

INTERNET PARSHA SHEET  
ON PARSHAS DEVARIM CHAZON - 5757

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PARSHAS DEVORIM -- A MEANINGFUL APPROACH 8/1/97  
Rabbi Mordechai Kamenetzky Volume 3 Issue 45

Forty years of desert wanderings are coming to a close. Moshe knew that his end was near and wanted to leave the children of Israel with parting words that were filled with love, direction, guidance, and admonition. He discussed many of the events of the past 40 years; the triumphs and tragedies. Though he did not mince words, there are many details that are added in Moshe's review that shed more light on the previously related incidents. One story in particular is the story of the meraglim, the spies, who returned to the Jewish camp from Canaan with horrific tales and predictions of sure defeat. But it is not the end of the failed mission that I would like to focus on, rather its conception. Moshe recounts: "You all approached me saying, 'let us send spies and they shall seek the land.'" Rashi is quick to comment on the words "all of you." "In confusion. The young pushed the old," explains Rashi, "and the older pushed ahead of the leaders!" Rashi adds that at the giving of the Torah, however, the elders and the youth came in orderly fashion to present their needs. Two questions arise. Why does it make a difference, in the actual reporting of the spies, how the request was presented? In addition, why did Rashi deem it necessary to contrast this conduct with what occurred at the giving of the Torah?

During the first weeks of the Civil War, newspaper editorials from across the nation were filled a plethora of criticisms, advise, and second guessing of President Lincoln's handling of the crisis. Eventually, the editors asked for a meeting with the President, which he granted. During the meeting, each one of the editors interrupted the other with their ideas, suggestions, and egos.

Suddenly Mr. Lincoln stood up. "Gentleman," he exclaimed, "this discussion reminds me of the story of the traveler whose carriage wheel broke right in the middle of a thunderstorm during the black of night. The rain was pouring, the thunder was booming and the carriage was sinking as he furtively tried to fix his wagon. He groped and grappled in the wet darkness to find a solution to his problem. "Suddenly the sky lit up with a magnificent bolt of lightning that lit the countryside like daylight. Seconds later the ground shook from a clap of thunder that reverberated for miles with a deafening boom. "The hapless traveler looked heavenward and tearfully pleaded with his creator. 'Lord,' he begged, is it possible to provide a little more light and a little less noise?" "

In defining the sin of the spies, Rashi notices very consequential words. "All of you converged." He explains that particular phrase by contrasting it with a scenario that occurred at Sinai. When the Jewish nation wanted to modify the manner in which the revelation transpired, the request for Moshe's intervention was done in an orderly manner.

A few years before his passing, my grandfather visited Israel and was asked to deliver a shiur (lecture) in a prominent Yeshiva on a difficult Talmudic passage. Upon his arrival at the Yeshiva, he was shocked to see hordes of students and outsiders clamoring to get front row seats in order to hear the lecture. There was quite a bit of pushing and shoving. After all, at the time, Reb Yaakov was the oldest living Talmudic sage and this lecture was an unprecedented honor and privilege for the students and the throngs that entered the Yeshiva to get a glimpse of the Torah he was to offer. It was even difficult for him to approach the lecture, because of the chaotic disarray.

The goings on did not bear well with him. He discarded his planned lecture and instead posed the following question to the students: "In Parshas Shelach, the portion of the spies, the Torah tells us that each shevet (tribe)

sent one spy. The Torah lists each spy according to his tribe. Yet, unlike ordinary enumeration of the tribes, this one is quite different. It is totally out of order. The Torah begins by listing the first four tribes in order of birth, but then jumps to Ephraim who was the youngest then to Benjamin then back to Menashe. Dan and Asher follow, with the tribes of Naftali and Gad ensuing. Many commentaries struggle to make some semblance of order out of this seeming hodgepodge of tribes. It is very strange indeed. "But," explained Reb Yaakov as he gazed with disappointment upon the unruly crowd. "Perhaps Rashi in Devorim explains the reason for the staggered enumeration. The reason they are mentioned out of order is simply because there was no order! The young pushed the old and moved ahead to say their piece. And from that moment, the mission was doomed." Many of us have ideas and opinions. The way they are presented may have as much impact on their success as the ideas themselves. Good Shabbos! (c) 1997 Rabbi Mordechai Kamenetzky

Dedicated by Burt Usdan and Daughters in Memory of Roslyn Usdan

<http://www.ohr.org.il/thisweek.htm> weekly@jer1.co.il \* TORAH WEEKLY \* ... Haftarah: Yishayahu 1:1-27 Horse Sense "The ox knows its owner, and the donkey its master's trough. "Yisrael does not know, My people do not perceive." (1:3) Rabbi Yochanan ben Tausa once sold an ox to a non-Jew. When Shabbos came, the non-Jew tried to take out the ox to plow his field, but try as he might, the ox refused to budge. He beat the animal vigorously until Rabbi Yochanan came and whispered in the animal's ear 'Let it be known to you that you are no longer under my jurisdiction. You are now under the domain of the non-Jew. You must work now as and when he desires.' Immediately, the ox got up and started to work. The non-Jew, seeing what had happened, converted. And that's how Rabbi Yochanan got his name -- "ben Tausa" (son of an Ox -- Taurus). Similarly, our Sages relate the story of an ox that Eliyahu HaNavi gave to the false prophets of baal. The ox refused to be slaughtered in the name of the idol baal until Eliyahu told it that by letting itself be offered on the altar of baal, it too would ultimately be sanctifying the Divine Name. Only then, the ox gave in and allowed itself to be slaughtered. Our sages also tell of Rabbi Pinchas ben Yair who had a donkey which refused to eat food from which maaser (tithes) had not been taken. All of this is hinted to in this verse: "The ox knows its owner" -- there is an ox that knows its master -- the ox of Eliyahu HaNavi who submitted to being sacrificed to idolatry, or the ox of Rabbi Yochanan ben Tausa who wouldn't work on Shabbos. "And the donkey, the feeding trough of its master" -- the donkey of Rabbi Pinchas ben Yair who wouldn't eat un-tithed food. However, you, My people, says Hashem, you have sunk lower than the ox and the donkey, for "Yisrael does not know, My people do not perceive." Tzoare Shalal in Mayana shel Torah ... Written and Compiled by Rabbi Yaakov Asher Sinclair General Editor: Rabbi Moshe Newman Ohr Somayach International

\* PARSHA Q&A \* In-Depth Questions on the Parsha and Rashi's commentary. Parshas Devarim <http://www.ohr.org.il>

Parsha Questions 1. In what location was Devarim taught? 2. Why does the Torah say Moshe spoke "bamidbar" -- i.e., in the desert? 3. How much time elapsed between departing from Mt. Sinai and sending the meraglim? 4. Moshe rebuked the Jewish People shortly before his death. From whom did he learn this? 5. In which language did Moshe explain the Torah to the Jewish People? 6. What were some of the achievements that resulted from the Jewish People "dwelling" at Mt. Sinai? 7. Why does the Torah single out the names of the Avos in connection with the giving of the Land? 8. What did Moshe convey to the Jewish People by saying: "You today are like the stars of the Heavens"? 9. Why were the Jewish People happy with Moshe's decision to appoint judges? 10. Moshe was looking for several qualities in the judges he chose. Which quality couldn't he find? 11. In verse 1:17, Moshe told the judges, "the case that is too hard for you, bring it to me." How was he punished for this

statement? 12. Which Tribe was not represented among the Meraglim? 13. Which city did Kalev ben Yefune inherit? 14. How many kingdoms was Avraham promised that he would receive? How many were conquered by Yehoshua? 15. Why were the Jewish People permitted to provoke Moav but forbidden to provoke Ammon? 16. Why were the Jewish People not permitted to conquer the Philistines? 17. How did Hashem instill the dread of the Jewish People into the nations of the world? 18. What assistance did the Bnei Eisav give to the Jewish People when they passed through their land? 19. Why did Moshe fear Og? 20. Why did the Torah record the names by which the nations referred to Mt. Hermon?

Bonus QUESTION: In verse 1:5, Rashi states that Moshe explained the Torah in the seventy languages of the ancient world. Why did Moshe do this?

I Did Not Know That! "For judgment is Hashem's" (1:17). Anyone who stubbornly refuses to listen to the words of the judge, is considered as if he refuses to listen to the words of Hashem. Ba'al Haturim

Recommended Reading List Ramban 1:1 Overview of Devarim 1:12 Judging the Jewish People 1:25 The Meraglim 1:37 Moshe's Punishment 2:4 Brother Eisav 2:7 Blessings 2:25 Fear of the Jewish People Sefer Hachinuch 414 Appointing Judges 415 Responsibility of Judges Ba'al Haturim 3:25 a. The 51st Amah b. The missing letter "vav" c. Order of Prayer Sforno Introduction To Devarim 1:5 The Reason for Moshe's Rebuke 1:22 The choice of the Meraglim 1:23 Moshe's Reason for sending Meraglim 1:27 The Sin of the Meraglim 1:37 The Limits of Repentance 3:11 The Refa'im

Answers to this Week's Questions All references are to the verses and Rashi's commentary, unless otherwise stated 1. 1:1 - It was taught in the plains of Moav. 2. 1:1 - Here the word "bamidbar" does not mean "in the desert" -- rather, "on account of the desert." Devarim contains a rebuke of the Jewish People for the sins committed while in the desert. 3. 1:2 - 40 days. 4. 1:3 - From Yaakov, who rebuked his sons shortly before his death. 5. 1:5 - The 70 languages of the world. 6. 1:6 - They received the Torah, built the Mishkan and all of its vessels, appointed a Sanhedrin, and appointed officers. 7. 1:8 - Each one of the Avos possessed sufficient merit for the Jewish People to inherit the Land. 8. 1:10 - They are an eternal people, just as the sun, the moon, and the stars are eternal. 9. 1:14 - They thought that they would be able to find judges that they could bribe. 10. 1:15 - Men of understanding. 11. 1:17 - When the daughters of Tzlofchad approached him, the law was concealed from him. 12. 1:23 - Levi. 13. 1:36 - Hebron. 14. 2:5 - Avraham was promised the land of 10 kingdoms. Yehoshua conquered 7. The lands of Moav, Ammon and Eisav, will be received in Messianic times. 15. 2:9 - This was a reward for Lot's younger daughter, the mother of Ammon, for concealing her father's improper conduct. 16. 2:23 - Because Avraham had made a peace treaty with Avimelech, King of the Philistines. 17. 2:25 - During the battle against Og, the sun had stood still for the sake of the Jewish People and the whole world saw that. 18. 2:29 - They sold food and water to the Jewish People. 19. 3:2 - Og possessed merit for having once helped Avraham. 20. 3:9 - To teach the high regard to which the nations held Eretz Canaan -- four nations vied to name Mt. Hermon according to their own names.

Bonus ANSWER: There are those who believe that the Torah is limited in scope and doesn't apply to the modern world. To combat this idea, Moshe taught the Torah in seventy different languages to stress that the Torah is valid at all times and in all situations. Kesav Sofer

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<http://www.ohr.org.il/special/9av/tishabav.htm> Thoughts on Tisha B'Av - Based on a lecture by Rabbi Yochanan Zweig Kamtzah and Bar Kamtzah

The Talmud relates the following incident: Because of Kamtzah and Bar Kamtzah Jerusalem was destroyed. A certain person had a friend named

Kamtzah and an enemy named Bar Kamtzah. This person made a party, and told his servant to invite Kamtzah. Instead, the servant went ahead and invited the host's enemy, Bar Kamtzah. When the host saw Bar Kamtzah sitting at his party, he said, "What are you doing here? Get up! Get out!" "Since I came, let me stay and I'll pay for my meal," said Bar Kamtzah. "No!" said the host. "I'll pay for half of the entire affair," said Bar Kamtzah. "No!" "I'll pay for the entire affair!" "No!" said the host. He then grabbed him, stood him up and threw him out. Bar Kamtzah, enraged that several Sages were present but did not protest, went to Rome and deceived the Caesar into believing that the Jews were plotting rebellion. Convinced, the Caesar came and destroyed Jerusalem. Now, one might ask, why didn't the host take advantage of Bar Kamtzah's offer to pay for the entire meal? What better way to exploit your enemy than throw a lavish feast and have him foot the bill! Furthermore, what is meant by the introductory statement: "Because of Kamtzah and Bar Kamtzah Jerusalem was destroyed"? Why blame Kamtzah? Kamtzah was supposed to have been invited to the party, but he never got the invitation. His only "sin" was that he just happened to have the same name as the host's enemy. Is this any reason that his name has been associated for nearly two millennia with this cataclysmic tragedy - the destruction of the Beis HaMikdash?

