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INTERNET PARSHA SHEET ON DEVARIM – TISHA B'AV - 5774

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On Changing the Text of Nahem: A Study in Tradition, Truth and Transformation

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For many centuries, close to two millennia, the overarching message of Tish'ah be-Av posed no challenge to the Jew. For him or her, its basic themes and lessons reflected not only the distant past but also the reality of exile, destruction, suffering, victimization, vulnerability and discrimination that he or she experienced first-hand in the present. But in the twentieth century, the challenge of defining the contemporary relevance of Tish'ah be-Av became a significant one, even within the traditional community.

Already before the founding of the State of Israel, Rabbi Baruch Halevi Epstein (d. 1942) questioned the appropriateness of the text of the Nahem prayer at a time when Jerusalem could boast of beautiful buildings and a large Jewish population.¹ His response, that the text was still relevant as long as the Land of Israel was under foreign domination, clearly lost its relevance with the founding of the State of Israel in 1948. With the establishment of the State, a number of voices were raised questioning, in general, the role of Tish'ah be-Av as a day of mourning for the loss of Jewish sovereignty. The new reality of the recently established state led a number of individuals to call for a reimagining of the day, introducing changes into its character and practices.² This argument gained much more urgency and currency after the Six Day War in 1967 when all of Jerusalem, including the Temple Mount, was brought under Jewish control. What role could this traditional day of mourning play given this new reality?³

At that point the issue became particularly pressing regarding the Nahem prayer. Questions arose over the appropriateness of continuing to recite its traditional text with its reference to Jerusalem as a "city that is in sorrow, laid waste, scorned and desolate; that grieves for the loss of its children, that is laid waste of its dwellings, robbed of its glory, desolate without inhabitants." Do these words not ring hollow and even false, it was suggested, in the face of the conquering of the Old City of Jerusalem and its coming under Jewish political control, the renewed access of hundreds of thousands of Jews to the Kotel ha-Ma'aravi and the growing and expanding population and municipal boundary of the city?

Indeed a number of different suggestions were made and alternate texts suggested. They

ranged from maintaining the basic integrity of the text but just framing it in the past, instead of the present tense, emending the words to read "city that was [not 'is'] in sorrow, laid waste, scorned and desolate . . ." (R. Hayyim David Halevi), to keeping the text of the prayer intact with the exception of removing the few problematic phrases (R. Aharon Lichtenstein), to proposing various alternative rewritings of the text that removed the problematic phrases in their entirety, thereby creating versions more in keeping with the historical reality (earlier version of Rabbi Shlomo Goren), to essentially rewriting the entire prayer (later version of Rabbi Goren; Rabbi David Shloush).⁴

Others were opposed to emending the text at all, for different reasons. Rabbi Ovadya Yosef argued that, after all, the prayer was composed by the Anshei Knesset ha-Gedolah, venerable

men of great authority. How dare one have the chutzpah to change the words instituted by "our holy rabbis through whom spoke the spirit of God." After all, every word and letter of the prayers they composed contain "exalted and wondrous secrets" full of deep mystical significance. Second, with all the real transformations wrought by Israel's military victory, the reality did not sufficiently change to warrant tampering with the traditional text. After all, continued Rabbi Yosef, the Temple Mount and its environs are still under the authority of "strangers, haters of Israel." The Old City is still full of churches whose leaders were responsible for the spilling of Jewish blood for many generations while once imposing synagogues there still lay in ruins. And finally, noted Rabbi Yosef, what about the abysmal spiritual level of many of Jerusalem's inhabitants? It is "at the lowest level"; many of them live lives distant from Torah and mitzvot. For all these reasons no changes in the text should be made, argued Rabbi Yosef, and the prayer of Nahem should be recited exactly as it had been for centuries.⁵

Rabbi Joseph B. Soloveitchik also took a very strong position against emending the text but adduced a very different rationale for his position, one that reflects the lens through which he viewed the world in general. After also expressing an aversion against changing texts hallowed by virtue of their rabbinic authorship, he quoted the Rambam who, in a number of different places in his *Perush ha-Mishnayot*, maintained that the city of Jerusalem had the halakhic status of mikdash. For example, when the shofar was sounded on Shabbat in the bet ha-mikdash, it was also sounded in Jerusalem. In addition, for the Rambam, the mizvah de-orayta of arba minim on Sukkot in Jerusalem was for all seven days, like in the mikdash.⁶ Also, the sanctity of the city of Jerusalem was never abrogated because it, again like the mikdash, drew its holiness from the Shehina.⁷ Since, concluded the Rav, Jerusalem according to the Rambam has the halakhic status of mikdash, as long as the mikdash is destroyed, Jerusalem is considered halakhically destroyed as well. What was relevant for Rabbi Soloveitchik is the conceptual halakhic status of Jerusalem, not how many hundreds of thousands of people may regularly stream to the Kotel.⁸

However, by the second decade of the twenty-first century, more than 45 years after the Six Day War, much has changed. The euphoria that gripped much of world Jewry in the aftermath of that miraculous event has largely dissipated and has given way to profound concern for the very safety and security of the State. For example, after the liberation of the Old City of Jerusalem in 1967, Rabbi Menachem Mendel Schneerson instructed his followers to remove themselves to a distance of 15 mil from the city on Erev Pesach out of concern that, should they not do so, they might be obligated to bring a korban Pesach. But, eight years later, in 1975, he changed his mind due to the fact that since "the situation has changed" it was no longer appropriate to even entertain the possibility that the sacrifice could be brought and therefore no such move was necessary.⁹ And, regarding the matter under discussion here, already in November 1978, Rabbi Goren wrote that he withdrew his new text of Nahem and felt that after the "ethical, moral and national decline" that took place in the wake of the Yom Kippur War and in light of the preparations then being made to return parts of Eretz Yisrael to the Palestinians, he saw no reason to change the existing form of the prayer. In 1967, he wrote, he believed that he had witnessed the realization of the millennia-old dream of the Jewish return to Zion and wanted the language of the prayers to reflect that new reality. A short 12 years later, he was no longer so sure.¹⁰

And what about today? The answer depends on one's position on general liturgical textual change and on one's assessment of the current political situation relating to the State of Israel. But, in any case, we continue to be blessed by Medinat Yisrael and pray every day for her safety and security. And we continue to pray that the city that was once "in sorrow, laid waste, scorned and desolate" will be the site of our rebuilt bet ha-mikdash, bimherah be-yamenu.

Footnotes

¹ R. Baruch Halevi Epstein, *Barukh She-Amar* (Tel-Aviv, 1979), 134. The book was first published in Pinsk in 1938. See A. Z. Tarshish, *Rabi Barukh Halevi Epstein* (Jerusalem, 1967), 186. It was the last work published by its author.

² There is a large literature on this subject. See, for example, Yeshayahu Leibowitz, "Tish'ah be-Av

תנו רבנן: לנשחרב הבית בראשונה - נתקבצו כיתות כיתות של פרחי כהונה ומפתחות הדוכל בידן, ועלו לגג הדוכל, ואמרו לפניו: "רבונו של עולם! הואיל ולא זכינו להיות גזברין נאמנים - יהיו מפתחות מסורות לך!" וזרקום כלפי מעלה, ויצתה כעין פיסת יד וקיבלתן מהם, והם קפצו ונפלו לתוך האור, ועליהן קונן ישעיהו הנביא: (ישעיהו כב, א) משא גיא חזיון (ירושלמי, שהכל מסתכלין שם) מה לך איפוא כי עליית כולך לגגות (ב) תשואות מלאה עיר הומיה קריה עליזה חלליך לא חללי חרב ולא מתי מלחמה! אף בהקב"ה נאמר (ישעיהו כב, ה) [כי יום המומה ומבוסה ומבוכה לד' ה' צבאות בגי חזיון] מקרקר (לשון יללה) קרי ושושע (מקונן חלועק, לשון הנה קול שועת בת עמי (ירמיהו ח, יט); 'קיר' - כמו 'קירי' דבשחיתת חולין (קלט, ב)) אל החר (בשביל הר ציון ששמים)!

Talmud - Mas. Ta'anith 26a

FIVE MISFORTUNES BEFELL OUR FATHERS ON THE SEVENTEENTH OF TAMMUZ AND FIVE ON THE NINTH OF AB. ON THE SEVENTEENTH OF TAMMUZ THE TABLES [OF THE LAW] WERE SHATTERED, THE DAILY OFFERING WAS DISCONTINUED, A BREACH WAS MADE IN THE CITY AND APOSTOMOS¹ BURNED THE SCROLL OF THE LAW AND PLACED AN IDOL IN THE TEMPLE.

ON THE NINTH OF AB IT WAS DECREED THAT OUR FATHERS SHOULD NOT ENTER THE [PROMISED] LAND. THE TEMPLE WAS DESTROYED THE FIRST AND SECOND TIME, BETHAR WAS CAPTURED AND THE CITY [JERUSALEM] WAS PLOUGHED UP.

Talmud - Mas. Ta'anith 29a

ON THE NINTH OF AB IT WAS DECREED THAT OUR FATHERS SHOULD NOT ENTER THE [PROMISED] LAND. Whence do we know this? For it is written, And it came to pass in the first month in the second year, on the first day of the month, that the tabernacle was reared up.² And [regarding this verse] a Master said: In the first year Moses built the Tabernacle, in the second year Moses erected the Tabernacle and sent out spies. Further it is written. And it came to pass in the second year, in the second month, on the twentieth day of the month, that the cloud was taken up from over the tabernacle of testimony.³ And it is further written, And they set forward from the mount of the Lord three days' journey,⁴ and R. Hama b. Hanina explained this means that on that day they turned aside from after the Lord. And it is further written, And the mixed multitude that was among them fell a-lusting; and the children of Israel also wept on their part etc.⁵ And it is further written, But a whole month etc.⁶ That brings us up to the twenty-second of Sivan. And it is further written, And Miriam was shut up [without the camp] seven days.⁷ That brings us up to the twenty-ninth of Sivan. And it is further written, Send thou men.⁸ And it has been taught: Moses sent out spies on the twenty-ninth of Sivan. And it is further written, Add they returned from spying out the land at the end of forty days.⁹ But is not this forty days less one?¹⁰ — Abaye replied: Tammuz of that year was a full month [of thirty days],¹¹ for it is written, He hath called a solemn assembly against me to crush my young men.¹² And it is further written, And all the congregation lifted up their voice, and cried; and the people wept that night.¹³ Rabbah said in the name of R. Johanan: That night was the night of the ninth of Ab. The Holy One, blessed be He, said to them: You have wept without cause, therefore I will set [this day] aside for a weeping throughout the generations to come.

