

**Weekly Internet Parsha Sheet**  
**Devarim Chazon 5765**

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**SAD TIMES Rabbi Berel Wein**

The Tisha B'av season carries with it many sad and bitter memories for the Jewish people. The destruction of both the first and second Temples occurred on that date and these events are the primary reasons for the commemoration of the day as being one of fasting and mourning. However, over the long centuries of Jewish exile other tragic events occurred during the Tisha B'av season and their importance and effect on Jewish history should not be overlooked. One of those events was the final expulsion of the Jews from Christian Spain in 1492. Faced with the choice of converting to Christianity or leaving Spain, the Jewish community divided. About half left Spain searching for new homes in the Mediterranean basin, Asia Minor, the Middle East and Europe. The remainder accepted Christianity as their faith, mostly in a pro forma manner, and attempted to retain their Jewish identity and faith in the secrecy of their cellars. Eventually, most of these crypto-Jews became Christians and were thus lost to the Jewish story and people. Even today a significant number of Christian Spaniards are descendants of Jews whose Jewishness was lost after the trauma of the decree of 1492.

There was a significant and vital Jewish community for almost nine hundred years in Spain before the decree of expulsion. Under Moslem rule, the Jews enjoyed a "golden age." There were Jewish courtiers and even prime ministers, financiers and army generals. Jews excelled in medicine, philosophy, poetry, astronomy, diplomacy, finance, and naturally in Torah study and creativity. The advent of the rise to power of the fanatical Almohad sect of Islam in much of Spain in the twelfth century signaled the end of the "golden age." The gradual Christian reconquest of Spain by the Christian armies of northern Spain that culminated in total victory in the fifteenth century put greater pressure on Spanish Jewish life. Yet Jews were still better off than their Ashkenazic brethren in the rest of Europe who were expelled from England and France and faced continuing and unrelenting pogroms and persecution in Germany and Central Europe, eventually driving them eastwards to Poland and Lithuania. The Christian rulers of Spain exploited the skills of their Jewish subjects and a thin layer of upper class Jews remained wealthy and influential. The Jewish population of Spain generally still felt comfortable there. For, after all, they had lived as Spaniards for many centuries, so why should the situation change now?

However, the pressures of the Spanish Catholic Church against the Jews mounted. Frustrated by the Christian inability to defeat the Moslems in the Crusader wars, the Spanish Jews were to serve as a convenient outlet for Christian fanaticism. Radical priests, some of them apostate Jews, preached against the Jewish presence in Spain and demanded the forcible conversion of Spanish Jews to Christianity. A furious demagogic preacher by the name of Ferrer instigated a countrywide pogrom against the Jews in 1391. Thousands of Jews were slain, maimed and/or forcibly dragged to the baptismal fount. Don Isaac Abravanel's grandfather was forced to convert to Christianity, though he managed to send the rest of his family out of Spain to then safer haven of Portugal. The Catholic Church created the Inquisition to make certain that the newly converted former Jews behaved like true Christian believers and not as secret crypto-Jews. In fact, most of the Inquisition's attention was directed towards the New Christians, as the former Jews were called, and not directly against openly practicing Jews who had never converted even under duress. But the last century of Spanish Jewry, from 1391 to 1492, was hardly a happy time for the Spanish Jews.

Approximately fifty years before the expulsion, the Church forced the rabbis of Spain to debate theological issues with it before a less than impartial tribunal. The Jews were led by the great Rabbi Yosef Albo, but

all arguments and evasions advanced by him were to be of no avail. When King Ferdinand married Queen Isabella, thus uniting Aragon and Castille, the Christian reconquest of Spain was completed, with the last Moslem territories in the south of Spain overrun by the Christians. This Christian Crusade was successful. The Jews were next on the list. By Tisha B'av in 1492 all Jews who refused to convert to Christianity had to leave Spain. Thousands of Jews died trying to make their way to new homes and climes. The glory of Spanish Jewry came to a sad end. A century later, the glory of the Spanish empire would also begin its inevitable decline. The story of Spain and its Jews should be part of our Tisha B'av remembrances. Shabat shalom.

**Weekly Parsha DVARIM Rabbi Berel Wein**

The book of Dvarim that we begin reading this Shabat is the most "human" of all of the five books of the Torah. The words of Moshe that came from him are his assessment of the Jewish people that he loves and has led for forty years. Many of the words that he will utter are hard words, even harsh words. The Hebrew word dvarim indicates strong and tough words. Moshe here is employing what in our current society is called "tough love." At the very time that he complains of the contentiousness and stubbornness of the people, he blesses them and wishes that they increase one thousand fold. I think that it is this attitude that marks all great Jewish leaders who have emulated Moshe throughout Jewish history. How to love a people and yet be objective in assessing its faults and shortcomings, without that assessment in any way diminishing one's love for that people is a formidable emotional task. Yet Moshe showed the way in this regard and it is the path followed by all later prophets and true leaders of Israel. Moshe's concern and love for Israel is so apparent that he need not seek to curry favor or popularity with the people. The people of Israel realize that Moshe is on their side and that he is not out to demonize them or aggrandize himself at their expense. Therefore he remains as the great teacher and leader of Israel through all of the ages.

Moshe's career as a leader of Israel was marked by his selflessness. The Torah characterizes him as the humblest of all human beings. Moshe has no personal agenda to advance. He is beyond the petty corruptions that destroy a people's confidence in its leaders. I would say that this is his strongest asset in his leadership qualities. The people therefore realize that his love for Israel is unconditional. It is from this base of personal integrity and emotional stability that Moshe's words of criticism and correction resonate within the society of Israel. The rabbis of the Talmud therefore stated: "Better the words criticism from someone who loves you (Moshe) than the compliments and blandishments from someone who is your enemy (Bilaam)" In a false and deceitful world, honesty and integrity mean much more than fine speeches and false commitments. It should be noted that the words of Moshe were not meant for his generation and listeners alone. If that were the case, then they would not be included in the eternal Torah. Moshe addresses eternal faults and problems that are inherent in the Jewish people and in fact in all human society. People are by nature nudniks, burdensome and quarrelsome. By making us aware of this ongoing human failing, Moshe intends to lead us out of the wilderness that such attitudes create. We would do well to hear his words, learn his lessons and attempt to profit greatly from his teachings and personal example. There arose none like Moshe again amongst the people of Israel. Shabat shalom

**TORAH WEEKLY—Parshat Devarim**  
**For the week ending 13 August 2005 / 8 Av 5765**

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by Rabbi Yaakov Asher Sinclair

## OVERVIEW

This Parsha begins the last of the Five Books of The Torah, Sefer Devarim. This Book is also called Mishneh Torah, "Repetition of the Torah" (hence the Greek/English title Deuteronomy). Sefer Devarim relates what Moshe told Bnei Yisrael during the last five weeks of his life, as they prepared to cross the Jordan into Eretz Yisrael. Moshe reviews the mitzvot, stressing the change of lifestyle they are about to undergo: from the supernatural existence of the desert under Moshe's guidance to the apparently natural life they will experience under Yehoshua's leadership in the Land.

The central theme this week is the sin of the spies, the meraglim. The Parsha opens with Moshe alluding to the sins of the previous generation who died in the desert. He describes what would have happened if they hadn't sinned by sending spies into Eretz Yisrael. Hashem would have given them without a fight all the land from the Mediterranean to the Euphrates, including the lands of Ammon, Moav and Edom. He details the subtle sins that culminate in the sin of the spies, and reviews at length this incident and its results. The entire generation would die in the desert; Moshe would not enter Eretz Yisrael. He reminds them that their immediate reaction to Hashem's decree was to want to "go up and fight" to redress the sin. He recounts how they wouldn't listen when he told them not to go, that they no longer merited vanquishing their enemies miraculously. They ignored him and suffered a massive defeat. They were not allowed to fight with the kingdoms of Esav, Moav or Ammon - these lands were not to be part of the map of Eretz Yisrael in the meantime. When the conquest of Canaan will begin with Sichon and Og, it will be via natural warfare.

## INSIGHTS

### Abridge to Oblivion

**"These are the words... (1:1)**

There once was a man who wanted to become an atheist but he gave it up because there were no holidays.

Being an atheist is a full time job. It requires far more faith than believing in G-d. And yet atheism is probably more widespread in our era than at any other time in history. Why?

The Talmud (Maccot 24a) says that when the Jewish People stood at Sinai they received 613 mitzvot. When King David saw that there had been a spiritual decline since Sinai he advised that people should concentrate on eleven specific virtues: to walk in G-d's ways wholeheartedly; to act justly; to speak the truth in one's heart; not to speak lashon hara (slander); not to do evil to one's fellow man; to be lowly in one's own eyes; to honor those who fear G-d; to take an oath to dominate one's evil inclination and to keep that oath; not to take interest; and not to take a bribe.

As time passed, so did the decline. The prophet Micha streamlined the focus from eleven principles down to three areas: to judge truthfully, to do acts of kindness and to perform the mitzvot without ostentation.

Seeing yet a further decline, the prophet Yirmiyahu encouraged the people to focus on just two aspects: to do justice and give charity.

Finally, the prophet Chavakuk distilled the focus for his generation into one principle: emuna - "belief" - "A righteous person will live by his faith."(2:4)

So you might say to me "Okay Rabbi. I have faith. So now I can drive to the football game on Saturday afternoon, right?" Or "I have faith! I believe! By the way, do you think you could pick me up a Big Mac on the way home?" Doesn't "just having faith" sound dangerously similar to certain well-known Brand X imitations of Judaism?

The section of the Talmud that we quoted above is not a licence to abridge the Torah into oblivion. It is like a drowning man grasping an overhanging branch in order to be able to climb onto the tree.

King David, Micha, Yirmiyahu and Chavakuk were all trying to connect the Jewish People to our Source by focusing on the mitzvot that were the key to that age, the branch of survival for that particular generation.

In previous generations the attacks on Judaism took the form of forced conversion or crusade, or inquisition. The existence of G-d was never in

doubt. Ours is an age of atheism. Nowadays the battlefield is emuna. The battlefield is belief.

It says in Parshat Vayelech "I will surely have hidden My face." (31:18)

In the Hebrew language, the emphatic "to surely do" something is expressed by the repetition of the verb. In other words, the literal translation of the phrase "I will surely have hidden My face." is "Hide - I will have hidden My face." The very structure of the Hebrew language gives us an insight into this 'hiding'. There are two kinds of concealment. A concealment where you know that someone is there but you just can't see him, and a concealment where you don't even know if he is there at all. In other words, the very fact of their hiddenness is concealed. This is the ultimate hiding - where the very hiding is hidden. G-d has told us that as history draws to a close in the days of darkness that proceed Mashiach, He will surely hide His face and "The righteous person will survive by his faith."

It was to such a world as ours that the prophet Chavakuk was addressing. We live in a world where even G-d's hiddenness is hidden. Our only hope is to reach out and grasp the branch called emuna.

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## Peninim on the Torah by Rabbi A. Leib Scheinbaum

### PARSHAS DEVARIM

#### And Di Zahav. (1:1)

Was there such a place as Di Zahav? Rashi explains that this term is an allusion to a place in which Klal Yisrael sinned. Di Zahav literally means, "enough gold." Moshe Rabbeinu chastised the people, saying, "You became spoiled because you had so much gold, causing you to make the Golden Calf." The problem with this exposition is that it seems to be more of a defense than a rebuke. Moshe justified the Golden Calf, explaining that the people had overreacted to the multitude of gold that was suddenly theirs. Another question asked by Horav David Feinstein, Shlita, concerns the fact that Moshe seemed to be implying that wealth only leads to evil. In Parashas Lech Lecha (Bereishis 12:2), however, Hashem promises Avraham Avinu, "And I will bless you." Chazal interpret this to be a blessing for wealth. Which is it: good or bad?

Rav David explains that essentially people manifest two different attitudes towards wealth: one good and one bad. One who is arrogant about his financial success will most likely ignore his responsibility to Hashem. After all, his wealth is his doing. He conveniently forgets the "Hashem factor" in life.

The individual, however, who maintains David Hamelech's words (Divrei Hayamim I, 29:14), "Everything is Yours, and from Your hand we have given to You," understands that all wealth belongs to Hashem, and the person is nothing more than a banker in Hashem's employ. Whatever he has received from Hashem is everything that he needs. He has whatever he requires for himself, and the remainder is to be distributed to the poor and used for other mitzvot. For him, wealth is a blessing. He does not feel that he has more than he needs. Indeed, he has exactly what he needs.

Horav Moshe Feinstein, zl, notes that these two attitudes distinguished Yaakov Avinu from Eisav. When the two brothers met, Eisav remarked about his wealth, Yeish li rav, "I have plenty" (Bereishis 33:9). He was indicating that he had more than he could use. It was all his, and he did not feel obligated to anyone else for it. Yaakov, however, said, Yeish li kol, "I have everything." He realized that he had everything that he was supposed to have. It was now his responsibility to figure out what it is that Hashem, Who was the source of his wealth, wanted him to do with it.

