Assaf: Hashem! The nations have entered into Your estate; they defiled the Sanctuary of Your holiness." The Midrash asks, "A song of Assaf? It should have been titled kina l'Assaf, a dirge of Assaf!" The Midrash answers that Assaf sang with happiness and joy that Hashem vented his anger, so to speak, on the wood and the stones of the Beis HaMikdash, and not on the Jewish people. This is our source of comfort on the sad day of Tisha B'Av. While Hashem lashed out in fury against the Beis HaMikdash and

Yerushalayim, He spared the Jewish people. Paradoxically, it is precisely at the time of the mincha prayer, when the Beis HaMikdash started to burn (Ta'anis 29a), that we feel consoled because that act of destruction was really a demonstration of love. It showed that Hashem wants the Jewish people to survive; he wants them to flourish and ultimately to reunite with Him. If Hashem punishes us only out of love, like a father disciplines his child, then there is hope for the future. We can look forward to the day of reconciliation when Hashem will return to us and reveal His glory to the entire world.

Ezras Torah Luach
Havdalah may drink the wine himself.)

פרשת דברים

SHABBOS PARSHAS

DEVORIM

שבת חזון

(CHAZON)

FRIDAY EVENING, JULY 27,

SATURDAY, JULY 28, 9 AV

לכה דודי לכה דודי
in the melody of "אלי ציון". The Haftorah is read (to the special melody of Eichah) from Isaiah 1:1-27. אב הרהמי; usual Mussaf; After midday one should learn only those topics that are permitted on Tisha B'Av itself. (There are authorities who permit all learning on Shabbos, Erev Tisha B'Av. Mishne Berurah 553:10)

At Mincha we do not say צדקתך צדק. We do not study Pirkei Avos. One may drink wine and eat meat even at Seudah Shlishis. However, we must stop eating before sunset. Although it is still Shabbos, we may not eat at dusk.

גדהה(תשעה באב)

TISHA B'AV (Postponed)

SATURDAY NIGHT, JULY 28, 10 AV

This is a Public Fast Day. On Tisha B'Av we are prohibited to eat and drink, to wash ourselves (even in cold water), to apply oils to ourselves for pleasurable purposes, to have marital relations, and to wear leather shoes.

"Anyone who eats or drinks on Tisha B'Av will not participate in the rejoicing over the rebuilt Jerusalem. And all who mourn for Jerusalem will earn the right to take part in the rejoicing over the rebuilt Jerusalem. And concerning a person who eats meat or drinks wine at the last meal before the Fast [with the exception of Shabbos]. Scripture states (Ezekiel 32:27): 'and their iniquities shall come upon their bones.'" [Orach Chaim Siman 554:25] The Mishne Brurah, writing on the first phrase, 'Anyone who eats or drinks on Tisha B'Av...', comments: "Even women who are pregnant or nursing, or people of weak constitution, for whom fasting is very difficult, must fast on Tisha B'Av (this does not apply to someone who is truly ill), for the destruction of the Beis HaMikdash is

worth suffering for, at least one day a year."

מוצאי שבת

DEPARTURE OF SHABBOS

מעריב / MAARIV

The Chazzan says: "ברוך המבדיל בין קודש" ל"לחול" without mentioning the Divine Names. He removes his shoes before beginning ברכו. The congregation removes their shoes after ברכו. Anyone who didn't daven Maariv and didn't say ברוך המבדיל חוננתנו must say "ברוך המבדיל בין קודש לחול" before doing any work. (We remove the curtain from the Aron HaKodesh, we dim the lighting, and we sit on the floor or on a low stool. We do not sit on regular chairs or benches until after midday [1:01 PM DST]). We recite Maariv in a low and subdued voice; Shemonah Esrei with אמה חוננתנו; Kaddish Tiskabel after Shemonah Esrei; when we see candle-light (before the reading of Lamentations) we make the full Bracha בורא מאורי האש. The rest of Havdalah is not made until Sunday night after the Fast. We only use the wine on Sunday night, no spices. We have a public recitation of Eichah — the Book of Lamentations, followed by several Kinot for the night of Tisha B'Av; ואתה קדוש; Kaddish without תתקבל (we skip ויהי נועם and start with ואתה קדוש; we do not say ויתן לך; Mourner's Kaddish.