[ON THE NINTH OF AB] THE TEMPLE WAS DESTROYED THE FIRST TIME. For it is written, Now in the fifth month, on the seventh day of the month, which was the nineteenth year of King Nebuchadnezzar, king of Babylon, came Nebuzaradan the captain of the guard, a servant of the King of Babylon, unto Jerusalem. And he burnt the house of the Lord etc.¹⁴ And it is further written, Now in the fifth month, in the tenth day of the month, which was the nineteenth year of King Nebuchadnezzar, king of Babylon, came Nebuzaradan the captain of the guard, who stood before the king of Babylon into Jerusalem etc.¹⁵ With reference to this it has been taught: We cannot say that this happened on the seventh, for it has already been stated that it was 'in the tenth'; and we cannot say that this happened on the tenth, for it has already been stated that it was 'on the seventh'. How then are these dates to be reconciled? On the seventh the heathens entered the Temple and ate therein and desecrated it throughout the seventh and eighth [of Ab] and towards dusk of the ninth they set fire to it and it continued to burn the whole of that day, as it is said, Woe unto us! for the day declineth, for the shadows of the evening are stretched out.¹⁶ And this is what R. Johanan meant when he said: Had I been alive in that generation I should have fixed [the mourning] for the tenth, because the greater part of the Temple was burnt thereon. How will the Rabbis then [explain the contradiction]? — The beginning of any misfortune is of greater moment.

AND [THE TEMPLE WAS DESTROYED] THE SECOND TIME. Whence do we know this? For it has been taught: Good things come to pass on an auspicious day, and bad things on an unlucky day. It is reported that the day on which the First Temple was destroyed was the eve of the ninth of Ab, a Sunday, and in a year following the Sabbatical year, and the Mishmar of the family of Jehoiarib¹⁷ were on duty and the Levites were chanting the Psalms standing on the Duchan.¹⁸ And what Psalm did they recite? — [The Psalm] containing the verse, And He hath brought upon them their

own iniquity; and will cut them off in their own evil.¹⁹ And hardly had they time to say, 'The Lord our God will cut them off',¹⁹ when the heathens came and captured them. The same thing too happened in the Second Temple.

BETHAR WAS CAPTURED. This is a tradition.

AND THE CITY WAS PLOUGHED UP. It has been taught: When Turnus Rufus the wicked destroyed²⁰ the Temple, R. Gamaliel was condemned to death. A high officer came and stood up in the Beth-Hamidrash and called out, 'The Nose-man²¹ is wanted, the Nose-man is wanted'. When R. Gamaliel heard this he hid himself. Thereupon the officer went up secretly to him and said, 'If I save you will you bring me into the world to come?' He replied: Yes. He then asked him, 'Will you swear it unto me?' And the latter took an oath. The officer then mounted the roof and threw himself down and died. Now there was a tradition [amongst the Romans] that when a decree is made and one of their own [leaders] dies, then that decree is annulled.²² Thereupon a Voice from Heaven was heard declaring, This high officer is destined to enter into the world to come.

Our Rabbis have taught: When the First Temple was about to be destroyed bands upon bands of young priests with the keys of the Temple in their hands assembled and mounted the roof of the Temple and exclaimed, 'Master of the Universe, as we did not have the merit to be faithful treasurers

these keys are handed back into Thy keeping'. They then threw the keys up towards heaven. And there emerged the figure of a hand and received the keys from them.

Whereupon they jumped and fell into the fire. It is in allusion to them that the prophet Isaiah laments: The burden concerning the Valley of Vision. What aileth thee now, that thou art wholly gone up to the house tops, thou that art full of uproar, a tumultuous city, a joyous town? Thy slain are not slain with the sword, nor dead in battle.²³ Of the Holy One, blessed be He, also it is said, Kir shouting, and crying at the mount.²⁴

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Weekly Blog :: Rabbi Berel Wein

Feklessness And Unwisdom

In Winston Churchill's epic six-volume memoir of the Second World War, in the first volume entitled "The Gathering Storm," he wrote of the British foreign policy of the 1930s as follows: "[The later disaster was caused by] the English-speaking peoples, [who] through their unwisdom, carelessness and good nature, allowed the wicked to rearm."

A good nature is a necessity for personal life and domestic harmony. It is however a disastrous national policy. This is especially true when a nation realizes that it is surrounded by bitter and fanatical enemies who publicly proclaim their intention to destroy it.

There are many reasons and causes for the current Gaza war. But certainly one of those reasons is the good nature of Israel and its governments. The stubborn refusal to recognize the realities that we face, the inability to admit that past policies may have been terribly mistaken, combined with a generous sprinkling of unwisdom, carelessness and good nature have certainly allowed our wicked foes to rearm and threaten our very existence.

Is it possible that the great Israeli intelligence system was completely unaware of the tens of tunnels being dug from Gaza to Israel? It is most probable that the governments of Israel were aware that these tunnels were being dug but our good nature and carelessness prevented our taking any strong preventive measures. Of course it is the good nature of the rest of the world – in reality, its hypocrisy and latent enmity to Jews and the Jewish state – that colored our vision and restrained our actions. Nevertheless, we have certainly been guilty of, carelessness and a surfeit of good nature. Surveying the crisis points in the world that we inhabit, one cannot be amazed at the naïve capacity of Europe and the United States in reacting to mortal dangers that will eventually reach them as well. Putin aggressively kills, annexes and blusters, all the while the West clucks and dithers and

finally does nothing. Putin is certainly not impressed by Obama warning him that he is "on the wrong side of history."

And Hamas does not at all care about the fact that it is responsible for the deaths of so many innocents and thereby illustrates for us its almost genetic lack of good nature. The United Nations' Human Rights Commission, shamed and debased by its previous Goldstone Report, continues on its merry way of finding Israel as the guilty party committing "war crimes" in Gaza. The makeup of the commission itself is a roster of the worst human rights abusers in the world. But in our un-wisdom and good nature we participate in its deliberations and give it a credence that it certainly does not deserve.

Iran continues to enrich its store of uranium and build its bomb while the West continues to negotiate. Somehow the world always thinks that if one continues to feed the tiger it will refrain from biting and clawing its victims. Somehow one would hope that by now the necessary lessons have been learned and that we realize that this is not how to be dealing with the tiger. But "unwisdom" and good nature always seem to win out temporarily until the mortal danger is brought home face-to-face. Then it is much more expensive and costly to deal with the foe. But the foe must eventually be dealt with.

There is no easy discernible solution to the situation that we currently find ourselves in. Crying over spilled milk rarely helps and the rehashing and criticism of past errors is also usually not constructive in the midst of a war. But one lesson can be learned – a lesson that is necessary for the pursuit and success of the current war itself. And that lesson is that we should restrain our good nature somewhat so that we do not fall into the trap of unwisdom and carelessness.

The people of Israel have already absorbed thousands of rockets, rioting by Palestinians, worldwide protests that always border on violent anti-Semitism, the fecklessness of Western leaders and the biased reporting of much of the world media. We have withstood all of this because we must do so or otherwise, God forbid, perish.

It is difficult to imagine what our fate would be if we were not so strong and resolute in the face of such evil and violence. Being strong and resolute many times does not allow us to be expansive or expressive of our innate good nature. Well then so be it, for the choices and options are starkly clear. We shall not allow our good nature to create for us the climate of carelessness and "unwisdom" quoted from Churchill in the opening quote of this essay. Eventually our good nature will win out, but only when it is reciprocated by the good nature of others as well.
Shabat shalom

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Weekly Parsha Blog:: Rabbi Berel Wein
Dvarim

People who attain blessed advanced age and many years tend to look back in time and concentrate less on the future. Old rabbis write autobiographies. Past events, which were previously sublimated and hardly ever recalled, suddenly become vivid memories worthy of meaningful contemplation. An example of this is to be found in the words of our father Jacob to his children in his final days when he recalls for them the tragic incident of the sudden death of his beloved wife Rachel. Many decades had passed since that event and the Torah does not record for us his ever mentioning that bitter event during that long period of time. But now at the end of his days this painful and tragic occurrence in his life comes to dominate his memory and his conversation.

This natural tendency of humans to bring forth memory as one's last testament, so to speak, of a life's achievement helps to explain to us this final book of Dvarim – the ultimate conclusion of the written Torah. Our teacher, Moshe, delivers a long oration in which he recalls the events of his career, the triumphs and shortcomings of his leadership and the accomplishments and failings of his beloved people.

He attempts to relate to a new generation the experiences and lessons of the past generation of Israel that left Egypt and perished in the desert of Sinai. Every generation has a different take on past events. It is impossible to truly describe the past – its nuances, shadings, feelings and emotions – to those who did not actually live at that past time and were not therefore actual witnesses to those events. Nevertheless, Moshe feels impelled to make this attempt, for a generation that knows nothing of its past can hardly expect to create much of a future for itself.

So the words of Moshe are tinged with nostalgia and even a note of sadness. Nevertheless, the book of Dvarim on the whole is one of optimistic spirit, faith and unending wonder regarding the experiences of Moshe's life and the destiny of the Jewish people.

The rabbis tell us that no human being departs this world attaining even half of what one desired to own, achieve or accomplish. Such is the nature of our mortality and lives. Moshe's main sadness in his words to the Jewish people is in his realization that his great hope and dream of entering the land of Israel will never be fulfilled.

This disappointment weighs on all of his words in the book of Dvarim. In his recounting of the sins and rebellions over the forty years that he led the Jewish people, there is little bitterness in his voice and tone. However, one feels his pain and anguish at the fate that has befallen him, of being excluded from entering the promised Land of Israel.

