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INTERNET PARSHA SHEET  
ON **DEVARIM - CHAZON** - 5768

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This week's Internet Parsha Sheet is sponsored by:

**Howard Adelsberg** and family [HAdelsberg@lawoffma.com](mailto:HAdelsberg@lawoffma.com) in honor of their in honor their daughter, **Jessica's birthday**.

Do you remember where you were on September 11, 2001? I am sure you do. Do you remember where you were on November 10, 2001? Probably not, but I do. That was the Shabbos my wife and I had to take our son Jonah, who was then eight years old, to the hospital after which he was diagnosed with cancer. Through the grace of Hashem, and with the participation of our doctors and friends, Jonah has been cured. Children with serious illness face a host of challenges on numerous fronts, challenges that immeasurably compound the difficulty of their arduous struggle to combat the disease itself. Throughout our ordeal, Chai Lifeline stood by our side and helped Jonah and us tremendously. From providing our children with big brothers and sisters, emotional support, providing us with home cooked meals in the hospital and sending Jonah to Camp Simcha, in the Country where he always had a blast. Chai Lifeline is a not for profit organization dedicated to helping children suffering from serious illness as well as their family members. Chai Lifeline addresses the full spectrum of needs, from logistical to social, recreational to psychological. Chai Lifeline reaches out not only to patients, but also to parents, siblings, classmates, school faculty, and the community as well. Jonah is now a healthy 15 year old. As a means of Hakoras Ha Tov, thankfulness and appreciation, Jonah will be running in the ING Miami Marathon on Sunday, January 25, 2009 to raise money for Chai Lifeline. Please help Jonah reach his goal of \$10,000.00 by going to his website, <http://teamlifeline.org/mypage.php?myid=55292> and contribute, or please mail your checks payable to: Chai Lifeline c/o Adelsberg, 309 Barr Avenue, Woodmere, New York 11598.

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**Halacha Discussion by Rabbi Doniel Neustadt**

When Tishah b'Av Falls on Sunday It is fairly uncommon for Erev Tishah b'Av to fall on a Shabbos. When it does, as it does this year, many of the distinctively somber practices of Erev Tishah b'Av are modified or done away with so as not to infringe upon the kavod and oneg of Shabbos:

On Shabbos: ? If one can occupy himself on Shabbos afternoon studying topics which pertain to Tishah b'Av or to mourning, he should do so.<sup>1</sup> If he cannot, he may study what he does ordinarily.<sup>2</sup> It is customary that Pirkei Avos is not studied on this Shabbos.<sup>3</sup> ? The usual seudah ha-mafsekes restrictions do not apply on Shabbos. At the last meal before the fast — which is seudah shelishis on Shabbos — one may eat meat and drink wine and consume whatever food he desires.<sup>4</sup> One should not, however, state explicitly that he is eating in order to have strength for the fast.<sup>5</sup> Some poskim hold that it is forbidden to swallow a pill that makes it easier to fast since that constitutes preparing on Shabbos for a weekday.<sup>6</sup> Others, however, permit doing so.<sup>7</sup> ? Eating seudah shelishis with family members is permissible. Company, however, should be avoided — unless one usually has company for seudah shelishis.<sup>8</sup> Birkas ha-Mazon may be said with a zimun. Zemiros may be sung, even by one who does not always sing them.<sup>9</sup> ? Eating, drinking, or washing any part of the body is permitted until sunset only.<sup>10</sup> If one recited Birkas ha-Mazon before sunset, he may eat or drink until sunset.<sup>11</sup> ? One may sit on a chair until nightfall (tzeis ha-kochavim).<sup>12</sup> ? Since it is not proper to wear Shabbos clothes on Tishah b'Av, it is recommended that one change clothes after nightfall, but before Ma'ariv.<sup>13</sup> Baruch ha-mavdil should be recited before changing into weekday clothes.<sup>14</sup> ? No preparations for Tishah b'Av may be made until Shabbos is over. Tishah b'Av shoes or Kinos (unless studied on Shabbos) may not be brought to shul until nightfall, even in an area with an eiruv.<sup>15</sup> Motza'ei Shabbos: ? Shabbos shoes may not be removed until nightfall. The custom in many places<sup>16</sup> is to remove them after saying Borechu at Ma'ariv. Others remove their shoes after reciting Baruch ha-mavdil but before Borechu, provided that it is already nightfall.<sup>17</sup> This option is advisable for large groups of people (such as a camp) in order to avoid a long break between Borechu and Ma'ariv.<sup>18</sup> ? Atah chonantanu is said in Shemoneh Esrei. Women who do not recite Ma'ariv must remember to recite Baruch ha-mavdil at the conclusion of Shabbos.<sup>19</sup> ? After Ma'ariv but before the reading of Eichah, a candle<sup>20</sup> is lit and Borei me'orei ha-eish is recited. If one forgot or failed to do so, Borei me'orei ha-eish may be recited anytime throughout the night.<sup>21</sup> ? Customarily, Borei me'orei ha-eish is recited by one person for the entire congregation. It is proper, though, that all the listeners sit down while the blessing is recited.<sup>22</sup> ? Preferably, women should listen to Borei me'orei ha-eish recited by a man. If they cannot do so, it is recommended that they recite their own blessing over a candle, but they are not obligated to do so.<sup>23</sup> ? Some permit folding the tallis as on every motza'ei Shabbos,<sup>24</sup> while others are stringent.<sup>25</sup> ? Dirty dishes from Shabbos should not be washed until Sunday after chatzos,<sup>26</sup> unless they will attract insects, etc. On Sunday: ? Before breaking a fast because of illness<sup>27</sup> or to celebrate a bris milah,<sup>28</sup> Havdalah should be recited. Many poskim hold that wine or grape juice may not be drunk, and Havdalah should be recited on a Shehakol beverage such as beer, coffee, or tea (with or without milk<sup>29</sup>).<sup>30</sup> Another option is to use wine or grape juice, but have a minor (preferably between the ages of 6-9) drink the wine. Other poskim allow even an adult to drink the minimum amount<sup>31</sup> of wine or grape juice.<sup>32</sup> ? There are various views among the poskim concerning the recitation of Havdalah for women who are not fasting (due to illness, pregnancy, or nursing).<sup>33</sup> The preferred option is that the woman's husband (or another man) recite Havdalah<sup>34</sup> and that she or a minor drink the beverage.<sup>35</sup> If that cannot be arranged, most poskim allow her to recite her own Havdalah.<sup>36</sup> If she cannot or will not, there are poskim who permit her to eat without reciting Havdalah.<sup>37</sup> ? Most poskim hold that minors do not need to hear or recite Havdalah before eating.<sup>38</sup> A minority opinion requires them to do so.<sup>39</sup> On Sunday night: ? After the fast is over, one may not eat until Havdalah is recited. Women should hear Havdalah from their husbands or a neighbor.<sup>40</sup> If it is difficult for a woman to wait for Havdalah, she may drink before Havdalah. If drinking is not sufficient, some poskim allow her to eat without hearing Havdalah while others hold that she should make Havdalah herself.<sup>41</sup> ? Havdalah may be recited over wine or grape juice, and it need not be given to a minor to

drink.<sup>42</sup> ? Only the blessings of Borei peri ha-gafen and ha-Mavdil are recited. Borei me'orei ha-eish is not recited, even if one forgot to recite that blessing the previous night.<sup>43</sup> ? When Sunday is the tenth of Av, it is permitted to take a haircut, shave, do laundry, sew, bathe and recite Shehecheyanu immediately after the fast. Meat and wine (other than the wine from Havdalah) should not be consumed until the next morning.<sup>44</sup> Listening to music should be avoided until the next morning.<sup>45</sup> When Sunday is the ninth of Av, as it is this year, all of those activities are forbidden until chatzos on Monday.