Sinas Chinom To answer these questions, we need to understand what is meant by the term "Sinat Chinom." Our Sages tell us that it is Sinat Chinom that destroyed Jerusalem, and it is Sinat Chinom which keeps us mired in exile until this very day. Sinat Chinom is sometimes translated as "baseless hatred" - hatred for no reason. When there is love and caring among Jews, Hashem acts with us in a way that shows love and care. But when we act with anger and spite, harboring animosity, it's as though we're inviting Hashem to do the same. But let's stop and think: What sane individual hates someone for no reason? A petty reason, an invalid reason, perhaps. Bob steps on Steve's toe, so Steve hates Bob. But hatred with absolutely no reason whatsoever? Let us therefore take a different approach to understand the concept of Sinat Chinom.

The following parable characterizes Sinat Chinom: A king told a person, "Ask for anything you desire and I'll give it to you, and to your enemy I'll give double." After thinking a while he said, "O, King, poke out one of my eyes."

Anyone doubting that such people actually exist, consider the following true account: There were two brothers whose old mother died, leaving a \$100,000 inheritance entirely to the younger brother. The older brother was enraged, certain that in the last year of her life his brother had convinced their mother to cut him out of the will. "I'm going to contest the will," he told his rabbi. "I'll see to it that my brother doesn't get a penny!" "Did you ask lawyers how much it'll cost to contest the will?" asked the Rabbi.

"Of course," answered the man. "It's going to cost \$200,000, but I don't care. It's worth it for me to lose a fortune as long as my brother gets nothing!" How is it that a person is willing to spend thousands of dollars, in order to gain nothing? Why doesn't he go out and buy presents for his friends and family, or better yet - himself?

The answer is: Sinat Chinom. Of course he'd be better off spending the money on himself. But he cannot. Why? Sinat Chinom: "Free Hatred." Though the hatred may have some basis, it is "free" in the sense that it yields nothing. It is free of logic, free of profit. On the contrary, he will poke out his own eye or spend a fortune - even destroy himself - to satisfy his hatred. Ultimately, Sinat Chinom is self-hatred. "Kamtzan" means "miser"

"A certain person had a friend named Kamtzah" - In Hebrew, the word "Kamtzan" means "miser," someone so out of touch, so self-hating, that he cannot spend money even for himself. "The host had a friend" - someone with whom he identified - named "Miser." The Talmud is hinting here that the host himself is a Kamtzan. What greater gain than to throw a party and have someone else foot the bill? But the host was focused not on his own gain, but rather, on his enemy's - and ultimately his own - destruction. "Bar Kamtzah" means "outside the realm of miserliness" The guest at the party, Bar Kamtzah, on the other hand, loved himself. Look how much money he was willing to spend to spare himself the embarrassment of

unceremonious eviction! His very name - Bar Kamtzah - hints at this: "Bar" means "outside." "Kamtzah," as mentioned before, refers to self destructive miserliness. Hence, "Bar Kamtzah" refers to someone who is "outside the realm of miserliness." From the story's tragic end, however, we see what an infectious disease is Sinas Chinom. After being the target of the host's vicious Sinas Chinom, even Bar Kamtzah - the symbol of love and generosity - succumbs. His hatred fomented into a storm, until in a fit of malice he slanders the entire Jewish nation in the ears of the Roman Emperor, bringing destruction upon his family, his homeland, and ultimately - himself.

May we merit the swift fulfillment of the prophetic promise that the days of mourning for the destruction of the Beis HaMikdash will become days of joyful celebration. As the verse states "So said Hashem, 'The fast of the fourth month, the fast of the fifth month, the fast of the seventh month, and the fast of the tenth month will become days of rejoicing, happiness and festivals for the House of Judah - therefore, love Truth and Peace.'" (Zechariah 8:19)

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PARSHAS DEVARIM-CHAZON By Rabbi Doniel Neustadt  
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#### THE PROHIBITIONS OF TISHAH B'AV

The ninth day in Av, the day on which both Batei Mikdash were destroyed, is also our national day of mourning for all of the tragedies and calamities that have befallen the Jewish people since the destruction of the first Temple. This sorrowful fast day, which culminates "The Three-Weeks" period of mourning, is replete with special Halachos. In this discussion, we will attempt to review the special restrictions that apply to Tishah B'av as well as the circumstances under which these restrictions do not apply:

**EATING AND DRINKING IS FORBIDDEN: EATING AND DRINKING IS PERMITTED FOR...** A person who is sick, or an old or weak person who may become ill if he does not eat or drink, even if his illness will not endanger his life(1). He may eat as much food as he usually does(2), but he should not indulge himself(3). A woman up to thirty days after giving birth(4), even if the baby was stillborn(5); Boys under the age of 13 and girls under the age of 12(6); A medical condition. It is permitted, therefore, to swallow a bit of water along with a prescribed medication if the medicine cannot be swallowed otherwise(7).

**WASHING IS FORBIDDEN: WASHING IS PERMITTED IN THE CASE OF...** Dirty or soiled hands or other parts of the body. Any substance or discharge (e.g., a glutinous gel in the eye) may be rinsed off(8). [If soap is needed, it may be used.(9)] Awakening in the morning. Three times on each hand(10), but only until the knuckles(11). After the hands are wiped but remain slightly damp, they may be passed over the face or the eyes(12). After using the bathroom and/or after touching a part of the body that is normally covered - until the knuckles(13); Rinsing the mouth, but only in case of great discomfort(14). Care must be taken not to swallow the water. Mouthwash should not be used(15). Cooking needs(16). If warm water is necessary, it may be used(17). Medical needs(18). Hot water may be used when needed(19); Preparation for davening(20). Some say that only the tips of the fingers [until the first joint(21)] should be washed(22); Washing dishes [after midday], if leaving them unwashed will attract bugs(23), etc. Eating bread, for those who are allowed to eat on Tishah B'av. The hands should be washed to the wrists in the usual manner(24). Several poskim mention that one may also wash mayim acharonim if he is always particular to do so(25). A baby who is bathed daily(26). A bride, who is allowed to wash her face up to 30 days after her wedding(27).

**ANOINTING IS FORBIDDEN: ANOINTING IS PERMITTED IN THE CASE OF...** Medical needs. It is permitted, therefore, to apply ointment to a skin rash(28). A bad odor(29). Deodorant, therefore, may be

applied(30). A bride up to 30 days after her wedding(31).

**LEATHER SHOES ARE FORBIDDEN: LEATHER SHOES ARE PERMITTED TO BE WORN IN THE CASE OF...** A person who has to walk a long distance over stones or mud, and no other suitable footwear is available(32). Medical needs(33). Children who are too young to understand about the destruction of the Batei Mikdash(34).

**TORAH STUDY IS FORBIDDEN: TORAH MAY BE STUDIED ONLY...** If the learning pertains to the story of the destruction of Jerusalem and/or the Batei Mikdash, e.g., Eichah, its midrashim and commentaries; parts of Jeremiah; Gitin 56-58; Sanhedrin 104; Yerushalmi end of Ta'anis; Josephus. The Book of Job with commentaries. The relevant halachos of Tishah B'av and mourning. In depth study should be avoided(35); Sifrei Mussar(36) (moralistic instruction and ethics); To prepare the Torah reading for either Shacharis or Minchah of Tishah B'av(37); It is questionable if it is permitted to recite Tehilim for a sick person(38).

**OTHER PROHIBITIONS** Greeting another person, which includes saying hello, good night, good morning, etc., is permitted only if one was greeted first. The response should be uttered in a serious tone(39); Sitting on any type of chair is permitted only after midday(40); Unless it will result in a major and irretrievable loss, business should not be conducted until midday(41); Sending a gift is permitted only if the recipient is a needy person(42).

**FOOTNOTES:** 1 Mishnah Berurah 554:11. See also Chayei Adam 135:2. A mere headache or minor discomfort, however, does not allow one to break his fast. 2 Although some poskim (Maharam Shick O.C. 289; Sdei Chemed, Bein ha-Metzarim 2:3; Biur Halachah 554:6 quoting Pischei Olam; Marcheshes 1:14) hold that one should try to eat less than a shiur (like a person who must break his fast on Yom Kippur), the majority of the poskim do not mention this stringency - see Aruch ha-Shulchan 554:7; Kaf ha-Chayim 554:31. This is also the custom - Nitei Gavriel, pg. 80, quoting Poppa Rav. 3 Mishnah Berurah 550:5. 4 Aruch ha-Shulchan 550:8. Although the Mishnah Berurah's view seems to be that after seven days from the birth it is proper to be stringent, contemporary poskim agree that nowadays women are weak and they may be lenient. 5 Biur Halachah 617:4, quoting Sdei Chemed. 6 Some have the custom that children before these ages fast for a few hours to accustom themselves to fasting. Not all communities share this custom. 7 Harav S.Z. Auerbach (Nishmas Avrohom 5:46). 8 O.C. 554:9, 11. 9 Nitei Gavriel, pg. 82. 10 Those who usually wash four times (see Mishnah Berurah 4:10), may do so on Tishah B'av also - Kitzur Hilchos Moadim, pg. 109. 11 O.C. 554:10. 12 Mishnah Berurah 554:22. 13 O.C. 613:3 and Mishnah Berurah 4,5,6. See also Aruch ha-Shulchan 6. [See Kaf ha-Chayim 554:73 who quotes Ben Ish Chai that one who touches shoes made of material other than leather should wash his hands.] 14 Mishnah Berurah 567:11; Minchas Yitzchak 4:109. Aruch ha-Shulchan 567:3 is more stringent. 15 Because of the prohibition of "washing" - Harav M. Feinstein (oral ruling quoted in Halachos of the Three Weeks, pg. 19). 16 Mishnah Berurah 554:19, 17 Kaf ha-Chayim 554:46. 18 Mishnah Berurah 554:26. 19 Kaf ha-Chayim 554:63. 20 Mishnah Berurah 554:21. 21 Harav M. Feinstein (oral ruling quoted in Moadei Yeshurun, pg. 140). 22 Sha'arei Teshuvah 554:9. See also Aruch ha-Shulchan 554:10. 23 The poskim debate if it is permissible to wash dishes on Tishah B'av. Clearly, though, if the dirty dishes will bring bugs, one may be lenient - see Pischei Teshuvah 554:22; Moadei Yeshurun, pg. 140; Nitei Gavriel, pg. 83. 24 She'orim Metzuyanim B'halachah 133:16 quoting Levushei Mordechai Y.D. 2:11; Kaf ha-Chayim 554:53 quoting Tosfos Chayim 155:10. 25 Teharas ha-Shulchan 557. See, however, Moadei Yeshurun, pg. 141. 26 Chanoch l'Na'ar, pg. 57. 27 Mishnah Berurah 554:29. 28 O.C. 554:15. 29 Biur Halachah 554:15. 30 Harav M. Feinstein (oral ruling quoted in Moadei Yeshurun, pg. 141); Halachos of the Three Weeks, pg. 22. Note, however, that on Yom Kippur deodorant is prohibited. 31 Mishnah Berurah 554:29. 32 Mishnah Berurah 554:32. 33 O.C. 614:3. 34 See Chochmas Adam 152:17 who holds that even children above this age may wear leather shoes. See, however, Igros Moshe Y.D. 1:124 who rules that once a child reaches the age of chinuch, he is forbidden to wear leather shoes. See also Shaar ha-Tziyon 551:91. 35 Mishnah Berurah 554:4. 36 Tosfos Chaim on Chayei Adam 135:2. See also Meiri Moed Katan 21 who allows a mourner to learn seforim that bring a person to repentance. 37 Mishnah Berurah 554:8. 38 Nitei Gavriel, pg. 91 quotes Divrei Malkiel 6:9 as permitting the recitation of Tehilim, while Moadei Yeshurun, pg. 145 quotes Harav M. Feinstein as prohibiting it. 39 O.C. 554:20. 40 O.C. 559:3. 41 O.C. 554:24. 42 Kaf ha-Chayim 554:91.

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SPECIAL TISHAH BE-AV PACKAGE ...  
"Hitna'ari Me-afar Kumi" The Secret of Jewish Regeneration by Rav Yair Kahn

A. What is Tu Be-av? The final mishna of Massekhet Ta'anit (26b) concludes with a famous discussion concerning Tu Be-av and Yom Kippur: "Rabban Shimon ben Gamliel said, 'There were no better days for Israel than the fifteenth of Av and Yom Kippur, when the maidens of Jerusalem would go out ... and dance in the vineyards.'" The gemara (30b) elaborates: "The reason for Yom Kippur is clear, since on this day we achieve forgiveness and atonement; it was the day on which the second set of tablets were given. But what about Tu Be-av..." Further on in the sugya, six different possibilities are suggested as to the reason for rejoicing on Tu Be-av: 1) It was the day on which members of different tribes were first permitted to marry each other. 2) It was the day on which the tribe of Binyamin was permitted to rejoin and marry into the nation. 3) This day marked the end of the deaths of the generation which wandered in the desert. 4) On this day Hoshea ben Elah removed the road-blocks which Yerav'am ben Nevat had placed on the roads to prevent the people from going to Jerusalem. 5) On this day the Romans allowed those who fell defending Betar to be buried. 6) This was the day when the cutting of wood for the mizbe'ach (altar) was completed.