As such, the book of Dvarim is a deeply personal work reflecting the feelings and memory patterns of the greatest leader of the Jewish people. Its recollections of events, review of the Torah and listing of specific commandments, makes this book, like all of the works of the Torah, a required object of study, reflection, analysis and ultimate faith.
Shabat shalom

from: Shema Yisrael Torah Network <shemalist@shemayisrael.com>
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subject: Peninim on the Torah by Rabbi A. Leib Scheinbaum

Peninim on the Torah by Rabbi A. Leib Scheinbaum

Parshas Devarim

How can I bear myself your trouble, your burden, and your arguments? (1:12)

Rashi explains the three terms: tarchachem; masaachem; rivchem. Tarchachem means your trouble. Klal Yisrael was troublesome. If one individual would observe his adversary winning a case, he would say, "I have witnesses to bring; I have proofs to bring, I am adding judges to you." In short, they caused trouble. Masaachem means your burden. The people were heretics. If Moshe Rabbeinu left his home early on his way to judge people, they would say, "What did the son of Amram see that led him to leave? Perhaps he is not calm in his house?" They were implying that there was trouble in his family. If he left later, they would comment that Moshe was sitting long, hard hours contemplating ways to undermine the people. Rivchem means your arguments. The Jews were petulant. In other words, the people questioned everything that Moshe did. Nothing was accepted as a positive. They always gave a negative twist to anything our leader would do. They looked for ways to undermine and impugn his leadership. Moshe decided that the only solution to his problem was to appoint other judges to share his responsibility. Perhaps by seeing to it that everything did not fall on him alone, Moshe would thereby decrease the complaining, the apathy, the negativity. The Midrash Eichah assesses Moshe's act of adding judges as having a negative impact on his relationship with the people; it was a decision which led to the most disastrous ramifications. Chazal say, "Three prophets prophesied in the same vernacular, all using the language of Eichah, 'woe: Moshe; Yeshayahu; and Yirmiyahu. Moshe said, 'How can I bear myself your trouble, your burden, your arguments?' Yeshayahu said, 'How could she (Yerushalayim) become like a harlot?' Yirmiyahu said, 'How could she sit alone?' Perhaps Chazal are indicating that an intrinsic correlation exists between the

laments of Moshe, Yeshayahu and Yirmiyahu, a connection which alludes to the tragedy of the destruction of the Bais Hamikdash.

The Sfas Emes explains that all of the sins that Klal Yisrael perpetrated throughout its tenure in the wilderness revert back to Moshe's bemoaning his inability to bear the burden of the nation alone. As a result, Hashem instructed him to appoint judges who would ease the burden. There was, however, a drawback: instead of hearing the voice of the Torah directly from Moshe, the nation was now privy to a mere echo of that voice. The lack of personal supervision by Moshe laid the framework, by planting the seeds that brought the nation to the chet meraglim, sin of the spies, which was the precursor of all the sins in the desert. Even at the end of their forty-year sojourn, when the original "migr?" from Egypt had all gone to their eternal rest, members of the new generation standing in Arvos Moav, the Plains of Moav, listening to the voice of their Rebbe, Moshe, had within themselves faults which would ultimately lead the nation to sin and eventual exile.

The origin of transgression goes back to a specific point, an occurrence, an error, upon which is predicated years of error building on error until it manifests itself in full-blown rebellion. It took quite some time for the nation to demonstrate its full-scale mutiny, the sin which brought about the destruction of the Temple and our exile. It took time, but it all dates back to a distancing of the people from Moshe. At first, it did not seem problematic. Over time, however, a breach in the relationship between the people and Moshe surfaced.

A leader must be attuned to the needs of everyone in his flock. While it is so much more convenient to relate to those that are geshmak, pleasant, charismatic, fun to be with people, there are others who are not so much fun. There are those who are boring, apathetic and bitter, whose problems are self-imposed and whose issues are often a figment of their imagination. They too, however, need counseling, advice, friendship. Moshe had a nation which was troublesome, argumentative and burdensome. It was a debilitating burden, but also an incredible opportunity. It was, indeed, difficult for Moshe to address the needs of each individual Jew. The sheer size of the one-man project was overwhelming. He was compelled to appoint judges who performed admirably. At the end of the day, the people no longer maintained that one-on-one, face-to-face relationship with Moshe. It might have been what was necessary then; later, however, this diminished relationship catalyzed our exile.

The Baal Shem Tov zl, interprets this idea in his explanation of the pasuk in Shema Yisrael: V'sartem va'avaditem elohim acheirim, "And you will turn away and serve gods of others." The slight "turning away," the minor deviation made by the earlier generations, will, over time, result in full-scale avodah zarah, idol worship. We have only to peruse history to observe how minor changes in Jewish practice have resulted in complete heresy and abrogation of Jewish observance. No such thing as a "minor" alteration exists. Change begets change, until the original is no longer recognizable. When writing about the responsibility of a leader to all members of his diverse congregation, one cannot be oblivious to the outstanding contribution made by the Tzaddik of Yerushalayim, Horav Aryeh Levine, zl. He made it his life's endeavor to reach out to those who were on the fringe, individuals whose lives had been shattered by adversity. He had a good word, a comforting word, a smile for everyone, regardless of how far he had strayed from his faith. He comforted the bereaved, gave hope to the gravely ill, and offered encouragement and succor to the Jewish prisoners confined by a government to whom politics had greater significance than Jewish blood.

Comforting the bereaved was especially important to him. He explained, "When a misfortune or tragic event befalls a person, apart from his personal anguish and suffering, his faith in Hashem becomes, to a certain extent, impaired. When a person comforts someone who is in mourning, not only does he give the mourner new spirit and courage by sharing in his sorrow, but he also returns his faith to its original strength."

Rav Aryeh always had a cogent response to pressing questions about faith. A former mayor of Rishon LeTzion, who was close with Rav Aryeh, had lost his family in the Holocaust. Once, while visiting Rav Aryeh, he opened up, revealing the burden that had been weighing down on his heart: "The truth is that my faith in the Almighty was shaken by the Holocaust. What sin did my little son commit, that this should happen to him?"

Rav Aryeh immediately rose from his seat, took the man's hand in both of his and began caressing it. "There is a tzaddik," he began, "a righteous and devout person; and there is a chasid, a man of kindly piety and virtue, but only a kadosh, a holy person, a sanctified person, is one who was put to death for his religion and his faith. I must stand in your presence because you offered up to Hashem not one sacrifice, not one kadosh, but two." "You know," he added, "when a child is born and enters into the world, everyone is enraptured with effusive joy - yet the child itself cries and wails. When someone dies, when his life spirit leaves the world, all the living mourn and grieve, but the living spirit

exults and rejoices. It has gone from a world engulfed in darkness to a world of great light." Rav Aryeh continued talking with his friend until he was able to console him and bring him some inner tranquility, thus effecting closure to his bereavement.

At times, it was not what Rav Aryeh said, it was his presence that mattered. A devout Jew passed away on the night before Pesach. A steady, heavy rain fell on Yerushalayim. It just would not let up. As the minhag, custom, in Yerushalayim is not to permit the deceased to remain overnight, the funeral was quickly arranged and the deceased was brought to be buried that night.

The next day, the son of the deceased sat shivah, seven-day mourning period, only until midday, as required by halachah. It was Erev Yom Tov. Sadly, no one came to visit him. It was a short day, and everyone was overwhelmed with countless errands to perform. Since his father had passed away at night and was immediately buried, word of his demise had not been communicated. Those who were aware of his passing were over their heads in Passover preparations. This preface is not to impugn those who did not visit, but to underscore the sensitivity of the gadol they rightfully called: the Tzaddik of Yerushalayim. The son recalled that a few hours before he was about to usher in the festival of Pesach, Rav Aryeh came knocking at his door. In that torrential downpour, he had come trudging on foot across Yerushalayim to visit and comfort the bereaved. He was the only man who came that day. "I will never forget this act of kindness," the son said, "nor will I ever forget the words of so

lache he spoke then to comfort and hearten me. It was just a few hours before Yom Tov. Everyone was busy with their own personal affairs. I was utterly alone in my grief. It was at that time that the Rav visited me. He cared; he felt my pain."

How can I bear myself your trouble, your burden and your arguments. (1:12)

Moshe Rabbeinu seems to be complaining about his difficult workload. Clearly, this cannot be the case. The word, "difficult," was not in our quintessential leader's lexicon. Rather, he was expressing his disappointment at the sorry state of affairs. When the people accepted a tiered system of justice, with the addition of many judges to assist Moshe, they did so because they perceived that they would receive personal benefit from the new approach to justice. Moshe was unimpeachable. He had always rendered the halachah in accordance with the law. Furthermore, he was the paradigm of integrity. Thus, whoever presented a case before Moshe was assured of a quick, honest and knowledgeable rendering of justice.

This might be wonderful if one is either always right or seeks justice at all costs. If, however, the litigants lack integrity, if their contentions lack veracity, the last thing they want is an honest and knowledgeable judge. Rashi reveals their mindset in agreeing to the new system, when he quotes their response to the suggestion of adding judges, "Many judges will be appointed over us; if the judge does not know us, we will give him a gift and he will treat us favorably." These people were not interested in justice. Their only goal was to win - at all costs.

Thus, Moshe was lamenting the sorry state of affairs of Klal Yisrael's justice system. "How can I do it alone, when, in fact, the people do not want me to be alone? They want other judges, over whom they think they will be able to lord, to persuade them to see things their way. This nation does not want to hear the real din, just law. They are interested in what is best for themselves."

Sadly, this attitude has not diminished with the passage of time. The respect that people should have for daas Torah, the wisdom of the Torah as expounded by our Torah leaders, has, in some cases, been horribly maligned and denigrated. No longer is the ruling of the bais din, Jewish court of law, sacrosanct. I am not sure if the problem lies in the litigants or in the judges. Just as it did then, money plays a significant role in determining the outcome and its acceptance. Strong-arm tactics by judges and toanim, hired halachic litigators and advisors - in addition to unsavory, underhanded and under-the-table machinations by these people - have placed a black eye on the bais din experience. While it is only a few bad apples that impugn the integrity of the entire bunch, the goals and vested interest of the few rotten apples have left a bad taste in the hearts and minds of future litigants. Moshe saw these disastrous consequences when he bemoaned being displaced by the new judge.

At first, the judges that were selected were men of the highest integrity, but the people's objections prevailed. A judge is only as good as the trust placed in him by the litigant. When a potential disputant thinks that he can sway the judge's mindset, he demonstrates his lack of trust in the judge, thus compromising the efficacy of the judge. Our Torah leaders are the conduits of daas Torah. Their advice and rulings represent the will of Hashem. The moral compass of our people is inextricably bound up with its commitment to the word of Hashem and to upholding His Torah. Without an abiding commitment to adhere to daas Torah, the Jewish justice system will disintegrate. Moshe Rabbeinu saw this disaster when he heard the people celebrating the establishment of a system of judges. They felt that objectivity would be abandoned, and

halachah would be impugned. While this problem was certainly not widespread, we only need a few cases that grab sufficient publicity in order for the unknowing public to assume that the problem is widespread. Moshe had no problem being alone. It was the people who were threatened by his lack of assistants. They wanted to open up the court system, so that it would be subject to their control.