Footnotes 1 Chazon Ish, quoted in Orchos Rabbeinu 2:136. 2 Mishnah Berurah 553:10. One may fulfill his obligation of Shenayim Mikra v'Echad Targum. 3 Rama 553:2. 4 O.C. 552:10. 5 Shemiras Shabbos K'hilchasah 28:77. 6 Piskei Teshuvos 553, note 13, quoting Rav S. Davlitsky. It is also questionable whether or not these pills are considered medicine which may not be taken on Shabbos. 7 See Kol ha-Torah, vol. 61, pg. 59 and vol. 64, pg. 298. 8 Mishnah Berurah 552:23. 9 Igros Moshe, O.C. 4:112-1. 10 Mishnah Berurah 552:24 and Sha'ar ha-Tziyun 22. See Chayei Adam 136:1 and Kitzur Shulchan Aruch 125:1 concerning washing. 11 Sha'ar ha-Tziyun 553:7. 12 Salmas Chaim 4:4-29, quoted in Shemiras Shabbos K'hilchasah 62, note 88. 13 Chazon Ish (quoted in Shemiras Shabbos K'hilchasah 28, note 178); Moadim u'Zemanim 7:256; Shevet ha-Levi 7:77. At the very least, Shabbos clothes should not be worn during the reading of Eichah. 14 Mishnah Berurah 553:7. 15 Shemiras Shabbos K'hilchasah 28:77. 16 Based on Rama 553:2 as explained in Salmas Chaim 1:86. 17 Rav S.Z. Auerbach (quoted in Shemiras Shabbos K'hilchasah 28, note 179); Yechaveh Da'as 5:38; Moadim u'Zemanim 7:256. 18 Rav M. Feinstein (oral ruling, quoted in Halachos of the Three Weeks, pg. 16). 19 Mishnah Berurah 556:2. 20 Some light a single candle while others hold two candles together. 21 Mishnah Berurah 556:1. 22 Halichos Shlomo 3:15, Devar Halachah 21, based on Beir Halachah 213:1, s.v. al. 23 See Beir Halachah 296:8, s.v. lo, Igros Moshe, C.M. 2:47-2, and Shemiras Shabbos K'hilchasah 61 (note 69) and 62 (note 98) who debate whether or not women are obligated to recite a blessing over a candle on Motzaei Shabbos. 24 Nitei Gavriel, pg. 115. 25 Luach Devar Yom b'Yomo, quoting the Belzer Rav. 26 Several poskim quoted in Piskei Teshuvos 554:21. 27 Sha'arei Teshuvah 556:1. If all that the sick person needs is a drink of water, Havdalah is not recited (Shevet ha-Levi 8:129). 28 Mishnah Berurah 559:37. 29 Tzitz Eliezer 14:42. Some poskim allow pure orange or apple juice as well. 30 Kaf ha-Chaim 556:9; Rav M. Feinstein (oral ruling, quoted in Halachos of the Three Weeks, pg. 19); Minchas Yitzchak 8:30; Halichos Shlomo 3:16-8; Shevet ha-Levi 7:77. 31 A cheekful, approximately 1.6 fl. oz. Since, however, Al ha-gefen cannot be recited over this amount, this should be followed by eating cake, etc. and the words al ha-gefen v'al peri ha-gefen can be inserted in the Al ha-michyah. 32 Chazon Ish (quoted by Rav C. Kaniewsky, Mevakshei Torah, Sivan 5753); Rav Y.Z. Soloveitchik (quoted in Peninei Rabbeinu ha-Griz, pg. 521 and Mevakshei Torah, Sivan 5753); Rav Y.Y. Kaniewsky (Orchos Rabbeinu 2:145); Az Nidberu 11:48. 33 The issue: 1) Women, generally, do not recite their own Havdalah, since some Rishonim exempt them from Havdalah altogether; 2) Even men are not required by all poskim to recite Havdalah before eating on a Sunday Tishah b'Av. 34 The husband, then, does not repeat the Havdalah for himself once the fast is over (Shemiras Shabbos K'hilchasah 62:48). 35 Halichos Shlomo 3:16, Orchos Halachah, note 39. 36 Shevet ha-Levi 8:129; Shemiras Shabbos K'hilchasah 62:48; Az Nidberu 11:48; Moadim u'Zemanim 7:255. 37 Kinyan Torah 5:51; Shraga ha-Meir 1:59; Nitei Gavriel, pg. 164. 38 Rav Y.Y. Kaniewsky (Orchos Rabbeinu 2:145); Halichos Shlomo 3:16, Devar Halachah 13; Rav Y.S. Elyashiv (quoted in Rivevos Efrayim 3:371); Shemiras Shabbos K'hilchasah 62:45; Moadim u'Zemanim 7:255; Chanoch l'Na'ar 28:10. 39 Maharil Diskin 2:5-72; Divrei Yatziv 2:243; Shevet ha-Levi 7:77. There are conflicting reports as to the opinion of Rav M. Feinstein; see Children in Halachah, pg. 190. 40 Minchas Yitzchak 8:51. 41 See Piskei Teshuvos 556:2 for the various views. 42 Mishnah Berurah 556:3. 43 Mishnah Berurah 556:4. 44 Rama 558:1. 45 See Sha'ar ha-Tziyun 558:4, who is lenient about music for a seudas mitzvah.

[http://www.aish.com/tishaBavOverview/tishaBavOverviewDefault/When\\_Tisha\\_BAv\\_falls\\_on\\_Shabbat\\_or\\_Sunday.asp](http://www.aish.com/tishaBavOverview/tishaBavOverviewDefault/When_Tisha_BAv_falls_on_Shabbat_or_Sunday.asp)  
Overview & Law

Special laws that apply **when the Tisha B'Av observance begins on Saturday night**

**by Rabbi Elozor Barclay and Rabbi Yitzchok Jaeger**

1. What are the main changes when Tisha B'Av falls on Shabbat or Sunday?

When Tisha B'Av falls on Shabbat, the main changes are:

The fast is postponed until Sunday. Bathing is permitted on Rosh Chodesh. Marital relations are forbidden on Friday night. Washing any part of the body with hot water is forbidden on Shabbat. When Tisha B'Av falls on Shabbat or Sunday, the main changes are:

There is no special Seuda Hamafseket before the fast. Some of the laws of Tisha B'Av begin only at nightfall on Saturday night, instead of at sunset.

Havdalah is postponed until Sunday night. 2. When Tisha B'Av falls on Shabbat and is postponed until Sunday, is the preceding week considered as "the week in which Tisha B'Av occurs"?

There are different opinions about this. Therefore:

One should be strict about this concerning laundering and haircuts.

One may be lenient about matters concerning meat and wine, cutting nails, and making clothes.

3. May a woman immerse in a mikveh on Friday night that is Tisha B'Av?

Yes. In this case, marital relations are permitted.

4. Are there any changes to the prayers in this situation?

Tzidkas'cha is not said at Mincha.

Pirkei Avot is not said at Mincha.

5. May one hold a public kiddush on this Shabbat?

If the kiddush can be held on a different Shabbat, it is preferable to defer it.

If the kiddush cannot be held on a different Shabbat -- e.g. for an aufruff (groom prior to his wedding), it is permitted.

6. May one eat meat and drink wine at the Shabbat meals?

Yes. This is permitted even at Seuda Shlishit.

7. May one invite guests to the Shabbat meals?

Yes. However, one should not invite guests for Seuda Shlishit unless he does so regularly.

8. May one sing zemirot at the Shabbat meals?

Yes. This is permitted even at Seuda Shlishit.

9. May one go for a stroll on this Shabbat?

When the ninth of Av is Sunday, one may not go for a stroll on Shabbat after halachic noon.

When the ninth of Av is Shabbat, one may not go for a stroll at any time of the day.

10. May one visit family or friends? No.

11. May one learn Torah on this Shabbat?

Before halachic midday, it is permitted to learn Torah.

After halachic midday, many opinions permit learning Torah. If a person can limit himself to the topics that are permitted on Tisha B'Av, it is praiseworthy.

It is permitted to read the weekly parsha and its translation all day.

12. May one take pills on Shabbat to alleviate the pains of fasting?

It is permitted to take them on Shabbat until sunset only if they are mixed with a food or drink. One should preferably prepare the mixture before Shabbat.

One may take them without water even on Saturday night, unless they are pleasant tasting.

13. May a communal Seuda Shlishit be held in shul?

No. Everyone should eat at home.

14. Are there any changes to Seuda Shlishit?

Although any food may be served, including meat and wine, and zemirot may be sung, the mood should be somewhat subdued.

A person should not say that he is eating in order to have strength to fast, but he may think this.

One must stop eating and drinking before sunset, since the fast begins at this time. People should be reminded about this, as it is unlike a regular Shabbat.

15. Must one say Grace After Meals before sunset?

It is permitted to say the Grace after sunset, but one should try to wash mayim acharonim (after waters) before sunset, if possible.

16. May one say Grace After Meals with a 3-man zimun?

Yes (unlike when the eve of Tisha B'Av falls on a regular weekday, where one should not make a zimun).

17. May one eat or drink after Seuda Shlishit?

If one said Grace After Meals before sunset, one may eat or drink until sunset. It is not necessary to have this in mind when saying Grace After Meals.

18. Which prohibitions of Tisha B'Av commence at sunset?

All the prohibitions except wearing shoes and sitting on a chair commence at sunset. These two activities are permitted until nightfall.

19. When should one change one's shoes and Shabbat clothes?

There are two customs:

Some go to shul before nightfall and begin Ma'ariv at the usual time of Saturday night. The chazzan should say "baruch hamavdil bein kodesh lechol," remove his shoes, and then say "barchu." The congregation should respond to "barchu" and then remove their shoes. Care must be taken not to touch one's shoes when removing them. The Shabbat clothes are not removed until one returns home after Ma'ariv. This is the prevalent custom in the Diaspora.

Some shuls delay the commencement of Ma'ariv, allowing people to remain at home until nightfall. At the time of nightfall, everyone should say the phrase "baruch hamavdil bein kodesh lechol," remove his shoes, and change into weekday clothes before Ma'ariv. This is the prevalent custom in Israel.

20. According to the first custom, may one bring Tisha B'Av footwear to shul before Ma'ariv?

Even if there is an eiruv this is forbidden, since one may not prepare on Shabbat for after Shabbat. It is also forbidden to change one's shoes before going to shul, since this is disgracing the Shabbat. It is therefore advisable to leave suitable footwear in shul before Shabbat to wear after Shabbat.

21. Is the blessing recited over the spices?

No. It is forbidden to smell spices, since a person must refrain from such a pleasure on Tisha B'Av.

22. Is the blessing recited over a Havdalah candle?

Yes. According to one custom, it is recited in shul before the reading of Lamentations. According to another custom, it is recited at home before Ma'ariv, if there is time. According to some opinions, the blessing should be recited over two regular candles and not over a braided Havdalah candle.

23. May one wash the Shabbat dishes on Saturday night?

No. They may not be washed until Tisha B'Av afternoon.

24. Should a person who is not fasting recite Havdalah before eating?

Yes. However, if he only needs to drink water throughout the fast, he should not recite Havdalah.

25. Should such a person recite Havdalah immediately after Shabbat. or wait until he needs to eat?

He should wait until he needs to eat.

26. Which sections of Havdalah are recited?

The introductory verses and the blessing over spices should be omitted. The blessing over a candle should be omitted if he already recited or heard it at the termination of Shabbat, or if he is reciting Havdalah during the day.

27. Should Havdalah be recited over wine, grape juice, or another drink?

According to most opinions, beer is the most preferred drink.

If this is not possible, some opinions prefer the use of a drink that has national importance. (A rabbi should be consulted to ascertain which drinks qualify for this purpose.) Other opinions question the use of such drinks, and prefer the use of grape juice.

If nothing else is available, wine may be used.

28. If wine or grape juice is used, should the cup be given to a child to drink?

If a child above the age of six is available, the cup should be given to him.

If not, the person who recites Havdalah should drink the cup himself.

29. How much of the cup should be drunk?

A cheekful only.

30. Are children obligated to recite Havdalah before they eat?

According to most opinions, they do not recite Havdalah before eating.

31. After the fast, may one eat or drink before Havdalah?

With the exception of water, it is forbidden to eat or drink anything before Havdalah.

32. Which drink should be used for Havdalah?

One should use wine or grape juice. The person who recites Havdalah should drink the cup himself.

33. Which parts of Havdalah are recited?

Only the two blessings "borei p'ri hagafen" and "hamavdil." The introductory verses are omitted, as are the blessings over the spices and candle.

Excerpted from "Guidelines" - over 400 commonly asked questions about the Three Weeks (Targum/Feldheim).