This was Moshe's criticism of the Jews: "You thought that you had enough money, that your money was a play thing, something to enjoy, something to serve you. That is why you deviated and created a Golden Calf. Had you realized that wealth comes with a purpose, that Hashem's gifts are yours for a reason. Had you been aware that with wealth comes obligation, you would not have acted so foolishly."

On the other hand, Hashem knew that Avraham understood how to value and appreciate the wealth that He would grant him. He would help those in

need, and he would sanctify Hashem's Name in the world. For someone with such a lofty attitude, wealth is truly a blessing.

**These are the words which Moshe spoke to all of Yisrael. (1:1)**

During the five weeks prior to his passing, Moshe Rabbeinu reviewed with Klal Yisrael their errors and the sins that they had committed during their forty-year trek in the wilderness. He neither castigated them harshly nor admonished them in an angry manner. Rather, he alluded to incidents and places in which their actions angered Hashem. Reproving a sinner is a mitzvah and a moral obligation. When we see someone engaged in a wrongdoing, we are enjoined to call his errant behavior to attention. This reproof must be carried out with love, sensitivity and consideration. The individual's dignity must be upheld. Our goal must be to help him avoid falling into the abyss of sin and to encourage his return to a Torah way of life. If our reproach, however, will have a negative effect, if it will deflate the individual, catalyzing depression and despair, the reproach can be counterproductive. Our critique must be couched in such a manner that it catalyzes teshuvah, repentance, - not despair.

Another instance in which rebuke is not the correct course of action is in a situation in which the rebuke is likely to be scorned. We find that Hashem informed Avraham Avinu of His plans to destroy the wicked city of Sodom. Avraham risked the wrath of Hashem by attempting to ameliorate the sentence. He succeeded in receiving a major concession from Hashem: Hashem would spare the city if it contained a certain number of righteous persons. Sodom was not spared, however, because the city lacked the requisite number of righteous persons. The question that should confront us is: Why, during this entire time, did Avraham not admonish the people of Sodom concerning their behavior? If they were so cruel, they should have been rebuked and taken to task. Nowhere do we find that Avraham attempted to offer words of reproach, or even tried to influence their return to a life of moral rectitude.

In response to this question, Horav Avraham Pam, zl, cites the Dubno Maggid who quotes the Talmud in Yevamos 65b, which says that just as there is a mitzvah to offer rebuke when it will be accepted, so, too, is it a mitzvah to withhold rebuke when it will not be accepted. They cite a pasuk in Mishlei 9:8, "Do not rebuke a scoffer, lest he hate you. Rebuke a wise man and he will love you." The second part of the pasuk (rebuke a wise man) seems to have no bearing on the point Chazal are emphasizing.

The Maggid explains that Chazal are teaching us an important lesson with regard to rebuke. One should not criticize people when he knows that they will not listen to his words. He who insists on rebuking others, despite a clear knowledge that he will be ignored, risks being considered a fanatic and even losing his credibility altogether. This will affect his later capacity to effect any influence on the sinner. His potentiality for success in helping others has been compromised as a result of his being labeled a fanatic.

In an attempt to emphasize this point, Chazal quote the entire pasuk, which tells us that if one wants to succeed in rebuking a wise man, he must refrain from rebuking a scoffer, lest he hate him and destroy his validity and effectiveness. We now understand why Avraham Avinu did not bother to critique the people of Sodom. He understood that he would not succeed; his words would fall on deaf ears. Moreover, they would scoff at him and even hate him. This would preclude his ability to reach others. In order to inspire and influence the rest of the world, Avraham had to maintain his credibility. He could hardly afford to undermine his facility to influence and teach. By not castigating the people of Sodom, Avraham was preserving his ability to reprove others who would listen more responsibly. This also explains why Noach's reproof of the people of his generation did not succeed. For one hundred and twenty years, he built an ark. He explained to everyone that he was trying to save them from certain death. They laughed; they scoffed; they ridiculed him. His pleas fell on deaf ears. Why? Because they labeled him a fanatic. Once the label was placed, it was readily accepted by all, because no one wants to hear a negative assessment of himself. If they could subvert his efforts by destroying his credibility, they could continue along their merry way, sin after sin, without being hampered by Noach. When it comes to rebuke, it is not what is said, but how it is said, and to whom.

Horav Mendel Kaplan, zl, the legendary Rosh Yeshivah in both Chicago and Philadelphia, was known for his acute sensitivity to people's feelings. When he gave mussar, reprimanded his students, he was as sensitive to their feelings as he was to the one they had inadvertently hurt. The students in the yeshivah were upset with the cook for the usual reason: no "variety" in their lunches. For the last thirteen days, the lunch menu had consisted of egg salad and red jello. A group of bachurim, young men, sent a sarcastic letter to the administration requesting a change - yellow jello and red egg salad. The administration responded, but the cook was crushed. She was so upset that for months she could not face the bachurim, turning her head away as they came into line for their portion.

One day, as Rav Mendel gave shiur, he interrupted the regular topic to discuss the importance of not embarrassing others. He cited the Talmud Berachos 43b that posits that it is better to jump into a fiery furnace than to embarrass someone in public. None of the students understood why the rosh yeshivah was interjecting this quote into the regular Talmud shiur until Rav Mendel concluded, "It would be better to eat nothing but jello and egg salad for an entire lifetime than to embarrass someone publicly." They suddenly realized to what he was referring. In his subtle and sensitive manner, he had conveyed his message to them.

**Like everything He did for you in Egypt, before your eyes. (1:30)**

When Hashem liberated Klal Yisrael from Egypt, He did more than free them from physical bondage. He made sure that the torment and misery to which they were subjected would also come to a halt. Hashem saw to it that the upheaval of the Egyptian experience would not be the Jew's companion when he left the bondage. The Ohr HaChaim Hakadosh notes this in his commentary to Parashas Beshalach. This is indicated by the fact that each Jew recognized his individual Egyptian tormentor. Prior to that Egyptian's drowning in the Red Sea, he was brought before the Jew, who assailed him for his subjugation. Afterwards, the Jew instructed his dog to eat the hand which the Egyptian used to beat him. Furthermore, after the sea drowned the Egyptians, they were thrown back on the shore, so that the Jews could see that they were all gone. The Jews could now live safely, secure in the knowledge that the demons who persecuted them were destroyed.

Horav A. Dunner, Shlita, suggests that this is the reason for Chazal's exposition on the pasuk in the Shirah, Zeh Keili v'anveihu, "This is my G-d I will beatify Him," Chazal say, "Beatify yourselves before Him with mitzvos." They emphasized the significance of hiddur mitzvah, performing a mitzvah to its fullest, in the most dignified and beautiful manner. What relationship does hiddur mitzvah have with the parting of the sea and the drowning of the Egyptians? Rav Dunner explains that Klal Yisrael are hereby expressing their overwhelming appreciation to Hashem for saving them "b'hiddur" in a complete, fulfilled manner, making sure that they would not be anguished with the memories, or accompanied by the demons that normally follow a person after sustaining such an ordeal. In appreciation, we will perform His mitzvos with the utmost of hiddur.

**And you shall not provoke war with them. (2:9)**

Rashi notes the disparity between Hashem's admonishment concerning Bnei Ammon and the manner in which He instructed them not to engage Moav in battle. He did not tell them that they were forbidden to put the fear of G-d into them. Nothing was wrong with a display of weapons and armor - as long as there would be no war. Concerning Ammon, however, they were told explicitly that there was to be no contention whatsoever. Ammon was to be left alone: no fear, no battle. Why did Ammon receive such preferential treatment? What did they do to deserve such "favorable status"? Rashi attributes this to their great-grandmother's tznius, modesty. While she was no different from her sister, in that they both cohabited with their father, Lot, during his drunken stupor, she did not publicize her illicit behavior. Her moral "chastity" in contrast to that of her older sister merited her protection many years later for her descendants.

Our initial reaction to Rashi's statement would probably be, "That's it?" Does one little display of decency following an act of perversion make such a difference? It just seems a bit surprising. As Horav Yitzchak Zilberstein, Shlita, notes, however, Hashem has a different standard, and

long after a simple action has been forgotten, He remembers it and issues the appropriate reward.

Two women: one aggrandized her perversion by publicizing it; the other was discreet about her degeneracy. Both received their due - or, at least, their descendants were either punished or rewarded. Their actions were neither ignored, nor forgotten.

With this in mind, let us now take into consideration the perek, chapter, of Tehillim recited by one's great-grandmother fifty or one hundred years ago. If Lot's daughter's decency was not forgotten, how much more so does Hashem remember our bubba's Tehillim, her tearful supplication for her progeny - both present and future? Now, it all makes sense. We see people who have strayed from the Torah way, who have deviated completely from the path chosen by their ancestors. We have given up hope for them. They will surely never return. Then, all of a sudden, they are back. They come to shul; they daven. They study Torah, and their children attend yeshivah. What happened? It was their bubba's Tehillim, her tears, her entreaties; They were not ignored. It just took a while.

We present two short stories about a mother's tears, a bubba's tears, and the effect they had many years later. Horav Aryeh Levine, zl, the venerable tzaddik of Yerushalayim, was once walking late at night in the dark streets of Yerushalayim when he chanced upon a woman sitting outside of her tiny hovel, bent over, stitching a pair of pants to the dim light of a kerosene lamp. "Excuse me," Rav Aryeh asked, "why are you sitting outside stitching those pants so late at night?" The woman noticed who stood before her, and she quickly rose in respect, explaining, "You see, I must work very hard and very long to earn the extra money I need to pay for a good rebbe for my son. I am a widow, and I have very little money. I cannot permit my son to lose out." As she spoke, tears ran down her cheeks, as the pain in her voice came through loud and clear.

This woman succeeded. Her hard work, but, above all, her sorrowful and sincere tears paid off. Her work paid for her son's Torah education, and the tears of this widow pierced the Heavens and Hashem listened. Her son became a gadol ba'Torah, preeminent Torah leader, and the Rav of Yerushalayim - Horav Betzalel Zolti, zl.

Rabbi Yechiel Spero, in his first volume of Touched by a Story, offers a vignette about a mother's tears. What makes this story interesting is that the woman was not even observant. Yet, she had the right goals and she knew for what to cry. The first Minister of Education in the newly formed State of Israel was a non-observant Jew by the name of Zalmen Oran. Although secular in ideology, his convictions were sincere. Taking his position seriously, he served with dedication and commitment.

His wife, also secular in belief, did maintain certain "traditions" that had been handed down to her from her mother. Every Friday night, she would light the Shabbos candles, covering her eyes and praying that her children grow up to be as great as the greatest Jew. To her, the greatest Jew was none other than David Ben-Gurion, the Prime Minister. Week after week, she continued with the same prayer.

During the early stages of the formation of the statutes of the state, Ben-Gurion met with the preeminent Torah leader of the generation, the venerable Chazon Ish, zl, to discuss issues that were important to the nation's spiritual survival. While Ben-Gurion did not necessarily accept everything the Chazon Ish suggested, he left the meeting incredibly moved and impressed to the point of awe from the Chazon Ish's sensitivity and saintliness. He related his feelings to his cabinet, emphasizing his amazement with the Chazon Ish's angelic presence. Zalmen Oran went home that night and related this incident to his wife. That Friday night, Mrs. Oran once again entreated the Almighty that her children grow up to be like the greatest Jew. This time, however, her appreciation of the "greatest Jew" had been altered. She now hoped they would grow up to be like the Chazon Ish.

Hashem listened to her prayers, as this incident was related to Rabbi Spero by Rabbi Baruch Heyman, a rav in Yerushalayim. A man involved in many successful Torah endeavors, he is the grandson of Mrs. Zalmen Oran. A bubba's tears never go to waste.

**Va'ani Tefillah**

## **Eizehu mekoman shel zevachim - Which are the prescribed places of the sacrifices?**

Chazal have selected the Mishnah of the fifth perek of Talmud Zevachim, which describes the various sacrifices and the place where they were offered. Since this is a Mishnah, it should not be "recited" as is a tefillah, but should be actually learned. The Shelah Hakadosh suggests that one should say this perek with the niggun, melody, used for studying Mishnayos. Another distinction, as noted by Horav Shimon Schwab, zl, is that one should not merely mouth the words, but should try to understand their meaning. This is Torah learning. It is not to be simply recited. Perhaps it might be advisable to take the time to study the Mishnayos well, so that when one recites them - he is truly learning the subject matter. This perek has no machlokes, dispute in opinion, in it. Thus, it gives that it was received directly from Moshe Rabbeinu at Har Sinai. Indeed, if we note some of the text, terms such as lifnim min ha'kela'im, a reference to the Azarah, it must go back to the time of the Mishkan. Shlomo Ha'melech replaced the kela'im, curtains, of the Mishkan with stone walls. Rav Schwab adds that to learn the same chapter of Mishnayos daily, although by now we surely know it by heart, constitutes true Torah li'shmah, studying Torah purely for its own sake. This represents true avodas Hashem and will likewise serve as a merit for the petitioner.