To conclude this Torah thought on a somewhat less somber note, I take the liberty of relating a cute, but sadly, bitter commentary on the secular Jewish scene. The Torah admonishes the judges, *Lo saguru mipnei ish*, which means, "Do not fear any man" (ibid. 1:17). People of power - whether they are men of means or highly respected men of greater knowledge - can have an imposing effect on a judge. They can, by their very presence, intimidate a judge to the point that he feels compelled to side with them. While this is, of course, wrong, a man needs to earn a living, and many people, although they may have good intentions, are, by nature, weak.

A Jew who was troubled by the wanton lack of observance of his "spiritual" leader, attempted to send a subtle message to the man. While the congregant did not personally count himself among the ranks of observant Jews, he felt that it behooved his spiritual mentor to set a better standard than he was presently doing. "I would like to subpoena another party to a *din Torah*, judicial hearing," the congregant began. "Whom are you summoning to court?" the spiritual leader asked. "I am taking the Almighty to court. I have a number of issues that I want to bring to the fore, and there is no better place to iron out my issues than in an honest court of Jewish law," the man replied.

"Why must you come to me to rule in the case? Any other knowledgeable, practicing clergyman can do this. You understand that my time is valuable. Time is money. You could probably obtain a ruling without coming to me," his clergyman said.

"I am following the Jewish law which states that a judge should not fear anyone. Here I have a problem. I am litigating the Almighty. It is difficult to locate someone who is not, at least to some degree, G-d-fearing. Concerning you, however, I have no qualms. I would never suspect you of possessing even a modicum of fear of G-d. You could provide me with an honest ruling."

"Tov Shem MeShemen Tov..." v'keser shem tov oleh al gevihen
li'n R' Yaakov Zev ben Yehudah Aryeh z'l JACK FOGEL OB"M niftar 7 Av 5755
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

from: Shabbat Shalom shabbatshalom@ounetwork.org
reply-to: shabbatshalom@ounetwork.org
subject: Parsha - Shabbat Shalom from the OU

Orthodox Union / www.ou.org
Rabbi Weinreb's Parsha Column
Devarim: "The Jewish Obsession"

The popular media often accuses the Jewish people of an obsession. Some accuse us good-humoredly of an obsession with food. Others maliciously accuse us of being obsessed with money. I agree that there is a Jewish obsession. I maintain that it is justice with which we are obsessed.

I define an obsession as an idea which dominates our thinking even when there are other important concerns that we need to address. Thus, the person who is truly obsessed with a particular idea cannot ignore that idea even when he is busy working, playing, or attending to other personal needs. Naturally, this can reach the stage where the obsession is pathological and actually interferes with the necessary functions of life. But the Jewish obsession with justice is not at all pathological.

One example of a Jew obsessed with justice is Rabbi Moshe Rivkish, who lived in the late 17th century. His name is certainly not a "household name," even among individuals who are familiar with the heroes of Jewish history. Students of the codes of Jewish law, may know the name of his major work because it adorns the margins of every edition of the *Shulchan Aruch*. The name of his work is *Be'er HaGolah*, but not everyone who consults his work regularly knows the author's identity. Many more are likely to be familiar with the name of his distinguished grandson, Rabbi Elijah, the Gaon of Vilna.

Be'er HaGolah is not a commentary in the usual sense of the word. It is a reference tool, in which the author supplies the sources in the Talmud for the statements found in the code. Occasionally, but rarely, the author allows himself a phrase or brief sentence of commentary. Inevitably, these few comments express Rabbi Moshe's "obsession" with justice.

Here is one example of such a comment: "I write this for all future generations, because I have seen people who have grown wealthy from monies they derived from cheating non-Jews in business. Ultimately, they were unsuccessful and their properties

deteriorated so that they left no blessing behind. On the other hand, I have seen many who have sanctified God's name and returned profits derived from non-Jewish customers who mistakenly overpaid for merchandise. Ultimately, they were successful, became materially wealthy, and left a significant inheritance to their offspring."

What do we know about the personal concerns of this individual who was "obsessed" with justice for non-Jews? Based upon the preface to his work, we learn that he was driven, not once but several times, from his hometown of Vilna in Lithuania. Each time, he was a victim of fanatically anti-Semitic non-Jews, and each time he left with just the clothes on his back and his personal diary, forced to abandon all of his possessions, including his painstakingly accumulated library of holy books.

His critical personal concerns did not interfere with his fundamental obsession: justice for all human beings, even those at the hands of whom he suffered greatly.

This late 17th-century Moshe learned to be obsessed with justice from the first Moshe, Moses our Teacher, and from the words he speaks in this week's Torah portion, *Parshat Devarim* (Deuteronomy 1:1-3:22). Moses begins his lengthy and eloquent valedictory to the Jewish people with his predominant concern. He is nearing the end of his life and his duty was to prepare the people to enter the Promised Land. But instead of instructing them about the methods to be used in entering the land, conquering it and settling it, we find him addressing the people with these words:

"So I took... wise and experienced men, and appointed them heads over you... I charged your magistrates at that time as follows, 'Hear out your fellow man, and decide justly between any man and a fellow Israelite or a stranger... You shall not be partial in judgment: hear out low and high alike...'"

Moses too is obsessed with justice, to the extent that he interrupted his final instructions to the Jewish people and prefaced them with his plea that they establish a fair and equitable judiciary that would mete out justice to all, even the "stranger," the non-Jew. This week is a special Shabbat. It is the Shabbat that precedes the major fast day of *Tisha B'Av*. We follow the reading from the Torah portion from a selection from the very first chapter of the Book of Isaiah. It is called *Shabbat Chazon*, or the Sabbath of the "prophetic vision" of Isaiah.

Here, too, the prophet has numerous concerns, not the least of which is his critique of the sinfulness of the Jewish people. But he does not fail to express his obsession, which like the biblical Moses and the 17th-century Moshe Rivkish, was the cause of justice. So he concludes his vision of what the final redemption will look like: "I will restore your magistrates as of old... After that you shall be called City of Righteousness... Zion shall be saved by justice."

I write these words in the midst of a great and challenging crisis for the Jewish people.

We are at war against a vicious and treacherous enemy. Yet, even in the midst of our valiant efforts to defend ourselves, we remain obsessed with the cause of justice, and we strive in every way possible to wage a just war, even risking our own lives as we attempt to spare the lives of innocent civilians.

We are confident that Zion will indeed be saved, imminently and gloriously, and that the justice we practice will be acknowledged by all mankind, thereby resulting in the universal blessing of the Almighty God of Justice and Mercy..

from: Shabbat Shalom shabbatshalom@ounetwork.org
reply-to: shabbatshalom@ounetwork.org
subject: Parsha - Shabbat Shalom from the OU

Orthodox Union / www.ou.org
Britain's Former Chief Rabbi Lord Jonathan Sacks
The Leader as Teacher

It was one of the great moments of personal transformation, and it changed not only Moses but our very conception of leadership itself.

By the end of the book of *Bamidbar*, Moses' career as a leader seemed to have come to its end. He had appointed his successor, Joshua, and it would be he, not Moses, who would lead the people across the Jordan into the promised land. Moses seemed to have achieved everything he was destined to achieve. For him there would be no more battles to fight, no more miracles to perform, no more prayers to make on behalf of the people. It is what Moses did next that bears the mark of greatness. For the last month of his life he assembled the people and delivered the series of addresses we know as the book of *Devarim*, literally "words." In them he reviewed the people's past and foresaw their future. He gave them laws, some he had given them before but in a different form, others that were new and that he had waited to announce until the people were about to enter the land.

Linking all these details of law and history into a single overarching vision, he taught the people to see themselves as an am kadosh, a holy people, the only people whose sovereign and lawgiver was God himself.

If someone who knew nothing about Judaism and the Jewish people were to ask you for a single book that would explain them both – who Jews are and why they do what they do – the best answer would be Devarim. No other book so encapsulates and dramatises all the key elements of Judaism as a faith and way of life.

In a much-watched TED lecture, and a book with the same name,[1] Simon Sinek says that the transformative leaders are those who ‘Start with Why.’ More poetically, Antoine de Saint-Exupery said, “If you want to build a ship, don’t drum up people together to collect wood and don’t assign them tasks and work, but rather teach them to long for the endless immensity of the sea.”

In Devarim, Moses gave the people their Why. They are God’s people, the nation on whom He has set his love, the people He rescued from slavery and gave, in the form of the commandments, the constitution of liberty. They may be small but they are unique. They are the people who, in themselves, testify to something beyond themselves. They are the people whose fate will defy the normal laws of history. Other nations, says Moses, will recognise the miraculous nature of the Jewish story – and so, from Blaise Pascal to Nikolai Berdyaev and beyond, they did

In the last month of his life Moses ceased to be the liberator, the miracle-worker and redeemer, and became instead Moshe Rabbenu, “Moses, our teacher.” He was the first instance in history of a leadership type in which Jews have excelled: the leader-as- teacher.

Moses surely knew that some of his greatest achievements would not last forever. The people he had rescued would one day suffer exile and persecution again. The next time, though, they would not have a Moses to do miracles. So he planted a vision in their minds, hope in their hearts, a discipline in their deeds and a strength in their souls that would never fade. When leaders become educators they change lives.

In a powerful essay, ‘Who is fit to lead the Jewish people?’ Rabbi Joseph Soloveitchik contrasted the Jewish attitude to kings and teachers as leadership types.[2] The Torah places severe limits on the power of kings. They must not multiply gold, or wives, or horses. A king is commanded “not to consider himself better than his fellow Israelites nor turn from the law to the right or to the left” (Deut. 17: 20).

A king was only to be appointed at the request of the people. According to Ibn Ezra, the appointment of a king was a permission, not an obligation. Abrabanel held that it was a concession to human frailty. Rabbenu Bachya regarded the existence of a king as a punishment, not a reward.[3] In short, Judaism is at best ambivalent about monarchy, that is to say, about leadership-as-power.

On the other hand, its regard for teachers is almost unlimited. “Let the fear of your teacher be as the fear of heaven,” says the Talmud.[4] Respect and reverence for your teacher should be greater even than respect and reverence for your parents, rules Rambam, because parents bring you into this world, while teachers give you entrance to the world to come.[5]

When someone exercises power over us, he or she diminishes us, but when someone teaches us, he or she helps us grow. That is why Judaism, with its acute concern for human dignity, favours leadership-as-education over leadership-as-power. And it began with Moses, at the end of his life.