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"THE WARSAW GHETTO"

by Rabbi Yosef Eisen

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On September 21, 1939, in a secret directive, [Nazi Gestapo chief Reinhard] Heydrich ordered that all Poland's Jews be concentrated into areas of large cities near railway lines, which, although not openly stated at the time, would facilitate their transfer to death camps. Numerous ghettos were set up throughout Poland, the largest of which were in Lodz, established in April 1940, and Warsaw, set up in November 1940.

The physical destruction of the Jews began with their deportation to the ghettos of Eastern Europe. Ghettos were not permanent places of settlement, as the SS made the Jews believe, but roundup centers that would make it more convenient either to let the Jews die in overcrowded and unsanitary conditions, or to annihilate them by other means. Jewish ghettos in Poland were generally located in the poorest or dirtiest sections of a city, or on the outskirts of cities that lacked facilities associated with urban living: paved streets, electricity, adequate water, and sewage.

With the constant influx of Jews, first from all over Poland, then from other countries, the ghettos became overcrowded death traps, where people died from a combination of scourges raging simultaneously: dysentery, typhoid, tuberculosis and starvation. In the winter, people froze to death, especially the homeless, for there was little or no heating material, and the Germans had confiscated all warm clothing.

At its peak, the Warsaw Ghetto held nearly 400,000 people in an area of 2.5 square miles -- just a few city blocks -- enclosed by a 19-foot-high wall. As many as seven Jews lived in each room, causing endless struggles for living space, making the slightest privacy impossible, providing no relief from ceaseless noise and bodily odors of many thousands of human beings.

The Germans instituted a policy of starving the Jews. In Warsaw, Germans were allotted 2,300 calories daily (nutritional information printed on food packaging in America provides for a 2,000-2,500 calorie diet), while Jews were allowed only 180 calories per day, the equivalent of a cup of Cheerios with milk. Eventually, each Jew had to live a entire month on two pounds bread, nine ounces of sugar, three and a half ounces of jam, and one and three quarters ounces of fat. Meat and cheese were almost impossible to find. All told, roughly 85,000 people, including 20,000 children, died of starvation in the Warsaw Ghetto.

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LIFE IN THE GHETTO

In Proverbs 30:8-9, King Solomon states: "Give me neither poverty nor wealth; provide me my allotted bread... lest I become impoverished and steal." The Talmud remarks: "Poverty removes a person from his [normal state of] mind."

The horrendous living conditions in the ghetto and the struggle for daily survival, inevitably brought out unsavory facets of human character. Men

fought one another for raw potatoes. People snatched food from one another, then sold or traded it at exorbitant rates. Self-absorption and preoccupation with one's own needs inured a person to the heartrending cries of beggars and children starving on the streets.

To make matters worse, economic conditions were not equal in the ghetto: there were, for example, shops, cafes and restaurants that catered to a small number of wealthy individuals. Well-dressed couples walked side-by-side with people in tatters. Eventually, however, as their assets gave out, all Jews were reduced to abject poverty.

Smuggling provided the ghetto's main economic activity -- despite the great risk, for German law stipulated death for whoever was caught leaving the ghetto. Death notwithstanding, there were two classes of smugglers: those who did so for profit, and those who were forced to do so to save their families from starvation. This latter group was mainly comprised of young children, who found it easier to sneak out of the ghetto to the Aryan side of Warsaw. Nonetheless, many of them were caught, then beaten or killed. Undoubtedly, the heroism of many of these children prolonged the lives of numerous ghetto Jews.

The Germans established a number of factories in the ghetto, which mainly produced shoes and clothing for the German army. Jews desperately contended with each other for jobs at these factories, both for the pitiful salary given, and in the mistaken belief that working at such plants would protect them and their families from deportation.

What's more, German raids on the ghetto were a daily fact of life. Individual soldiers or groups entered Jewish living quarters at will, and at all hours, demanding money and valuables. Often, the soldiers subjected their victims to humiliating personal searches. Then, if the soldiers were not satisfied, they beat or even killed the Jews. Needless to say, there was no legal recourse to such plunder...

One diary records the appearance of Jews in the Warsaw Ghetto:

"The majority are nightmare figures, ghosts of former human beings, miserable, destitute, pathetic remnants of former humanity. One is most affected by the characteristic change one sees in their faces: as a result of misery, poor nourishment, the lack of vitamins, fresh air and exercise, the numerous cares, worries, anticipated misfortunes, suffering and sickness, their faces have taken on a skeletal appearance; the prominent bones around the eye sockets, the yellow facial color, the slack pendulous skin, the alarming emaciation and sickliness. And, in addition, these miserable, frightened, restless, apathetic, and resigned expressions like that of a hunted animal.

"On the streets children are crying in vain, children who are dying in hunger. They howl, beg, sing, moan, shiver with cold, without underwear, without clothing, without shoes, in rags, sacks, flannel which are bound in strips round the emaciated skeleton, children swollen with hunger, disfigured, half-conscious, already completely grown up at the age of five, gloomy and weary of life... In the early morning the corpses of beggars, children, old people young people, and women are lying in every street -- the victims of the hunger and cold."

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#### RELIGIOUS LIFE IN THE GHETTO

From the very beginning, the Germans banned religious observance. Synagogues and schools were shut down. Kosher slaughter was prohibited, and mikvas were closed, with signs on their doors stating that use of the facility was punishable by ten years' imprisonment or death. Sabbath observance was virtually impossible, for the Germans forced the Jews to work on that day and on the holidays.

Nevertheless, as in the days of Greek and Roman oppression, and during the persecution of the Spanish Inquisition, Jews courageously risked their lives to keep the Torah's commandments. In the words of Chaim Kaplan's diary entry for Tishah B'Av, August 12, 1940:

"Public prayer in these dangerous times is a forbidden act. Anyone caught in this crime is doomed to severe punishment. If you will, it is even sabotage, and anyone engaged in sabotage is subject to execution. But this

does not deter us. Jews come to pray in a group in some inside room facing the courtyard, with drawn blinds on the windows... and pour out their supplications before the G-d of Israel in whispers. This time there are no cantors and choirs, only whispered prayers. But the prayers are heartfelt; it is possible to weep in secret, too, and the gates of tears are not locked..."

Torah study, despite being outlawed by the Germans, was widespread. Great rabbis resided in the Warsaw Ghetto, most notably Rabbi Menachem Ziemba, the greatest Torah scholar in Poland. Other great scholars and rebbes lived in the ghetto, too, providing spiritual succor to their fellow Jews until the ghetto's liquidation, in May 1943. Rabbi Ziemba himself continued until the very end, even refusing an offer from the Catholic Church to save him. He died with his people during the Warsaw Ghetto Uprising.

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#### **Rabbi Benjamin Yudin The Mourning Due**

I

There is a cryptic Gemara Bechoros (8B) that relates that Athenians brought two eggs to Rav Yehoshua and said to him: "Tell us which of the two is the egg of a black hen and which is of a white hen." In response, he brought them two cheeses, and asked them: "Which is of the milk of a black goat and which is of a white goat?" The Maharal understands this challenging piece of Aggadah that the non-Jewish philosophers were asserting that the egg is the "child" of the chicken and should inherit some of its mother's traits. Thus they were claiming that progeny do not always resemble their ancestors, and therefore the Jews, despite their descent from wise and virtuous patriarchs, are no better than anyone else.

Rav Yehoshua countered that eggs are more like milk or cheese rather than the living tissue of birds and animals. Eggs and cheese are secretions rather than offspring and therefore, need not resemble their "parent". Rav Yehoshua maintained his stance that Jews come from special stock.

The Maharsha in his Chidushei Aggados to this Gemara explains that each hen symbolizes 21 days in the year, as the Gemara above (8A) taught that a chicken embryo gestates for 21 days. The black hen is the sad period of mourning from the 17th of Tammuz to the 9th of Av, and the white hen is symbolic of Rosh Hashanah through Hoshanah Rabbah, a joyful time of atonement. The hens bear eggs namely, events that transpire during each of these periods. The Athenians were charging -- it's all the same-- the eggs are alike, there is no difference between periods of joy and that of tragedy, one day follows another with no relief in sight to your exile and plight.

Rav Yehoshua countered by bringing 2 cheeses, each from the milk of a different goat. The goats represent the 2 goats of the Yom Kippur service. The white is the goat sacrificed to Hashem, and the black is one sent to Azazel (scapegoat). Despite their outer appearances and ultimate divergent destinations, both goats produce white cheese, they both atone for the sins

of the Jewish nation. Both hens as well lay identical eggs, not dark eggs of pain and sorrow, but white eggs of forgiveness and hope. As the 21 days of Tishrei bring atonement and closeness to Hashem, so do the 21 days of Bein HaMetzarin bring atonement and closeness to Hashem.

Parshas Devarim is always read on the Shabbos prior to Tisha B'Av. It thus behooves us to reflect upon the following. At first glance there is a strong similarity between these apparently different three weeks, namely both call upon the Jew to shed his artificial insulation and focus on the stark reality at hand. It is too easy to become distracted from G-d – Israel - Torah – community - chessed and to get immersed in daily needs and survival. Therefore, these 2 periods of three weeks serve as a rude awakening to help the Jewish people focus and prioritize.

## II

As we approach Tisha B'Av the restrictions against eating meat, swimming, and buying new clothes are to strip us of some of the distractions that prevent our feeling the plight of others and indeed ourselves. It is interesting to note the formula that Ashkenazic Jewry uses to comfort a mourner. The Sephardic community says it like it is: "Terachu min ha Shamayim"- Hashem should console you. The Ashkenazic version adds; "Besoch she'ar avlei Tzion v' Yerushalayim". Why do we integrate aveilus yeshana- an old state of mourning that we have been observing for almost two thousand years with aveilus chadasha, the immediate current loss of a family member.

One possibility is to include the individual mourner with the community and nation of Israel, as we are all mourners. As we find in Shulchan Aruch Yoreh Deah (335:6): The primary fulfillment of Bikur Cholim, visiting and attending to the sick is to pray for the invalid. The Mechaber teaches that the appropriate is to include the individual besoch cholei Yisrael, among the other sick of Israel. The Shach explains that by including him among the rest of the nation that need a refuah, his prayer is upgraded. Similarly, we include the mourner in his personal state of mourning together with the rest of Israel who are mourning for the Temple and Jerusalem, and thus zechus harabbim, the merit of the masses should assist him.