In memory of JACK FOGEL OB'M By his wife, their children, grandchildren and great-grandchildren Mrs. Jeanne Fogel Rabbi Yudie & Chaya Sarah Fogel, Nussie & Esther Fogel, Shalom & Ettie Fogel, Yosie & Bryndie Fogel, Rabbi Dovid & Liz Jenkins, Rabbi Yitzie & Bryndie Fogel, Rabbi Avi & Suri Pearl and their families

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## **Rabbi Mordechai Willig - TorahWeb Sinat Chinam**

"How (eicha) can I alone carry your trouble, your burden, and your quarrels - ...torchachem masa'achem v'rivchem" (Devarim 1:12)." The people of Israel were troublesome. If one of them would see his adversary winning the case, he would say "I have witnesses to bring, I have proofs to bring, I am adding judges to you (Rashi)

This passuk is read in the mournful tune of Eicha used on Tisha B'av implying that the trouble ("torchachem") is of a tragic nature. Why is invoking a halachically accepted legalism (Chosehn Mishpat 13:1, 20:1) in a court battle so terrible?

In fact, the insistence on every legal right is precisely what brought about the destruction of Yerushalayim on Tisha B'av. Yerushalayim was destroyed because they limited their din to the letter of the law of the Torah, and did not go beyond the letter of the law (Bava Metsia 30b). A more well known reason for the churban is sinat chinam, baseless hatred (Yoma 9b). Tosfos reconcile this apparent contradiction by attributing the churban to both, i.e. to two disparate causes.

Perhaps a different reconciliation can be suggested. Baseless hatred is defined as hatred for insufficient cause. One Jew has a claim or complaint against another and is unwilling to compromise or forgive in the spirit of going beyond the letter of the law; he insists on the letter of the law as he perceives it. Such an approach often leads to hatred of the other party who refuses to honor his demands. This hatred is a result of his insistence on invoking his legal rights, both real and perceived. It is called sinat chinam because the hate is halachically unjustified. Hence there were not two separate causes of the churban, rather there was one (invoking all legalisms in a court battle) which lead to another (sinat chinam). Indeed, torchachem, the troubling legalism, caused rivchem, quarrels and unjustified hatred. These are the two related factors which led to the churban. The mournful Eicha tune is therefore entirely appropriate.

"What is masa'achem, your burden? If Moshe left home early, they said perhaps he has marital problems. If he left home late, they said he is sitting and devising plans against you" (Rashi). One who disrespects Torah scholars is called an apikores (Rashi, based on Sanhderin 99b). Two questions arise. Why did the Jews disrespect Moshe? And why is this disrespect juxtaposed with the aforementioned trouble and quarrels?

In light of the above the answer is clear. Many people were upset with Moshe's decision against them in favor of their adversary. Others were

offended by Moshe's rebuke or were displeased with his leadership style. Instead of forgiving Moshe for "wronging" them, in their warped perception, they chose to exercise their perceived "right" to criticize the leader, and interpreted his every move negatively. This led to *sinas chinam* of the worst kind, directed against Torah leaders.

Yerushalayim was destroyed because the people did not admonish one another (Shabbos 119b). Why didn't the Torah scholars admonish the people? Perhaps the answer lies in the next line of the gemara: Yerushalayim was destroyed because the people demeaned its Torah scholars. Aside from the intrinsic sin of disrespect, the attitude made it impossible for the *talmeidei chachamim* to rebuke the people who demeaned and disregarded them.

Thus *masa'achem*, disrespect for Torah scholars, caused the *churban*, as did *torchachem* and *rivchem*. Unfortunately, all these continue to plague our litigious, disrespectful and quarrelsome society, causing broken homes, destroyed communities and undue criticism of rabbonim.

"In every generation in which the *Beis Hamikdash* is not rebuilt, it is as if it was destroyed in its days" (Yerushalmi Yoma 1:1). Had a generation rectified the sins that caused the *churban*, the *Bais Hamikdash* would have been rebuilt immediately. Apparently, we are still guilty of those sins.

The *Netziv* (Meishiv Davar 1:44) dramatically expands the understanding of the *sinas chinam* which caused the *churban*. He says that the hate was not limited to those who "wronged" a person. Rather, it extended to those who served Hashem differently. If one would see a halachic leniency, he would brand it heresy, and distance himself from that person. He would then mistakenly justify attacking that person, even to the point of murder.

The *Netziv* laments that such internal hatred within the observant community existed in his time (the late nineteenth century) as well. Hating someone who "wronged" us is necessarily limited. With how many people can we fight over money or honor? But if we hate those who differ with us on matters of halacha or *hashkafa*, the *sinas chinam* is unlimited. Unfortunately, Orthodox individuals and communities with different halachic practices and/or ideologies are still guilty of this type of *sinas chinam*, which is preventing the *ge'ula*.

As we mark *Tisha B'av* in particularly troublesome and quarrelsome times, let us resolve to correct those sins. If we do so, the *Bais Hamikdash* will be rebuilt immediately.

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## h a a r e t z

### Portion of the Week / Rising above the squabbles

By Haim Sabato

#### Parashat Devarim

The loyal shepherd is bidding a final farewell to his nation. After having secured a successor, Moses begins a series of major farewell addresses to the Children of Israel. He opens with words of rebuke concerning what he and the Israelites had experienced in the wilderness. These words are, however, intermingled with words of conciliation. Here is how *Nahmanides* sums up the situation: "Before embarking on an explication of the Torah, [Moses] begins to rebuke them and to remind them of their past sins how they disobeyed God in the wilderness and how God treated them with compassion. He wants the Israelites to be aware of the scope of divine mercy and also wants them to conclude from his words that they should not repeat their sinful acts, lest they perish because of them. Furthermore, he wants to lift their spirits by informing them that God will always treat them mercifully" (introduction to the Book of Deuteronomy).

We can learn a great deal from the reprimands uttered by Moses, who loves the Israelites so much: when and how to admonish someone, who should do it, how to blend love and conciliation with words of reproach, and what blessing should be recited for those who accept them (see the excerpt from *Midrash Sifri* below).

Moses' parting words are concerned primarily with the Israelites' entry into the Promised Land, and the rebuke is mainly intended to prepare them for it. It is thus obvious why the sins of the spies, who were sent to scout the Promised Land, is central to this week's Torah reading. However,

before admonishing the Israelites for the spies' sin, Moses alludes to a minor incident: "And I spake unto you at that time, saying, I am not able to bear you myself alone: The Lord your God hath multiplied you, and behold, ye are this day as the stars of heaven for multitude. (The Lord God of your fathers make you a thousand times so many more as ye are, and bless you, as he hath promised you)! How can I myself alone bear your cumbrance, and your burden, and your strife? Take you wise men, and understanding, and known among your tribes, and I will make them rulers over you" (Deuteronomy 1:9-13).

Why does Moses mention this incident to the Israelites here? Rabbi *Ovadia Ben Jacob Sforno* offers this explanation: "He relates this episode to remind them of their past sinful behavior: Although he informs them that they will enter the Land of Canaan without having to wage any battle and that they will be taking possession of a land that will bring them far greater benefit and honor than all their possessions and activities in the wilderness, they do not refrain from provoking arguments among themselves over the procedure of appointing judges, a procedure that leads to the appointment of a private judge for each 10 Israelites. They are driven to do so by the malice in their heart" (Commentary on Deut. 1:1).

In other words, the rebuke focuses on the need to appoint so many judges. The Israelites' journey from a house of bondage and their exodus from Egypt as free individuals leaving "with an high hand" (Exodus 14:8) is intended to teach them to rise above petty squabbles that are so irrelevant in the face of the mission of establishing God's chosen nation in his chosen land. However, the Children of Israel spend their time instead on creating needless problems, arguments and burdens. That is why this passage is included in the rebuke, which is aimed at preparing the Israelites for entering the Promised Land: This pettiness and the tendency to create unnecessary difficulties stem from a failure to understand the immensity of the role they have been assigned at Sinai namely, that of "a special people" (Deut. 7:6).

#### 'Chronic complainers'

Here is how these petty quarrels are depicted in midrashic literature (*Sifri*, on Deuteronomy 12): "Moses asks 'How can I myself alone bear your cumbrance?' and we can understand from his words that the Israelites were petty nuisances. One Israelite would see another Israelite win a legal battle and would immediately react 'I have witnesses whom I can bring, I have evidence that I can introduce. Tomorrow I am going to be in court and I will increase the number of judges who will try my case.' That is why the Torah uses the term 'cumbrance'; in other words, they were petty nuisances. The term 'and your burden' teaches us that they were heretics.

"If Moses left his tent early, people would say, 'Why is the son of Amram leaving now? Is he not content to stay in his tent even for a little while?' If Moses left his tent late, people would say, 'Why did the son of Amram take his time in leaving his tent? The reason, you should know, is that he spends his time thinking all kinds of things about all of you and contemplating such difficult, grave thoughts about all of you!' That is why the Torah uses the term 'and your burden'; in other words, they were heretics... "If Moses walked down the middle of the path, people would say, 'He wants everybody to get up and stand (to show their respect).' If he walked along the shoulders of the path, people would say, 'He teaches us the importance of standing up (to show respect) for your elders. Yet he is trying to make us abandon that principle (by walking along the shoulders and making himself inconspicuous).' Moses would reply, 'When I walk in the middle of the path, that does not satisfy you, and when I walk along the margins of the path, that also does not satisfy you.'"

One midrash compares this week's Torah reading with two other grim passages that open with the same word, *aikha how* (*Lamentations Rabbah* 1):

"It is written 'How doth the city sit solitary (*Lamentations* 1:1). Three individuals prophesy using the word 'how': Moses, Isaiah and Jeremiah. Moses asks 'How can I myself alone bear?'; Isaiah asks, 'How is the faithful city become an harlot!' (*Isaiah* 1:21); and Jeremiah asks, 'How doth the city sit solitary?' Rabbi *Levi* states: 'This idea can be expressed through a parable. A Roman noblewoman had three escorts. The first saw her in tranquil times, the second saw her in the midst of her depravity, and

the third saw her in the midst of her disgrace. Similarly, when he sees the Israelites in all their glory and peace of mind, Moses asks, 'How can I myself alone bear your cumbrance?' Isaiah sees them in the midst of their depravity and asks 'How is the faithful city become a harlot!' Jeremiah sees them in the midst of their disgrace and asks 'How doth the city sit solitary?'"

The three escorts are intermediaries between the noblewoman with the emperor, while the prophets are also intermediaries connecting the Children of Israel with their Heavenly Father. Moses sees the buds of sin appear during the Israelites' tranquil times and says "How." Isaiah sees the sinful behavior and reproaches "How." Jeremiah sees the punishment and laments "How." The buds of the sin that leads to the Israelites' banishment from their homeland are evident even as they make their journey through the wilderness. The hatred, restlessness and petty squabbling they exhibit there will, many years later, lead them to the horrific situation mentioned in Isaiah's rebuke: "How is the faithful city become an harlot!

It was full of judgment; righteousness lodged in it; but now murderers. Thy silver is become dross, thy wine mixed with water: Thy princes are rebellious and companions of thieves: Every one loveth gifts, and followeth after rewards: They judge not the fatherless, neither doth the cause of the widow come unto them" (Isa. 1:21-23).

We should pay special attention to another term that is common to both Moses' severe admonishment and Jeremiah's harsh prophecy. Moses asks "How can I myself alone bear your cumbrance?" while Jeremiah asks "How doth the city sit solitary?" It is no mere coincidence that these two words, "how" and "solitary," open the Book of Lamentations, whose primary message is the expression of immense astonishment over the disaster that befalls Jerusalem and the Temple. The word "solitary" articulates both the depth of the sin and the depth of the punishment. The sin is the feeling of solitude.

What we have here is not a sense of partnership felt by a newly created nation that marches proudly and fearlessly toward a new covenant in the Promised Land rather the journey of a multitude of solitary individuals, isolated from each other, who fight among themselves over petty matters.

Had we behaved differently in the wilderness, we would have been privileged to be led by Moses from Mount Sinai to the Land of Canaan. Instead, because of our sinful behavior, we wandered in the wilderness for 40 years from one calamity to the next and Moses was forced to appoint judges over us "captains over thousands, and captains over hundreds, and captains over fifties, and captains over tens" (Deut. 1:15).

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**Arutz 7 - August 07, 2005**

**Rabbi Kook on the Nine Days: The Kosher Kitchen  
by Chanan Morrison**

Things were not looking good for Avraham Mavrach. It was already the first of the month of Av and the secretary would not let him pose his question to the Chief Rabbinate. The rabbis were in an important meeting, the secretary explained, and could not be disturbed.

**The Poel Mizrachi Kitchen**

Avraham was a founding member of the Poel Mizrachi, established in 1922 for religious pioneers and workers. One of the most important decisions made during the first assembly of the Poel Mizrachi was to open a kosher kitchen for new immigrants and workers. This was necessary since the religious workers could not eat in the Histadrut kitchens, where non-kosher food was served and Shabbat was desecrated.

As Avraham later described in an article in Hatzofeh newspaper:

"The religious pioneer suffered greatly. He could not afford to eat in a private restaurant and enjoy a hot meal, nor did he have access to a Jewish atmosphere on Shabbat. The kitchens of the Poel Mizrachi were therefore established to provide the religious workers not only inexpensive, tasty meals, but also to serve as a social center, where they could read, hold meetings, discuss, attend classes and lectures, and dance on joyous occasions. The kitchens were filled with singing; on Shabbat and the

holidays, the songs were charged with sacred fervor. Unsurprisingly, many irreligious workers were also attracted to these kitchens."