For twenty-two years, as a Chief Rabbi, I have carried with me the following quotation from one of the greatest leaders of the Zionist movement, Israel’s first Prime Minister, David Ben-Gurion. Although he was a secular Jew, he was enough of a historian and Bible scholar to understand this dimension of leadership, and said so in eloquent words:

Whether you hold humble office in a municipality or in a small union or high office in a national government, the principles are the same: you must know

what you want to achieve, be certain of your aims, and have these goals constantly in mind. You must fix your priorities. You must educate your party, and must educate the wider public. You must have confidence in your people – often greater than they have in themselves, for the true political leader knows instinctively the measure of man’s capacities and can rouse him to exert them in times of crisis. You must know when to fight your political opponents, and when to mark time. You must never compromise on matters of principle. You must always be conscious of the element of timing, and this demands a constant awareness of what is going on around you – in your region if you are a local leader, in your country and in the world if you are a national leader. And since the world never stops for a moment, and the pattern of power changes its elements like the movement of a kaleidoscope, you must constantly reassess chosen policies towards the achievement of your aims. A political leader must spend a lot of time thinking. And he must spend a lot of time educating the public, and educating them anew.[6]

The poet Shelley once said that “poets are the unacknowledged legislators of the world.” Whether this is true or false, I do not know, but this I know: that there is all the difference between giving people what they want and teaching them what to want.

Teachers are the unacknowledged builders of the future, and if a leader seeks to make lasting change, he or she must follow in the footsteps of Moses and become an educator. The leader-as-teacher, using influence not power, spiritual and intellectual authority rather coercive force, was one the greatest contributions Judaism ever made to the moral horizons of humankind and it can be seen most clearly in the Book of Devarim, when Moses for the last month of his life summoned the next generation and taught them laws and lessons that would survive, and inspire, as long as there are human beings on earth.

[1] The lecture can be seen at <http://www.youtube.com/watch?v=qp0HIF3SfI4>. The book is: Simon Sinek, Start with Why: How Great Leaders Inspire Everyone to Take Action, Portfolio, 2011.

[2] Reflections of the Rav, Abraham R. Besdin, World Zionist Organisation, 1979, 127-139.

[3] In their commentaries to Deut. 17: 15. Rabbenu Bachya’s point is that the people should in principle have needed no other king than God himself. In support of his view he quotes Hosea: “They set up kings without my consent; they choose princes without my approval” (8: 4); and “So in my anger I gave you a king, and in my wrath I took him away” (13: 11).

[4] Pesachim 108b.

[5] Hilkhot Talmud Torah 5: 1.

[6] Ben Gurion Looks Back in Talks with Moshe Pearlman, Weidenfeld and Nicolson, New York, 1965, 52. I owe this quotation to Jonathan (now Lord) **Kestenbaum**, Executive Director of the Office of the Chief Rabbi, 1991-1996.

Rabbi Lord Jonathan Sacks is a global religious leader, philosopher, the author of more than 25 books, and moral voice for our time. Until 1st September 2013 he served as Chief Rabbi of the United Hebrew Congregations of the Commonwealth, having held the position for 22 years. To read more from Rabbi Sacks or to subscribe to his mailing list, please visit www.rabbisacks.org.

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Rabbi Benjamin Yudin

Preparing for Tisha B'Av During War

The Shabbos prior to Tisha B'Av derives its name from the haftorah, whereby Isaiah the prophet castigates Israel for its sins, and prepares us for the national day of mourning, reminding us why we lost the Bais Hamikdash. The Beis Hamikdash unified the Jewish nation. To begin with, the korbanos were for the nation. On a daily basis, the Korban Tamid, the one lamb brought in the morning and the one lamb brought in the afternoon, were on behalf of the entire populace. One Kurban Mussaf, additional offering was brought on behalf of the nation every Shabbos, Rosh Chodesh, and Yom

Tov. Even the atonement for each individual on Yom Kippur came about through the representative of the people, the Kohein Gadol.

The Ramchal (Daas Tvunos 160) teaches that the kohein officiating at the Korban Tamid had the challenging job of getting into the mindset of representing and reflecting all of Klal Yisrael. Just as they were represented by the kohanim in their avodah (actual performance of the offerings), the leviim with their singing and music, and Israelites with their ma'amad prayers, the kohein channeled the unique requests as per the character traits of the multitudes of the nation and offered them to Hashem.

King David expressed it in Tehillim (122:2) "Built up Jerusalem is like a city that is united together". The mishna (Avos 5:5) teaches that no one complained that the accommodations were stressful and crowded for the three pilgrim festivals in Jerusalem. The Chasam Sofer understands this to mean, that it was most certainly stressful, but the higher cause and privilege of being in close proximity to the Beis Hamikdash, united the people, and thus no one complained.

Moreover, the Beis Hamikdash was the vehicle whereby the Jewish nation experienced Hashgacha Pratis (Divine providence) on an ongoing basis. The above cited mishna enumerates 10 open miracles that occurred therein regularly showing His presence in their midst. Our observance of Tisha B'Av is a strong reminder of what we are missing today.

This Tisha B'Av is most unique. It is coming during the time of the unification for the Jewish people that we have not felt for a long time. I met two days ago with Mrs. Rachel Frankel, the mother of Naftali H.Y.D. After sharing with her our deepest personal sympathy and expressing condolences on behalf of our congregation and community in New Jersey, I told her of monies that were donated in memory of the three boys to be used at the discretion of the families. Her immediate response was to use the funds to further the feelings of achdus and closeness that presently envelopes the land. Mr. Shaar, the father of Gil'ad H.Y.D hoped that this incredible outpouring of prayer and concern on behalf of world Jewry could help stem the tide of assimilation and intermarriage in the United States.

The unity in Israel today is unfortunately being continued by the war in Gaza. If only the West Bank were being rocketed, one could imagine some responding by asking, "why are they living there?" But when rockets fly towards Tel Aviv, Ashkelon, and the airport, it most certainly unites all Israel in imo anochi b'tzarah, we are all in this together. In addition, approximately a half million Israelis have on their phones an app that apprises them of when a siren goes off anywhere in the country, creating Kol Yisrael areivim zeh l'zeh, an intense feeling of camaraderie and concern one for another.

Moreover, we too have witnessed to date incredible Hashgacha pratis. The iron dome was out of commission one day last week for eight hours outside of Ashkelon, and during these eight hours not a single rocket came. Last week, when over 1,400 rockets had been shot into Israel and but one casualty, then the Turkish Prime Minister said "It cannot be true". He doesn't realize (Tehillim 121:4), "Behold, He neither slumbers nor sleeps, the Guardian of Israel".

A soldier was shot last night and the bullet was intercepted by the hand grenade he was wearing, which miraculously did not explode, neither damaging him nor his fellow soldiers.

The lists of the miracles that we witness daily are manifold.

Tisha B'Av reminds us that unity and Hashgacha pratis is to come from a positive source, the Beis Hamikdash, and not unfortunately from the horror of kidnapping of innocent teenagers and miracles from the battle front. Going into this Tisha B'av we are cognizant of (Tehillim 116:3) "Distress and grief I find, and I invoke the name of Hashem". Our prayers and Kinot are in response to the fifty three families that to date have made the supreme sacrifice for Am Yisrael. Our war with Gaza is but a continuation of the tragic circumstances that occur in the absence of the Third Beis Hamikdash.

The Gemara (Berachos 8a) teaches that since the destruction of the Beis Hamikdash, Hashem takes refuge in the study of Torah. I understand this to mean that just as the Beis Hamikdash unified our people, Torah also has ability to unite our people. Case in point, notes the Aruch Ha'Shulchan in his introduction to Choshen Mishpat, Jews all over the world keep the same Shabbos, use the same esrog, keep Kosher, laws of family purity, we are all united through the Torah.

As we prepare to sit low and fast this Tisha B'Av, and pine for the day that our unity will emanate from Tehillim (116:13) "The cup of salvations I will raise, and the name of Hashem I will invoke". I would like to suggest a few ways to perpetuate these remarkable feelings of unity, please God soon beyond the war. Firstly, take note: it is not Hillel, but Shamai who teaches (Avos 1:15) to greet everyone favorably, with a cheerful countenance. He does not mean only those in one's circle, who share your character and ideology, rather go out of your way to show kinship, respect and brotherhood to all. The Yerushalmi (Yuma 1) teaches that the destruction of the first Temple was but the roof of the building. The second Beis Hamikdash which was destroyed because of baseless and senseless hatred had its very foundation was destroyed. We need heavy doses of ahavas chinum, to love each and every Jew, because if we have one Father, then we really are brothers and sisters.

Secondly, don't just pray for our soldiers in Gaza, but get the name of a specific soldier, for when you focus on him among the rest, your prayer is more focused. May I suggest you keep Amatzya Chaim ben Chedva Malka who sustained serious injuries to his legs, and doctors hope he will walk in several weeks.

Finally, your acts of chessed, your prayers, your Torah study, are the parcels that we can send from abroad to the soldiers and the rest of Israel.

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Rabbi Mayer Twersky

The Heart of Prayer

I.

These are days of intensive tefillah for Klal Yisrael. Perhaps bs"d these reflections can help us in our davening.

II.

Rambam enumerates two distinct mitzvos of tefillah - daily, and, rachmana litzlan, in times of trouble. In the latter case trumpets accompany prayer.

מצות עשה להתפלל בכל יום...היוב מצוה זו כך הוא שיהא אדם מתחנן ומתפלל בכל יום
It is a positive commandment to thoughtfully pray daily...the obligation engendered by this commandment is to thoughtfully pray and supplicate daily.[1]

מצות עשה מן התורה לזעוק ולהריע בחצוצרות על כל צרה שתבא על הצבור

It is a positive commandment to cry out and sound the trumpets when any trouble besets the community.[2]

Note the change in verbs. The daily mitzvah is le-hispalel u-le-hischanen, to thoughtfully pray[3] and supplicate[4]. The mitzvah at times of trouble, r'l, is lizok, to cry out in anguish. Rambam delineates different modalities of prayer. Daily tefillah entails focusing our thoughts upon and humbly petitioning HKBH. Times of trouble,r'l, however, call for existentially charged prayer. An anguished cry for help from the depths of our being (ze'akah) reflects a sense of vital and urgent need.

The current heart-wrenching situation in Eretz Yisrael, with mounting casualties and ongoing danger, warrants ze'akah.

III.