Additionally, noted the Rav zt"l, we know that Hashem will comfort the mourners of Zion. Our holy literature and the haftoros of Zayin D'Nechemta (7 Shabbosim that follow Tisha B'Av until Rosh Hashanah) are replete with this theme. Nowhere are we assured of His comforting the individual mourner. We therefore include the individual and pray for the coattail effect.

A second explanation for our connecting the personal loss with the national mourning may be gleaned from the Medrash (P'Sicha Eicha Rabbah 25) which relates that Rabban Gamliel had a neighbor who tragically lost a young child. Each night the mother would cry and the cries awoke the great Torah sage who in turn mourned for the Beis HaMikdash. The story continues that to preserve the health of the Rav, she moved. The question emerges: Why did he cry for the Churban, not for her? The answer is that all tragedies that we experience emanate from Churban HaBayis. The destruction of the Temple brought about Hester Panim- a diminution of His Presence, Glory and Providence. Her tragedy and countless others are a manifestation of the Churban HaBayis. It is thus understandable that we link the person's individual loss with that of the nation.

A third explanation may be based on Koheles (7:2): "It is better to go to the house of mourning than to go to a house of feasting (for that is the end of man) and the living should take it to heart." At first glance the last charge of the verse is to learn the lessons of life, as they are taught in a house of mourning- to prioritize one's goals and aspirations. The Medrash Koheles Rabbah (7:9) understands it in the following way: Do a kindness so that one will be done to you. Specifically noted: attend a funeral so that people should attend your funeral, mourn for others so that others should mourn for you, act benevolently so that benevolence should be done to you. I'd humbly add recognize and identify with the personal loss of the next one, so that you should realize that you too are a mourner. We are so comfortable in

the exile, we do not even realize that this is not the norm for the Jewish nation. We fail too often to learn from the nichum aveilus experience. Thus, while we believed we came to give comfort and consolation to the next one sitting on a low chair, in reality we have come to enhance ourselves, by noting and confronting our national mourning. The moment we internalize "besoch shear avlei Zion v' Yerushalayim" our life assumes a different focus. Our tefillos are different. We then focus on shechinta b'galusa- how G-d's presence is hidden from mankind, a whole different perspective on life, where is home to the Jew, and other basic issues that our hectic schedules preclude us from addressing. Just as one's visit to the Beis HaMikdash was lir'os u lay'ra'os- to see and be seen (Chagigah 2A), similarly, our extending consolation to an aveilus chadasha awakens within us our aveilus yeshana.

## III

Upon reflection there are some very stark contrasts between the personal and communal or national mourning. Regarding the former there are restrictions; one may not over-mourn. The period of shiva is over on the morning of the 7th day, and for one to extend their observance of shiva till sunset would be a violation of Jewish Law. Just so much was granted to aveilus chadasha. Moreover, if one ceases his personal mourning on the eve of a holiday, he goes immediately from shiva to the sukkah, zman simchaseinu, to the Seder and celebrates. We reason and explain how he is to curtail and immediately redirect his emotions. Incredible resiliency is expected and demanded of him. In sharp contrast there is no limit to the mourning for the Beis HaMikdash. The Jewish people are not told to be forgetful, move on, to accept our fate. In fact we insist that nothing less than Mashiach will ultimately solve our national problems and turmoil, and by maintaining this faith and realization comfort the mourner that his ultimate consolation is inextricably bound to that of his nation. "Besoch shear avlei Zion v' Yerushalayim" awakens not only within us our belief in the 12th and 13th Principles of Faith as articulated by the Rambam (coming of Mashiach and Resurrection of the Dead), but within the recipient of our consolation as well.

I pray we will all be busy with happy occasions, but when necessary may the above insights enhance our mitzvah of nichum aveilus, and focus on our being avlei Zion v' Yerushalayim, preparing us for a more meaningful Ellul and 21 joyful days of atonement.

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from **Rabbi Yissocher Frand** <ryfrand@torah.org> hide details Aug 7 (23 hours ago) reply-to ryfrand@torah.org, genesis@torah.org to ravfrand@torah.org date Aug 7, 2008 1:05 AM subject Rabbi Frand on Parshas Devarim

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Careful Consideration of Chinuch Concessions

The idea was good in my eyes. (1:23)

Parshas Devarim begins with Moshe rabbeinu reviewing the main events that occurred in the 39 years since the Jewish People left Har Sinai. In recalling their request to send meraglim (spies) to reconnoiter Eretz Yisrael before proceeding to the Land, Moshe castigates them for the disorderly manner with which they made their request, but he concedes that "the idea was good in my eyes."

The Talmud (Sotah 34b) deduces from Moshe's statement — "The idea was good in my eyes" — that he felt that it was a good idea to send meraglim, but Hashem did not. Hashem was aware that sending spies would end in disaster, and He did not want them to go.

This is difficult to understand. If Hashem knew that the meraglim would end up poisoning the minds of the nation against Eretz Yisrael, why did He agree that they could go? Hashem should have told Moshe, "Tell them that I am God, I call the shots, and I said 'NO!'?"

Rabbi Motel Katz, the late Rosh Yeshiva of Telz in Cleveland, Ohio, deduces an important lesson in chinuch from this incident.

There are times that children want to do something that their parents deem inappropriate. Our parental instincts tell us to lay down the law and prohibit them from doing what they want to do. We reason to ourselves that we are required to be mechanech (educate) our children, and sometimes this means that we have to say, "No."

But is it always right to say no?

We learn from the meraglim, says Rabbi Katz, that there are times that we have to concede, even if we know that what our children want to do is wrong!

Hashem realized that the people simply were not ready to accept His denial of their request. Had Moshe returned from Hashem with a negative response, they would have thought to themselves, "How are we supposed to go and fight against a country without sending spies? Everyone knows that you do not fight without intelligence information."

Had Klal Yisrael been on a high-enough spiritual level to accept Hashem's refusal, He would have said no. But Hashem realized they were not ready to accept His decision wholeheartedly, so He did not refuse their request.

Sometimes, notes Rabbi Katz, chinuch is all about conceding. We have to know when our children are able to accept a "no," and when they are just too set on doing what they intend to do to accept our refusal.

This concept is actually mentioned clearly in the Talmud (Yevamos 65b) as well: "Just as it is a mitzvah to say words that will be accepted, it is also a mitzvah not to say words that will not be accepted."

Rabbi Motel Katz adds a personal anecdote that is so incredible that, had I not seen it myself in his notes and confirmed the authenticity of the notes with his son, I would never have included it here. The incident that he describes, while not dated, must have occurred in the late 1940s or early 50s.

"One day, the boys came over to me in yeshiva and asked me to change the yeshiva schedule for one night," writes Rabbi Katz. "They wanted to daven Maariv earlier than we regularly did."

"When I asked them why they wanted to daven early, they explained that there was a heavyweight championship bout being fought in New York that night, and they wanted to listen to the match on the radio. If we would daven at the regular time, they would miss the fight."

"Of course the very request was inappropriate, not to mention the questionable propriety of yeshiva students listening to a fight between two humans trained to beat each other until one of them could no longer stand up."

"I realized that if I refused, the boys simply would not understand why I refused. Having grown up in America, they were accustomed to the finest, most respectable citizens flying in from all over the country to view these matches. They considered watching or listening to the radio broadcast of two adults pummeling each other a perfectly normal means of recreation."

"I decided," concludes Rabbi Katz, "that since these boys would not begin to understand why I was refusing their request, it would be better to allow them to daven early and listen to the match."

I am sure that this was probably one of many difficult dilemmas Rabbi Katz had to face. He had learned in Telz back in Europe. What would his Roshei Yeshiva have thought of such a request?

Rabbi Mordechai Gifter often related his memories of his arrival in Telz and finding that the only thing that existed there was Torah. How difficult it must have been for a person who had been privy to witness such exalted devotion to Torah to permit his students to end their studies early for a heavyweight championship match.

But this was a new world. The student body of Telz at the time was culled from various small communities throughout the United States; many of them had attended public elementary schools in their youth. They could not be expected to fully appreciate the value of Torah.

Of course, there are many cases in which parents and mechanchim have to say no. But in this case, Rav Motel learned from the best Teacher. If

Hashem permitted Klal Yisrael to do something that He knew was wrong when He realized they could not accept His refusal, then the Rosh Yeshiva of Telz had to find it in himself to do the same.

And so, dear parents, must we.

Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD

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#### SICHOT OF THE ROSHEI YESHIVA

: <http://www.vbm-torah.org/archive/sichot68/44-68devarim-chazon.htm>

Parashat devarim

GUEST SICHA BY RAV MOSHEH LICHTENSTEIN SHLIT" A SHABBAT CHAZON

Translated by David Strauss

#### ROSH CHODESH AV THAT FALLS ON SHABBAT

The haftarot read on the festivals and other special days that are spelled out in detail at the end of tractate Megilla (31b). That list includes two haftarot taken from Yeshayahu 1:

When Rosh Chodesh Av falls out on Shabbat, we read as haftara: "Your new moons and your appointed feasts My soul hates: they are a trouble to Me" (Chodsheikhem u-mo'adeikhem") (Yeshayahu 1:14)... On Tisha Be-Av itself, what do we read? Rav said: "How is the faithful city become a harlot" (Eikha hayeta le-zona") (Yeshayahu 1:21).

While it may be inferred from this citation that Chazal viewed the chapter as containing important messages that are fitting for the objectives of the haftara, we cannot relate to this as the source for the haftara for "Shabbat Chazon." For the Gemara sees the first haftara as the haftara for Shabbat Rosh Chodesh adjusted for Rosh Chodesh Av, but it does not recognize the Shabbat that precedes Tisha Be-Av as having any special significance that requires a special haftara.

#### THE SHABBAT THAT IMMEDIATELY PRECEDES TISHA BE-AV

The custom of reading a special haftara on the Shabbat immediately preceding Tisha Be-Av was, however, known to the Rishonim, though we find diverse customs. The Rambam (in his version of the liturgy) testifies that:

It is the common custom to read as the haftara on the three Shabbatot preceding Tisha Be-Av words of rebuke; on the first Shabbat, we read as haftara "Divrei Yirmiyahu"; on the second, "Chazon Yeshayahu"; [and] on the third, "Eikha hayeta le-zona."