Although the menu was limited, some of the diners chose not to eat all the items that were sold at cost. However, the meat dishes and soups were the staple of the hungry manual laborers.

**The Problem of the Nine Days**

At the approach of the Nine Days of Av, when eating meat is prohibited (an expression of mourning for the destruction of the Temple), the administrators of the Poel Mizrachi assembled to seek an alternative for the meat meals - especially for the manual laborers - but they could not think of one. Some of them despaired. 'Why should we assume responsibility?' they asked. They were on the verge of closing the kitchens for the duration of the Nine Days.

Avraham, however, did not give up. He suggested turning to the Chief Rabbinate; perhaps it would issue a lenient ruling permitting the newcomers to eat meat so that they would not fall to eating in the non-kosher kitchens. The other members laughed. "Do you really think that the Rabbinate will consent to the slaughter of sheep and oxen during the Nine Days in the holy city of Jerusalem?"

In fact, no one was even willing to accompany him to the Chief Rabbinate. So, on the first of Av, Avraham went alone to the Rabbinate. The Rabbinate secretary, however, refused to let him interrupt the meeting in order to speak with the rabbis.

'But it is an urgent question,' Avraham explained. 'I come as a representative of the Poel Mizrachi.' At Avraham's insistence, Rabbi Shemuel Weber, chief secretary of the Rabbinate, came out of the meeting and listened to Avraham's question. Rabbi Weber suggested arranging for the completion of a Talmudic tractate every day, and then serving meat at the se'udat mitzvah (a meal celebrating the fulfillment of a mitzvah). Avraham explained that this would be nearly impossible to arrange.

Rabbi Weber then disappeared into the Rabbinate chambers and, after a few minutes, invited Avraham to follow.

**Rabbi Kook's Decision**

As he entered, Avraham saw Rabbi Avraham Yitzchak Kook sitting at the head of the table, with Rabbi Yaakov Meir to his right and other important rabbis seated around the table. Rabbi Kook asked Avraham to draw closer, and Avraham described to him the objectives of the kitchen and explained the enormous benefits reaped by the members of the Poel Mizrachi and all of those workers still faithful to their heritage.

'I am aware of the importance of the kitchen,' Rabbi Kook responded. He then sank into deep thought. The other rabbis waited silently for Rabbi Kook's decision.

"Do you think that some of the workers will end up going to the non-kosher kitchen?"

"Yes," Avraham answered, "They ate there beforehand."

"If so, then your kitchen is serving a se'udat mitzvah. 'The meek shall eat and be satisfied.'" (Psalms 27:22)

Avraham was astounded. He remained frozen to his spot. Rabbi Kook smiled, 'Do you have another question?'

Avraham explained that he was uncertain about the decision. Did this mean that everyone could eat meat there? Rabbi Kook repeated his words and said that everyone, including the religious workers, could eat meat in the kitchen because it would be serving a se'udat mitzvah. Though dumbfounded, Avraham managed to steal a glance at the other rabbis in the room. It seemed that they were no less surprised than Avraham at the rabbi's decision, but they made no objection.

**A Se'udat Mitzvah for All**

Rabbi Zvi Kaplan later wrote an article discussing this lenient position. For those who would have eaten in the non-kosher kitchen, it is clearly preferable that they disregard the custom of not eating meat during the Nine Days rather than violate the Biblical injunction against eating non-kosher food. But how could Rabbi Kook permit meat to those who would not have eaten non-kosher food?

Rabbi Kaplan explained that at a se'udat mitzvah during the Nine Days, all of the participants may partake of the meat along with the one who is performing the actual mitzvah, such as completing a tractate of Talmud.

Clearly, every Jew is duty-bound to prevent another Jew from eating non-kosher food. A meal that accomplishes this purpose would certainly qualify as a se'udat mitzvah. Rabbi Kook therefore permitted all present to eat.

[Adapted from Celebration of the Soul, pp. 252-254; Moadei HaRe'iyah pp. 539-543]

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### **Tisha B'Av: Waking Up to a World without God's Presence** by Sara Yoheved Rigler

I remember with perfect clarity the sensation of waking up on the morning of March 9, 1990. In those first few fuzzy moments of consciousness, I oriented myself to where I was—in the spare bedroom of my parents' New Jersey apartment, and what day it was—two days after my father's death. As soon as I realized that I had woken up into a world without my father, my heart plunged into a fathomless grief, like waking up into a nightmare that will never end. The world without my father was not simply the same world minus one; it was a totally different world. This altered, diminished world lacked the stability and goodness that was my father. This world wobbled on its axis; its gravitational pull was heavier.

It took me a year to adapt to this new world, to learn to navigate its emotional byways. Now, more than fifteen years later, I've become proficient at maneuvering in this World-Without-My-Father, but it is not and will never be the same world in which he was so benevolently and lovingly present. The ninth day of the Hebrew month of Av—called Tisha B'Av—is to the Jewish people what March 9 was to me. We misrepresent the tragedy of the day by describing it as the destruction of the two Holy Temples, as if the catastrophe is the loss of a building. The American people do not mourn on 9/11 because of the destruction of the Twin Towers; they mourn the thousands of lives lost in the conflagration. Contrast a person who mourns the absence of the majestic towers to the New York skyline with a person who mourns the loss of his/her parents caught on the 98<sup>th</sup> floor.

Tisha B'Av is more like a death than a destruction, because on that day the world changed irrevocably.

The world without the Holy Temple is not the same world minus one magnificent structure. The world without the Holy Temple is a totally different world. The Holy Temple was the mystical vortex between the higher, spiritual worlds and this gross, physical world. The Temple service was an elaborate mystical procedure that kept the aperture between the worlds open and functioning. The Divine Presence manifested itself in the Temple and through the Temple. When the Temple was destroyed, that palpable Divine Presence removed itself from our world. It was a loss as real and as searing as death. My son was born into a world without my father. He will never know how the room lit up when my father entered, how secure and supported dozens of people felt because of the bedrock that was my father.

In the same way, we who were born into a world without the Divine Presence have never experienced the spiritual luminosity that radiated through the aperture of the Holy Temple. We live in a dimmer, coarser world, where physical reality seems like ultimate truth while spiritual reality seems like a vague phantasm. We navigate in the nightmare without even knowing we're in it.

#### **DIVINE IMMANENCE**

In the first Holy Temple, ten miracles were constant for all to see. Among them were that no matter how the wind was blowing, the smoke from the altar always went straight up and that no matter how packed the crowds of people were, at the point of the service that required everyone to prostrate, there was always sufficient room. Anyone who visited the Temple could see these miracles, these deviations in the laws of physics, simply by entering the Temple precincts. While the First Temple (and the Tabernacle before it) stood, prophecy (hearing the voice of God within oneself) was commonplace. The Talmud testifies that in ancient Israel, some 3,000,000 Jews were privy to the highest spiritual level possible. Schools of prophets

abounded. So rampant was Divine revelation that the Talmud could assert that all Jews were either prophets or the children of prophets.

The immanence of the Divine Presence during Temple times did not mean that everyone chose spiritual elevation. Even when God is present, humans can—and did—choose to go against Him. The Talmud recounts the story of Yerovoam ben Navat, who, after the death of King Solomon, split the Kingdom, usurped the throne of the northern half, and set up two golden calves for worship. God appeared to Yerovoam and said, "Repent, and I and you and Ben Yishai [King David] will walk together in Paradise." Yerovoam had the gall to respond: "Who will go first?" When he heard that David would precede him, Yerovoam rejected the Divine offer. The most remarkable aspect of this conversation is that God appeared even to someone as wicked as Yerovoam. The Divine Presence during the Temple era was so pervasive and apparent that anyone who bothered to open his eyes could perceive it.

How different is the world we live in! When the Temple was destroyed, the dogged illusion of Divine absence settled over our world like a perpetual fog. In this world where Divine hiddenness has replaced Divine revelation, we grope for proofs of God's existence, like fish debating about the existence of water. We are relegated to "believing" when once we simply knew. We struggle, through prayer and meditation, to experience a momentary inkling of the Divine Presence when once we simply basked in it. We are like amnesiacs who experience vague and fleeting memories of a different life, a truer identity, but the actual grasping of it eludes us.

Tisha B'Av made orphans of us all.

#### **ACHIEVING THE IMPOSSIBLE**

In one essential way Tisha B'Av differs from death: the catastrophe is reversible. As Rabbi Avraham Isaac Kook declared: "The Temple was destroyed because of causeless hatred [among Jews]; it can be rebuilt only by causeless love."

"Causeless love" means loving every single Jew, no matter how much s/he differs in political or religious persuasion. It means loving Jews at the other end of the ideological spectrum. It means abortion-rights activists loving Hasidic Jews and vice versa. It means Zionists loving anti-Zionists and post-Zionists and vice versa. It means Gush Katif settlers loving the security forces who are going to evict them from their homes and vice versa. Given that the Talmud characterizes the Jews as "the most fractious of peoples" and the daily news corroborates that description, causeless love seems like an impossible achievement.

But if someone had told me on March 9, 1990, or any day thereafter, that I could bring my father back to life by doing X, is there anything, anything, I would not have done?

If we yearn enough to bring the Divine Presence back into our world, is there anything beyond our capacity to achieve it?

A few years ago I learned how to harness the seemingly impossible to the power of yearning, and fly. It was during the peak of the Arab war of terror against Israel. I had undertaken to visit terror victims in hospital and to distribute teddy bears on behalf of Kids for Kids. A couple days after a lethal bus bombing in Haifa, my 14-year-old daughter and I visited the Mt. Carmel hospital where most of the injured—teenagers on their way home from school—were hospitalized.

I had never been to that hospital before. Clutching my list of terror victims in one hand and my bulging bag of teddy bears in the other, I accidentally stumbled into the intensive care unit. I asked a nurse, "Where is Daniel K.?" She pointed to the bed beside me. Lying prone on the bed was a thin, unmoving figure. I grabbed my daughter's hand and quickly exited, but the specter of that boy, the only patient I had ever seen lying face-down, haunted me. In the waiting room, I sat with Daniel's desperate parents. They had made aliyah from Uzbekistan a few years before. They explained that 17-year-old Daniel's lungs had been punctured in the terror attack. The doctors were not hopeful. I promised them I would pray for "Daniel Chai" (when a person's life is in danger, a name expressing life or recovery is often added), but it was clear to all of us that nothing less than a miracle would save the boy. There is a spiritual law in Judaism called, "mida k'neged mida," measure for measure. This means that whatever humans do, God responds to them in kind. When we want God to go beyond the

laws of nature, we must go beyond our own nature. Therefore, tapping into this spiritual law, I suggested to Daniel's mother that she take on a mitzvah she had not previously done to help save her son's life, and I left the hospital planning to do similarly.

When my children started to bicker in the car on the long ride home, I told them that they could contribute to saving Daniel's life by overcoming their urge to fight. To my amazement, they acted like angels all the way home. The next day, I had an argument with my husband. I walked away from him feeling hurt and rejected. I fled to my room, wanting only to distance myself from him. As I sat on the edge of my bed, I rehearsed to myself everything I had learned about life's essential choice: choosing between estrangement and oneness. I knew that the higher road would be to reconcile with my husband, or at least be open to whatever conciliatory steps he took, but my whole nature wanted to withdraw. I sat there for some ten minutes warring with myself. I knew exactly what I should do, but was as incapable of doing it as a paraplegic trying to pole-vault. Suddenly I was startled to hear myself say out loud: "I can't do it."

I answered my own voice, "Can you do it for Daniel Chai? Can you do it for that boy's life?"

"Yes!" came my resounding reply. "To save Daniel's life, I can overcome my own nature."

When my husband came in a few minutes later, I battled my instinct to push him away, and lovingly accepted his apology. I felt like a heroine. I knew that I couldn't do it, but for Daniel's life, I did it.

[Postscript: Daniel's mother took on lighting Shabbat candles. Despite a dangerous infection that beset him that week, Daniel had a miraculous recovery.]

When I consider the prospect of all Jews truly loving each other, I hear the voice of realism saying, "We can't do it." Then I ask: Can we do it to bring the Divine Presence back into the world? Can we do it to dispel the choking fog of Divine absence? Can we do it to end all the national and personal catastrophes that ensue in a world where God is not evident?

To reverse the cataclysm of Tisha B'Av, is there anything we can't do?

Author Biography:

Sara Yoheved Rigler is a graduate of Brandeis University. Her spiritual journey took her to India and through fifteen years of teaching Vedanta philosophy and meditation. Since 1985, she has been practicing Torah Judaism. A writer, she resides in the Old City of Jerusalem with her husband and children. Her articles have appeared in: Jewish Women Speak about Jewish Matters, Chicken Soup for the Jewish Soul, and Heaven on Earth.

Sara Rigler is one of the feature authors in Aish.com's latest book, "Israel: Life in the Shadow of Terror".