הנכנס לדרך מתפלל שתיים, אחת בכניסתו ואחת ביציאתו; בן עזאי אומר: ארבע, שתיים בכניסתו ושתיים ביציאתו, נותן הודאה על שעבר וצועק על העתיד. [A traveler] who enters a roguish city davens two prayers, one upon entering and one upon leaving. Ben Azai says [he davens] four prayers, two upon entering and two upon leaving. He gives thanks for the past, and cries out for the future.[5]

According to the Tanna Kama, having entered a roguish municipality, the traveler prays for protection. Having safely departed, he thanks HKBH. Ben Azai, however, requires that upon entering the traveler also give thanks that he entered safely. And upon safely departing the city, he must also pray to arrive home safely. Thehalacha follows Ben Azai.

The crux of Ben Azai's position is the mutualism of bakasha and hodaah, future and past, within prayer.[6] If we thank HKBH for past blessings without asking for the future, it is as if, r"l, moving forward, we feel self sufficient. Hodaah necessitates bakasha. But bakasha also necessitates hodaah. It is presumptuous to ask for future blessings without thanking for those of the past.

We are beseeching HKBH to miraculously protect our soldiers and civilian population. But we also have to thank Him for all the past miraculous protection - most immediately, these past three weeks. More broadly, we need to be cognizant and profoundly grateful for the miracles of the past sixty six years, and, indeed, throughout our history.

IV.

אבל צבור כל זמן שעושים תשובה וצועקין בלב שלם הם נעניין
Whenever the community repents and cries out with a complete "lev" they are answered[7]

The guarantee of our tefillah being answered is extraordinary. But the guarantee hinges upon our davening b'lev shalem. Generally we translate b'lev shalem as wholeheartedly. But that conventional translation is inadequate.

Lev has multiple meanings - heart, thought, opinion, will and mind. This last meaning is most significant in context of prayer.[8] Speaking of kavana, the essence of tefillah, Rambam clearly uses lev to denote mind.

כוונת הלב כיצד... כיצד היא הכוונה שיפנה את לבו מכל המחשבות
What is to be understood as concentration of the "lev"? He should empty his "lev" of all thoughts.[9]

אין עומדין להתפלל... מתוך דין הלכה אף על פי שהם דברי תורה כדי שלא יהא לבו טרוד בהלכה

One should not stand up to pray...after studying a complex law; even though he was [engaged in studying] Torah, so that his "lev" will not be preoccupied.[10]

In both of these passages lev clearly denotes mind. In fact, Rambam interprets the core definition of Tefillah- avoda she'balev – to mean service of HKBH accomplished primarily through the mind, by focusing one's thoughts on Him.[11]

Thus tzoakin b'lev shalem translates, they cry out wholemindedly, i.e., they pray with complete focus and unadulterated concentration.

VI.

The conventional translation, wholeheartedly, however, is also correct. As mentioned, lev also denotes will. The phrase b'lev shalem arguably is a double entendre. It means with complete mind (i.e., focus). But is also means with complete will. Davening with complete will means davening with a profound feeling of need. Even if the adverbial phrase b'lev shalem does not express this idea, the verb tzo'a'kin (similar to zo'a'kin) does.

Thus Rambam stipulates that we daven wholemindedly and wholeheartedly.

VII.

There is yet a third and crucial element to b'lev shalem. In truth, it is a sine qua non for wholemindedness and wholeheartedness. We have to believe with firm conviction that HKBH can, and potentially will, answer our tefillos.

By way of explanation, consider the following analogy. A person is in dire straits. He needs a million dollar loan. He is advised to approach a certain kind, wealthy individual. Desperate for the loan, he does so. Focusing carefully on each word, he appeals to the philanthropist. In his heart of hearts, however, he thinks that the philanthropist will never advance so much money to an individual.

On one level, he appealed b'lev shalem. But, on another level, he was neither wholeminded nor wholehearted. He was not entirely serious about his request because he did not believe that the philanthropist would fully respond.

The analogue: to daven b'lev shalem, we have to steadfastly believe that HKBH can, and potentially will, fully fulfill our requests.

VIII.

In the current war context, what can we request b'lev shalem? Are any requests too presumptuous, ambitious or unrealistic to expect HKBH to fully, affirmatively respond? Our only constraint is natural law. Although HKBH obviously can and does suspend natural law as He wishes, it represents retzon Hashem. As such we cannot pray for its suspension.[12] Thus, by way of illustration, we cannot pray for miracles akin to the ten plagues.

Being spared any further casualties, both military and civilian, would certainly be very miraculous. But it does not involve suspension of natural law. And thus b'lev shalem we pray that complete and decisive victory come quickly to the IDF. We pray that every soldier, barring none, return home safely. And we pray that all civilians, barring none, remain safe.

יה"ר שימלאו משאלות לבנו לטובה

רמב"ם הל' תפילה א:ב-ב [1]

שם תעניות א:א [2]

כן נראה לתרגם לפי רבינו. ע' מורה נבוכים ג:ג"א, תרגום אונקלוס בראשית מ"ח:א [3]

כן נראה לתרגם. ע' דברי חז"ל שהובאו ברש"י דברים ג:כ"ג [4]

מתני' ברכות נ"ד [5]

[6] I have seen at least part of this idea, but I do not recall the source

רמב"ם הל' תשובה ב:ו [7]

שם מורה נבוכים א:ל"ט, רמב"ן בראשית כ"ז:מ"א [8]

שם תפילה ד:ט"ז-ז [9]

שם ד: י"ח [10]

הבנה זו בוקעת ועולה מתוך דברי רבינו. ע' במיוחד מורה נבוכים ג:ל"ב,ב"א [11]

ע' כף החיים סימן ר"ל סעי' א', שנות אליהו למתני' ברכות נ"ד, עינים למשפט ברכות ס. שני [12] מקורות האחרונים ציינו בהערה לתרגום החדש של פיה"מ להרמב"ם, פרק הרואה, הוצאת מכון המאור According to one of the approaches suggested by the Bechor Shor, for the sake of the community, one can daven for a miracle which suspends natural law. See also Praying for a Miracle by Rav Schachter shlit"א, TorahWeb.org 1999. Copyright © 2014 by The TorahWeb Foundation. All rights reserved.

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By Rabbi Yirmiyohu Kaganoff

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Select Halachos of the Days Surrounding Tisha B'Av

By Rabbi Yirmiyohu Kaganoff

Several other articles of mine relating to the observances of the Nine Days are available for reading or downloading on RabbiKaganoff.com

This week we will explain some of the halachos of Shabbos Chazon, the Seudah HaMafsek of Erev Tisha B'Av, Tisha B'Av itself, and the day after Tisha B'Av.

WHAT PRACTICES DO WE OBSERVE ON SHABBOS CHAZON?

There is a dispute among poskim whether one demonstrates any signs of mourning on Shabbos Chazon. To understand this dispute, we must first explain the observances of Shabbos during shivah week.

Although Shabbos is technically part of the shivah week, it is forbidden to show any public signs of mourning on Shabbos. However, when no one can observe what one is doing, then one does keep the halachos of shivah. Thus, only a limited amount of washing is performed before Shabbos and marital relations are prohibited during the

Shabbos of shivah week. Similarly, a mourner does not learn Torah on Shabbos of shivah week unless it would be noticeable publicly that he is not learning Torah. A mourner may not be called to the Torah during shivah, even on Shabbos, because he is not permitted to learn Torah. However, Rabbeinu Tam, who was called to the Torah every Shabbos, insisted on being called to the Torah on the Shabbos when he was observing shivah. He contended that since he was called up to Keri'as HaTorah every Shabbos, avoiding such an aliyah on this Shabbos would be a public demonstration of mourning on Shabbos, which is prohibited. In a similar vein, I am aware that Rav Gifter ztz"l once paskened that a certain person should attend a shiur on the Shabbos when he was observing shivah. Because he never missed the shiur, his absence from the shiur would have been a public sign of mourning.

Concerning Shabbos Chazon, there is a difference of opinion whether mourning the loss of the Beis HaMikdash has the same rule as private mourning. According to Rama, mourning the loss of the Beis HaMikdash does not violate the prohibition against public mourning on Shabbos. Following his approach, weekday garb is worn on Shabbos Chazon (Rama 551:1) and melancholy tunes are sung in shul.

The Vilna Gaon disagrees. He contends that there is no qualitative difference between mourning the loss of the Beis HaMikdash and mourning a private loss. In both instances, it is prohibited to have a public display of mourning on Shabbos (Mishnah Berurah 551:6). Those who follow this approach wear Shabbos clothes on Shabbos Chazon and sing regular tunes in shul.

WHAT ARE THE HALACHOS REGARDING THE SEUDAH HAMAFASEKES?

Rama mentions that some time before mincha we eat a regular meal in order to have strength to fast. After mincha, we have a final meal that is the seudah hamafsek. The Mishnah rules that the seudah hamafsek may have no more than one cooked dish. (This means that the meal consists of bread, uncooked items, and one cooked dish, but no more.)

The Gemara describes how Rabbi Yehudah ate his seudah hamafsek. He sat next to the oven, the most uncomfortable place in the house, and appeared like a mourner whose beloved deceased lay before him. This is the emotion that should be conveyed while eating the seudah hamafsek. The custom is to eat the seudah mafsek while sitting on the floor (Shulchan Aruch 552:7). However, one is not required to remove one's shoes beforehand (Rama 552:7).

Although the Mishnah permits eating cooked food at the seudah hamafsek (provided one eats no more than one cooked course), the Gemara describes Rabbi Yehudah's meal as dried bread dipped in salt and washed down with tepid water. Our practice is to eat only bread and a hard-boiled egg (Rama 552:5). The custom is to dip the egg into ashes rather than salt (Rama 552:6), and to recite while eating it: "zehu seudas Tisha B'Av," "this is the meal of Tisha B'Av" (Yerushalmi).

Some poskim contend that some of the halachos of Tisha B'Av itself begin with the seudah hamafsek. According to this opinion, once one begins eating the seudah hamafsek, bathing and anointing are forbidden, just like on Tisha B'Av itself (Ramban, as explained by Tur 553). However, we do not follow this approach. After completing the seudah hamafsek, it is permitted to eat and drink, provided one has not yet decided to begin the fast. (This is called in halacha "accepting the fast upon oneself.") However, once one decides to begin the fast, one may no longer eat or drink. There is a dispute among the poskim as to what constitutes "beginning" the fast. According to some poskim, once one has mentally decided to begin the fast, one may no longer eat or drink, even though one did not verbalize that decision (Bach; Gra). Other poskim rule that eating is forbidden only if one verbalizes that one is accepting the fast (Beis Yosef; Rama). In any instance, one is required to begin the fast at sunset.