SUNDAY MORNING, JULY 29

שחרית / SHACHRIS

We wash our fingers only until above the knuckles (as one is drying his fingers, while there is still some moisture on them, he may rub them across his eyes to remove the sediment there); we make the Bracha על נטילת ידים, as well as all of the other appropriate morning Brachos. We rise early to Shul. We do not wear our Tallis or Tefillin until midday. We do wear our Tallis Koton, but without making a Bracha over it. If the Tallis Koton was removed by night then some hold a bracha should be made when putting on in the morning. (Mishna Brurah 555:2). We say the usual morning Brachos, as well as the rest of the morning order (we omit פטום הקטורת). We recite the usual morning service, Shemonah Esrei; Chazzan's Repetition; the Chazzan recites רפאנו and גואל between לענונו (the Chazzan does not say ברכת כהנים before; שים שלום); Half-Kaddish (we say neither Tachanun nor אבינו מלכנו on Tisha B'Av); we take out a Sefer Torah and have three Aliyahs in Parshas Vaeschanan (Deut. 4:25-40) כי "תוליד בני"; Half-Kaddish; the third Aliyah is Maftir. The Haftorah is read in the melody of Eichah from Jeremiah 8:13-9:23: "אסוף". At the conclusion of the Haftorah, the Brachos after the Haftorah are read until "מגן דוד"; we return the Sefer Torah to the Aron HaKodesh; we say the lengthy

collection of Kinot until their completion (preferably around noon); אשרי (we omit ואני זאת (skipping the verse "למנוחה" etc.); Kaddish Tiskabel without תתקבל; Mourner's Kaddish; we do not say the Psalm for the Day during Shachris on Tisha B'Av. (It is recommended that people read Eichah individually to themselves).

After midday it is permitted to sit on chairs or benches.

מינחה / MINCHA

We don Tallis and Tefillin, making the appropriate Brachos. The Psalm of the Day is recited, followed by a Mourner's Kaddish. As is customary for Mincha of all Public Fasts, we say אשרי, followed by a Half-Kaddish; we take a Sefer Torah out of the Aron HaKodesh and we have three Aliyahs in "ויחל" as in the Mincha service of any Public Fast; no Half-Kaddish after the Torah is read; the third Aliyah is the Maftir. The Haftorah: "דרשו" Isaiah 55:6-56:8 (until "אקבץ עליו לנקבציו") is the usual one for the afternoons of Public Fasts; Brachos after the Haftorah until "מגן דוד"; יהללו; we return the Sefer Torah to the Aron HaKodesh; Half-Kaddish; Shemonah Esrei including "נחם" in "שומע תפלה" in "ננו ע" and "בונה ירושלים". If one forgot to say "נחם" in "בונה ירושלים" he may say it before "ותחזינה עינינו" omitting the ending blessing "ברוך מנחם ציון", concluding only with "ותחזינה" [Mishneh Brurah]. See Tzom Gedaliah for the laws pertaining to an individual or Chazzan who omits "עננו". Chazzan repeats רפאנו, and מגואל between עננו before ברכת כהנים and "בונה ירושלים" in "נחם" before אבינו מלכנו שלום; (we do not recite שלום and Tachanun); Kaddish Tiskabel; עלינו; Mourner's Kaddish.

[Our Sages have emphasized that the essence of a Fast Day is the process of Teshuva — Repentance. This is particularly so for those sins that were responsible for the destruction of the Beis HaMikdash, and yet, which we remain guilty of today. Here is a partial listing of those transgressions: Jerusalem was destroyed because:

- 1) the Jews profaned Shabbos.
- 2) they did not provide for the Torah education of their small children.
- 3) they did not recite the Shema morning and night.
- 4) they showed contempt for Torah scholars.
- 5) they had unwarranted hatred for each other.
- 6) they hardened their hearts to any fear of Divine retribution (see Gittin 55b).

Throughout the history of the Diaspora we have always taken the matter of repentance on fast days very seriously. Even the 'sinners and scoffers' of past generations

were observant in this area. In recent history, however, there has been a tragic breakdown in religious sensitivity, may G-d protect us.]

It is a great Mitzvah to study on a daily basis the Sefer Chofetz Chaim which discusses the laws of Lashon Harah and Rechilus (talebearing). The major reason for the destruction of the Holy Temples was senseless hatred and Lashon Harah. By studying these laws, a person becomes sensitized to refraining from these very serious sins. Conversely, if one does not study these laws on a regular basis, he will not be as careful in avoiding these transgressions, nor will he understand the intricate details involved in guarding one's speech. One should read the Chofetz Chaim's "זו" descriptions of the great rewards that await those who are careful to avoid these sins. The Vilna Gaon "זו" quotes a Medrash that states: "For every moment that a person refrains from forbidden speech, he earns a celestial light hidden away for the righteous, whose value cannot be comprehended by neither angel nor man."

SUNDAY NIGHT

מעריב / MAARIV

We recite the usual weekday Maariv. After services we sanctify the New Moon of Av.

We make Havdalah (בורא פרי הגפן (המבדיל). The adult making Havdalah may drink the wine himself, without having to give it to a child to drink.