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### **Gush Katif Stories, Part 3: Bryna's Story**

**by Sara Yoheved Rigler**

This 3-part series presents personal profiles of Jewish residents of Gush Katif, portaying the human dimension behind the politics. When the disengagement takes place, the Hilburgs' most wrenching loss will not be their beautiful home in the settlement of Netzer Hazani, nor even their nine and a half dunams of hothouses that grow bio-organic cherry tomatoes. The hardest piece of land for them to part with will be the grave of their son Yochanan, killed in Lebanon while serving in the Israeli army, and buried in the cemetery of Gush Katif.

Sammy and Bryna Hilburg were newlyweds filled with Zionist idealism when they made aliyah from the United States in 1972. Sammy served in the Border Police;

Bryna was a speech therapist. Seven years later they decided that it was not enough to live in the Land of Israel, they wanted to build up the land. This was an era in Israeli society when the term "settler" meant "pioneer" rather than "usurper."

The Hilburgs went to the government, who offered them a choice between the Golan Heights and Gush Katif. "In the Golan Heights, they were

willing to give us cows and snow," Mrs. Hilburg remembers. "Since I didn't want either, we came to heat and tomatoes."

They moved to the settlement of Netzer Hazani in 1979. It had been founded just three years before. At the groundbreaking ceremony Yitzhak Rabin had proclaimed:

"Today is a great day for the country and for the settlements, a day that symbolizes the strengthening of our holding in the area that has become an indivisible part of the state and its security."

When the Hilburgs planted their life in Gush Katif, did they ever consider the possibility that someday they might be uprooted? "No," answers the 54-year-old Mrs. Hilburg. "At that time nobody spoke about giving up land. We lived here, the Arabs lived there, and everybody was happy. We used to do all of our shopping in Khan Yunis [a large Arab city in the Southern Gaza Strip]. If we needed a coat of paint on the walls, we went to Khan Yunis to buy the paint. If we needed a kilo of apples, we went to Khan Yunis. When we had weddings and Bar Mitzvahs, we invited our Arab workers, and when they had weddings and festive occasions, they invited us. We, the Jews living in Gaza, built up an Arab middle class here. It hadn't existed before."

All that changed in 1986, with the first intifada. The Arab family that worked for the Hilburgs still works for them, but for Jews to venture into an Arab town or village could cost them their lives.

During the last two years, the communities of Gush Katif have been the target of 6,000 mortar shells and Katusha rockets fired from the nearby areas of the Palestinian Authority. Miraculously, all but a couple dozen have hit without causing injury or property damage. Two mortar shells have fallen close to the Hilburg home, but Mrs. Hilberg avers that fear plays no part in her life. This is remarkable considering that two of her remaining five children are presently serving in the Israeli army.

Bryna Hilburg, with her silver-gray hair, dressed in black slacks and a gray shirt, speaks in a flat, emotionless tone of voice, like a woman whose mind has taken over the functioning of her wounded heart. She is a portrait of rationality and mature practicality. Now, six weeks before the scheduled evacuation, has she made any preparations for leaving? "No," she answers simply. "We've spoken to a lawyer. Most people here have spoken to lawyers. But as far as moving vans or packing, I don't even have a single box."

Sammy Hilburg is 56 years old, past the energy and enthusiasm necessary to start a new farm from scratch. Have they thought about where they'd go? "Well, there's talk about sending people from Gush Katif to the area of Nitzanim [the area north of Ashkelon]. But as far as actually going there and saying, 'I want this trailer or that trailer,' nobody I know has done that. They forgot one little bitty thing when they started making all these preparations for Nitzanim for 350 trailers where they're going to put 1,800 families. They forgot to worry about the sewage. I don't want to go to a place where I can't even flush the toilet."

Is she expecting a miracle to stop the disengagement? She sighs. "To a certain extent, yes. But if I want a miracle to happen, I have to make it happen. I have to protest and give newspaper interviews and wake up the country."

Could this eminently practical woman really conceive of 9,000 Jews continuing to live surrounded by a million and half Arabs? "Why not?" she replies. "Jews live everywhere, and they're always the minority. If the Arabs wanted to maintain living peacefully, there's no reason why not."

"The Islamic mentality," she continues, "is such that every piece of land that they consider theirs is completely and totally holy unto them. Therefore, they're not going to stop with the Gaza Strip. And if they get the West Bank, they're not going to stop with that either. They're going to want Jerusalem, and once they get Jerusalem, they might as well take Tel Aviv and Haifa. I think it's crazy to appease them with gifts of land, because it can't work. You don't give up something without getting something in return. As far as I can see, we're not getting anything."

#### **THEIR MOST PRECIOUS POSSESSION**

The Hilburgs' house is a typical middle-class, middle-aged home, filled with pictures and books and personal mementoes. The evacuation plan expects that soldiers will pack up the belongings of residents who refuse to

pack up their own things, which will inevitably lead to much confusion and loss. A woman who knows what real loss is, Mrs. Hilburg is not worried about the prospect of losing her possessions. "Most of my belongings are really not worth very much," she shrugs. "If I have some things that I really care about, I'll put them in a suitcase, I suppose."

"What do you stand to lose?"

"My livelihood. My home. My understanding of life as it is. My friends. A safe haven for my children. And --," she pauses, "my son's grave." The news a few days before has reported that the families whose 48 loved ones are buried in the Gush Katif cemetery have brought a suit in the Supreme Court insisting that the graves not be moved without their permission. Since it is unthinkable that the graves be left behind to be vandalized by the Palestinians, what exactly do the families want?

"First of all, the government has to come and talk to us, and not, as originally planned, come and dig up the graves in the middle of the night and rebury them in some temporary gravesite, and then say, 'You can do with them what you want.'"

The graves are one of the most heartbreaking issues of the disengagement. Jews are protective of Jewish graves because disturbing mortal remains is believed to inflict spiritual pain on the soul. Since bodies in Israel are not buried in coffins but merely wrapped in prayer shawls or sheets (to facilitate the process of "dust returning to dust"), exhuming the 48 graves of Gush Katif will not be a neat process of digging up and reburying coffins. Instead, it will entail the ghoulish ordeal of digging up skeletons with no definite delineation between the remains and the surrounding earth.

At what point does the price of living out her ideals become too great for Bryna Hilburg to pay?

"At the beginning of September, 1997, the Land of Israel knocked on my door and said, 'We're sorry; your son is dead.' Now the Land of Israel is knocking on my door saying, 'Sorry, we're taking your home.' What am I going to have left to give the Land of Israel next time they come knocking on my door?" Click here to read the first and second parts of this series.

Author Biography:

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Sara Rigler is one of the feature authors in Aish.com's latest book, "Israel: Life in the Shadow of Terror".

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## YatedUSA - Halacha Talk

by Rabbi Yirmiyohu Kaganoff

### The Tenth of Av

While I was thinking about a topic for this week's article, someone phoned with the following question:

1. "We are leaving the morning after Tisha B'Av for Eretz Yisroel to attend a family simcha. Do we have to pack a suitcase full of dirty laundry and wash it upon our arrival?"

2. Someone else asked me the following shaylah:

"I am studying a Mesechta and was told not to rush to complete the siyum during the Nine Days. May I make a fleishig siyum the night after Tisha B'Av, and assuming that I can, may I rush the learning to make the siyum at that time?"

3. May I recite a Shehechyanu on the night after Tisha B'Av?

### BACKGROUND TO THE SHAYLAH

The Gemara (Taanis 29a) records the following: "On the Seventh of Av, the gentiles entered the Beis Hamikdash and spent three days feasting and contaminating it. As the sun was setting on the Ninth of Av, they set the Beis Hamikdash ablaze, and it continued to burn for the entire next day." (Shulchan Aruch notes that the Beis Hamikdash burned the entire Tenth of

Av, the fire finally going out as the sun set on the Tenth.) Therefore Rabbi Yochanan declared that had he been alive at the time of the Churban, he would have declared the fast on the Tenth of Av, rather than the Ninth. He felt that the main day of mourning should be the day that the Beis Hamikdash was actually destroyed rather than the day that the tragedy began. However, the halacha is that it is more important to commemorate the Ninth, when the destruction began. Nevertheless, the custom is to observe the Tenth of Av as a day of mourning, as we will see.

Chazal did not institute two consecutive days of fasting because it is dangerous for most people to go 48 hours without eating. Indeed, the Talmud Yerushalmi records that Rabbi Avin fasted for two consecutive days - the entire Ninth and the entire Tenth days of Av. Rabbi Levi, who was not as strong, fasted only the Ninth and through the night of the Tenth, but broke his fast on the morning of the Tenth. Note that these rabbonim did not require people to fast both days. Rabbi Avin felt the loss of the Beis Hamikdash so intensely that he fasted both days to grieve its loss. Rabbi Levi also felt the intensity of the Churban, but could not fast two consecutive days because of his health. Thus, he observed the Tenth of Av as a fast day to the extent that he could, refraining from ending his Tisha B'Av fast until the following morning.

The Tur (558) mentions that although we lack the strength to extend our fast into the Tenth of Av, nonetheless it is appropriate to refrain from eating meat on the Tenth. Thus, on the Tenth we eat only what is necessary to regain our strength from the Tisha B'Av fast, but not luxury items such as meat and wine. Nevertheless, we find that even in later generations there were great tzadikim who fasted both the Ninth and the Tenth of Av. Several interesting shaylahs result from this fast:

### NACHEIM ON THE TENTH

Does someone fasting on the Tenth of Av recite Nacheim, the special prayer added to the Shmoneh Esrei of Tisha B'Av, when he is fasting the day after Tisha B'Av? On the one hand, it is no longer Tisha B'Av, so why should someone recite Nacheim? On the other hand, one is fasting on the day the Beis Hamikdash was destroyed because of the Churban. The Shla Hakodesh ruled that one should recite Nacheim on the Tenth of Av if one is still fasting because of Tisha B'Av (quoted by Birkei Yosef). We see from his discussion that it was not unusual in his time for people to fast two consecutive days because of the Churban!

Someone who is marrying on the night of the Eleventh and is fasting the Taanis chassan on the Tenth should not recite Nacheim - because he did not fast the night before and it is not a continuous fast from Tisha B'Av.

### FORGOT TISHA B'AV!

Poskim mention another interesting shaylah. A traveler without access to a Jewish calendar arrived in a Jewish community the afternoon of Tisha B'Av and discovered that he had failed to observe any of the halachos of Tisha B'Av. Since he ate the entire day because of his mistake, what should he do now? Can he observe any of the halachos of Tisha B'Av?

Firstly, he should not eat the rest of Tisha B'Av, because every piece of food that he eats on the fast day is a violation of eating on Tisha B'Av. He is also required to observe the other halachos of Tisha B'Av until the end of the day.

What else should he do?

The gadol who paskined the shaylah ruled that he should fast and observe the halachos of Tisha B'Av on the Tenth of Av, because Chazal would have instituted the Tenth of Av as a fast were it not too difficult for people. Therefore, someone who failed to observe the Ninth of Av should fast on the Tenth (Birkei Yosef).

### FASTING ON THE ELEVENTH

Someone asked the Maharil (Shu't #125, quoted by the Beis Yosef, Orach Chayim 558) the following shaylah. He usually fasted on the Ninth and Tenth of Av, but in the year he asked the shaylah, Tisha B'Av was on Shabbos. Thus, Sunday, the observed Tisha B'Av that year, was really the Tenth of Av. Must he fast on the Eleventh of Av in order to fulfill his practice of fasting two days of Tisha B'Av?!

The Maharil ruled that he is not required to fast on the Eleventh of Av. The reason for fasting on the Tenth of Av is because most of the Churban

occurred on this day, as we explained above. But by the Eleventh the Beis Hamikdash had already finished burning and there is no reason to fast.

However, the Maharil ruled that he should refrain from meat on the night of the Eleventh and only begin eating meat in the morning. This is because the meal following a fast should be solemn and not include any meat or wine. Similarly, Sefer Hassidim states that one should not eat meat or drink wine either immediately before or immediately after a fast (quoted by Shu't Maharshah #92).

Because of these reasons, although the halacha specifically does allow one to eat fleishig immediately after Shiva Asar b'Tamuz, Asarah B'Teiveis and Tzom Gedalyah, many people have a minhag not to eat meat these nights, or at least not to eat meat immediately after the fast since these dates all commemorate events surrounding the Churban. After Yom Kippur, many have the custom specifically to eat meat in order to celebrate the forgiving of our sins.

In conclusion, the Shulchan Aruch (558) rules one should refrain from eating meat or drinking wine the entire day of the Tenth of Av, and this is the normative practice of the Sefardim. The Rama rules that one need only refrain until midday of the Tenth, and this is standard Ashkenazic practice. (However, other Ashkenazic poskim rule that one should refrain from eating meat the entire Tenth of Av [Shu't Maharshah #92].)

#### SOME MEATY LENIENCIES

Some contend that on the night of the Tenth one may eat food that contains meat and that one may also recite the benching over wine (called benching on a kos) if he usually does so (Maamar Mordechai).