These suggestions are varied and give rise to completely different understandings of the nature of Tu Be-av. Some focus on the theme of the unity of the nation, while others indicate the cancellation of evil decrees. The last suggestion, which is the only one which has its source in a beraita, involves environmental issues. We will attempt to find some common thread which joins these varied reasons and creates a unified and defined characteristic of Tu Be-av. In addition, we shall try to understand the connection between Yom Kippur and Tu Be-av. Let us begin by widening our perspective in order to understand the fundamentals of these questions within a broader context.

B. Tisha Be-av Differs from the Other Fasts The Gemara in Rosh Hashana (18b), addressing the subject of the four fasts, turns its attention to Zekharia's prophecy: "'So says the Lord of Hosts: the fast of the fourth [month], the fast of the fifth, the fast of the seventh and the fast of the tenth will be unto the house of Yehuda [days of] gladness and rejoicing...' (Zekharia 8:19) - they are called fasts, and they will be called gladness and rejoicing... At a time when there is peace, they will be days of gladness and rejoicing. At a time when there is an [evil] decree, they will be days of fasting. At a time when there is neither an evil decree nor peace, then if people wish, they may fast, and if they do not wish to, they need not." (The halakhic ruling is that even at a time when there is neither peace nor any decree, "all are obligated to fast on these four days, and no one may make himself an exception" - Orach Chaim 550:1.) The Gemara concludes that during a time when there is no peace but also no evil decree, even though the other fast days are voluntary, there remains an obligation to fast on Tisha Be-av: "Tisha Be-av is different, for on this day many sorrows befell us."

The Rishonim point out that on the 17th of Tammuz, as well, many sorrows befell us, as we learn from the Gemara (Ta'anit 26a), "Five calamities happened to our forefathers on the seventeenth of Tammuz, and five took place on Tisha Be-av." What then makes Tisha Be-av unique? Some of the Rishonim explain that Tisha Be-av is nevertheless in its own category because the same calamity, the destruction of the Temple, took place on this date twice (see Tosafot). But we cannot accept this explanation if we adopt the contention of the Yerushalmi (Ta'anit 4:5) that in the case of the First Temple, the walls of the city were breached on the seventeenth of Tammuz (as was the case once again with the Second Temple). Also, if we follow the Rambam, who defines the Second Temple period as a time when there was neither peace nor any evil decree, and Tisha Be-av was nonetheless obligatory, then likewise we cannot accept this explanation - since while the Second Temple stood, the calamity had not yet repeated itself. (See Rambam's Commentary on the Mishna, Rosh Hashana.)

Other Rishonim explain that the special nature of Tisha Be-av is derived from the dimension of the tragedy of the destruction, rather than from the number or repetition of events which took place on that day (Tosafot). Clearly, a tragedy on the scale of the destruction of the Temple is far more serious than the breaching of the walls of the city.

In any event, I believe that what a fundamental distinction is drawn here between calamities and decrees.

C. Calamity vs. Decree Apart from the mitzva to pray every day, there is a special commandment to pray in times of national calamity. According to the Rambam (beginning of Hilkhot Ta'aniyot), the verse "And if war should come upon your land, the enemy who troubles you, you shall blow on the trumpets" (Bemidbar 10:9) is not a commandment simply to blow the trumpets, but rather includes prayer and petition. Even the Rambam, who rules (in opposition to the Rambam) that daily prayer is only a rabbinic commandment, admits at least partially that there is a biblical commandment to pray in times of calamity. He declares, "And if perhaps they interpret prayer as a biblically-derived principle... then this is a mitzva for times of calamity..." (Rambam's glosses to Sefer Hamitzvot, positive mitzva no. 5). The foundation for the obligation to cry out to God in times of calamity is the obligation of teshuva. And so the Rambam continues, "And this is part of teshuva..." There is a special obligation of teshuva in times of calamity, as it is written, "When you are in distress and all these things befall you... you shall return to the Lord your God" (Devarim 4:30; see also "Kol Dodi Dofek" by Rav Soloveitchik, note 3). The Rambam explains, "At a time when calamity strikes and they cry out and they blow on the trumpets, all will know that calamity has come upon them because of their evil deeds... and this is what will cause the calamity to be lifted from upon them. But if they do not cry out and do not blow [trumpets] but rather say, 'This has happened to us since this is the way of the world, and this calamity is coincidental,' this is the way of gross insensitivity, and will cause them to hold fast to their evil deeds, and other calamities will be added. This is what the Torah means when it says, 'And if you walk crookedly (in Hebrew: "keri," from the root of the word meaning "coincidence") with Me then I will likewise walk crookedly with you' - in other words, I shall bring calamity upon you in order that you return. If you maintain that your calamities are coincidental then I will increase those 'coincidental' calamities."

The biblical obligation of prayer and teshuva at a time of calamity is extended by our Sages to obligate fasting: "And the Rabbis instructed that there should be fasting for every calamity which comes upon the community, until Divine mercy is achieved" (Rambam, *ibid.*). And what stands at the center of these obligations is the Divine Providence which watches over Knesset Yisrael and entreats them, calling: "Shuvu banim shovavim - Return, O backsliding children!" Obviously, the very obligation to pray and fast at a time of calamity is based on the assumption that by means of sincere and genuine teshuva the calamity will be removed.

As opposed to "calamity" (tzara) an "evil decree" (gezera) cannot be removed. It expresses not Divine Providence but rather the distancing of the Divine Presence, and God "hiding His face," as it were. "Rabbi Elazar said: Since the day on which the Temple was destroyed, there is a wall of

iron that stands between Israel and their Father in Heaven" (Berakhot 32b). The reaction to an evil decree is not prayer but rather mourning and surrender to God's inscrutable will. "And Rabbi Elazar said: Since the day on which the Temple was destroyed, the gates of prayer are locked" (*ibid.*).

The seventeenth of Tammuz, despite the five tragic events which took place on this day, is defined as a day of calamity. It is true that on this date the first set of tablets were shatte red, but following prayer on the part of Moshe Rabbeinu and teshuva on the part of the nation, we merited to receive a second set of tablets. Likewise, on this date the walls of Jerusalem were indeed breached, the enemies stood ready to enter, and, therefore, it was a time of calamity for the Jewish nation. But it was only on Tisha Be-av that a tragic decree was issued: "On Tisha Be-av it was decreed upon our forefathers that they would not enter the land," and despite Moshe's entreaties, the attempts to mitigate the sharpness of the decree reached its tragic conclusion at Chorma (Bemidbar 14:45).

On the other fasts there is a special obligation of prayer and entreaties. The selichot and Torah portions read on these fasts focus on Moshe Rabbeinu's prayer following the sin of the golden calf - the declaration of the Thirteen Attributes of Mercy. On the other hand, on Tisha Be-av - the day established for weeping for all generations - we sit on the floor, read Eikha and recite lamentations, and the Torah reading and haftara on this day speak of the destruction. This distinction between Tisha Be-av and the other fasts was already formulated by Rabbenu David (Pesachim 54b): "On Tisha Be-av there is no 'Ne'ila' prayer, nor are twenty-four blessings recited, because [this day] is set aside not for prayer but rather for mourning." (The source for this is to be found in the Yerushalmi, Rosh Hashana 3:4.) Likewise, on Tisha Be-av the "titkabel" clause is not included in the recitation of Kaddish (OC 559:4; see the commentary of the Vilna Gaon), and the sheliach tzipbur (prayer leader) does not recite "Aneinu" in his repetition of the Amida of Shacharit (Taz, OC 557:2; see commentary of Dagul Me-revava). Rav Soloveitchik, zt"l, explained that only on the other fasts does one fulfill the special obligation of prayer at a time of calamity, as explained above. But on Tisha Be-av, "Even though I cry out and call for help, He has blocked my prayer" (Eikha 3:8; see Berakhot 32b). Thus, even though Tisha Be-av has the status of a fast day, it is still entirely different in its nature and purpose from any other public fast.

In terms of the other prohibitions of the day, Tisha Be-av is again different from the other fasts. On one hand, there are prohibitions which are similar to those of Yom Kippur (see Pesachim 54b, "There is no difference between Tisha Be-av and Yom Kippur except..."). On the other hand, these prohibitions reflect the mourning of Tisha Be-av, rather than the positive obligations of prayer and teshuva. The gemara (Ta'anit 30a) states, "The Rabbis taught, all the laws pertaining to mourning apply on Tisha Be-av as well; a person is forbidden to eat and drink (these are not forbidden to a regular mourner; see Rashi and the Rif, as well as Rav Soloveitchik's essay in "Shiurim Le-zekher Abba Mari" regarding public fasts), to anoint his body, to wear leather shoes and to engage in sexual intercourse..." (Rav Soloveitchik deals at length with the similarity to mourning customs.)

In light of the above, let us return to the sugya in Rosh Hashana: "Tisha Be-av is different since on this day many sorrows befell us." According to the fundamental distinction which we have drawn between a calamity and a decree, we can explain that what we are referring to here is not a quantitative addition of calamities on Tisha Be-av over and above those of any other fast. We are dealing not with a calamity but rather with a decree. Therefore, we do not fast within the framework of the obligations of prayer and teshuva in order that the calamity will pass, but rather as part of our expression of sorrow and mourning over the bitter decree.

D. The Day on which the Deaths Ceased in the Desert With regard to the prohibitions associated with mourning on Tisha Be-av, we find certain leniencies from mid-day onwards. The laws concerning prayer on this day, too, are different after midday. In the afternoon, "titkabel" is included in the Kaddish, and "Aneinu" is also included in the Shemoneh Esrei. In the afternoon, the regular Torah portion set for fast days is read - "Vayechal," including the Thirteen Attributes of Mercy, and the haftara we read is "Seek out God when He may be found" (Yishayahu 55). Let us turn our attention to this transition. How is it that we dare to pray "as usual" on Tisha Be-av? Is the theme of the day not an expression of "He has blocked my prayer"? How can we soften our mourning - since the decree has been issued and still stands? How can we progress beyond the complete and terrible despair of God's "hiding His face"?

It seems that these questions disturbed our forefathers in the desert. After the decree following the episode of the spies, they had no idea how it would be possible to continue. During the next thirty-eight years Bnei Yisrael wandered in the desert with a feeling of utter despair, with no hope and no future. Chazal describe their tragic and hopeless situation (Yerushalmi, end of Massekhet Ta'anit): "Rabbi Levi said: On every Tisha Be-av eve Moshe would issue a proclamation throughout the camp, saying, 'Go out to dig, go out to dig.' They would go out and dig themselves graves and sleep in them. In the morning they would awaken and find that 15,000 had died during the night. In the last year they did likewise, and they got up [in the morning] and found themselves complete [in number]. They said, 'Perhaps we erred in our calculations [of the date],' and so it was on the tenth and the eleventh, the twelfth, thirteenth, fourteenth and fifteenth. Seeing that they were still all alive, they said, 'It seems that God has canceled this harsh decree from upon us,' and they decreed a holiday." In this typically anecdotal manner, Chazal describe Bnei Yisrael in the desert as living under the shadow of the decree of the spies. The entire nation used to dig themselves graves and wait for their appointed time to die. Even in the fortieth year, after all those who had been included in the census of Moshe and Aharon had already perished, they again dug themselves graves (see Tosafot, Bava Batra 121a). And even after everyone got up the next morning, they lay again in their graves the next night. (Rav Soloveitchik taught that the position of the parasha of Para Aduma, which deals with the subject of impurity as a result of contact with the dead, hints at this spiritual-psychological state of the Children of Israel in the desert.)

It was only on the fifteenth of Av, when they saw the full moon (and it became clear that their calculation of the date had indeed been correct), that they realized that for Am Yisrael even decrees can pass. Despite the decree, there is a future; despite the tragedy there is hope. It would seem, therefore, that Tu Be-av symbolizes the power of regeneration which lies hidden in Knesset Yisrael. On Tu Be-av we discovered the ability to get up in the morning out of the grave dug by the decree, and to continue our historic journey. Indeed, there was a decree. And every night from the ninth of Av until the fifteenth of Av the nation continued to sleep in their graves. On Tu Be-av they discovered that the decree had only been temporary, and had now passed. On Tu Be-av they gathered strength to renew themselves and continue. (It should be noted that on Tisha Be-av itself the decree had already ended and no more were going to die. However, this became apparent to Knesset Yisrael only when they beheld the full moon on Tu Be-av.)

According to the Bavli, the significance of the "day upon which the deaths in the desert ceased" lay not in the discovery of the nullification of the decree, but rather in the fact that Moshe's prophetic powers returned. The sin of the spies brought in its wake a distancing of the Shekhina and a hiding of God's face. During the thirty-eight years in the desert there was no Divine communication with Moshe. On Tu Be-av God returned the situation to its original state, by means of a renewed expression of Divine Providence and covenant. On Tu Be-av, Knesset Yisrael understood that its power to rejuvenate itself was connected with the eternity of the covenant with God.