MAY ONE EAT THE SEUDAH HAMAFASEKES TOGETHER WITH OTHER PEOPLE?

One should preferably eat the seudah hamafsek alone in order to contemplate the ramifications of the Churban (Tur 552, quoting Rosh). Furthermore, by eating alone one fulfills the posuk of Eicha (3:28), "Yeisheiv badad veyidom," "Let him sit alone and be quiet" (Beis Yosef 552, quoting Rabbeinu Meshulam).

There is a dispute among poskim whether three men who eat the seudah hamafsek together are required to bensch with a zimun (Tur). Eating by oneself avoids this dispute and is an additional reason to eat this meal alone (see Beis Yosef; Shulchan Aruch 552:8).

VE'ATAH KADOSH

After completing Eicha on Tisha B'Av night, we recite the prayer Ve'atah Kadosh. An almost identical version of this prayer is also recited on weekdays at the end of shacharis (and Shabbos and Yom Tov in mincha), adding two introductory sentences the first of which begins with the words, Uva Letziyon. It is also recited at night on Motza'ei Shabbos, Purim and Tisha B'Av. Why is this prayer recited on these occasions?

Uva Letziyon includes one of the three daily recitations of kedusha. The other two are said after Borchu as part of the Birchos Keri'as Shema and in the repetition of the Shemoneh Esrei. The words of Kedusha parallel the exalted, sublime praise recited by the angels. Singing Hashem's praises in this fashion demonstrates our ability to rise to the level of the angels.

Uva Letziyon, the third daily recital of Kedusha, is an extremely important prayer. The Gemara asks, "Now that the Beis HaMikdash is destroyed, in what merit does the world exist?" The Gemara answers that the world continues to exist in the merit of two prayers: The Kedusha said during "Uva Letziyon" and the Kaddish recited after public learning (Sotah 49a). Both these prayers include two highly important mitzvos – learning Torah and declaring the sanctity of Hashem through either Kedusha or Kaddish (Rashi ad loc.). Why are these two mitzvos special? When we study Torah we attempt to understand a glimmer of the brilliant blueprint with which the world was created. Reciting Kedusha and Kaddish is the highest form of praise recited in Hashem's honor. By combining these two concepts we literally maintain the world's existence. When this special tefillah is recited at night, its two opening verses are omitted because they begin by saying, "Uva Letziyon Goel." "And the redeemer will come to Tzion," a prayer that is inappropriate at night because the redemption will occur during the daytime.

WHY IS THIS PRAYER RECITED ON TISHA B'AV?

The verse "Ve'atah kadosh yosheiv tehillos Yisroel," "And You are holy, enthroned by the praises of Yisroel" (Tehillim 22) that introduces this prayer (at night) means that the sanctity of Hashem is evidenced by the praises of Klal Yisroel. A second factor in manifesting Hashem's sanctity is the redemption of the Jewish people. On Purim, we recite this prayer immediately after completing Megillas Esther, noting that Hashem's kedusha became evident by our redemption. The night of Tisha B'Av is a special time to pray for the ultimate redemption when Hashem's kedusha will be finally recognized (Aruch HaShulchan 693:1).

DO WE WEAR TEFILLIN ON TISHA B'AV?

The halachah is that a mourner does not wear tefillin on his first day of mourning. This is derived from the Book of Yechezkel (24:17) where Yechezkel received a prophecy that his wife will die and that he will not be permitted to observe the laws of mourning for her. Among the instructions Yechezkel received was, "Pe'ercha chavosh alecha," "Your ornament shall be worn on your head," meaning that he was required to continue wearing his tefillin. From here we derive that only Yechezkel, who was forbidden to mourn properly, was required to continue wearing tefillin after his wife's passing, whereas usually a mourner is prohibited from wearing tefillin. (This rule applies only on the first day of mourning. A mourner wears tefillin for the rest of shivah. It should be noted that there is a dispute among poskim whether a mourner wears tefillin on the first day of mourning when it is not the actual day of death. There are various customs what to do in practice concerning this matter.)

What is the status of Tisha B'Av? Is it like the first day of mourning, since this is the very day that the Beis HaMikdash was destroyed? Or is Tisha B'Av different from regular instances of mourning since it is not the actual day that the Beis HaMikdash was destroyed but only commemorative of the event? This is a dispute among poskim. Some ruled that since the loss of the Beis HaMikdash is greater than regular mourning, one may not wear tefillin at all on Tisha B'Av (Maharam, quoted by Tur Orach Chayim 555; Rabbeinu Yerucham, quoted by Beis Yosef ibid.). One opinion contends that one should not wear tefillin of the head on Tisha B'Av, but that one may wear the tefillin on the arm. This is because the "pe'er" (glory) mentioned in Sefer Yechezkel (24:17) refers only to the tefillin worn on the head.

Many poskim, however, contend that Tisha B'Av is not considered the same as the first day of mourning and that one must wear tefillin (Rosh, quoted by Tur).

On a homiletic level, one could explain a different reason why we should not wear tefillin on Tisha B'Av. Wearing tefillin, a gift and ornament from Hashem, on Tisha B'Av is a contradiction. The Torah states that the Jews removed the ornaments they had received after worshipping the golden calf. Rav Hirsch (Shemos 33:4) explains that the ornaments that they now removed were their tefillin, since, after all, they are the only truly Jewish ornament. Just as the Jews at that time removed their tefillin out of embarrassment at their sin, so we should not wear tefillin as a sign of our embarrassment over our sins that brought about the destruction of the Beis HaMikdash.

WHAT DO WE DO?

Ashkenazic practice is to follow a compromise position regarding wearing tefillin on Tisha B'Av. We refrain from wearing tefillin until mincha, thus, treating the morning as the first day of shivah, while the afternoon is treated as the middle days of shivah when it is permitted (and obligatory) to wear tefillin.

Some Sefardim follow the Ashkenazic practice just mentioned, whereas others wear tefillin during shacharis and remove them before reciting kinos. Still others don tefillin at home before leaving for shul in the morning, but do not wear them in public.

DOES ONE WEAR TZITZIS ON TISHA B'AV?

The Tur, quoting the Maharam, reports that there were different customs regarding the wearing of tzitzis on Tisha B'Av. Some men did not wear tzitzis at all, while others wore

a tallis katan under their clothes and did not wear a tallis gadol.

The poskim note that no halachic sources forbid a mourner from wearing tzitzis. Thus, they find it strange why the custom was to refrain from wearing a tallis on Tisha B'Av. However, there is a medrash on Eicha that implies that one does not wear tzitzis on Tisha B'Av. Because of this medrash and the custom mentioned by the Tur, it is accepted Ashkenazic practice to delay wearing the tallis gadol until mincha. In addition, many have the custom to leave the tzitzis of the tallis katon under one's clothes until after midday (even if they usually wear the tzitzis on top of their clothes).

STUDYING TORAH ON TISHA B'AV

There is a dispute among poskim whether children may study Torah on Tisha B'Av.

The Gemara states that the chadorim (Torah elementary schools) must be closed.

However, some poskim rule that children may study Torah on Tisha B'Av because they do not learn Torah to enjoy it (Taz 554:1). According to this logic, a child who wants to learn Torah on his own on Tisha B'Av should not be discouraged from doing so since his learning is not out of enjoyment (Biur Halacha ad loc.). On the other hand, other poskim rule that children are forbidden to learn Torah just as adults are (Bach and Magen Avraham).

DO WE RECITE THE SECTIONS OF DAVENING THAT INCLUDE THE STUDY OF TORAH?

The Ramban mentions that some people had the custom of skipping "Eizehu Mekoman" and the verses of korbanos on Tisha B'Av because their reading constitutes studying Torah. However, he rules that one should say everything that is part of the daily davening. An additional reason to recite the korbanos is because their verses are a substitute for the morning korban tamid of the Beis HaMikdash (Ramban, quoted by Tur and Shulchan Aruch 554:4).

PREGNANT WOMEN AND FASTS

On other fast days (Shivah Asar BeTammuz, Asarah BeTeveis, Tzom Gedalyah) there is a dispute whether a pregnant woman is required to fast. (It should be noted that Taanis Esther is treated more leniently than the other fast days.) Rabbeinu Yerucham rules that pregnant women are not permitted to fast on these fast days because this causes the fetus to suffer, whereas the Maharam rules that pregnant women must fast unless they themselves are suffering. A third opinion, Rabbeinu Tam, rules that a pregnant woman may fast but is not obligated to do so (Beis Yosef, Orach Chayim 554). In practice, the Shulchan Aruch (554:5) rules that pregnant women and nursing mothers are not required to fast, while the Rama concludes that the custom is that they fast unless they are very uncomfortable (550:1; 554:6). Obviously, a woman who is ill or who risks danger by fasting is forbidden to fast.

WOMEN FASTING ON TISHA B'AV

The Gemara rules that all women must fast the entire Tisha B'Av, even if they are pregnant or nursing (Pesachim 54b), provided that they are not ill and that there is no danger to the baby. Some contemporary poskim rule that today pregnant women should not fast because the chance of endangering the baby is high. A woman within 30 days following childbirth is not required to fast on Tisha B'Av. A sick person is forbidden to fast on Tisha B'Av even if one's illness is not life threatening (Shulchan Aruch 554:6).

SHOULD SOMEONE WHO IS NOT FASTING ON TISHA B'AV EAT IN SMALL QUANTITIES?

There are several halachic differences between fasting on Tisha B'Av and Yom Kippur. One difference is germane to the halacha of eating pachos mi'ke'shiur, eating less than the minimum amount. If fasting might endanger a person's life, he/she is forbidden to fast. On Yom Kippur, if a small amount of food or beverage removes the danger (as is usually the case), one should only eat very small amounts of food and beverage at one time because of the halacha of pachus mi'ke'shiur. Simply stated, this means that eating minute amounts of food and beverage at one time is a smaller Yom Kippur infraction than eating a full measure.

Therefore, if the potential danger is eliminated by eating or drinking pachos mi'ke'shiur, one is permitted to eat and drink only that much. (It should be noted that a healthy person is forbidden min haTorah to consume the tiniest amount of food or liquid on Yom Kippur. The rule of pachos mi'ke'shiur only applies to someone who is forbidden to fast.)