It should be noted that none of the poskim we have quoted so far mention refraining from any activities on the Tenth of Av other than fasting and not eating meat. Thus, one can infer that immediately after Tisha B'Av one may bathe, launder clothes, and engage in all the other activities that we refrain from during the Nine Days. This is indeed the opinion followed by both the Shulchan Aruch and the Rama (558; 551:4). However, others extend the mourning atmosphere of the Tenth of Av to other observances and say that one should not get a haircut, launder or bathe on the Tenth (Shu't Maharshah #92, quoted by Bach 558). The standard Ashkenazic practice is to be stringent on all the halachos of the Nine Days until midday on the Tenth (Taz). Sefardim are strict not to eat meat until the end of the Tenth, but most permit cutting hair, laundering and bathing.

Notwithstanding this halachic conclusion, there are some leniencies. Some poskim contend there is no prohibition to shower on the Tenth, that the prohibition is only to do things that are pleasurable or relaxing, such as eating meat or taking a relaxing sauna (Teshuvos Vehanhagos 2:260). Other poskim rule that under extenuating circumstances one may rely on the opinions that permit laundering clothes on the Tenth. Therefore, someone traveling on the morning of the Tenth for a family simcha may do their laundry before they leave (Piskei Teshuvos 558:2).

#### MAY ONE SCHEDULE A WEDDING FOR THE DAY AFTER TISHA B'AV?

The Mishnah states that mishenichnas Av memaatim bisimcha, when the month of Av enters, we decrease our happiness (Taanis 26b), which includes that we do not make weddings. An additional reason cited to forbid weddings is that since Av is a time of bad mazel for Jews, one should postpone a wedding to a more auspicious date (Beis Yosef 551; Magen Avrohom 551:8). However, this does not tell us how much of Av has bad mazel that precludes making weddings – clearly the minhag is not to avoid making weddings the entire month. In most places, people conduct weddings from the Eleventh of Av. However, some Hassidim have a custom not to make weddings before Shabbos Nachamu (Shu't Minchas Elazar 3:66).

According to some poskim, one should not make a wedding on the Tenth of Av, even after midday. However, several prominent Ashkenazic poskim imply that one may schedule a wedding on the day of the Tenth of Av (see Mishnah Berurah 558:2). Some poskim, albeit a minority, even permit making a wedding the night after Tisha B'Av under highly extenuating circumstances (Shu't Ramatz #40, quoted by Maharsham in Daas Torah).

#### SIYUM AFTER TISHA B'AV

Although the universally accepted practice is to not eat meat the night after Tisha B'Av, this custom is more lenient than the halacha of not eating meat during the Nine Days.

As I mentioned last week, although one may eat meat at a siyum during the Nine Days, only people who would usually attend the siyum may eat meat. Other people, who might have chosen to not attend the whole year round, may not eat meat or drink wine at the siyum (Rama and Taz 551:10). Furthermore, in order to make a siyum during the Nine Days one should not rush or slow down the learning (Eliyahu Rabbah 551:26; Mishnah Berurah 551:73; Aruch Hashulchan 551:28).

None of these stringencies apply to a siyum made on motzei Tisha B'Av. One may serve meat to as many people as one chooses (Mishnah Berurah 558:2). In addition, one may deliberately arrange the learning schedule so that the siyum falls out on that night (Shu't Ramatz #41, quoted by Maharsham in Daas Torah).

#### SHEHECHIYANU ON THE TENTH

The poskim discuss whether one may recite the bracha of shehechyanu on a new fruit, garment or other possession during the Three Weeks. Reciting this bracha is a celebration that Hashem has sustained us so that we can celebrate again, bizman hazeh, on this special occasion.

Most poskim conclude that one may recite shehechyanu on Shabbos or in a case where one will not have an opportunity to recite it later, but that otherwise one should not recite shehechyanu on weekdays during the Three Weeks (Magen Avraham, Eliyahu Rabbah, Chayei Odom; Mishnah Berurah). The poskim dispute why we do not recite shehechyanu during the Three Weeks. – This dispute affects whether we recite shehechyanu on the Tenth of Av.

According to many opinions, we do not recite shehechyanu during the Three Weeks because we are in mourning. These poskim assume that one may recite shehechyanu on Shabbos during the Three Weeks, since there are no public signs of mourning on Shabbos (Magen Avraham 551:21). According to this approach, whether and when one recites shehechyanu on the Tenth of Av is dependent on when we observe mourning on this day and to what extent (Shaarei Teshuvah 558:1). According to this reasoning, Ashkenazim who do not practice mourning after midday on the Tenth of Av, could recite shehechyanu at this point.

However according to the Ari, we refrain from saying shehechyanu during the Three Weeks for a totally different reason — because it is inappropriate to recite a bracha whose words are that “He has sustained us for this time when it is a time of year when so many tragedies occurred. Therefore, according to the Ari one should not recite shehechyanu during the Three Weeks even on Shabbos (Shu't Chaim She'ol #24).

According to the reasoning of the Ari, even an Ashkenazi should not recite the bracha of shehechyanu the entire Tenth of Av, even after midday. Although Ashkenazim do not observe any mourning in the afternoon, the reason not to recite shehechyanu is because the bracha is inappropriate on a day that such tragedies happened to the Jewish people. This is certainly a reason not to recite shehechyanu on the Tenth of Av (Aishel Avraham of Buchatch). Other poskim contend that one may recite shehechyanu on the Tenth of Av since it is a less intense day of mourning (Daas Torah). This approach assumes that the reason we do not recite shehechyanu during the Three Weeks is because we are observing mourning practices. According to all opinions, someone who performs a mitzvah on the Tenth of Av which requires shehechyanu, such as a pidyon haben or a Bris (for those who recite shehechyanu at a bris) should recite shehechyanu, just as he would during the Three Weeks.

As we mentioned above, the Talmud Yerushalmi records that Rabbi Avin fasted for two consecutive days - the entire Ninth and Tenth days of Av because the loss of the Beis Hamikdash was so intense to him that he felt the need to fast both days to grieve for its loss. One might think that Rabbi Avin lived close to the time of the destruction of the Beis Hamikdash and that it was therefore a fresh personal memory for him. But in fact, he lived over two hundred years after the destruction of the Second Beis Hamikdash and 700 years after the destruction of the First. Nevertheless, he suffered such anguish from the Churban that he could not bring himself to eat on a day that the Beis Hamikdash was still burning. I have been told

that Rav Yehoshua Leib Diskin went to the kosel only twice in his lifetime, although he lived in Yerushalayim. Both times he passed out from the sheer pain he felt at seeing the manifestation of the Churban!  
We too should realize that the long ago Churbanos have an immediate impact on our lives. We should endeavor to feel the loss of the Beis Hamikdash as our personal loss for which we mourn intensely.

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**YatedUSA - Making A Siyum During The Nine Days  
by Rav Chaim Charlap - Rosh Yeshivas Bais Zevul  
Adapted from his Sefer Ohr Chaim on Yomim Tovim  
The Custom of Not Eating Meat During The Nine Days**

The Shulchan Aruch (Orach Chaim 551:9) states: "There are those who have the custom not to eat meat or drink wine from Rosh Chodesh Av until the fast." The reason for this minhag is based on the Shulchan Aruch (ibid. 1) who states that when the month of Av enters, we are obligated to minimize our simcha. Chazal tell us that there is no simcha without meat or wine; hence, the custom not to eat meat or drink wine during the nine days.

**The Source of Making A Siyum**

The Rama (ibid. 10) states that even during the nine days it is permissible to eat meat and drink wine at a seudas mitzvah, such as a bris milah, pidyon haben, siyum mesechta or engagement seuda.

**Siyum Questions**

The minhag of making a siyum during the nine days raises many halachic questions.

- 1) Is one permitted to intentionally start a mesechta before the nine days in order to calculate its conclusion with the nine days?
- 2) Is one permitted to hurry or delay the siyum in order to calculate its conclusion with the nine days?
- 3) Who is permitted to participate in the siyum?
- 4) One who does not usually make a seuda at the conclusion of a mesechta, is he permitted to do so during the nine days?

**Coinciding The Siyum During The Nine Days**

The Mishnah Berurah (ibid.73) quotes the Elyah Rabba that a person should not hurry or delay his learning in order to coincide the conclusion of the mesechta with the nine days.

However, Rav Yaakov Emden zt"l (Siddur Ya'avetz, laws of Bein Hemetzorim) is of the opinion that although one is not permitted to delay his learning in order for its conclusion to take place during the nine days, nevertheless, one is permitted to hurry his learning to coincide its conclusion with the nine days, as long as it is not at the expense of understanding the Gemara. He reasons that investing more time and effort to hurry the conclusion of a mesechta is a mitzvah. Rav Weiss z"tl (Minchas Yitzchok vol. 2:93) is of the opinion that one may even delay the siyum until the nine days.

Furthermore, from the words of the Elyah Rabbah it seems that although he is of the opinion that one is forbidden to hurry or delay his siyum in order to coincide the conclusion with the nine days, nevertheless, one is permitted to intentionally begin a mesechta before the nine days in order to coincide its conclusion with the nine days. It is also quoted that the practice of Rav Yonason Eibshitz z"tl was to learn Maseches Taanis in a few hours, and then eat a meat meal. (Shailos U'teshuvos Rav Yedidya Weil, O.C. 38).

**One Who Usually Does Not Make A Siyum**

The Mishnah Berurah (ibid.) quotes the Elyah Rabbah that one who usually does not make a feast at the conclusion of a mesechta, should perhaps not do so during the nine days. Although the Elyah Rabbah and the Mishnah Berurah both use the term "perhaps," the Chaye Adam (133:16) omits the word, implying that he is of the opinion that such a person should definitely not make a siyum during the nine days.

**The Participants**

The Rama (ibid.) states: "Meat may be eaten and wine may be drunk by all those who are relevant to the seuda; however, one should limit the number

of participants by avoiding adding others. In the week in which Tisha B'Av falls, only a limited minyan may eat meat or drink wine."

The Mishnah Berurah (ibid.) explains that only those who would have normally participated another time at the seuda - either because they are relatives or they are fond of the person who is making the seuda - may participate during the nine days as well. However, one who would usually not participate in the seuda, and is doing so now just in order to eat meat, such a person is guilty of transgression if he does so.

However, during the week in which Tisha B'Av falls, apart from the relatives of the person making the seuda who are otherwise disqualified to testify in a matter concerning him, and apart from those who are involved in the mitzvah, it is permitted to add an additional ten people to participate out of friendship.

**A Siyum In A Yeshiva Or Summer Camp**

Rav Moshe Feinstein zt"l (Laws of Bein Hametzorim by Rav Shimon Eider) rules that the whole yeshiva or summer camp may participate in the siyum since everyone usually eats together. This is also the ruling of Rav Shlomo Zalman Aurbach zt"l as well (Nitei Gavriel, chap. 41).

**Participating In A Siyum Bichorim Erev Pesach**

The Mishnah Berurah (Ibid. 470:10) states that it is the custom for the first born to make a siyum mesechta on Erev Pesach so that they should not have to fast. The Mishnah Berurah adds that even those who did not learn the mesechta may participate in the seuda. The Mishnah Berurah makes no mention that only those who usually participate out of friendship may participate on Erev Pesach as well. It is, in fact, the custom for all bechorim to participate in the siyum, even though they would not normally do so. Rav Moshe Shternbuch (Teshuvos Vehanhagos, vol. 2 resp. 210) cites the Steipler zt"l who was also lenient in this matter.

What is the difference between a siyum on Erev Pesach and a siyum during the nine days? Why during the nine days is participation permitted only for those who would normally attend out of friendship? One would reason that the fast on Erev Pesach should be more stringent than eating meat during the nine days, which is only a minhag.

The poskim explain that the reason for being lenient on Erev Pesach is in order to ensure that the fast will not affect one's ability in performing the mitzvah of matzah and marror. (See Aruch Hashulchan 470, Minchas Yitzchok, vol. 2, 93).

**A Final Note**

The Shulchan Aruch (ibid. 11) states that whoever eats meat in a place where it is the custom to forbid it, is a poretz geder, v'yishchenu nachash - he is one who violates a custom and is liable to be struck by a snake. However, whoever mourns for Yerushalayim, will merit seeing its rejoicing (Taanis 30b).

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**YatedUSA - Halacha Discussion**

**by Rabbi Doniel Neustadt**

**When Tisha B'Av Falls on Sunday**

The ninth day of Av, the day on which both Batei Mikdash were destroyed, not only commemorates the destruction of both Temples, but is also a national day of mourning for all of the tragedies and calamities that have befallen the Jewish people. This sorrowful fast day, which culminates the Three Weeks period of mourning, is replete with special halachos, especially this year when it falls on Sunday. In this discussion, we will focus on the specific halachos that apply to Tishah b'Av that falls on Sunday:

**On Shabbos:**

- Tzidkasecha tzedek is omitted from Tefillas Minchah.1
- If one can keep himself occupied on Shabbos afternoon studying topics which pertain to Tishah b'Av or to mourning, he should do so. If he cannot, he may study what he ordinarily does. It is customary that Pirkei Avos is not studied on this Shabbos.4
- The usual seudah ha-mafsekes restrictions do not apply on Shabbos. At the last meal before the fast — which is seudah shelishis on Shabbos — one may eat meat and drink wine and consume whatever food he desires.5

One should not, however, specifically say that he is eating in order to have strength for the fast, nor is it permitted to swallow a pill that makes it easier to fast, since he would then be preparing on Shabbos for a weekday<sup>6</sup>.