According to both the Bavli and the Yerushalmi, the "day upon which the deaths in the desert ceased" signifies the end of the decree of Tisha Be-av. The same is true for those who hold that Tu Be-av is the day upon which those who died at Betar were permitted to be buried. Following the decree of the destruction of the Temple, and despite the fact that there was no possibility during the period of the Bar Kokhba revolt of nullifying the decree, nevertheless God's mercy to his Chosen People did not vanish; the bodies of the dead of Betar did not decompose, and they were eventually permitted to be buried. Even in the gloom of exile, the nation saw and understood that the Eternal God of Israel had not failed them.

Israel's power of rejuvenation facilitated the healing of deep rifts which divided the nation after bitter conflicts. Following the terrible war against the tribe of Binyamin at Giv'ah, it was specifically on Tu Be-av that the stormy spirits were calmed. It was specifically on Tu Be-av that Am Yisrael found the power to become unified once again, and the tribe of Binyamin was allowed once again to rejoin the community. It was specifically on Tu Be-av that Hoshea ben Elah canceled the divisive decree of Yerav'am ben Nevat, and on that date all of Am Yisrael was once again permitted to ascend to the Temple in Jerusalem.

The unifying aspect of all the events which took place on Tu Be-av is rejoicing over the eternity of Knesset Yisrael. This eternity is rooted in the covenant and finds particularly sharp expression following harsh decrees which threaten the future of Knesset Yisrael. Tu Be-av embodies the facility of renewal, the ability to return to normal life in those situations in which normal historic causality could easily have led to the exit of a nation from the historic arena. It was on Tu Be-av that the generation which merited to enter the land was permitted inter-tribal marriages and allowed to return to a normal life-style, signaling the growth and development of Knesset Yisrael in Eretz Yisrael.

The very season in which Tu Be-av falls reflects the same idea. The summer is hot and dry, and the sun beats mercilessly on the ground. The rainy season, when God's Providence is felt with full force, is long gone; now one heat wave follows the next - "the harvest is dried out, the plants are withered" (Yeshayahu 40). There is no wind and no rain, no voice and no one to answer; the Shekhina is distant and God's face is hidden. Is there any hope? Will this decree ever pass? Suddenly Tu Be-av arrives, and there is moisture in the air. The fields will be green again. The sun's power is decreasing; the heat of summer has been broken. "Rabbi Eliezer the elder said: From the fifteenth of Av onwards the power of the sun is broken, and they would no longer cut down trees for the altar because they are no longer dry" (Ta'anit 30a).

The message of Tu Be-av is turning a decree into a (temporary) calamity; transforming mourning into prayer. The hiding of God's face is only what is apparent; it is not genuine. The eyes of God are always upon the land, from the beginning of the year until the end of the year. After midday of Tisha Be-av, from the depths of terrible, tragic despair, sparks of hope begin to glitter. The decree is indeed awful, but it will pass, and the Eternal God of Israel will not desert us. Once again we permit ourselves to plead, "Aneinu - Answer us, O God, answer us!" and "Even before they call out, I shall answer." "Titkabel - accept the prayers and supplications of Your nation, the house of Israel." Once again we proclaim the Thirteen Attributes of Mercy and the covenant that was made, which will never be revoked. Once again we can proclaim, "Seek out God when He may be found, call to Him when He is close by."

This idea is what connects Tu Be-av to Yom Kippur. The joy of Yom Kippur, as described in the Mishna, is not the rejoicing of accepting the Torah, but rather "a day of forgiveness and atonement; the day on which the second set of tablets were given." The calamity of the shattering of the first tablets on the seventeenth of Tammuz was overturned on Yom Kippur. Following Moshe's prayers and the repentance of the nation, the covenant was not dissolved and Am Yisrael received the second set of tablets. Similarly, Tu Be-av - the day on which the deaths in the desert ceased - signifies Knesset Yisrael's power of renewal, allowing continuation even after the decree of the spies.

From the perspective of Tu Be-av and Yom Kippur, we may take a broader and more authentic view of the nature of Knesset Yisrael and its destiny. It is possible to rise above the present reality, to catch a glimpse of the covenant which determines the destiny and eternity of the nation. On these festivals Am Yisrael acts accordingly: "There were no better days for Israel than the fifteenth of Av and Yom Kippur, when the maidens of Jerusalem would go out wearing white clothes ... and dance in the vineyards... 'Daughters of Zion, go out and see King Solomon with the crown with which his mother crowned him on the day of his wedding and on the day of his rejoicing' (Shir Ha-shirim 3) - the 'day of his wedding' refers to the day on which the Torah was given, and the 'day of his rejoicing' refers to the building of the Temple, may it be rebuilt speedily in our days." (Translated by Kaeren Fish.)

[http://shamash.org/mail-jewish/mail-jewish/rav/tisha\\_bav.txt](http://shamash.org/mail-jewish/mail-jewish/rav/tisha_bav.txt) From: Rachamim Pauli B"H Subject: Rav Soloveitchik on Tisha B'Av

Based on a lecture given on the 8th of Menachem Av by HaRav Aaron Adler at the Ramat Modiim "Rav Tachliti Synagogue" - Chashmonayim. (My thanks to Rabbi Dov Green for his tape recording - I hope that my translation from Hebrew will be on par with the intent of the lecture some redundancies I have left out)

"I would like to thank the 'Kahal' on the opportunity to speak this evening on the timely subject of Tisha B'Av with outlook of the Rav on the Kinnot of Tisha B'Av. What is a "Talmud Muvhok" of Rav Soloveitchik. Let me tell you that the Rav was fortunate to raise not one generation, but two generations of Talmidim. He had thousands of Talmidim but few can be classified as "Talmud Muvhok" and that is only a handful. One of which is Moraynu Rabbaynu Rav Aaron Lichtenstein, Rosh Yeshiva Alon Shuvut. Also here and there only a handful of Talmidim at Yeshiva University. Now many thousands can point to Rav Soloveitchik as Rav Muvhok but there are only a few whom the Rav would call a Talmud Muvhok. It is irrelevant to measure (the Talmid) in terms of quantity of Rambam, Dafei Gemara, etc. but the measurement of Rav Chomato to bring to future generations. The Talmidim used to come to the Rav on Chol HaMoed. The problem of the Rav Muvhok was through "Kriat HaBegeid" (mourner's rent of clothing) by the student and when should one read the

garment. There are many laws dealing with the rending of a garment by a mourner if his father or mother or other close relative passed away on Chol HaMoed. Generally after a parent, one rends his garment, but other relatives - the garment is rent after the Moed. Rav Lichtenstein himself went to Rav Shlomo Zalman Auerbach, the great Posik in Yerushalayim. He went personally to Rav Shlomo Zalman Auerbach to inform him of the Rav's passing and at the same time asked him what to do about rending the garment. This was Friday Chol HaMoed Pessach. If he rent the garment at the time he heard the news, (within seconds after getting the news) there is on whom to rely; but, now that he waited two hours, he should wait until after the holiday. This is how Rav Lichtenstein did in fact do. A number of the Talmidim in Yerushalayim rent their garments immediately and they had on whom to rely.

Tonight we will deal with the "Machshavah" (thought/philosophy) of Rav Soloveitchik in regards to Tisha B'Av. We have dealt in our Schul with the difference in actions in the Synagogue on the morning of Tisha B'Av. I remember in my youth at camp on Tisha B'Av we said Kinnot, but in Israel and in Galut - the people don't have enough patience (time) to say all the Kinnot. Most of the people only want to fulfill their obligations to say the Kinnot (in Yiddish - Yozech zu sein) and then the Gabayim have to filter out what is said and what not is said. The criteria is usually the size of the printed text. That is to say, what is printed in large letters one says and what is written in small letters is skipped. The Rav asked what makes the larger printed Kinnot have extra holiness. Nobody really poskined that the larger printed Kinnot are holier. The size of the letter is only coincidental. The thought (of the Gabayim - Kahall) is "Why should we waste two or three hours on things we don't understand - let us say for half an hour and finished". This is the custom in most of the Synagogues in the world. People don't pay much attention to the Kinnot, because the Hebrew is very difficult. Paytanim that were written in the Middle Ages and a person has to be knowledgeable in Shass, Midrashim, Tenach, Poskim, Toladot AM Yisrael, things related to the Churban HaBiet to understand the hidden meaning behind the Peyout. There are things involved that have to do with the Bar Kochba revolt, Crusades, other Pogromim and they don't have a direct relationship to Churban HaBiet. The theme here is "Bechi L'dorot" crying of Yisrael through their generations. All the "tzorot" which have happened to Yisrael is the reason for saying Kinnot. The burning of the Talmud in 1260 plus is the reason for writing Kinnot.

By the Rav Soloveitchek in his Beit Midrash in Boston this was not so. After the Kiri'at HaTorah and Yermiyahu by the RAV they would say Kinnot. But to say Kinnot were not only words, but also explanations. There would be explanations - emotional, psychologically, etc. and they would not finish until into Mincha Katana which in the States is between 5 and 6 in the evening. He used to say Kinnot 8 or 9 hours even though he said that the original custom was up until midday (Chatzot HaYom). For Rav Soloveitchek that was simple, but for us that is tremendous. For it is the custom up until midday to sit on the ground and afternoon on a chair. There are many laws which we begin to feel a lightening of the burden of the fast after midday. There are those who permit smoking after midday. I am not one of them, because I believe that smoking should be forbidden all the time. Ashkenazim are permitted to put on a Tallis and Tephillin and an outside change reflects an inside positive change. What is the "Ophie" (personality) of Tisha B'Av in the morning compared to that in the afternoon. I once heard Rav Aaron Soloveitchek speak in the old city of Yerushalayim in the afternoon of Tisha B'Av. He was lying on the couch with his head up and when he saw me, he said: "Shalom Aleichem" and then he hit his head and said "Oh vey it is Tisha B'Av, but there are some late Poskim that hold that after midday it is permissible. Rav Soloveitchek Zal once said that Tisha B'Av suffers from Schizophrenia Halchatit. Up into the morning, we are on the floor and when we get up in the afternoon, it is like we are walking towards Shabbos Nachamu.

One of the elements that is very important on a public fast day is the addition of pray. There is nothing like Yom Kippur, on the other fast days Sleichot and Avinu Malkanu (except Tisha B'Av). On Tisha B'Av no Sleichot, no Tachanun, no Avinu Malkanu. Why is this so? From Eicha - "Stum Tephillati" (my prayers were cut off). What is the mean - that the Churban was so great that it disrupted communications between HaSHEM and the nation of Israel. Because of the lack of communications, on the morning of Tisha B'Av, we say the minimum of minimum to say what we are required to say. The reading of the Torah on Tisha B'Av is a big accusation of idol worship and what will eventually bring about the Churban. Yermiyahu for the Haphtorah brings out the women who are saying Kinnot. Usually after the Haphtorah there is a half kiddish or break and here not. The Rav says that this is a Halochik continuation of Yermiyahu. Otherwise it would be forbidden to ask "Eicha". The Rav states that there is a difference between private and public mourning. In private mourning there is an order of silence. The mourner must be silent. The only thing that a mourner can talk about is to praise the dead. He has to accept Divine justice and it is forbidden to ask a question against the Holy One Blessed Be He. (HOBH) In public mourning, questions and answers are not really permitted against the CREATOR, but we can ask How did you do this? The one who gave us the permission to ask is none other than Yermiyahu the prophet in Migillat Eicha. Also in his Haphtorah when Yermiyahu invites the women who are saying Kinnot, he gives us permission to ask the above question. That is why Rav Eliezer Kaliah opened most of his Kinnot with Eicha. It is like he is in the foot tracks of Yermiyahu. In the afternoon, we use the standard fast reading with the 13 Middot and Yeshaiyahu with the salvation of HASHEM. This conveys the idea of repentance in prayer. The RAV said "Do not think that Shabbat Nachamu starts the consolation, but midday on Tisha B'Av when we turn around our mourning into the end of mourning and starting the path for consolation. As you know that a mourner can't get married during the Shiva and up until the end of the 30th day. Sometimes Rabbis get questions regarding brides or grooms who have lost a parent and because the wedding is planned long in advance with loss of money etc. - how they can get around it and Sheva Berachot and then sit Shiva. But from the main point of the law, a person who is a mourner during the shiva or sheloshim should not get engaged or married. Today we do both under the Chupa with until the reading of the Ketubah - the Erusin and afterwards the Kiddushim. The Erusin and Kiddushim are forbidden for private mourning - as for public mourning during the week of Tisha B'Av Kiddushim it is forbidden for marriages to take place because this is a simcha, but Erusin (giving of the ring) not only are they permitted during the 3 weeks and the week of Tisha B'Av but on Tisha B'Av itself. Why - because somebody else might come and make Erusin to the bride. Today it sounds funny, Rav says that the mourning on Tisha B'Av is not like the loss of a close relative. The private mourner's world is temporarily destroyed and now he can't think of engagement or marriage. He can't think of the continuation of the family. At present, he has to think of fixing his "dalet amot" - he can't think at this minute of a long term future but only for himself.