The Tosafot (Megilla 31b, s.v. Rosh Chodesh) refer to the custom that prevails today, and prove that this clearly follows from the Pesikta (which apparently reflects the common practice in Eretz Yisrael during the period of Chazal):

We do not do this, but rather we read as haftara from Yirmiyahu, "Shim'u devar Ha-Shem," and on the Shabbat before Tisha Be-Av we read "Chazon Yeshayahu." And the reason is that we are accustomed on the basis of the Pesikta to read three haftarot of doom before Tisha Be-Av, namely, "Divrei Yirmiyahu," "Shim'u devar Ha-Shem," and "Chazon Yeshayahu."

If we analyze the meaning of these two customs, rather than content ourselves with the mere fact that this was the customary practice, we might be able to reach an understanding of the objective of the haftara. For this, however, we must begin with a more general introduction.

Rebuke and Lamentation      The key word in the haftara set by the Rambam as the haftara that is read this week is the exclamatory word with which it opens – Eikha, "How." This is, of course, the very same word that is so familiar to us from the megilla that bears that name, the scroll of Eikha. Chazal discuss the meaning of the term in the context of the book. The Tannaim disagree as follows (Eikha Rabba 1,1):

Rabbi Yehuda and Rabbi Nechemya [disagree]. Rabbi Yehuda says: The term eikha denotes rebuke. As it is stated (Yirmiyahu 8:8): "How (eikha) can you say, We are wise, and the Torah of the Lord is with us, etc." And Rabbi Nechemya says: The term eikha denotes lamentation. As it is stated (Genesis 3:9): "And the Lord called to the man, and said to him, Where are you (ayeka)" – woe to you (oy lekha).

And when was the megilla of lamentations said? Rabbi Yehuda said: In the days of Yehoyakim. Rabbi Nechemya said to him: Does one weep over the deceased before he dies? Rather when was it said? Following the destruction of the Temple. This is the solution: "How does the city sit solitary" (Eikha 1:1).

To understand the disagreement, we must appreciate the tremendous gap between the two concepts proposed here: rebuke and lamentation. Rebuke is designed to point out a person's errors, to explain to him the difference between right and wrong, to cause him to repent and to bring him to appropriate conduct. The prophets rebuked Israel so that they would mend their ways, and every Jew is commanded to rebuke his fellow Jew. We see then that the operative concept that underlies rebuke is that of repentance. Its basic outlook is optimistic, for it assumes that man is capable of change and of renouncing his sins in the here and now. In this way, punishment will be averted, and there will be no destruction. Moreover, this optimistic spirit relates not only to the future, but even to the past. For if the rebuke is successful, then even the sins of the past will not condemn the people to exile, for repentance will have its impact and intentional sins will be regarded as having been committed unwittingly.

A lamentation, on the other hand, is fundamentally pessimistic. It does not come to lead a person to repent, but to weep with him over his bitter fate and lament about it. It is based upon weeping and despair in the face of a situation that cannot be fixed or improved. The sins of the past are etched in stone and all that can be done now is emphasize and feel the magnitude of the lost opportunity and to wail the ruin and destruction. The fundamental concept underlying lamentation is not repentance, but mourning.

#### REPENTANCE OR WAILING

Rabbi Nechemya and Rabbi Yehuda disagree about which of the two concepts finds expression in the word eikha and what is the objective of the book – repentance and rebuke or wailing and mourning? Rabbi Yehuda sees the call for repentance as the focus of the book of Eikha, and he therefore explains the opening word of the book as call to repentance. Yirmiyahu encourages his audience to come to spiritual conclusions and change direction from evil to good. Rabbi Yehuda's position in the continuation of the midrash that the book was composed prior to the destruction in the days of Yehoyakim is of course connected to this, because the book's mission is to bring Israel to repent and thus to prevent the destruction, and so it must have been composed prior to the destruction. Rabbi Nechemya's dissenting view sees in the book of Eikha a work of lamentation, wailing, and mourning. The cry of eikha does not come to elicit operative conclusions, but rather it expresses shock and astonishment in the face of a cruel and changed world, following the disappearance of the pleasant and familiar world that no longer exists. Thus, the book was written not before but after the destruction, for his argument is: "Does one weep over the deceased before he dies?" and the book is one long weeping over the dead.

These differences in approach and perspective underlie a considerable portion of the laws and customs of Tisha Be-Av, but this is a subject for a future shiur.

#### ONE CHAPTER – MANY PRINCIPLES

Let us now return to the verse, "How (eikha) is the faithful city become a harlot?" Not only must we raise a similar question about the meaning of the word eikha in this context, but Chazal even emphasized the connection between the various instances of the word.[1] Here too we must ask whether Yeshayahu's goal is rebuke or lamentation.

The first half of the first chapter in Yeshayahu is without a doubt a prophecy of rebuke. The prophet himself says this:

Wash you, make you clean; put away the evil of your doings from before My eyes; cease to do evil; learn to do well: seek judgment, relieve the oppressed, judge the fatherless, plead for the widow. Come now, and let us rebuke, says the Lord: though your sins are like scarlet, they shall be as white as snow; though they be red like crimson, they shall be white as wool. If you are willing and obedient, you shall eat the good of the land; but if you refuse and rebel, you shall be devoured with the sword; for the mouth of the Lord has spoken it. (vv. 16-20)

These verses bring the first half of the haftara to a conclusion, with a call for repentance and learning of lessons, which is defined by G-d himself as an act of rebuke. The chapter continues with the verses beginning with, "How is the faithful city become a harlot" (v. 21). They include a description of a deteriorated moral state which is followed by several verses of consolation, but these verses do not turn to the people with a call to repent and to desist from evildoing. In light of this, the custom brought by the Rambam divides the chapter into two haftarot, this despite the fact that the second one is very short. This seems to be based on the understanding and the assumption that "How is the faithful city become a harlot" expresses lamentation, rather than rebuke. They cannot be joined together, because they are based on different principles and have different objectives. Accordingly, they are read on two separate Shabatot.

Truth be told, even after the destruction, it is possible to approach the event from the perspective of mourning over that which no longer exists, but it is also possible to use the lessons learned from the past in order to repent in the present. This point is emphasized by the Rambam himself in the famous halakha that defines the objectives of the fasts:

There are days on which all Israelites fast on account of the troubles that occurred on those days in order to stir up the hearts and open the paths of repentance. This should serve as a reminder of our own evil deeds and those of our forefathers that were as our present deeds to the point that they caused them and us these troubles, so that by remembering these things we should repent and do good. (Hilkhot Ta'aniyot 5:1)

According to the Rambam, then, the haftara read during the Three Weeks divide as follows: On the first two Shabbatot we read a haftara of rebuke and repentance, and on the Shabbat that immediately precedes Tisha Be-Av we read a haftara of mourning.[2]

#### OUR CUSTOM

We must now examine the custom that is cited by the Tosafot and prevails today. In light of what has been said thus far, the Tosafot seem to have viewed the entire chapter as a single prophecy, and therefore they did not divide it into its parts, but rather they read the entire chapter as a single haftara. It also seems that the prophecy as a whole should be viewed as a rebuke rather than a lamentation, for we have already seen that a portion of it is clearly a rebuke. Thus, the verses of consolation at the end should be understood not only as a consolation for the destruction that occurred, but as an incentive and challenge for repentance. This seems to be the way to understand this custom, which was the ancient custom of the Pesikta.

We must, however, pay attention to the end of the Tosafot. It would have been possible to justify the custom with the very assertion that in liturgical matters, midrashic sources like the Pesikta have halakhic weight that equals halakhic sources, and especially when they reflect the custom that prevailed in their day. The custom reflects the understanding that the haftara is a rebuke, and therefore it is read as a single unit on the Shabbat that immediately precedes Tisha Be-Av. The Tosafot, however, propose a different explanation to justify our custom, bringing another halakhic factor into the picture. They write as follows:

We do not read the haftara of "Chazon" on Shabbat Rosh Chodesh Av because we maintain that there is mourning only during the week of Tisha Be-Av. Rav who says that we read the haftara of "Chazon" maintains that the mourning begins immediately with Rosh Chodesh, but the law is not in accordance with this view. So too explained Rabbi Eliezer of Metz. Accordingly, we read as the haftara "Shim'u." And similarly our common practice follows tractate Soferim, in that we read "Va-Yechal" on fast days, even though the Mishna says that we read the blessings and curses.

#### THE HAFTARAS AS AN EXPRESSION OF MOURNING

The Tosafot are saying that the haftara of "Chazon Yeshayahu" that is mentioned in the Gemara as the haftara of Rosh Chodesh Av is not a haftara of Rosh Chodesh as we have suggested thus far, but rather it is a haftara of mourning that gives expression to the mourning of the Three Weeks. Accordingly, the Tosafot argue that the Gemara's statement that we read this haftara on Rosh Chodesh Av depends on a second dispute (Ta'anit 29b) whether the mourning that precedes Tisha Be-Av begins already on Rosh Chodesh Av or only at the beginning of the week of Tisha Be-Av. Since we rule that by strict law mourning practices are observed only during the week of Tisha Be-Av, the haftara must be pushed off to that week of mourning. You might ask: Why then do we read a haftara of doom on the previous Shabbat, when there is no mourning? The simple answer is that the haftara of "Shim'u" is not a haftara of mourning, but rather a haftara of rebuke that calls for repentance (as is clear from the very first verse which calls upon Israel to obey the voice of God), and therefore there is no problem to read it before Rosh Chodesh Av. Mourning can only be observed in real time, and after the appropriate time has already arrived, but rebuke is not limited to the time of wailing, but rather it is fitting any time that the lesson of the destruction is relevant.

It is clear then that, according to the Tosafot, the haftara of "Chazon" is entirely a haftara of mourning. The rebuke included therein is an expression of the mourning that leads to repentance; it is a side-product that expresses the mourning, but not the goal of the prophecy. In this the Tosafot disagree with the Rambam, according to whom there are two prophecies, one of rebuke and one of mourning, and we clearly see the chapter's division into separate units, whereas according to the Tosafot there is only a prophecy of mourning that is comprised of various elements.