The halacha concerning eating small quantities applies to Yom Kippur and not to Tisha B'Av (Shulchan Aruch 554:6). A sick person is completely excluded from the mitzvah

of fasting on Tisha B'Av. He is not required to try to consume less than the minimum amount. In general, someone who is eating on a fast day because of medical necessity should eat for one's essential needs and not for pleasure (see Shulchan Aruch 554:5). The Biur Halacha quotes the halachic work Pesach HaDvir that someone eating on Tisha B'Av because of a cholera epidemic should be careful to eat very small amounts, just as one would do on Yom Kippur. Some have mistakenly compared this ruling to people who have been told that they are not to fast. This comparison is inaccurate. The Biur Halacha was discussing only a case of someone who is completely healthy and included in the takanas Chazal that everyone should fast on Tisha B'Av. However, because of a cholera epidemic it is dangerous for everyone to fast. Someone who is not fully healthy and therefore not permitted to fast is not included in the takkanah of Chazal to fast on Tisha B'Av and, therefore, there is no reason for him to fast "pachus mi'ke'shiur," in small quantities.

MAY ONE GO TO WORK ON TISHA B'AV?

The Mishnah states that it is permitted to work on Tisha B'Av provided that one lives in a place where this is the accepted practice (Pesachim 54b). In many places, the minhag was that people did not work. The Mishnah concludes that Torah scholars customarily do not work on Tisha B'Av even if they live in a community where the practice is to be lenient. Furthermore, the Gemara (Taanis 30b) states that an individual will not see any bracha from work performed on Tisha B'Av. This is explained by the poskim to mean that all the profits he gains from such work will be lost.

The Mishnah also mentions a different dispute. Rabbi Shimon ben Gamliel rules that it is meritorious for a regular person to imitate Torah scholars and refrain from working on Tisha B'Av. The Sages, however, disagree, arguing that it is pretentious for someone who is not a Torah scholar to act like the scholars do. Although Rabbi Shimon ben Gamliel agrees that it is forbidden to behave pretentiously, he argues that not working on Tisha B'Av does not demonstrate pretentious behavior since people can assume that he simply has no work on that day (Pesachim 55a; Berachos 17b).

This discussion teaches that it is forbidden to perform mitzvos ostentatiously (Pesachim 55a; Berachos 17b; see also Shulchan Aruch, Orach Chayim 34:3). The Gemara refers to this prohibition as yohara, showing off, allowing the yetzer hara to masquerade as the yetzer tov. (A person thinks he is behaving righteously by being machmir, when in reality his yetzer hara is encouraging him to show off.)

WASHING FLOORS ON TISHA B'AV AFTERNOON

In some places, there is a custom to wash the floors and clean the house on the afternoon of Tisha B'Av. This custom is based on a mesorah that Moshiach will be born on Tisha B'Av afternoon and that it is therefore appropriate to commemorate the redemption and strengthen people's hopes and prayers (based on Beis Yosef 554 and Kolbo). Although this seems like unnecessary work on Tisha B'Av that should be postponed, the poskim rule that one should not discourage those who follow this custom (Birkei Yosef 559:7).

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

The Mishnah states, "Meshenichnas Av, mema'atim besimcha," "When the month of Av begins, we decrease our happiness" (Taanis 26b) which includes not making weddings. An additional reason cited to forbid weddings during the first nine days of Av is that since Av is a month of bad mazel for Jews, one should postpone a wedding to a more auspicious date (Beis Yosef, Orach Chayim 551; Magen Avrohom 551:8). However, it does not state how long after Tisha B'Av one should wait to make a wedding. In practice, this is a subject of dispute among poskim and various customs. In most places, the custom is to allow weddings from the beginning of the eleventh of Av, while in some places the practice is to delay weddings until after Shabbos Nachamu.

There is an additional reason to be strict on the Tenth of Av. Most of the Beis HaMikdash burned on the Tenth of Av. The Gemara quotes Rabbi Yochanan saying that if he had been alive at the time of the Churban, he would have declared the fast for the Tenth of Av, rather than the Ninth (Taanis 29a). For this reason, Ashkenazim treat the morning of the Tenth of Av with the stringencies of the Nine Days, whereas Sefardim apply these stringencies to the entire tenth day until nightfall.

The prophet Yeshaya declared: "Exult with Yerushalayim and rejoice over her, all those who love her. Rejoice with her rejoicing all those who mourned over her" (Yeshaya 66:10). "From here we see," says the Gemara, "that whoever mourns over Yerushalayim will merit to see her happiness, and whoever does not mourn over Yerushalayim will not merit to see her happiness" (Taanis 30b).

May we all merit experiencing the happiness of Yerushalayim very soon!

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subject: A Personal Reflection

From the Front Lines

Rabbi Shlomo Riskin

Wednesday, July 30, 2014

The Sages of the Talmud teach that the Holy One, Blessed be He, dons t'filin (phylacteries) every day (as it were); they suggest that in the boxes ("houses") of God's t'filin are verses paralleling the boxes ("houses") worn by the Israelites, the first verse in God's t'filin being "who is like unto Your nation Israel, a most unique nation on earth."

Let me share with you four vignettes from this war in Gaza which confirm the Divine assessment of the uniqueness of our people.

1. One of the first sacred "Korbanot" of this war was Yuval Heiman, born in Efrat, seventh generation Jerusalemite, whose great-grandfather, along with three other members of the Heiman family, had fallen in the War of Independence. Yuval was circumcised and "Bar Mitzvahed" in Efrat, graduated with distinction from Derech Avot, Ohr Torah Stone, won many trophies and medals for excellence in sports, volunteerism and Bnei Akiva, and was an outstanding member of Bahad 1, Officers Training School. Yuval was slated for a shining future as a great Jewish leader, but then....

When I entered the shiva home, Yuval's grand-father Yehuda - a silversmith and regular attendee of our Daf Yomi class - ran to the door to greet me with a warm embrace. We both wept silently. Then Yehuda caught himself. "In this shiva house we do not weep; of course, we are overcome with grief but the dominant feeling in our hearts is pride and zekhut, the privilege of being able - in our generation - to sacrifice for the Jewish future."

Moshe and Zohara, Yuval's parents, both explained that of course they cry - but at night, into the pillow, privately and not for others to see. The profound message they convey is the merit of living in the generation of rebirth, of their ability - which the past generation of the Shoah could not do - to take Jewish destiny into their own hands and pave the way, albeit with heart-breaking commitment and sacrifice, for Jewish future and redemption. In effect, they were repeating the words of the brother of Great Grandfather Heiman, who said - upon establishing Kibbutz Nehalim after losing the four members of the Heiman clan in the War of Independence - "the place, (Ha Makom), our home in Israel reborn, comforts me among the mourners of Zion and Jerusalem"...

2. I went to Tel Hashomer hospital to visit El-Yosef Malkieli, an outstanding commanding officer who suffered a near-fatal wound in his leg. He and two of his young charges were standing by their personnel carrier (nagmash) when a hand-grenade was thrown in their direction. El-Yosef instinctively reached out to catch the grenade and so to deflect its potential harm away from the many and only onto himself. He was struck on his leg, and only he and his two soldiers were wounded and knocked unconscious. When the soldiers were revived, their first words were, "How is Malkieli? Please God, he's alive!" And when El-Yosef opened his eyes, his first question was, "How are my boys? Where are they?" An army in which the first thoughts of the commanding officer is for the welfare of his "men", and the first thoughts of the "men" is for the welfare of their commanding officer is bound to be successful.

3. I had been spending a period of time teaching and lecturing in New York when I went home to Israel for some twelve hours to pay the condolence call and visit the hospital which I just described. When I arrived at Ben-Gurion Airport, it was eerily empty of its usual crowds; the Federal Aviation Administration had cancelled all American flights to Israel. Only El Al was flying into Israel as usual.

Suddenly, I heard guitar music and immediately joined some thirty-five people in a spirited circle (or rather two circles, each one single-sex) of

dancing. In the midst of the rockets and missiles, the sirens and scatterings for shelter, these American Jews were coming on aliyah.

They asked me to say something, to give them a blessing; I told them how proud I was of them, how their very presence had been a blessing for me.

One of them said that they all took heart from something they had read in one of my early columns: "If Israel were merely Disneyland, then you only come if there is sun and peace; but if Israel is Mother-land, then when your mother needs you, that is especially when you must be there."

And then the spokesperson added, "And for us, Israel is now homeland. You protect your homeland whenever necessary; you certainly don't stay away..

4. The day before I came home to make my visits, my daughter Elana was in a Petah Tikvah Judaica gift shop purchasing a challah board. A mother and her young son were inquiring about large, knitted, black Bratzlav kippot, which would cover the entire head. She explained to the store-owner that her son was one of four observant boys in their Gaza army unit, and the usual small-style knitted kippot jostled under the large army helmets and made it uncomfortable for them. The owner searched around a bit, and brought out four large black kippot.

"I need forty," smiled the mother. "But you said there were four observant soldiers in the unit, so why would you want forty kippot?," logically inquired the store-keeper. The mother explained that when the other members of the unit heard her son's request for large kippot, they inquired about the reason for wearing a kippah in the first place; her son explained that there was a verse in Psalms which avers that the Divine Presence is above each individual, and this Divine Protection is symbolized by the kippah. All the soldiers then requested large kippot for under their helmets, claiming that they are all desirous of continued Divine Protection, especially in Gaza. The store-keeper managed to find forty large kippot, for which he refused to take any money...

"Who is like unto Your nation, a most unique nation on earth."

The writer is the founding and Chief Rabbi of Efrata, Gush Etzion, as well as founder and Chancellor of Ohr Torah Stone Institutions, author of Torah Lights and other well known Judaic texts.

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<http://www.theyeshivaworld.com/news/mailbag/251933/mailbag-what-one-store-owner-did-lkovid-shabbos-for-the-soldiers-in-gaza.html>

Mailbag:

What One Store Owner Did L'Kovid Shabbos for the Soldiers in Gaza (Thursday, July 31st, 2014)

The father of a Chayal (soldier) who is now in Gaza told how his son was informed on Friday that his unit will not be going home for Shabbos, which was a problem because they did not have any provisions for Shabbos. The father ran to the supermarket to buy some things, as much dips and salads as he could, then he stopped at the schwarma place in Petach Tikva.

He asked for a portion to be put into an aluminum tray and explained that it was for his son who is in Gaza without food for Shabbos. The owner said to him "what do you mean for your son? How many soldiers are in his group?" The father answered "70" The Schwarma place owner called all of his workers. They prepared all the schwarma they had, brought out all of their meat, fried schnitzels, prepared Moroccan salads and chips and within an hour he and all of his workers had emptied the entire restaurant and given it over to the father. The father, a religious guy who has seen Chesed in his life, just stood there crying and thanking him.

(Letter received via email)

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