Churban is not related this way to marriage. Everytime a Jew marries he helps the Geula of Yerushalayim "Kol sosson, kol simcha ...etc." If Tisha B'Av has an element of Geula so the first stage can be brought with. Therefore Erusim on tisha B'Av is permitted as it is the first step in rebuilding "Am Yisroel" for the rebuilding of Yerushalayim and the "Beis HaMikdash" (TEMPLE). That is the "Raiioyn" (idea) behind Tisha B'Av.

The RAV when he said Kinnot would emphasis "Token" (content/meaning). Sometimes he would emphasis a line, paragraph or chapter, or a complete Kinna. I can only demonstrate just the slightest of what the Rav would do. This will be only a "Taam" (taste of the Rav's explanations). There is no "Taam" (meaning) but good likeness. For example one of the first Kinnot that we say: "Abayd Edomim" - one can see the Aleph-Bet here in the Kinna. Notice that the first row has a lot of Alephs and the second a lot of Bets (here Rav Adler read in Hebrew). This is how the Paytanim of the middle ages wrote. Edomim is a code for the Romans (Esav). How did HOBHH let the Edomim destroy YOUR Nation. What has happened with the Brit Ben HaBitarim? YOU made a Brit Ben HaBitarim. Has HOBHH forgotten Parshat Lech Lecha and the Brit that he made with Avraham! There is a Gemara in Tractate SHABBOS 55A there is written "Tama schut Avot" (the merits of our Fathers have ended) Tosavot (Rabbinu Tam) on spot says "It is true that "Tama schut Avot" but not "Brit Avot". When Rav Soloveitchik say this he wanted to know what is the relationship between "Brit" and "Schut"? Schut Avot is a thing which people hold a lot of merits. For example in match making people like to know "Who was the father, grandfather, great-grandfather etc." I travelled to an old grave site in Warsaw where there are over 500,000 graves. It was interesting to see the difference in the graves of the Litvoks and the Chassidim. On the graves of the Litvoks, one could see the standard epitaths which one sees in Yerushalayim today. "He set asside time for TORAH, gave charity, did merciful deeds, etc." All this is quite honorable. On the Chassidim was written "the son of... son of ... son of ... Admor (Chassidic Rebbe)". Even to this day at the weddings of honorable Chassidim, one reads before the Chuppa the "Yechus" (genealogy) of the families. So by the Chassidim it is most important "Schut Avot". The Gemara says "Tama schut Avot". (finished - you can't hold too much from "Schut Avot") What is "Schut Avot"? What is "Brit Avot"? The former gives a trait (ie; Love of G-D /loved by G-D) which is passed on to his child - if the son has a son then to the grandson. This trait will continue in the family a number of generations but it is impossible to expect that the trait will continue on indefinitely. Avraham Avinu had a great love for G-D. (G-D also loved in turn his servant Avraham - my clarification). He gave birth to Yitzchak who was very similar to him. Yitzchok had Yaacov. Yaacov was the grandson of and similar to Avraham Avinu. But after the tribes and their children and more generations, the quality (my clarification) of the "Schut" was running out. The original love of G-D for Avraham Avinu slowly disintegrated until finally "Tama schut Avot". "Schut Avot" is a function of "Regish" (feeling). How can this feeling by HOBHH be? = HE gave TORAH in the language of mankind. Brit is a contract, a matter of negotiation (like business). If family A signed a contract with family B and there is no reason even after 1000 generations to cancel the contract; then the contract is still inforce. Here Rabbinu Tam wanted to emphasis that our rights to the land of Israel is not a matter of feelings but a binding agreement. So the Paytan cries "How can YOU not remember 'Brit Ben HaBitarim'?" If we are still in "Galut" after all these years, it is permissible for us on Tisha B'Av to say the pained feeling "What happened to the Brit?" We never say that we are free from sin and that HOBHH cancelled one sidedly the contract. Just the opposite we say "YOU are a righteous G-D". Still the above saying is in order here.

When we talk about "Churban" we are talking about tremendous number of sufferings. We of ten forget the individual. We are used to this concept with the millions that perished in the holocaust. Now there is a movement in Yad V'Shem to read individual names. This is important because millions are already a matter of statistics. However, when we call name after name, then the matter becomes close to our heart. When Yermiyahu pines at the death of Yoshiyahu then the paytan Rav Kaliah writes a Kinna on an individual suffering as the nation goes into Galut. It is forbidden for us to forget the individuals. Here the RAV spoke of the four expressions of Galut. Just as there are four expressions of redemption on the four cups of wine on Pessach so here there are four expressions of Churban. There are many Churbanim which came about because of Churban HaBiet so we can reflect on the various aspects of the Churban. We look at this not only that it was detrimental to "Am Yisroel". The RAV wanted to emphasis much the hurt of TORAH. Many times we forget this. Now we can talk about three times: Rabbi Akiva and the Bar Kochba revolt, the Crusades and the Holocaust. Besides these there were many other tragedies in the history of our nation. These three are singled out because of them there was almost a complete loss of TORAH. This was like the last minute before the TORAH would be lost. TORAH was almost lost because of the deaths of many Talmidai Choachimim. On Yom Kippur we read of the 10 Rabbis who were killed by the kingdom. Don't think that the Bar Kochba revolution left us with only 10 dead Rabbis. Who were the 24,000 students of Rabbi Akiva who died in the plague. Tractate Yevomot - Rabbi Akiva and Hazal knew that it was impossible to talk openly in front of the Romans. Also they wanted to speak of the honor of "Am Yisroel". So they spoke in codes. We are talking about a generation of Talmidai Choachimim who were supposed to be the continuing generation. They disappeared in one stroke due to the revolt of Bar Kochba. It was because of the revolt that it is permissible to write down TORAH SHEL BAAL PEH. (Oral tradition) Was it a whim of Rabbi Meir or afterwards Rabbi Yehuda HaNasi to write this down? No, this was because there was no other solution otherwise there would be a danger of total loss of TORAH. "A time for doing unto G-D". Just like "Pikuah Nefesh" can violate the TORAH, so here there was a "Pikuah Nefesh ruchani". The same thing happened because of the Crusades. At the end of the 1100's and the beginnings of the 1200's the Reshonim who wrote the paytanim felt small in relation to the giants who stood before them in the late 1000's. This comes in the Kinnot where they discuss loss of TORAH. The third period was the Holocaust. In 1946 C.E., "Am Yisroel" did not feel the blow of the Holocaust. Only in our days are we beginning to feel the tragedy of the loss of TORAH some 50 years ago. There were a few survivors who managed to come to Yisrael or the U.S.A. After 20 or 25 years, we managed to rehabilitate TORAH. Can anyone say that there is no TORAH in "Am Yisroel"? Thank Heaven there is TORAH even on a high level both B'Aretz and Hootza L'Aretz (Israel and in Galut). But everyone knows that since the death of Rav Moshe Feinstein, and other big Rabbis in the U.S.A. (ie; Rav Yaacov Kaminetski, etc.) - one Rosh Yeshiva after another of the same generation passed away in a matter of about 4 years. There are younger Rabbis who have filled the positions of the giants; but they are not the same. Everybody knows that. Today, ask somebody in the U.S.A. who is the "Gadol"? There is no answer! It is an

ophaned generation. There are big Talmidai Choachimim. However, between a Talmid Choachim and the "Gadol HaDor" (great one of the generation) there is a tremendous gap. Rav Lichtenstein gave a Chesped for HaRav Soloveitchik Zal in the Beit Kenneset HaGadol and somebody asked "Where are the Gadolim"? I answered "Ayn" therefore they didn't come.

I am holding here a photocopy of a letter from the great yeshiva of Branovitch written by the hand of Rav Elchanon Wasserman. He was one of the Talmidim HaMuvhakim of Rab Chai m Soloveitchik of Brisk. The letter is dated 1938 C.E. Nobody saw the Holocaust as what it was, but there were signs which worried the people. (Background information) In order to enter the U.S.A. in those days it was not easy. There were 10 years of depression since 1929 C.E. and everybody needed a close family to guarantee his income in order to enter the U.S.A. The States could not open up her doors for immigrants - this was an excess burden for her. My parents were lucky to have relatives who signed for them. My father left Berlin in '39 and my mother Austria in '39. Here Rav Elchanon Wasser received requests from two Yeshivot in America. One from HaRav Revel of Yeshiva College under the name of Rav Yitzchak Elchanon (now Y.U.) and the other from Chicago - Beit Midrash L'TORAH (now called Skolkie). Y.U. not only offered to have Rav Elchanon Wasserman come over with his family, but all his Talmidim and their families. Rav Revel Zal offered to give him full autonomy (a complete Branovitch with a separate dormitory wing on the campus in New York). The Yeshiva was willing to guarantee the income of Rav Elchanon Wasserman, the student of Rav Chaim. Here is the letter in the holy hand of Rav Elchanon why he rejects accepting the offer. Why? - because he heard that inspite of the fact that he has a great "Gashmit" (physical/material) danger, in America it was very difficult at that time to remain "Shomer Shabbot". So he writes, I am going from material danger into to "Ruchanit" (spiritual) danger. Now is that worth it? If Rav Elchanon knew what would happen to him, his family and all his students; then he would have been willing to crawl to safety (and certainly would have jumped at such an opportunity - my addition). In '41, he and all his family and students perished by santifying G-D's NAME. There are many stories of the "Kiddush HASHEM" of Rav Elchanon Wasserman. The same students - I assume to be a student of Rav Elchanon in Branovitch would have been 22 years old or more - today would be a Gadolim at the age of 70, 75 years of age. Where are these students today - ashes somewhere in Europe. Not only these students, but all the students of that generation who did not succeed in fleeing were lost. Now 50 years later, a whole generation of leaders - Rav Soloveitchik just one of them leaves us with an ophaned generation. This was the feeling of the generation after Rabbi Akiva and the Reshonim felt the same way. Here in the Kinna "Erzay HaLebanon" - these are the 10 martyrs of that were killed by the kingdom. On these I cry! Where does the number 10 come from? - In the Mussaf Prayer of Yom Kippur after the "Avodah". This is between the morning of the Churban and the confession. HARAV said that when we compare the pray of Yom Kippur and "Erzay HaLebanon", we are dealing with the loss of TORAH and the tragedy of the deaths of the wisemen of Yisrael. On Yom Kippur there is an opening which is a bit strange talking about the sale of Yosef by his brothers and the wisemen of Yisrael are asked to judge what punishment is befitting a person who steals an Israelite and sells him into slavery. Rabbi Yishmael uses the Divine NAME and goes up to heaven and is told to accept the sentence. What did the paytan want here? The answer is philosophical in nature. If Rabbi Akiva and his generation accepted Bar Kochba as "Melech HaMeshiach" then how come it failed? Because of our sins! What were the sins - eating pork on Yom Kippur! - That the students of Rabbi Akiva didn't honor one another. We know in Perkei Avot that it says that if one does say a word in the name of the original spokesman, it brings redemption into the world. If a person gives credit to the previous spokesman, it shows humbleness and modesty. If a person brings a statement from others as if it is his own (cleverness, "Chiddush") there is no bigger "Gaavah" (proudness) than this. If a person says that he received his learning from Rabbi so and so, this is a function of "Ahavat Yisrael". "Gaavah" is just the opposite. The Talmidim of Rabbi Akiva did not have the foundation of the honoring of one to another. If the students of Rabbi Akiva acted so, how much more so the nation. In Tractate Yoma 8 it states that the "Beit HaMikdash" was destroyed by "Sinat Hinom" (groundless hatred). The question that should have been asked is: "Is there "Sinat Hinom"?" If yes' then forget it. The students of Rabbi Akiva died in the plague of not giving honor one to another. The paytan of "Elu Aeskaba" of Yom Kippur uses the example of Parshat "Vayeshev" to indicate "Sinat Hinom" - Brotherly hatred. The paytan asks the question on Yom Kippur because of the confession of "Sinat Hinom". We don't have a "Beit HaMikdash" every year because of the "Sinat Hinom". Why does the reading of Yom Kippur talk about the death of the sons of Aaron? - Because the death of Zaddikim compensates for this sin. The RAV explained this - that Rabbi Yismael was told from behind the curtain: "Accept the judgement". This is to be a sacrifice for "Am Yisrael". A sacrifice has to be from willingness. On Yom Kippur the motif is confession and sacrifice. On Tisha B'Av the motif is mourning. Therefore there is no need for the introduction with the "Sinat Hinom" it is enough to mourn for "Churban TORAH". There is a section of Kinnot "Heharishi Memeni". Here we can see the giant mind of HaRav Soloveitchik. The section ends with the bewailing. "Who will take apart "Havayot", who will answer broken sections (of Gemara), who will remove "Nazirut", who will explain (understand) "Nedarim"? This means who will give us the solutions to the above. The RAV says that in most of Shass Babil, we have the Rashi. But it is the Tractates of Nazir and Nedarim that the students of the Yeshiva world are afraid of. These Tractates are for students with high aims. Why? - because there are very few Rishonim on these Tractates. While the rest of Seder Nashim there are. What happened here? The Rav figured that the TORAH of the previous generation was lost and the Chochmei Ashkenaz did not have the tradition on how to solve the difficult questions that are brought out here. Therefore the paytan laments on the loss of this knowledge. This is the cry of loss of TORAH.