#### THE ASHKENAZI HALAKHIC POLEMIC

As previously suggested, however, it seems to me that if we wish to see "Chazon Yeshayahu" and "Eikha hayeta le-zona" as a single unit, they should be defined as a prophecy of rebuke and not as an expression of mourning. Indeed, the position stated in the Tosafot was already the subject of discussion during their day, and the argument that the haftara is not an expression of mourning, but rather a rebuke, was raised by the Ravva, one of the great Ashkenazi halakhic authorities of the twelfth century. According to him, the haftara of "Chazon Yeshayahu" is indeed appropriate to the Three Weeks period, but the common practice follows a different order than that found in the Gemara, according to which the meaning of the haftara does not lie in mourning.

Inasmuch as the words of the Ravva were stated in the context of a halakhic polemic with his colleagues the Tosafists, and they were not meant from the outset for a shiur in the Virtual Beit Midrash, his words allow us to appreciate the workings of halakhic argumentation, as well as the talmudic passages relevant to the Nine Days. I will cite his words in full for those readers who are accustomed to such texts; anyone who lacks the necessary training can rely on the summary brought earlier. This is what the Ravva has to say about the matter under discussion (Sefer Ravva, no. 595):

We learned in our Gemara: Rav Yehuda the son of Rav Shemuel bar Sheilat said in the name of Rav: "When Rosh Chodesh Av falls out on Shabbat, we read as haftara 'Your new moons and your appointed feasts My soul hates: they are a trouble to Me' (Yeshayahu 1:14)," that is to say "Chazon Yeshayahu." This is not our custom; rather we always read "Chazon Yeshayahu" on the Shabbat that immediately precedes Tisha Be-Av. It already once happened that Rabbenu Efrayim wanted to institute in

Worms to read [the haftara] in accordance with the view of Rav Yehuda, but they did not listen to him. And my master Rabbi Eliezer, ztz"l, sent to him that Rav Yehuda bar Sheilat in the name of Rav agrees with that authority who said at the end of tractate Ta'anit that mourning is observed from Rosh Chodesh until the fast [Tisha Be-Av]. This is a subject of dispute between Rabbi Meir, Rabbi Yehuda and Rabban Shimon ben Gamliel. And we rule there: Rava said: The law is in accordance with Rabbi Meir and the law is in accordance with Rabban Shimon ben Gamliel, and regarding both, for leniency, that nothing is forbidden before or after, but only during the week of Tisha Be-Av. The haftara of "Chazon Yeshayahu" is customarily chanted with the melody used for Eikha, and it is an expression of mourning. And even though the Shabbat on which we read this haftara is not part of the week of Tisha Be-Av, since on a weekday there is no haftara, the haftara is read on Shabbat. I raised the objection against my master that according to him there is a contradiction between two statements of Rav, for regarding the Mishna Rav says: This applies only before [Tisha Be-Av], but afterwards it is permitted. Moreover, a question is raised against Shemuel from a Baraita which states: The week of Tisha Be-Av, before [Tisha Be-Av] it is forbidden, afterwards it is permitted – this is difficult according to Shemuel. The implication is that it supports Rav. [We see then] that only during the week of Tisha Be-Av, do we say that before [Tisha Be-Av] it is forbidden. And you cannot say that he said this according to the Tanna of the Mishna, but he disagrees, for in that case, why does he ask from one Tanna to the next. Rather it seems to me that Rav maintains that the haftara is not absolute mourning like haircutting and laundry, but rather it is like diminishment of joy. And we learned: When Av enters we diminish joy. And we who read "Chazon Yeshayahu" on the Shabbat that immediately precedes Tisha Be-Av, it seems to me that we rely on the order of the homilies on the haftarot in Pesikta de-Rav Kahana. And the mnemonic – deshach, no'a, arak, shadash – Divrei Yirmiyahu, Shim'u davar, Chazon Yeshayahu, Nachamu nachamu, Va-tomer Tziyon aniya, Anokhi, Rani kumi ori, Sos asis, Dirshu, Shuva. Anyone who is not familiar with the midrashim and external books should not destroy the structure constructed by the ancients and their customs. And if there is emptiness, it is he who is empty.

[1] "Three prophesied with the word 'Eikha' – Moshe, Yeshayahu and Yirmiyahu. Moshe said: 'How can I myself alone bear your care' (Devarim 1:12); Yeshayahu said: 'How is the faithful city become a harlot' (Yeshayahu 1:21); Yirmiyahu said: 'How does the city sit solitary' (Eikha 1:1).

Rav Levi said: This may be likened to a matron who had three friends. One saw her in her happiness, one in her recklessness, and one in her disgrace. Thus Moshe saw Israel in their glory and happiness, and said: 'How can I myself alone bear your care.' Yeshayahu saw them in their recklessness and said: 'How is the faithful city become a harlot.' Yirmiyahu saw them in their disgrace and said: 'How does the city sit solitary'" (Eikha Rabba 1:1).

[2] I see this analysis as exceedingly persuasive and reasonable. It should be noted, however, that it contradicts what the Rambam says in Hilkhos Tefilla: "It is the common custom to read as the haftara on the three Shabbatot preceding Tisha Be-Av words of rebuke." As we can see, the Rambam defines all three haftarot as "words of rebuke." Nevertheless, what we said still seems to be correct. First, it is not clear that the Rambam meant to clarify his position on this question when he wrote this. Second, even if his words reflect a clear position on the matter (and this fits in with his position in the fifth chapter of Hilkhos Ta'anuyot cited above), we can still propose what we said as a justification of the custom attested to by the Rambam as the common practice.

If you have any questions, please write to [office@etzion.org.il](mailto:office@etzion.org.il) TO SUBSCRIBE send e-mail to [majordomo@etzion.org.il](mailto:majordomo@etzion.org.il) with the following message: subscribe YHE-SICHOT Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash is on the world wide web at <http://www.vbm-torah.org> Shiurim may be dedicated to various occasions - yahrzeits, birthdays, etc. Please e-mail [office@etzion.org.il](mailto:office@etzion.org.il) for an application. For a full VBM curriculum, write to [info@vbm-torah.org](mailto:info@vbm-torah.org) with the following message: Get Curriculum YESHIVAT HAR ETZION ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH ALON SHEVUT, GUSH ETZION 90433 E-MAIL: [YHE@ETZION.ORG.IL](mailto:YHE@ETZION.ORG.IL) or [OFFICE@ETZION.ORG.IL](mailto:OFFICE@ETZION.ORG.IL) Copyright (c) 2008 Yeshivat Har Etzion All Rights Reserved.



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Kol Torah TABC  
Devarim

**A Blessing of Rebuke  
by Shlomo Klapper**

Parashat Devarim opens with Moshe rebuking Bnei Yisrael for their sins (see Rashi). Moshe knew of the spiritual challenges that Bnei Yisrael would face upon entering Eretz Yisrael and feared that they would approach these challenges complacently, confident in their ability to resist the alien influences of the Canaanite land. Therefore, he admonished Bnei Yisrael that they had failed before and might fail again unless given the proper motivation. Moshe intended his admonition to awaken a spirit of vigilance and self-scrutiny within the nation, which he hoped would protect Bnei Yisrael in the years ahead. To spare Bnei Yisrael embarrassment, Moshe merely alluded to all of their sins, veiling his reproach in terms only they would understand. However, Moshe later speaks openly about the sins of the Meraglim, the twelve spies, and the Cheit HaEigel, the golden calf! What compelled Moshe to make a contradiction between his subtle and open rebukes of the same sins?

Rav Ovadiah of Bartenura explains that upon hearing Moshe's admonition, the Jewish people repented wholeheartedly, at which point speaking openly about their sins was not a problem. Ramban expresses a similar idea regarding the brothers of Yosef, who also repented upon hearing of their sins. Imrei Elimelech expands this idea by quoting the Talmudic dictum that when one repents out of love for Hashem, like Bnei Yisrael did, all of his intentional sins are converted into merits. Moshe made a deliberate and explicit mention of Bnei Yisrael's misdeeds to inform them that their former sins could be used as a springboard to attain new spiritual heights.

Others understand Moshe's use of allusion in rebuke not as an attempt to spare Bnei Yisrael from shame, but rather as a sign of the Jewish people's sensitivity to sin. A perceptive, sensitive person needs little reminder of past wrongdoings, and a mere hint suffices to recall the sin to conscious memory. A less sensitive person, however, requires a lucid, explicit, clear admonition. Similarly, a major event in one's life can be recalled to mind with the subtlest of reminders, while an incident of minor importance requires a blatant reminder. The fact that Moshe merely alluded to Bnei Yisrael's sins testifies to the extreme sensitivity of the Jewish people, whose abhorrence and loathing of sin was such that even the slightest of reminders sufficed to bring them to repentance. Rav Yosef Nendik notes that upon receiving Moshe's rebuke, Bnei Yisrael did not attempt to deny their sins; instead, they were willing to face up to their acts and take the necessary remedial steps to rehabilitation. A wise man once said, "The Sages teach, 'Dai LeChakima BeRemiza,' For a wise man, and allusion is sufficient.' But what is to be done for one who is not wise? For the fool, even a sledgehammer might not do the trick! He still may not understand what you are talking about!"

Generally, the purpose of rebuke should not be to shame the sinner; rather, rebuke should be used to make people aware of the emptiness of life when it is devoid of Hashem or Torah. Rav Michael Ber Weissmandl, who lived before the invention of the computer, reached into the hidden codes of the Torah and found a very interesting support for this idea. If a person begins from the letter Bet in the word Devarim and counts six hundred thirteen letters, he finds a Reish. Another six hundred thirteen letters later is a Chaf, and yet another six hundred thirteen letters later is a Hei. These letters, when combined, form the word Berachah. Clearly, the function of Moshe's rebuke was to transform acts of wickedness into a source of blessing for everyone involved. When we fulfill the Mitzvah to reproach others for their misdeeds, we must similarly make clear that we intend only the best for the sinner. If rebuke is given in this fashion, it is very likely to succeed.

from Rabbi Aryeh Striks <striks@vths.org> hide details 4:09 pm (7 hours ago) reply-to striks@vths.org to internetparshasheet@gmail.com date Aug 7, 2008 4:09 PM subject Mussar HaTorah - Parashas Devarim signed-by vths.ccsend.com mailed-by in.constantcontact.com Images from this sender are always displayed. Don't display from now on.