- Eating seudah shelishis with family members is permissible. Company, however, should be avoided — unless one usually has company for seudah shelishis<sup>7</sup>. Birkas ha-Mazon may be said with a zimun<sup>8</sup>. Zemiros may be sung, even by one who does not always sing them<sup>9</sup>.
- Eating, drinking, or washing any part of the body is permitted until sunset only<sup>10</sup>. If one recited Birkas ha-Mazon before sunset, he may eat or drink until sunset. No precondition is required<sup>11</sup>.
- One may sit on a chair until nightfall<sup>12</sup>. Greeting people is also permitted until nightfall.
- Since it is not proper to wear Shabbos clothes on Tishah b'Av, it is recommended that one change clothes after nightfall, but before Ma'ariv<sup>13</sup>. Baruch ha-Mavdil should be recited before changing into weekday clothes<sup>14</sup>.
- No preparations for Tishah b'Av may be made until Shabbos is over. Tishah b'Av shoes or Kinot [unless studied on Shabbos] may not be brought to shul until nightfall, even in an area with an eiruv<sup>15</sup>.

Motza'ei Shabbos:

- Shabbos shoes may not be removed until nightfall. The custom in many places<sup>16</sup> is to remove the shoes after saying Barechu at Ma'ariv. Others remove their shoes after reciting Baruch ha-Mavdil but before Barechu, provided that it is already nightfall<sup>17</sup>. This option is advisable when there is large gathering of people [such as a camp] in order to avoid a long break between Barechu and Ma'ariv<sup>18</sup>.
- Atah chonantanu is said in Shemoneh Esrei of Ma'ariv. Women who do not daven Ma'ariv must be reminded to recite Baruch ha-Mavdil before doing any work<sup>19</sup>.
- After Ma'ariv but before the reading of Eichah, a candle<sup>20</sup> is lit and Borei me'orei ha-eish is recited. If one forgot or failed to do so, Borei me'orei ha-eish may be recited anytime throughout the night<sup>21</sup>.
- Customarily, Borei me'orei ha-eish is recited by one person for the entire congregation. It is proper, though, that all the listeners sit down while the blessing is recited<sup>22</sup>.
- Preferably, women should listen to Borei me'orei ha-eish recited by a man. If they cannot do so, it is recommended that they recite their own blessing over a candle, but they are not obligated to do so<sup>23</sup>.
- Some permit folding the tallis as on every motza'ei Shabbos<sup>24</sup>, while others are stringent<sup>25</sup>.
- Dirty dishes from Shabbos should not be washed until Sunday after chatzos<sup>26</sup>, unless they will attract insects, etc.

On Sunday:

- Before breaking the fast because of illness Havdalah should be recited.<sup>27</sup> Many poskim<sup>28</sup> hold that wine or grape juice may not be drunk, and Havdalah should be recited on a Shehakol beverage such as beer, coffee, or tea [with or without milk<sup>29</sup>]. Another option is to use wine or grape juice, but have a minor [between the ages of 6-9] drink the wine. Other poskim allow even an adult to drink the minimum amount<sup>30</sup> of wine or grape juice<sup>31</sup>.
- There are various views among the poskim concerning the recitation of Havdalah for women who are not fasting [due to illness, pregnancy, or nursing]<sup>32</sup>. The preferred option is that the woman's husband [or another man] should recite Havdalah<sup>33</sup> and that she or a minor drink the beverage. If that cannot be arranged, most poskim allow her to recite her own Havdalah<sup>34</sup>. If she cannot or will not, there are poskim who permit her to eat without reciting Havdalah altogether<sup>35</sup>.
- Most poskim hold that minors do not need to hear or recite Havdalah before eating, and this is the prevalent custom.<sup>36</sup> A minority opinion requires them to do so<sup>37</sup>.
- One who must eat on Tishah b'Av in the morning should daven first, without tefillin, and then eat. If he needs to break his fast after chatzos, he should daven Minchah with tefillin and then eat. If he cannot daven Minchah until later in the day, he should still put on tefillin before he eats<sup>38</sup>.

On Sunday night:

- After the fast is over, one may not eat until Havdalah is recited. Women should hear Havdalah from their husbands or a neighbor<sup>39</sup>. If it is difficult for a woman to wait for Havdalah, she may drink before Havdalah<sup>40</sup>. If drinking is not sufficient, some poskim allow her to eat without hearing Havdalah while others hold that she should make Havdalah herself<sup>41</sup>.
- Havdalah may be recited over wine or grape juice, and it need not be given to a minor to drink<sup>42</sup>.
- Only the blessings of Borei pri ha-gafen and ha-Mavdil are recited. Borei me'orei ha-eish is not recited, even if one forgot to recite that blessing the previous night<sup>43</sup>.

1 Rama O.C. 552:12. In the morning, however, Av ha-Rachamim is recited; Mishnah Berurah 30.

2 Chazon Ish (quoted in Orchos Rabbeinu 2:136)

3 Mishnah Berurah 553:10. One may fulfill his obligation of Shenayim Mikra v'Echad Targum.

4 Rama 553:2.

5 O.C. 552:10.

6 Shemiras Shabbos K'hilchasah 28:77; Piskei Teshuvos 553, note 13, quoting Harav S. Davlitzky.

7 Mishnah Berurah 552:23.

8 Ibid.

9 Igros Moshe O.C. 4:112-1.

10 Mishnah Berurah 552:24 and Sha'ar ha-Tziyun 22. See Chayei Adam 136:1 and Kitzur Shulchan Aruch 125:1 concerning washing.

11 Sha'ar ha-Tziyun 553:7.

12 Salmas Chayim 4:4-129 quoted in Shemiras Shabbos K'hilchasah 62, note 88; Harav Y.S. Elyashiv (quoted in Hilchos Uminhagei Bein ha-Meitzarim, pg. 185).

13 Chazon Ish (quoted in Shemiras Shabbos K'hilchasah 28 note 178); Moadim u'Zemanim 7:256; Shevet ha-Levi 7:77. At the very least, this should be done before the reading of Eichah.

14 Mishnah Berurah 553:7.

15 Shemiras Shabbos K'hilchasah 28:77.

16 Based on Rama 553:2 as explained in Salmas Chayim 1:86.

17 Harav S.Z. Auerbach (quoted in Shemiras Shabbos K'hilchasah 28, note 179); Yecheveh Da'as 5:38; Moadim u'Zemanim 7:256.

18 Harav M. Feinstein (oral ruling, quoted in Halachos of the Three Weeks, pg. 16).

19 Mishnah Berurah 556:2. [Some poskim recommend that all women daven Maariv on this Motzai Shabbos, so that they can fulfill their obligation of Havdalah by reciting Atah Chonantanu.]

20 Some light a single candle while others hold two candles together.

21 Mishnah Berurah 556:1.

22 Beur Halachah 213:1, since on this night there is no blessing recited over wine which establishes the required kevius needed for such blessings.

23 See Beur Halachah 296:8, Igros Moshe C.M. 2:47-2, and Shemiras Shabbos K'hilchasah 61, note 69 and 62, note 98 for a discussion on the general issue of whether women are obligated to perform this mitzvah.

24 Nitei Gavriel, pg. 115.

25 Luach Devar Yom b'Yomo quoting the Belzer Rav.

26 Several poskim quoted in Piskei Teshuvos 554:21.

27 Sha'arei Teshuvah 556:1. If all that the sick person needs is a drink of water, Havdalah is not recited (Shevet ha-Levi 8:129).

28 Kaf ha-Chayim 556:9; Harav M. Feinstein (oral ruling quoted in Halachos of the Three Weeks, pg. 19); Minchas Yitzchak 8:30; Shevet ha-Levi 7:77.

29 Tzitz Eliezer 14:42. Some poskim allow pure orange or apple juice as well.

30 A cheekful, approx. 1.6 fl. oz. Since, however, Al ha-gafen cannot be recited over this amount, this should be followed by eating cake, etc. and the words al ha-gafen v'al pri ha-gafen can be added to the Al ha-Michyah.

31 Chazon Ish (quoted by Harav C. Kanievsky, Mevakshei Torah, Sivan 5753); Harav Y.Z. Soloveitchik (quoted in Peninei Rabbeinu ha-Griz, pg. 521 and in a written responsum by Harav S.Y. Elyashiv published in Mevakshei Torah, ibid.); Harav Y.Y. Kanievsky (Orchos Rabbeinu 2:145); Az Nidberu 11:48.

32 The issue: 1) Women, generally, do not recite their own Havdalah, since some Rishonim exempt them from Havdalah altogether; 2) Even men are not required by all poskim to recite Havdalah before eating on Motza'ei Tishah b'Av which falls on a Sunday.

33 The husband, then, does not repeat the Havdalah for himself once the fast is over (Shemiras Shabbos K'hilchasah 62:48).

34 Shevet ha-Levi 8:129; Shemiras Shabbos K'hilchasah 62:48; Az Nidberu 11:48; Moadim u'Zemanim 7:255.

35 Kinyan Torah 5:51; Shraga ha-Meir 1:59; Nitei Gavriel, pg. 164.  
36 Harav Y.Y. Kanievsky (Orchos Rabbeinu 2:145); Harav S.Y. Elyashiv (quoted in Rivevos Efrayim 3:371); Shemiras Shabbos K'hilchasah 62:45; Moadim u'Zemanim 7:255; Chanoch l'Na'ar 28:10.  
37 Maharil Diskin 2:5-72; Divrei Yatziv 2:243; Shevet ha-Levi 7:77. There are conflicting reports as to what the opinion of Harav M. Feinstein was; see Children in Halachah, pg. 190.  
38 Entire paragraph based on ruling of Harav S.Z. Auerbach (Shemiras Shabbos K'hilchasah 62, note 108 and 115).  
39 Minchas Yitzchak 8:51.  
40 Tishah b'Av she'Chal b'Yom Alef 70.  
41 See Piskei Teshuvos, pg. 120 for the various views.  
42 Mishnah Berurah 556:3.  
43 Mishnah Berurah 556:4.

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## **The Weekly Halacha Overview, by Rabbi Josh Flug**

### **One Who is Too Ill to Fast on Tisha B'Av**

The fast of Tisha B'Av is the climax of the period of mourning. As such, it is more comparable to Yom Kippur than to the other four rabbinically enacted fast-days. This is reflected in its full twenty-four hour length, and its observance of all five inuyim (methods of infliction). For this reason, minor illnesses or ailments that exempt one from fasting on the four minor fasts do not serve to exempt one from fasting on Tisha B'Av. Of course, as with Yom Kippur, one who is in a situation where fasting may pose a life threatening danger is not only permitted to eat, but required to eat. Furthermore, one who is ill and too weak to function normally is not required to fast even if fasting poses no apparent danger to his life (see Shulchan Aruch, Orach Chaim 554:6, and Mishna Berurah 554:16). This article will discuss some of the issues that arise for one who must eat on Tisha B'Av.

#### **Limiting Factors**

Are there any limitations for one who was given the directive to eat on Tisha B'Av? Shulchan Aruch, Orach Chaim 618:7, (based on a Beraita quoted in the Gemara, Yoma 83a) writes that one who must eat on Yom Kippur should eat in small increments if it will not pose any danger. The purpose of eating in small increments is to minimize the severity of the prohibition. Teshuvot Maharam Schick, Orach Chaim no. 289, assumes that the same procedure applies to Tisha B'Av, and one should eat in increments if possible. However, R. Shlomo Z. Auerbach (cited in Nishmat Avraham IV, 554:1), and R. Shmuel Vosner, Shevet HaLevi 4:46, rule that if one is already ill, one is not required to eat in increments. If one is healthy but must eat out of concern that he will become ill, he should eat in increments. R. Eliezer Waldenberg, Tzitz Eliezer 10:25:16, implies that one is never required to eat in increments.

Even if one assumes that an ill person is not required to eat in increments, there is a limiting factor. Hagahot Maimoniot, Hilchot Ta'aniot 1:8 (Kushta edition), writes that one who is permitted to eat on Tisha B'Av should not indulge in delicacies. He should only eat what is necessary for his sustenance. This opinion is codified by Shulchan Aruch, Orach Chaim 554:5.

#### **Special Observances for One Who is not Fasting**

Maharil, Hilchot Shiva Asar B'Tammuz V'Tisha B'Av, no. 11, writes that an ill person who eats bread on Tisha B'Av should recite Nachem in the Birkat HaMazon. [Nachem is the prayer that is added to the Amidah of Mincha.] Shibalei HaLeket, no. 267, disagrees and maintains that one does not recite the Nachem prayer in Birkat HaMazon. Rama, Orach Chaim 557:1, rules in accordance with the opinion of Maharil that one does recite Nachem. Sha'arei Teshuva ad loc., quotes numerous authorities that adopt the position of Shibalei HaLeket that one should not recite Nachem. Mishna Berurah 557:5, quotes both opinions and does not rule conclusively on the matter.