Other piyoutim of the loss of Chochmei Ashkenaz are "Me Yitain Roshi Ayin" Here the paytan talks about a pogrom in the town of Spira on the 8th of Iyar. In Magoa on Shabbos Kaddosh ...In Worms 23 Iyar; Rosh Chodesh Sivan. From here we see that in France and northern France there were pogroms between Rosh Chodesh Iyar and Shevouth and this is the source of the different Minhagim of Aveylut during this period. The paytan continues about the 3rd of Sivan from "Simcha" to "Yagoan". Thus what happened in Magencia. "B'seti M'Mitzrayim" "B'seti M'Yerushayim" ends on a positive note. Rabbi Yehuda HaLevi wrote "Tzion don't ask..." The RAV said here something extraordinary. "Shaalu Shelom Yerushalayim" - that every Jew any place in the world is required to ask about the peace in Yerushayim. In Tactate Sukkah Rav Yochanan Ben Zacki asks "Lulov" the whole seven days? At home one day and in the Beit HaMikdash 7 days. Now Rabbi Y. Ben Zacki issued a ruling that we should hold 7 days in memory of the Beit HaMikdash. In Sukkah 41 we are

asked why - the Gemara quotes Yermiyahu because nobody today enquires about Tzion. Tzion sits by herself and nobody asks how she is. Therefore we are required to ask about the well being of Yerushalayim and Rabbi Y. Ben Zacki ordered this. The RAV asks "What is the relationship between this and Tractate Baba Batra where we are required to do certain things in memory of the TEMPLE. The Gemara brings "If I foret thee O'Yerushayim then forget my right hand". Since there are two "Psukim" the Briskers hold two separate laws. The "Din" of Baba Batra is based on mourning for the past. The "Taam" of Rabbi Y. Ben Zacki is that soon will be built Beit HaMikdash. We are therefore forbidden to lose the perspective that soon the Beit HaMikdash will be here. We are continuing the Minhag of Beit HaMikdash to be used to them when it speedily will be rebuilt. This foundation of Minhagim will not be strange to us when Beit HaMikdash will be rebuilt. Yehuda HaLevi talks about the 4 directions (also psalms) - inviting the Jews to come back via the 4 directions. He wants to rebuild every place in Israel where there was a meeting between G-D and the children of Israel. The RAV asked what is the meaning of "Air of life souls in YOUR land"? - Only in Israel is the air holy. Only somebody like Yehuda HaLevi in Chotz L'Aretz in such tones could expect a Beit HaMikdash. Everybody else who says "Let our eyes see your return to Yerushalayim" is only paying lip service. "Next year in Yerushalayim" is not just a song. "Shir HaMaalot ...we were like dreamers" You have to be like Yosef HaZaddik 'Baal HaHalomot' (dreamer of dreams) to come to Israel. 100yrs ago there was a dream of a Jewish State with a Jewish fire dept., postal authority - thank G-D we have it. The dream continues. The next part is the TEMPLE mount, Beit HaMikdash. How can we sing "Shir HASHEM" in a strange land? But in Boro Park people don't have trouble. We have to educate the generation. Thus the paytan ends "B'Seiti M'Mitzrayim" with joy and pleasure when I return to Yerushalayim. In this world there is tension between the people seeking Emmet and those willing to compromise for Shalom. When Shalom and Emmet type of people will learn to love and respect one another we can truly look forward to Beit HaMikdash.

(I have tried hard to get the general gist - Rachamim Pauli)

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P'shuto Shel Mikra Subject: Bein haM'tzarim: Sinai and Tziyyon  
Bein haM'tzarim (The "Three Weeks"): Sinai and Tziyyon

I THE MISHNAH IN TA'ANIT In our calendar, there are four fast days which directly relate to the destruction of the Beit haMikdash and Yerushalayim under the Babylonians during the latter half of the sixth century BCE: \* Asarah b'Tevet (Tevet 10 - in the winter), when the siege of the city by the Babylonians began; \* Shiv'ah 'Asar b'Tammuz (Tammuz 17 - summer), when the walls of the city were breached, several years after the beginning of the siege; \* Tish'ah b'Av (Av 9 - summer), when the Beit haMikdash was destroyed by the Babylonians. \* Tzom G'daliah (Tishri 3 - fall) when the Judean governor was assassinated in an Ammonite-generated plot. This brought about the end of Jewish autonomy under the Babylonians. Unlike the fasts in Tevet and Tishri, the two summertime fasts are associated with other tragedies in our past: In the Mishnah in Ta'anit (4:6), we are taught: Five catastrophes befell our ancestors on the Shiv'ah 'Asar b'Tammuz and five on Tish'ah b'Av:

On the 17th of Tammuz: 1) The Tablets were broken 2) The Tamid offering was stopped 3) The city walls were breached 4) Apostomos burned the Torah 5) He constructed an idol (or "an idol was constructed") in the Sanctuary On the 9th of Av: 1) The sentence was passed against our ancestors that they not be allowed to enter the Land 2) The 1st Mikdash was destroyed 3) The 2nd Mikdash was destroyed 4) Beitar was entrapped 5) The city was plowed under [Besides this list, there are many other tragedies which befell our people, as recently as the Holocaust, which reached their pinnacle or were begun on Tish'ah b'Av.]

II ANALYZING THE MISHNAH Although both of these fast days were first mandated and established as a result of the destruction of the Beit haMikdash and Yerushalayim, the Rabbis point to much earlier tragedies for each. This suggests that, in Rabbinic thinking, each of these days has a "theme" to its tragedy, one which has roots in the same experience which serves as the basis for all of Jewish history - the Egypt - Desert - Israel experience. (See our discussion of this topic at <http://www.torah.org/advanced/mikra/5757/va/dt.57.3.04.html> and <http://www.torah.org/advanced/mikra/5757/bm/dt.57.4.01.html>). Whenever the Tannaim (Rabbis of the Mishnaic period) present an ordered list (i.e. when they introduce that list with the number of items to appear), especially in non-Halakhic literature, it indicates a significance to that number. This does not mean that there is a mystical import (although there

may well be), but that if two parallel lists are presented, both with the same number of items and both "ordered", the symmetry indicates a parallel (or opposing) relationship between the two. (For an example of an "opposing" relationship, see the Mishnah in Avot [5:19]: "Anyone who has these three [following] characteristics is considered a student of Avraham Avinu, and anyone who has three other [opposite] characteristics is considered a student of the evil Bil'am." For an example of a parallel relationship, see the Mishnah ibid. 5:4 - "Ten miracles were performed for our ancestors in Egypt and ten [miracles] at the Sea." An opposing relationship is evidenced by the opposite nature of the lists - Avraham is a saint and Bil'am is evil. A parallel relationship is identified whenever the two groups are of a similar type - in a general sense.) The placement of these two "themes" and their lists of tragedies in juxtaposition implies a continuum from one to the other. This sequenced relationship is more clearly evidenced by the tradition that we have to regard the time period between Shiv'ah 'Asar b'Tammuz and Tish'ah b'Av as a unit, marked by customs of mourning (e.g. no weddings, parties, haircutting etc. - see Shulhan Arukh Orach Hayyim #551 and the Aharonim ad loc.) >From this Mishnah (and our analysis & comments), we can infer four points: a) Each of these days has a "theme". b) This "theme" explains the inclusion of all five items on each list. c) There is a parallel relationship between the two. (It is not an "opposing" relationship as the two sets are not presented as antitheses, rather they are all of one type - tragedy). d) There is a continuum between the two "themes". The rest of this shiur will be focused on identifying the themes of each of these days, by finding the common thread between the five items on each list - then suggesting the relationship between the two sets of tragedies, explaining the continuum of Shiv'ah 'Asar b'Tammuz ---> Tish'ah b'Av. This will, hopefully, enlighten us as to the nature of the "Three Weeks".

III SHIV'AH 'ASAR B'TAMMUZ: REJECTION OF SINAI

1) THE BREAKING OF THE TABLETS As the Midrash points out numerous times (see our shiur at <http://www.torah.org/advanced/mikra/5757/bm/dt.57.4.01.html>), the Stand at Sinai was the wedding of the Jewish People and God. The Gemara (BT Shabbat 88b) compares the Stand at Sinai to an actual Huppah - wedding canopy. Why did Mosheh break the tablets (for which God congratulated him with the first "Yasher Koach" in history - see the Gemara ibid.)? Because, just like a bride who has an affair under her Huppah, the Jewish people, standing at the foot of Sinai just forty days after the Revelation of God's word, clamored for the construction and worship of a golden calf. The various reasons for Mosheh's breaking the tablets, suggested in different Midrashim, all point to one common idea. The Jewish people had broken their trust with God at the very location and time of their most intimate encounter with Him. The breaking of the Tablets was both symbolic - and the result - of the introduction of an abomination (idolatry) at a site and time which was the pinnacle of holiness. The covenant of Sinai - to be a "Kingdom of Kohanim and a Holy Nation" was turned on its head.

2) THE TAMID OFFERING WAS STOPPED The Torah commands us to bring a daily offering, known as Korban haTamid (the "Regular" offering - see our discussion at <http://www.torah.org/5757/sh/dt.57.2.07.html>). This Korban was to be offered twice daily, once in the morning (the first Korban of the day) and once "between the evens" (in the afternoon - with the exception of the Korban Pesach, the last Korban of the day). We would normally associate this Korban with the Beit haMikdash, and would expect the suspension of its being offered to be in the same set with the destruction of the Beit haMikdash (Tish'ah b'Av). Why is it on this list? (One could argue that historically, that's just when it happened; however, following our thinking that the Rabbis deliberately composed two parallel lists, they intended each list to represent a common theme.) A verse in Parashat Pinhas will clarify: It is a regular burnt offering, \*ha'Asuyah b'Har Sinai\* (ordained/performed at Mount Sinai) for a pleasing odor, an offering by fire to YHVH. (Bamidbar 28:6). As some of the Rishonim (see S'forno and Rashi's second explanation ad loc.) point out, this verse associates the regular twice-daily Korban with the offering brought in the aftermath of the

Revelation as part of the covenant ceremony at Sinai (See Sh'mot 24:5-8). In other words, the daily Tamid was to be a reminder and re-covenanting of the B'rit Sinai - the covenant of Sinai. We now understand the inclusion of the suspension of the Tamid with the breaking of the Tablets.

3) THE CITY WALLS WERE BREACHED Although we would normally associate this with the destruction of the Beit haMikdash - indeed, it was the first step in the final defeat which culminated in that terrible conflagration - yet, there is also a Sinaitic association with the breaching of the city walls. One of the most beautiful compilations of Rabbinic "tragedy-literature" is the Midrash Rabbah on Eikhah. Of note is the extensive "Petichta", which contains the many homiletic introductions given by the Rabbis to the reading of Eikhah (or other tragic portions in Tanakh read publicly). In the second chapter of the Petichta, we read: Rabbi sent R. Asi and R. Ami to check out - and repair- the cities of Eretz Yisra'el; they would come to a city and ask for the \*N'turei Karta\* (guardians of the city) - and the townsfolk would bring them the constable and governor - whereupon they would say - "Are these these the \*N'turei Karta\*? These are the \*Haruvei Karta\* (destroyers of the city)!" - So they asked "Who are the \*N'turei Karta\*?" - They responded: "These are the scribes and teachers who study and review and guard the Torah during the day and night." (Petichta of Eikhah Rabbah, Ch. 2) (This Midrash is the source for the name of the community in Yerushalayim known as N'turei Karta. There is a wide range of opinions as to how closely their policies and actions comport with the sentiments of this Midrash). The Midrash is teaching a valuable lesson, one which deserves a shiur of its own. The protection of the city comes not from its military might, rather from its scribes, teachers and students of Torah.