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Rabbi Aryeh Striks Valley Torah High School

"... Your country is desolate; your cities are burned with fire." (Yeshayahu 1:7) The Midrash Rabbah (Eicha 1:39) tells of the siege laid by the Romans on Yerushalayim: The starving Jews would lower a basket of gold from atop the walls of the city to the enemy soldiers below; the Romans replaced the gold with wheat and sent the basket back up. Later, after the Jews sent down a basket of gold, the Romans sent up barley. Eventually, they sent up straw. Finally, when the Jews lowered the basket; the Romans took the gold and sent back an empty basket. The Midrash continues, "Regarding one who has received nothing from the poor and does not give, the Torah states, 'And [the poor person] shall call out against you to Hashem and you will have a sin' (Devarim 15:9) – how much more so, one who takes from the poor person and does not give [is a sinner]." In other words, the Romans certainly sinned by taking our money and by not giving us food (see Matnos Kehunah ibid.). We can understand the Torah's expectations of tzedaka and chesed from the Jewish people. We could perhaps extend these lofty standards to a non-Jew with refined character traits. The Roman legionnaires besieging Yerushalayim, however, were far from kind-hearted individuals. They were hardened, evil soldiers who maliciously murdered and brutally tortured the Jewish people (and their many other victims). The horrifying descriptions of the Churban, with rivers of Jewish blood flowing in the streets, stagger our imagination. Could these cruel murderers have been expected to have feelings of pity for the hungry Jews – just before they attacked us? The Midrash's criticism seems to even apply the pasuk's higher-level requirement of pure giving, without receiving anything in return, to the Romans. In their final judgment, will Hashem really take them to task for not providing the Jews with sustenance free of charge? In addition, why mention this criticism in light of all the more severe crimes they committed – mass slaughter of millions of innocent Jews, acts of moral depravity against men and women alike and the destruction of the Beis HaMikdash, Every human being is created in the tzelem Elokim – image of Hashem, invested with a spark of Divine spirituality that demands of him to emulate his Creator, in kindness, mercy and many other midos. No matter how far a person may have strayed from tender feelings of caring and concern, he still has the ability – and the obligation – to be sensitive to his fellow man's needs. The Roman soldiers, even though they were far from sensitive, were still human beings with a Divine neshama. They could have felt our pain and somehow been motivated to feed us. This callousness is such a serious flaw that it stands out even against the backdrop of their many other terrible crimes. This message can help motivate us to reach out to all our fellow Jews, no matter how far from perfect they may be. Certainly, the worst of our brethren are far more righteous than the Romans were, and their tzelem Elokim is receptive to the light of Torah. As we approach the day Tisha B'Av, we can also use this lesson to eliminate sinas chinam. If we appreciate the greatness in every Jew, despite his or her shortcomings and misdeeds committed against us, we will overcome the baseless hatred that led to the

Churban, and increase ahavas Yisrael that will pave the way to the coming of Moshiach and the rebuilding of the Beis HaMikdash

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Covenant & Conversation  
Thoughts on the Weekly Parsha from

**Sir Jonathan Sacks**

Chief Rabbi of the United Hebrew Congregations of the British  
Commonwealth

[From 2 years ago - 5766]

<http://www.chiefrabbi.org/tt-index.html>

Devarim

The book known as Devarim ("words") was originally known as Mishneh Torah - the repetition or restatement of the Torah. Hence the name Deuteronomy, "a second (statement of the) law". In it Moses restates, with some additions and some omissions, both the history and legislation contained in the previous three books.

But there is also something new. The first verse of the book uses a phrase we have not heard before in the Torah, though it takes a sensitive ear to hear it:

These are the words Moses spoke to all Israel [le-khol Yisrael] in the desert east of the Jordan-that is, in the Arabah-opposite Suph, between Paran and Tophel, Laban, Hazereth and Dizahab. (Deut.1:1) It was R. Ephraim Landschutz [= Leczyca, 1550-1619] in his commentary Kli Yakar (to Dt. 1:1) who noted that the phrase kol Yisrael, which appears eleven times in Deuteronomy, exists nowhere else in the Mosaic books. Until now the Israelites have been described as bnei Yisrael, "the children of Israel". Now for the first time they are no longer the children of Israel - they are simply Israel.

What does this signify? It means that the Israelites were about to become something they had not been before. Until now, they had been linked vertically, by biological descent. They had a common ancestor: Jacob, who was given the name Israel. They were his descendants. They were part of the same family tree. They were his children.

With the subtle shift from bnei Yisrael, the children of Israel, to Yisrael, Moses was preparing the Israelites for a new mode of existence. Now they would be linked horizontally, to one another. They were no longer children. They were about to become moral adults. Their unity was no longer simply a matter of a common past. They were about to create a shared future. They would no longer exist in a state of dependency - relying on Moses and through him, G-d, to provide for their needs, welfare and safety. Henceforth they would have to take responsibility for one another.

Through this subtle linguistic shift, Moses is indicating that once the Israelites crossed the Jordan they would have to become a nation, not just a family. They would have to learn to function collectively. They were about to create a society. They would have to fight wars, defend themselves, institute systems of justice and welfare, and learn the necessity for, as well as the limits of, politics.

None of that had been necessary in the wilderness. G-d provided their needs, fought their battles, sent them food and water and gave them shelter. G-d would still be with them in the future, but only rarely in the form of miracles. No longer would it be G-d serving the people - giving them all they need. It would be the people serving G-d. That was to be their new identity. The nation would be defined by the covenant their parents had made at Mount Sinai. It would be their constitution, their mission, their task, their destiny. They were about to become, not just individuals, but a people:

Then Moses and the priests, the Levites, said to all Israel, "Be silent, Israel, and listen! This day, you have become a people of the Lord your God. Obey the Lord your G-d and follow his commands and decrees that I give you today." (Deut.27: 9-10) Hence the intense peoplehood dimension of Judaism. Today's secular culture is highly individualistic, and contemporary

forms of spirituality reflect that fact. Nowadays we often think that G-d is about me, not us. Nor is this new. Religion has often been thought of as a private engagement of the soul. Dean Inge defined it as "what a person does in his solitude". Walter Savage Landor called solitude the "audience chamber of G-d." Octavio Paz spoke of it as "the profoundest fact of the human condition".

Judaism holds the precise opposite. "It is not good for man to be alone." The sedra of Devarim is always read on the Shabbat before Tisha B'av - and there is a verbal connection between the sedra and the opening of the Book of Lamentations: the word eichah, "how". Moses says:

How [eichah] can I bear alone your contentiousness, your burdens and your quarrels. (Dt 1: 12) Lamentations open with the words:

How [eichah] lonely lies the city, once so full of people! Immediately we hear that eichah is not only the word these two verses have in common. They also share the word levadi / vadad, meaning "lonely, alone, solitary". To be alone is not something to celebrate but to mourn. Judaism is a religion not of individuals but of a people. Faith does not belong to the private recesses of the soul. It belongs to the life we live together. Where people meet is where G-d is to be found.

Sickness and bereavement force us in upon ourselves. Yet in Judaism, we pray for healing for those who are ill "in the midst of all the other sick of Israel". We offer consolation to mourners with the words, "May G-d comfort you in the midst of the other mourners of Zion and Jerusalem". We specifically emphasize the not-aloneness of the ill and the bereaved. They are part of a people - and that is part of the healing, the consolation.

Likewise at a wedding, one of the seven blessings (sheva berachot) says: "Bring great happiness and joy to one who was barren [Zion], as her children return to her in joy. Blessed are You, Lord, who gladdens Zion through her children." It is as if the entire Jewish people, past, present and future, were present at the wedding, taking delight in this new couple.

So deep does this idea go that the word for human "life" in Judaism - chayyim - is in the plural, as if life alone were not a life. The word simchah in Hebrew is impossible to translate precisely. It does not mean "happiness, joy, rejoicing" - because each of these emotional states can be experienced by someone alone, whereas simchah in Judaism always refers to a collective celebration. Simchah means "the happiness we share with others".

Jewish law tells us to make the blessing (shehecheyanu), "Who has kept us alive and sustained us and brought us to this time" on seeing a friend whom we have not seen for at least thirty days. Why specifically this blessing? Because, as Honi ha-me-ager says in the Talmud (Taanit 23a): "Either companionship or death". A renewal of friendship is therefore nothing less than a renewal of life itself. Life alone is not a life.

Hence the remarkable ruling of Maimonides (Hilkhos Teshuvah 3: 11):

One who separates himself from the community, even if he does not commit a transgression but merely holds himself aloof from the congregation of Israel, does not fulfil the commandments together with his people, shows himself indifferent to their distress and does not observe their fast days but goes on his own way like one of the nations who does not belong to the Jewish people -- such a person has no share in the world to come. This is so strange a law that we have to go back and make sure we have understood it correctly. The person concerned has committed no sin - except that of holding himself apart from his people. Yet that is sufficient to rob him of the world to come. Judaism is a collective faith - the faith of a community, a people, a nation.

This is all the more striking because Judaism is a faith that ascribes radical value to the individual: "One who saves a single life is as if he had saved an entire universe". Judaism values the individual without being individualistic. That is a very subtle distinction, and few cultures have ever managed it. I once asked Paul Johnson, a Catholic and the author of the superb A History of the Jews, what he found most impressive about Judaism. He replied: "It has managed, better than any other culture known to me, the delicate balance between individual responsibility and social responsibility".

That is the deep significance of the shift in the book of Deuteronomy / Devarim from "the children of Israel" to "Israel" - from a group of individuals with a common ancestry to a nation bound by collective responsibility. G-d did not choose, nor did He make a covenant with, individuals as individuals - the righteous, the holy, the pure, the innocent, the upright. He made a covenant with an entire people, righteous and not-yet-righteous alike.

Why? Because that, we believe, is where G-d lives: in interactions, in the life we share. That is what we seek to sanctify: the relationships between husband and wife, parent and child, teacher and disciple, employer and employee, leader and follower, friend and stranger. That - as against the hyper-individualism of our late capitalist society - is a lesson worth re-learning. We find G-d in the "we" not the "I".

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From: Halacha [halacha@yutorah.org] Sent: Monday, July 31, 2006 5:58 PM

### **Weekly Halacha Overview- The Reading of Eicha on Tisha B'Av RABBI JOSH FLUG**

#### The Reading of Eicha on Tisha B'Av

On the night of Tisha B'Av, there is a tradition to read the Book of Eicha (Lamentations). The source for this tradition is Masechet Soferim 18:5, and Eicha Rabbah, Parsha no. 3. This article will explore the various practices regarding the tradition of reading the Book of Eicha.