When Tisha B'Av occurs on Sunday, Havdalah is postponed until after Tisha B'Av. Birkei Yosef, Orach Chaim 556:2, writes that one who is ill and is not fasting should recite Havdalah immediately after Shabbat. R. Yehoshua Y. Neuwirth, Shemirat Shabbat Kehilchata 62:45, writes that Birkei Yosef's ruling only applies to adults who are too ill to fast. A child

who is not fasting should not recite Havdalah himself on Motza'ei Shabbat, but rather wait until the conclusion of Tisha B'Av to fulfill the mitzvah of Havdalah.

#### **May One Who is Not Fasting Receive an Aliyah?**

On Tisha B'Av of 1811, R. Moshe Sofer (known as the Chatam Sofer) was too ill to fast. He wondered whether he would be able to receive an aliyah for the afternoon Torah reading. A similar issue was already addressed by Maharik, Teshuvot Maharik no. 9. Maharik notes that in many communities, when the Torah is read for the fast of Bahab (a series of private fasts observed by certain individuals following Pesach and Sukkot), the kohanim are asked to exit the room (if they themselves are not fasting) in order that the first aliyah be given to one of the individuals who is fasting. R. Yosef Karo, Beit Yosef, Orach Chaim 566, infers from this practice that on a fast day, only one who is fasting may be called to the Torah. This inference is codified in Shulchan Aruch, Orach Chaim 566:6.

R. Sofer, Teshuvot Chatam Sofer, Orach Chaim no. 157, notes that based on the ruling of Shulchan Aruch, one who is too ill to fast on Tisha B'Av may not receive an aliyah. R. Sofer argues that there are three reasons to permit receiving an aliyah in such an instance. First, he disagrees fundamentally with the assumption that one who is not fasting may not receive an aliyah. The practice that the kohanim who are not fasting exit the room is not due to their inability to receive an aliyah. Rather, since they are not fasting, they do not deserve the honor normally afforded to kohanim of receiving the first aliyah. For this reason they are asked to exit the room in order to give the first aliyah to one who is fasting.

Second, the ruling of Shulchan Aruch that one who is not fasting may not receive an aliyah should only apply to a private fast such as Bahab. Regarding a private fast, the special Torah reading that is read in commemoration of the fast has no relevance to one who is not fasting. For this reason he may not receive an aliyah. However, the Torah reading of a public fast day has relevance to every member of the congregation whether he is fasting or not.

Third, even one who is too ill to fast must still observe Tisha B'Av to the extent that his illness allows. He should not eat more meals than necessary. He must still observe the other restrictions that relate to the fast. For this reason we should consider this person as one who is observing Tisha B'Av, although in a limited manner.

Despite R. Sofer's arguments to permit one who is not fasting to receive an aliyah on Tisha B'Av, Mishna Berurah 566:19, rules that one who is not fasting may not receive an aliyah on a fast day. The only case where he provides any grounds for leniency is regarding the Torah reading of Monday and Thursday morning. Magen Avraham 566:8, rules that since the Torah is read on Monday and Thursday mornings regardless of the fast, one who is not fasting may receive an aliyah. Even in this instance, Ma'amar Mordechai 566:5, disagrees and contends that although the Torah would have been read regardless of the fast, one who is not fasting may not receive an aliyah since the content of the Torah reading is for that of a fast day and not for the week's parsha. Mishna Berurah rules that one may be lenient if the person was already called to the Torah.

R. Moshe Shternbuch, Teshuvot V'Hanhagot 2:261, suggests that the Torah reading on the morning of Tisha B'Av is fundamentally different than the Torah reading of the morning of other fast days. This is implicit in the comments of Rambam, Hilchot Tefillah 13:18, who states that on Tisha B'Av the morning Torah reading is ki tolid banim (Devarim ch. 4) and the afternoon Torah reading is vay'chal (Shemot ch. 32) "like all other fast days." R. Shternbuch notes that while the afternoon Torah reading of Tisha B'Av is a function of the fast day aspect of Tisha B'Av, the morning Torah reading is a function of the aveilut aspect of Tisha B'Av. Therefore, regardless of whether one is fasting or not, one may receive an aliyah at the morning Torah reading on Tisha B'Av.

R. Shternbuch does not make reference to Mishna Berurah's omission of the leniencies of R. Sofer. Although Mishna Berurah does not distinguish between Tisha B'Av and other fast days, he does not explicitly rule that one who is not fasting may not receive an aliyah on Tisha B'Av. Therefore, one can argue that R. Shternbuch's suggestion - that one who is

not fasting on Tisha B'Av may receive an aliyah in the morning – does not explicitly oppose the opinion of Mishna Berurah.

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### Meaning in Mitzvot

*Each week we discuss one familiar halakhic practice and try to show its beauty and meaning. The columns are based on Rabbi Meir's Meaning in Mitzvot on Kitzur Shulchan Arukh by Rabbi Asher Meir*

#### Erev Tish'a b'Av on Shabbat

Normally, the last meal eaten before the Tish' b'Av fast is supposed to be a spare meal eaten in solitude, since the mourning of Tish'a b'Av begins already the day before. (In fact, the mourning customs begin already three weeks earlier, and then intensify beginning with the month of Av and then further with the week in which Tish'a b'Av falls.)

Ed. note: This last mentioned period does not exist this year.

However, when the eve of the fast is on Shabbat, we don't limit our last meal at all. The Shulchan Arukh (OC 552:10), following the gemara (Taanit 29b), uses an interesting expression: "He may set the table even like the repast of Shlomo in the time of his kingship".

The reference to King Shlomo is understandable; the book of Melakhim (I 5:2-3) describes the great opulence of Shlomo's table. But what does the expression "in the time of his kingship" add?

Rashi refers us to a Talmudic passage relating that Shlomo was actually deposed from his rule for a period of time by the chief of the demons, Ashmedai. During this period, states the gemara, Shlomo was reduced to begging from door to door until the Sanhedrin learned of the situation and helped restore Shlomo to his throne. (Gittin 68b.)

However, this answer is still only partial. Certainly we wouldn't think that the expression to eat "like the repast of Shlomo" would refer to the period when he was a poor beggar! What then is hinted by the oblique reference to this period?

One possible understanding is given by the commentary of the Maharal (Chidushei Aggadot on Gittin). The Maharal explains that the "deposition" of Shlomo actually refers to a drastic breakdown of his character. Shlomo's character was reduced from the height of nobility and holiness to the depths of dissolution, until he was no nobler than a street urchin.

During this period, the material consumption of the royal household was not altered, but the nature of the consumption was. In place of regal luxury, the king's enjoyments were reduced to bestial indulgence (as we see from the passage in Gittin). His appreciation of royal splendor was no greater than that of a depraved beggar.

This gives us two complementary ways of understanding the legitimacy of eating "even like the repast of Shlomo at the time of his kingship".

1. We could possibly think that we are indeed permitted to eat a sumptuous meal on Shabbat afternoon, in order to avoid public conduct of mourning at this time. But according to many opinions we still have to conduct a degree of private mourning, just as an ordinary mourner on Shabbat observes those restrictions that are private. (See Rema end of OC 553.) We could think that we may eat a large meal, but without the ordinary regal bearing worthy of the Shabbat queen and the accompanying extra soul. Inside, we already begin to feel the sting and degradation of the destruction of the Temple. Thus the gemara tells us that we may eat even like the repast of Shlomo at the time of his kingship – at the height of his character and his ability to appreciate kingly opulence.

2. Perhaps on the contrary the gemara is telling us that we may indeed indulge ourselves on the eve of Tish'a b'Av since it falls on Shabbat, but we must be extra careful that our indulgence is of the elevated, regal character which suits the holy Sabbath day. If our meal is a mere satiation of base appetites like that of Shlomo when he was "deposed" from kingship – that is, according to the Maharal, when he lost all his regal bearing and elevation – it would be better to eat in moderation in anticipation of the impending period of national mourning.

The enjoyment of Shabbat, when we remind ourselves that ultimately the world will be perfected and our main task will be to assimilate the Divine

beneficence, does indeed supersede the mourning of Tish'a b'Av and the eve of Tish'a b'Av. But it is only worthy of doing so when this enjoyment is of the refined and elevated level which truly does bring us near to the apprehension of G'd's kindness and of the world's ultimate perfectibility.

The OU/NCSY Israel Center- TORAH tidbits

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### TALMUDIGEST—Shabbat 100 - 106

For the week ending 13 August 2005 / 8 Av 5765

from Ohr Somayach | [www.ohr.edu](http://www.ohr.edu)

by Rabbi Mendel Weinbach

#### LESSONS OF THE LETTERS - Shabbat 104a

The letters of the alphabet of Lashon Hakodesh - the holy tongue of Hebrew - are no ordinary letters. Important lessons can be learned not only from the words they form but from the shape of each letter and its relation to the letter which follows it in the alphabet.

This was demonstrated by some scholars - referred to in our gemara as "children" but identified in the Jerusalem Talmud as Rabbi Eliezer and Rabbi Yehoshua of an earlier generation - who provided fascinating interpretations regarding the names and shapes of all the letters.

Following are some examples:

"Aleph" - "Bet" - the first letters (which, incidentally, serve as the source for the world "alphabet") stand for "Alef Binah" which is a command to learn the source of wisdom, the Torah, which is formed from all these letters. Then come "Gimmel" - "Daled" which stand for the words "Gemol Dalim" - assist the needy. But why does the foot of the Gimmel reach out towards the Daled? Because it is the caring character of the benefactor to pursue the opportunity to help the poor. And why does the roof of the Daled extend back to the Gimmel? To teach the poor man to have consideration for his benefactor and make it easy for him to reach him. And why does the Daled face away from the Gimmel? To teach the benefactor the importance of providing his assistance in a secret fashion to avoid embarrassing the recipient.

The reason such interpretations can be made, points out Maharsha, is that the letters of the Torah, in varying permutations, form the Divine Names and therefore have an innate sanctity and convey a hidden wisdom.

#### WHAT THE SAGES SAY

"One who in anger tears his clothes, smashes a vessel or tosses away his money should be viewed as if he is already an idol worshipper. For this is the strategy of the yetzer hara (evil inclination) - today he urges one to do this, tomorrow something else until he finally succeeds in getting him to worship idols."

Rabbi Yochanan ben Nuri Shabbat 105b

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### THE WEEKLY DAF—Shabbos 100 - 106

For the week ending 13 August 2005 / 8 Av 5765

from Ohr Somayach | [www.ohr.edu](http://www.ohr.edu)

by Rabbi Mendel Weinbach

#### WRITE OR WRONG?

Although Torah law forbids writing on Shabbos only in durable script, the Sages prohibited even such non-durable forms of writing as dipping a finger in juice and writing letters on the table, or etching letters into dust, sand or ashes. This extends even to drawing letters on a frosted window pane, but does not include drawing imaginary letters with your finger in the air or on a dry sheet of paper.

What about etching letters into a congealed layer of fat?

There is no doubt that this is forbidden since it is no less an act of writing than the aforementioned examples prohibited by rabbinic law. The question is whether such writing is forbidden even by Torah law. There is no explicit mention of such writing on congealed fat in our gemara, and one of the great halachic authorities indeed concluded that it is forbidden only by rabbinic law. But if one turns to the very last pages of a standard gemara and consults the Tosefta (a body of law citing the rulings of the Tannaic Sages not included in the Mishna and similar in many ways to the

Beraisa - both of which are frequently quoted in the gemara for supporting or challenging the view of an Amoraic Sage) he will note that in Chapter 12, Tosefta 6 it is stated clearly that writing upon congealed fat is a violation of Torah law.

The logic behind the view that the ban on such writing is only of rabbinic origin is that it lacks durability since it will disappear once the fat is melted. The Tosefta's approach, as it was understood by leading commentaries cited by Mishna Berurah (240:20), is that since such writing will last as long as no action is taken to dissolve it we must consider such writing as durable and therefore prohibited by Torah law. Shabbos 104b

#### **LONG DAYS AND LONG YEARS**

When one Jew wishes another long life he traditionally blesses him that "Hashem should lengthen his days and years." The reason for this apparent redundancy can be appreciated from a closer look at what the gemara tells us about the importance of properly eulogizing a deceased Torah scholar.

One who is lax in eulogizing such a scholar, says Rabbi Chiya bar Abba in the name of Rabbi Yochanan, will not live long. This is a punishment of measure for measure. Since he was so indifferent to the tragedy of a scholar's life being cut short, there will be an indifference in Heaven regarding his own life.

A challenge is presented to Rabbi Yochanan's statement by the very same Rabbi Chiya who quoted it. The elders who survived Yeshoshua were so guilty of not properly eulogizing him that a volcano threatened to erupt and kill them (Yehoshua 24:30). Yet it is concerning these very same elders that we are told (Shoftim 2:7) "they lived long lives after the passing of Yehoshua."

"Babylonian that you are," Rabbi Yochanan rebuked this disciple who had left his land to learn Torah under Rabbi Yochanan in Eretz Yisrael, "they did indeed enjoy long days but they did not merit long years." Rashi explains that "long days" refers to the quality of life, while "long years" refers to the quantity. Although their other merits gained for them an enjoyment of their years, the number of those years was lessened by their failure to adequately eulogize a Torah scholar like Yehoshua.

So when we wish someone "long days and long years" we are blessing him with both quality and quantity of life. Shabbos 105b

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