If the walls of the city of Yerushalayim were successfully breached, that would imply a breach in the protection of Torah - and a lapse among her students and scribes. Although the association with Sinai is now clear - Sinai is not only the source and foundation of Torah, but, as many Rishonim point out, every time that we engage in Torah study, we are effectively reenacting the Sinai experience (See Rashi D'varim 11:13). There is also a clear association between the study of Torah and the Korban haTamid, alluded to in the Midrash mentioned above. The Korban haTamid was to be brought twice daily, in the morning and evening ("between the evens"). Torah study is defined in the Torah as "when you lie down and when you rise up" - or, as God commands Yehoshua: "You shall meditate upon it by day and by night" (Yehoshua 1:8). In other words, the study of Torah parallels the Korban haTamid - it is an ongoing Mitzvah which has two time-foci: Morning and evening (see our shiur on the Korban haTamid, cited above.) The lapse of study which allowed the breach of the city walls is of a type with the suspension of the Korban haTamid - the cessation of the "day-and-night" worship of God, originated at Sinai. 4)

APOSTOMOS BURNED THE TORAH Wherever this event happened, it is a clear "regression" from Sinai. That great gift which we received in the desert, among protective flames, now went up in flames. This is a clear disruption of the Sinaitic experience.

5) HE CONSTRUCTED AN IDOL IN THE SANCTUARY Whether Apostomos was the villain here - or someone else (see the various readings in Ta'anit - and Rashi Ta'anit 26b s.v. hu'amad), the similarity to the tragedy at the foot of Sinai is all too obvious. It was not just the establishment of an idol that was the tragedy - it was the placement of this idol in the Sanctuary - just like the abomination of the golden calf was its placement at the foot of Sinai in the wake of the Revelation.

SUMMARY OF LIST #1 All five of the tragedies which the Rabbis date to Shiv'ah 'Asar b'Tammuz are disruptions of the promise of Sinai - regressions from the intimacy we enjoyed when God first revealed Himself to us. The breaking of the tablets, the burning of the Torah and the construction of an idol in the Sanctuary were clear "rollbacks" from Sinai. The Korban haTamid and the regular study of Torah (protecting the walls of the city) represents something about Sinai (as the verse in Bamidbar tells us - although we don't yet understand what it represents) - and these were also suspended or lost on the fateful day of Shiv'ah 'Asar b'Tammuz.

#### IV TISH'AH B'AV: REJECTION OF TZIYYON

1) THE SENTENCE AGAINST OUR ANCESTORS As we read in Parashat Sh'lach L'kha, after Kalev's challenge to the other scouts and their exaggerated response ("The Land eats up its inhabitants"), the people "wailed on that night". As the Gemara states: "Then all the congregation raised a loud cry, and the people wept that night." Rabbah said in the name of R. Yohanan: That night was Tish'a b'Av; haKadosh Barukh Hu said: "They cried for naught, I will establish for them [this night as] a weeping for generations." (BT Sotah 35a) In other words, the wailing (and the subsequent decree that that entire generation would die in the desert and their children would enter the Land) was the event that shaped the nature of Tish'ah b'Av. Just as we found in regards to Shiv'ah 'Asar b'Tammuz, the tragedies of Tish'ah b'Av are rooted in our desert sojourn. In describing this wailing, the Pslamist says: Then they despised the pleasant land, having no faith in his promise. They grumbled in their tents, and did not obey the voice of YHVH. Therefore he raised his hand and swore to them that he would make them fall in the wilderness. (T'hilim 106:24-26) Indeed, their eager acceptance of the scouts' negative report was tantamount to a rejection of the "pleasant land", the Land which God had promised them, flowing with milk and honey and all manners of blessing. We may then, following our earlier methodology, identify the Tish'ah b'Av group of tragedies as forms of rejection of Tziyyon/Israel.

2-3) THE DESTRUCTION OF THE BATEI MIKdash We would assume that these two tragedies - certainly the nadir of our national existence - belong to the first group. As we have discussed in several shiurim, the Mishkan/ Mikdash were meant to be a continuation of the Sinai experience. How do we explain these two events being listed here? (Here, by the way, our theory gains strength. As the Gemara in Ta'anit [29a] points out, the major part of the burning of the second Mikdash took place on the tenth of Av; nevertheless, the Rabbis wanted to preserve the theme and included the destruction of both Batei Mikdash on this list). There is, however, a critical difference between the role of the Mishkan/Mikdash (= "Heikhal" - Sanctuary) and the "Beit haMikdash", which includes the entire structure and institution. Whereas the Mishkan/Mikdash is the continuation of Sinai, with the smoke and fire reminiscent of the moment of Revelation, the Temple (writ large) plays a critically different role. The sanctity of the Temple plays a different role than that of the Mikdash. Whereas the Mikdash is a place reserved for the intimate relationship between the Jewish people and God, the Temple is - ideally and teleologically - a beacon for the entire world. We will address this fully in the concluding section of the shiur. As we will see, the destruction of the Batei Mikdash and the rejection of the Land are of a type - they both belong to the de-evolution of a different mission from that established at Sinai. We will refer to it as the B'rit Tziyyon - the covenant of Zion.

4) BEITAR WAS ENTRAPPED Roughly seventy years after the destruction of the second Temple, the great rebellion led by Bar-Kokhba ("son of the star" - later renamed "Bar Koziba" - the "son of deceit") held Messianic hopes for the people. Even the great R. Akiva considered Bar Kokhba to be the Mashiach and carried his weapons (see Rambam, MT Melakhim 11:3). Not only was the timing of the rebellion possibly inspired by the model of the Babylonian exile, in which there were only seventy years during which the Temple Mount lay fallow - but it was chiefly the attempt to regain Jewish sovereignty over our Land. The crushing of this hope was certainly similar to the decree against our ancestors, denying them entrance into - and sovereignty over - the Land.

5) THE CITY WAS PLOWED UNDER This "final" tragedy was certainly of a type with the sentence against our ancestors. Keeping in mind that Yerushalayim is not only a spiritual center, it is also (of necessity) our political capitol, the plowing under of the city represented the final blow to our hopes for sovereignty in the Land.

SUMMARY OF LIST #2 All five of the tragedies listed which occurred on Tish'ah b'Av were rejections or disruptions of B'rit Tziyyon - the national hope and promise of sovereignty in the Land. In order to understand the inclusion of the destruction of the Batei Mikdash on this list and the association between the two lists, we have to investigate the

difference between the B'rit Sinai and the B'rit Tziyyon.

V BETWEEN SINAI AND TZIYYON As mentioned above, Sinai was the wedding between the Jewish people and God. This metaphor is taken much further than earlier mentioned in Rabbinic literature: "The Torah which Mosheh commanded us is a \*Morashah\* (inheritance) to the congregation of Ya'akov" - Do not read \*Morashah\*, rather read \*M'orasah\* (betrothed); the Torah is betrothed to the Jewish people and is considered a "married woman" to the nations of the world. See also BT Sanhedrin 59a where R. Yohanan utilizes this D'rashah to rule that if a non-Jew studies Torah, he is liable for death, either for "stealing" (the inheritance - reading \*Morashah\*) or for adultery (reading \*M'orasah\*). Sinai was, indeed, the place where the Jewish people became separate from the nations of the world. The Gemara in Shabbat (89a-b), discussing the various names given to that mountain, identifies the name "Sinai" with \*Sin'ah\* (hatred) - the mountain where hatred came down to the nations (Rashi: because they did not accept the Torah. This is based on the Midrash that prior to the Revelation, God offered the Torah to all of the nations and they rejected it). Another identification there is \*Horev\* (the name used in Sefer D'varim) with \*Hurban\* (destruction) - that it is the mountain from where destruction came down to the nations of the world. Sinai represents that point of intimate and exclusive contact between the Jewish people and God. This is typified by the constant and consistent worship of God - both the daily offerings and the constant study of Torah (which is, again, our exclusive possession). Sinai was, of course, not the end of the road for us. Our destiny was not to remain encamped at the foot of the mountain (see D'varim 1:6), rather to conquer the Land and to establish a Holy Community there. What was the purpose of that community, of that nation? We find the answer in one of the most famous sections of Tanakh, which appears in the prophecies of Yeshayah and Michah (8th c. BCE): The word that Yeshayah son of Amotz saw concerning Yehudah and Yerushalayim. In days to come the mountain of YHVH's house shall be established as the highest of the mountains, and shall be raised above the hills; all the nations shall stream to it. Many peoples shall come and say, "Come, let us go up to the mountain of YHVH, to the house of the God of Ya'akov; that He may teach us his ways and that we may walk in his paths. For out of Tziyyon shall go forth instruction, and the word of YHVH from Yerushalayim." He shall judge between the nations, and shall arbitrate for many peoples; they shall beat their swords into plowshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more. (Yeshayah 2:1-4) Our mission, the B'rit of Tziyyon, is to be a model nation which attracts the attention and spiritual thirst of the nations of the world. The beautiful words: "From out of Tziyyon..." which we say every time we take out the Sefer Torah - are words which the prophet puts into the mouths of the nations of the world. An ethical, learned nation will certainly attract the nations of the world who will want to learn "our secret"; when they come a bit closer and see that our close relationship with God is the source of our learning and of our ethics - they will desire to learn from His teachings as well. The place of that instruction, as they themselves will say, is "Tziyyon". We can now understand why the destruction of the two Batei Mikdash belongs with the rejection of the Land. One common interpretation (more prevalent in Hassidic thought) of the behavior of the scouts and the reaction of the people, was that they did not want to enter the Land because they knew that that would spell the end of their intimate relationship with God. They would become a nation among nations - with the responsibility of ethical leadership among them. The destruction of the Batei Mikdash - ideally the world-wide center for God's instruction through the Jewish people (keep in mind that the Sanhedrin was seated right in the Beit haMikdash in the "office of hewn stone") - meant the (temporary) suspension of the opportunity to completely fulfill this responsibility. The fall of Beitar and the plowing of the city were, again, seemingly fatal blows to our national destiny and opportunity. (Thank God, we have merited living in a generation in which we have been allowed to return and try again.) We not only understand the nature of each list - but also the sequence. First, we were to fulfill B'rit Sinai, maintaining and constantly strengthening our exclusive

relationship with God - and we are also to fulfill B'rit Tziyyon, using that special relationship to teach and inspire the world. This is the tragedy of these three weeks - our failure in both regards, one leading to the next. It is not for naught that the traditions of our people have created a sense of continuity between these two fast days - they are, indeed, a sequence which we must reverse, through the introspection and Teshuvah motivated by a fast (see Rambam, MT Ta'anot, 1:1-3).

VI POSTSCRIPT The role of the Beit haMikdash as an international focus is not only found in the prophecy regarding God's instruction; it will ultimately be a prayer-center for the entire world: ...For my house shall be called a house of prayer for all peoples. (Yeshayah 56:7) May we speedily merit the complete rebuilding of our nation and of our Beit haMikdash - and may this be the last year when these fasts remain days of sadness: Thus says YHVH of hosts: The fast of the fourth month (Tammuz), and the fast of the fifth (Av), and the fast of the seventh (Tishri), and the fast of the tenth (Tevet), shall be seasons of joy and gladness, and cheerful festivals for the house of Yehudah: therefore love truth and peace. Mikra, Copyright (c) 1997 by Rabbi Yitzchak Etshalom and Project Genesis, Inc. The author is Mashgiach Ruchani at Shalhevet High School in Los Angeles, CA. Project Genesis: Torah on the Information Superhighway learn@torah.org 3600 <http://www.torah.org/>

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<http://www.biu.ac.il/JH/Eparasha/> Daf Parashat Hashavua  
(Study Sheet on the Weekly Torah Portion) Basic Jewish Studies Unit  
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Parashat Devarim The Uniqueness of Deuteronomy Rabbi Yaakov  
Charlap

This week we begin reading the last book in the Pentateuch, Deuteronomy, which has a style unlike any of the others. This is clear right from the opening of the book: "These are the words which Moses spoke to all of Israel..." (Deut. 1:1). Most of the book records the speeches of Moses, speaking to his people in the first person, in which he reiterates the events of forty years in the desert, teaches them both the general principles and details of the Torah, repeats some of what had already been taught (Deuteronomy is called Mishneh Torah - the repetition of the Torah), while presenting "new commandments" as well [1]. He also addresses them at the Covenant treaty made at the Plains of Moab. Various commentators, both early and late, have dealt with this very different nature of Deuteronomy, each from his own specific point of view.

In a well-known comment, Rabbenu Moshe ben Nachman (Nachmanides or Ramban) characterized the unique style of the book while at the same time strenuously proclaiming that the difference in style--first-person instead of third-person narration-- does not express any basic change from the other Biblical books:

The matter of Deuteronomy which is written in first-person narration is not a difficulty... for the book opens, "These are the words which Moses addressed to all Israel" [in regular third-person narration] and the continuation of the book relates matters as if quoting Moses.... [Moses is like] a scribe copying from an ancient work...but it is true and clear ... that from Genesis until "displayed before all Israel" (Deut. 34:12, the last verse of the Torah) came from the mouth of the Holy One blessed be He to the ears of Moses (Nachmanides, from his introduction to the Torah).