#### Should One Recite a Beracha on the Reading of Eicha?

The Book of Eicha is one of the five megillot (scrolls). Masechet Soferim 14:1, states that when one reads one of the five megillot, the beracha of Al Mikra Megillah is recited. R. David Avudraham, Tefillot HaPesach codifies the statement of Masechet Soferim. Ramban, Torat Ha'Adam (Chavel ed. Pg. 258) applies the statement of Masechet Soferim specifically to the reading of Eicha. Nevertheless, R. Yosef Karo, Beit Yosef, Orach Chaim 559, notes that common practice is to refrain from reciting the beracha of Al Mikra Megillah on all of the megillot with the exception of Megillat Esther.

Rama, Teshuvot HaRama no. 35, addresses the practice of refraining from the recitation of a beracha. He presents four reasons for this practice. First, perhaps the beracha of Al Mikra Megillah is only recited upon obligatory readings of a megillah. If the megillah is read because of a minhag, one does not recite a beracha. [Rama does note that the reading of Eicha can be considered an obligatory reading since it is based on Talmudic sources.] Second, there are different versions of Masechet Soferim as to what beracha should be recited. One version is to recite Al Mikra Megillah. Another version is to recite Al Mikra Ketuvim. Rama suggests that a tradition developed to omit the beracha in order to avoid this question. Third, Rama questions whether it is actually appropriate to recite a beracha on reading a megillah (aside from Megillat Esther). Although Masechet Soferim does endorse reciting a beracha upon recitation of the megillot, Rama suggests that the statement in Masechet Soferim is based on opinions and traditions that are not considered common practice. Fourth, Rama suggests that one may only recite the beracha of Al Mikra Megillah if one is reading from a text that is written on parchment and was written according to the laws of writing a sefer Torah. Since most communities do not have megillot that are written on parchment (with the exception of Megillat Esther), they do not recite the beracha of Al Mikra Megillah.

Rama concludes that one should never recite a beracha on the megillot (with the exception of Megillat Esther) even if they are written on parchment. He notes that if the only reason to refrain from reciting the beracha is that they are not written on parchment, synagogues would make it a priority to purchase a set of megillot. Since we do not find such a practice, it must be that one would not recite a beracha on the megillot even if they are written on parchment.

Magen Avraham 490:9, disagrees with Rama's conclusion and rules that one should recite a beracha on the reading any of the megillot (except

Kohelet). [Magen Avraham does not seem to require parchment in order to recite the beracha. Ostensibly, Magen Avraham is following his own opinion (284:1) that there is no requirement to use parchment for the Haftorah text (see "Reading the Haftorah from Printed Materials").] Mishna Berurah 490:19, sides with the opinion of Rama that one should not recite a beracha on the megillot. However, he notes that one can justify the practice of reciting a beracha if the megillah is read from parchment. The Vilna Gaon's personal practice was to read all of the megillot from parchment and to recite a beracha (see Ma'aseh Rav no. 175). Those communities that follow all of the minhagim of the Vilna Gaon recite a beracha on reading the megillah from parchment. [See R. Yechiel M. Tucatzinski, Sefer Eretz Yisrael 21:2. R. Tucatzinski implies that reading from a parchment is necessary regardless of whether one plans on reciting a beracha.]

#### Reading Eicha during the Daytime

Masechet Soferim 18:5 presents two traditions as to when one should read the Book of Eicha. One tradition is to read Eicha on the night of Tisha B'Av. Another tradition is to read it during the daytime. Mishna Berurah 559:2, notes that although the prevalent tradition is read to Eicha at night, it is preferable to read Eicha (privately) during the daytime as well.

On Tisha B'Av 5708 (1948), during the second truce of Israel's War of Independence, many communities in Yerushalayim were not able to hold the evening Tisha B'Av services due to mortar attacks. By the next morning the mortar attacks ceased and everyone was able to hold the morning services. For those communities who followed the minhagim of the Vilna Gaon, the question arose whether it was permitted to recite a beracha on the reading of Eicha (from parchment) during the daytime. R. Yechiel M. Tucatzinski ruled that they should read the megillah without reciting a beracha. His rationale was that the beracha is only recited when there is a communal obligation to read the megillah. The communal obligation only exists at night, even if the entire community was unable to congregate at night. [See Sefer Eretz Yisrael, ch. 21, note 1.]

#### Are Women Obligated to Participate in the Reading of Eicha?

Masechet Soferim 18:5, states that women are obligated to participate in the reading of Eicha. Nevertheless, this discussion is part of a broader discussion regarding a woman's obligation to participate in k'riat haTorah. Masechet Soferim states that women are obligated to participate in k'riat haTorah just as they are obligated to participate in the reading of Eicha. The issue of whether women are obligated to participate in k'riat haTorah is addressed by Magen Avraham 282:6. He concludes (partially based on the comments of Masechet Soferim) that women are obligated to participate in k'riat haTorah. However, he notes that common practice is that women are not meticulous in trying to attend the k'riat haTorah service. Aruch HaShulchan 282:11, explains that the intent of the statement of Masechet Soferim was not to formally obligate women in k'riat haTorah and the reading of Eicha. Rather, it was meant to encourage women to attend.

One can suggest that the discussion of a woman's obligation in the reading of Eicha is slightly different than the discussion of a woman's obligation in k'riat haTorah. The reading of Eicha serves two purposes. First, it fulfills the communal obligation (or tradition) to read Eicha on the night of Tisha B'Av. This is the very obligation that allows for the recitation of a beracha (for those who recite a beracha). Second, the reading of Eicha is part of the Kinnot (lamentation) services. The discussion of whether women are obligated to participate in the reading of Eicha is limited to the first function of the reading of Eicha. In that sense, the reading of Eicha is similar to k'riat haTorah. Nevertheless, women are required to mourn the destruction of the Beit HaMikdash and one of the mourning practices is the recitation of Kinnot. Eicha serves as the prototypical kinnah in describing the destruction of the Beit HaMikdash. This is why there is a tradition of reading Eicha privately during the daytime. As such, it is proper for women to read Eicha (at least privately) in order to fulfill this aspect of mourning the destruction of the Beit HaMikdash.

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From: Daf Yomi [dafyomi@yutorah.org] Sent: Monday, March 13, 2006 4:41 AM Subject: **R' DANIEL FELDMAN The Start of Tishah B'Av**  
The Start of Tishah B'Av

The Talmud poses the question as to the law regarding the “bein hash’ mashot” (twilight) of Tishah B’Av: do the rules of the fast begin already at that point, or only once it is completely dark (tzet hakochavim)? The Rambam (Hil. Ta’aniyot 7:2) rules that bein hashm’ashot is part of the fast. The Magid Mishnah explains the Rambam’s ruling as a reflection of the fact that Tishah B’Av, alluded to by a scriptural verse (Zechariah 8:13) has the status of “Divrei Kabalah” which is treated stringently in unresolved cases (safek) just as biblical law is. [See also Resp. Chazon Nachum, Tosefet Shvi’it, 67.]

(This position, based on Rosh HaShanah 18b, is the often cited opinion of Turei Even, Megilah 5b, s.v. Chizkiyah; see also Taz, O.C. 687:2, citing Rabbeinu Tam; Sdei Chemed, vol. 2, pp. 63 and 258; Ohr Sameach, Berachot 3:9; Resp. Torat Yerucham 3:26 and 3:82; Resp. Yachel Yisrael 46; and the Veroyer Rav (author of Sha’arei Torah) in the journal Kerem Shlomo, vol. 36, no 4, pp. 9-11. However, many earlier authorities disagree; see Ran, Megilah and Ta’anit; Resp. Noda B’Yehudah, II, Y. D. 146, citing Rambam, and Rashi, Mikvaot 6:7, and Teshuvot HaMeyuchasot L’Ramban 263. See also Mishneh Berurah, 692:15, citing Pri Megadim, and R. Baruch Weiss, Birkhot Horai 23:11.)

The Sefat Emet, however, explains the idea differently, drawing upon the concept of Tosefet Shabbat.\* Just as there is an obligation to begin Shabbat and Yom Tov early, Tishah B’Av has this concept as well. It should be noted that the Sefat Emet’s comments were made on the Talmud; the Magid Mishnah, in his words on the Rambam, understands him to be saying that there is no Tosefet for Tishah B’Av, because he requires starting at bein ha’shmashot, but no earlier, and that this is the view of the Ramban as well (see Mishnat Ya’avetz, O.C. 59). In Peirush HaMishnayot, however, the Rambam appears to recognize Tosefet for Tishah b’Av.

The Resp. Shem MiShimon (O.C. 24) suggests that if the Rambam does recognize Tosefet for Tishah B’Av it is consistent with his view in general about the nature of Tosefet. In contrast to most other rishonim, who see Tosefet as a biblical obligation for every Shabbat and Yom Tov, the Rambam only mentions the concept (Hil. Shvitat haAsor 1:3) in the context of Yom Kippur, and in that case applies it not to the prohibition of melakhah but to the fast. If so, apparently he only recognizes Tosefet in relation to fasting; hence, he does so for Tishah B’Av as well.

The question of whether Tosefet should be applied to Tishah B’Av would seem to hinge upon a question discussed by many authors as to the nature of Tishah B’Av and its stringency in relation to other fast days (In contrast to other rabbinically ordained fasts, Tisha B’Av begins at night and prohibits all five “afflictions”, not only eating and drinking). This stringency may be a function of an obligation of mourning for the Beit HaMikdash. Alternatively, it may be a consequence of being modeled after the biblical fast of Yom Kippur. If the former possibility is true, Tosefet would apparently be inappropriate; mourning is never added on to, and is in fact shortened whenever possible. However, if Yom Kippur is the model, Tosefet would seem appropriate. Yom Kippur is certainly subject to Tosefet; as noted above, it is the one day that all rishonim agree has a biblical obligation of Tosefet (see Rosh HaShanah 9a), and is the model for all other days.

\* For more about this subject, please follow the link on the website. The Daily Daf Email, by Rabbi Daniel Feldman, is a service of YUTorah, the online source of the Torah of Yeshiva University. Get more daf yomi insights, and hear