The source for Nachmanides' explanation can be found in Tractate Sanhedrin (99a): Another (baraita) taught: 'Because he has spurned the word of the Lord' (Num. 15:31), this refers to one who says that the Torah is not from Heaven, and even if he says that the entire Torah is from Heaven, except for this particular verse which was not spoken by the Holy One blessed be He but by Moses on his own (authority), this is (considered) "He has spurned the word of the Lord". According to this Talmudic source, one who maintains that Moses composed the Book of Deuteronomy on his own, denies the Divine origin of the Torah. Similarly in Baba Batra (15a) there appears a dispute as to who wrote the last eight verses of Deuteronomy from "So Moses the servant of the Lord died

there" (Deut. 34:5) - whether Moses wrote them or Joshua. The opinion of Rabbi Shimon is: "Could it possibly be that the Scroll of the Law would be missing even one letter... rather, say that up until this point G-d spoke and Moses wrote and from this point G-d spoke and Moses wrote while in tears(or literally, "wrote with tears"). According to this view, all five books of the Torah, including the last eight verses of Deuteronomy, were spoken by G-d and recorded by Moses as "a scribe copying".

It would seem that this is also the opinion of Maimonides who wrote (in Hilchot Tefillah 13,6): "The eight verses which complete the Torah may be read in the synagogue in the presence of less than ten men. Even though it is all Torah and Moses taught it in the name of G-d, since it is obvious that they came after the death of Moses they are thereby different and therefore may be read even by one individual by himself.

Obviously he believes that all of Deuteronomy, including the last eight verses, were spoken by Moses in G-d's name. Maimonides restates this position in his introduction to the tenth chapter of Tractate Sanhedrin, Perek Chelek. In his eighth principle he states:

Since the Torah is from Heaven and we believe that the entire Torah which we possess, that which was given to us through Moses, our Teacher, may he rest in peace, is entirely from G-d, that is that he (Moses) received all of it from our blessed Lord... and he acted as a scribe who is summoned and writes the events of the times, the stories and the commandments... And anyone who says that any of these verses or stories was made up by Moses on his own, such a person is considered by our Sages and Prophets to be heretic worse than any other kind of heretic ...[2].

In contrast, some opinions emphasize the substantial difference between Deuteronomy and the other four books. The sources for this opinion can be found in the text of the Bavli, Tractate Megillah (31b) on the mishnah (ibid., 3,6):

One does not pause[to call up another reader] in (the reading of) the curses, but one person reads them all. Abaye said, this applies only to the curses in Torat Kohanim (Leviticus) but in Mishneh Torah (Deuteronomy) one may pause. Why is this so? The former are in plural form and Moses spoke them in the name of G-d, and the latter are in singular and Moses spoke them on his own.

Rashi comments there: "Moses spoke them in the name of G-d and became a messenger to say," thus said the Holy One blessed be He", for they are worded (in first person singular): and I will give ... and I will place ... and I will send, referring to the One who has the power to act; but in Mishneh Torah it is written: The Lord will strike you... The Lord will afflict you, Moses spoke these words on his own initiative - if you transgress His commandments He will punish you".

Midrash Tanhuma also leads us to believe that Deuteronomy was spoken by Moses on his own initiative (Tanhuma, Deut, 2): These are the word which Moses spoke ... the people of Israel said, yesterday you said I am not a man of words and now you speak so much. Rabbi Yitzchak said, if you have a speech difficulty, learn Torah and you will be cured.

This query put to Moses - "yesterday you said I am not a man of words" - was specifically in reference to Deuteronomy and not to the four previous books which were also given through Moses. Clearly, the Midrash sees a difference between Moses' involvement in the book of Deuteronomy and his role in other books: the others were spoken by Moses as prophecy; not so the book of Deuteronomy in which he spoke independently [3].

Rabbi Eliezer ben Rabbi Natan of Mainz (Ra'avan) saw Moses as the author of all Deuteronomy, not just the curses. He bases his opinion on the words of Rav Yosef in Tractate Yevamot (4a): "Even he who does not base interpretations on the proximity of Biblical texts [semichit parshiot] anywhere else, does so in interpreting Deuteronomy". Ra'avan explains that the reason for this is that Deuteronomy is unlike the other four books, in which "there is no chronological order" (ein mukdam umeuhar). If there is no order, one cannot learn from proximity. But Deuteronomy, which is the words of Moses, was ordered in the normal manner, so it is possible and necessary to interpret (by using the proximity of texts):

Because the entire Torah was spoken by G-d and has no chronological order, but Moses arranged Mishneh Torah chapter after chapter specifically so it could be interpreted (Ra'avan, Responsa 34).

A similar opinion

is held by the Ohr Hachaim. He explains (in his commentary to Deut.1:1) that the first verse of Deuteronomy: "There are the words which Moses spoke ..." comes to emphasize that these alone are the words which Moses spoke on his own initiative as opposed to the other four books in which Moses did not utter as much as one letter on his own, for the words which came from the mouth of G-d came in their precise form without any change, even so small as the addition or subtraction of one letter. Obviously he differentiates between the nature of the first four books of the Torah and that of the fifth one [4].

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The idea that the book of Deuteronomy contains the words of Moses poses a religious problem, since it jars the conception that the entire Torah is the word of God. (see the objection to this opinion cited above in Sanhedrin 99a and also in Maimonides, op. cit.). Indeed, several of the later authorities (aharonim) have dealt with the question.

In the opinion of thMaharal (Tiferet Yisrael, chap. 43), Mishneh Torah is certainly the word of G-d but the giving of the Torah (matan torah) involves, as in every situation of giving, two parties - the giver and the receiver. The first four books stress the giver, God, while the last book, Deuteronomy, stresses the recipient, Israel. Here the message was given to the prophet and he passed it on to the people in his own way, as opposed to the first four books in which everything was said directly by God through the mouth of Moses.

Thus the Maharal explains the text in Bavli, Megillah (op. cit.):

This does not mean, G-d forbid, that Moses would say anything on his own initiative, not even one letter. The only difference that exists between Mishneh Torah and the rest of the Torah is that the Torah which the Lord gave to Israel has two aspects, the first aspect is that of G-d as the giver of the Torah and the second aspect is that of Israel as recipient... But since God is transcendent and he gave the Torah to Israel who is on the earth, it is impossible that there would not be a unique aspect on the part of the giver and a different aspect on the part of the receiver; therefore, the entire Torah except Mishneh Torah which is the last of the five books, has in it the aspect of the giver... and this is the difference between (the rest of the ) Torah and Mishneh Torah in that every word said in the Torah - though it was Moses who said it - even so it is as if the Lord said the entire Torah ... and G-d would put the words in his mouth ... but in Mishneh Torah Moses spoke on his own, like a messenger who speaks what he was commanded by the one who sent him, and this is what the Sages meant when they said that the curses in Mishneh Torah were spoken by Moses on his own, meaning that G-d did not put the words directly into his mouth, because the purpose of Mishneh Torah is to stress the receiver, and receiving is stressed by one who is close to the recipient, and this is Moses, who was close to the recipients...

Similarly the Maharal explains the many differences that appear between the Ten Commandments in the book of Exodus and the Ten Commandments as they appear in Deuteronomy. The first Commandments, he maintains, reflect the style and spiritual level of Exodus and the second ones reflect the character of Deuteronomy: "Thus the wording is as it should be for the recipients (of the Torah) because there they are the main issue. In other words, Mishneh Torah came to add on, to explain further, which is for the benefit of the recipients..."[5].

This same view was expressed in the name of the Gaon of Vilna in the book Ohel Ya'akov (by Rabbi Ya'akov, the Magid of Dobno) in the introduction to Deuteronomy: I asked my teacher and Rabbi what is the difference between the Holy Torah and Mishneh Torah, and he said to me that the first four books were heard as God's voice coming up, as it were, from Moses' throat, unlike Deuteronomy in which Israel heard the words of this book just as they heard later prophets who came after Moses. The Holy One blessed be He would speak to the prophet one day and on the next day the prophet went forth to tell his prophecy to Israel; thus, when the prophet spoke to the people the Divine word had already departed from him. In this way Deuteronomy was heard by Israel from the mouth of Moses alone.

Chassidic literature emphasized that while in the first four books the Divine revelation was suited to the level of the generation of the desert, "a generation of knowledge", which lived by the direct beneficence of the

Lord, in Deuteronomy the revelation is hidden, transmitted by Moses to the generation about to enter the Land of Israel, whose lives would follow a natural course once they arrived in the Land of Israel. The S'fat Emet expresses this as follows: Because Mishneh Torah is similar to the Oral Torah, "which Moses spoke" [Deut. 1:1] (Hebrew - asher dibber Moshe - the initials of which [alef - dalet - mem] make up the word Ada'm = Man) because speech is the central quality of Man... as it is written, "I created this people... that they should speak My praise (Deuteronomy 6: 41) ...

It follows that Mishneh Torah represents the natural course of life of the generation of those who entered the Land of Israel and is suited to them in its style and in the manner in which it was transmitted. From that standpoint Deuteronomy, given by the Lord though spoken by Moses, is the passageway from the written Torah - that given directly by G-d - to the oral Torah, which was conceived at Sinai and revealed by the sages of Israel in each generation.

We have seen that Deuteronomy is unique in style, in its manner of transmission, and therefore in its essence and its spiritual plane. Just as we recognize different spiritual planes and levels of holiness in the Torah, the Prophets (Nevi'im) and the Writings (Ketuvim) in the same way within the Five Books of the Torah there is a differentiation between the first four books and the Book of Deuteronomy. There is a spiritual plane of the four books and another of Mishneh Torah. Deuteronomy is unique because it ties between Torah and prophecy, between the Written Torah and the Oral Law.

Notes: 1. See Nachmanides, Introduction to Deuteronomy. 2. See also Maimonides in Mishneh Torah, Sefer Hamada, Hilchot Teshuvah (chap. 3, halachah 8): "There are three who deny the Torah; (1) he who says that the Torah is not from the Lord, even one verse or one word of it, if he claims that Moses said it on his own, then this man denies the Torah". 3. See also Devarim Rabbah 1. 4. Compare also to the view of Abarbanel in his introduction to Deuteronomy. 5. See: Rabbi Yitzchak Huttner, Pachad Yitzchak, Shavuot, Article 12, on the differences between the two versions of the Ten Commandments, following the opinion of the Maharal. The weekly Torah portion is distributed with the assistance of the President's Fund for Torah and Science.

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mj-ravtorah@shamash.org Monday, August 11, 1997 12:00 AM  
kinos.97 Shiur HaRav Soloveichik ZT"L on Kinot Tisha Bav  
[note: The Rav ZT"L would spend much of the day of Tisha Bav explaining the Kinot. This summary is taken from Tisha Bav 5738 and is a continuation of the summaries posted last year to the list. Please refer to the web site for last year's summaries. IY'H we should see the coming of Moshiach in our days and next year we should celebrate Tisha Bav as a Yom Simcha.]

In Aadeh Ad Chug Hashamayim the Piyut describes the longings of the Jewish People for Hashem. It shares the same theme of Shir Hashirim of Knesses Yisrael searching for Hashem, but now the search is conducted through the dark and bleak night of Churban. I used to know the way to Har Hashem, but I lost it. Whereas before Hashem searched out Knesses Yisrael and found it, now the roles are reversed. We seek Hashem everywhere, but cannot find Him. This Piyut expresses the longing for Hashem, the whole nostalgia of the Jew for Hashem. However despite this failure to be able to find Hashem, no matter how difficult the circumstances Knesses Yisrael finds themselves in, no matter how great the Churban, we will continue to seek Hashem and continually long for Him. There is no difference in the degree and urgency of our longing to find Hashem on Tisha Bav and on Yom Kippur. The Kedushas Hayom of Yom Kippur expresses itself in 2 words: Lifnay Hashem. It results in a variety of benefits for the human being. The Selicha and Mechila is a result or consequence of Lifnay Hashem. The most important drive is to seek Hashem, to be in His company. We desire to be Lifnay Hashem all year, including on Tisha Bav. The semantics of the

phrase Aadeh Ad Chug Hashamayim, implies that with the Churban Habayis, something has changed in the whole cosmos. All of creation mourns for the Churban Habayis. This is mentioned in the Kina recited the night of Tisha Bav, Oz B'chataynu, which describes the grief and sorrow of the heavenly bodies over the Churban. Judaism endows time itself with a substance of holiness, for example the concept of Kedushas Hayom. There are days of Chol, mundane, regular. There are days that are special and endowed with Kedusha, Shabbos, Yom Tov. Tisha Bav became a day that was filled with the personality of suffering. It became known as Yom Mar Vnimar, the bitter day that is saturated with bitterness. It is the day of tragedy, as if the day itself is responsible for the terrible occurrences. It has become a magnet for tragic occurrences for B'nei Yisrael. For instance, the expulsion of the Jews from Spain was on Tisha Bav. The Piyut continues that each year I say that next year I will no longer remember the tragedies that befell me on this day, but I will celebrate Tisha Bav as a Yom Tov as the Navi says, it will be one of the great days of Simcha and Yom Tov. The Navi concludes Haemes Vhashalom Ehavu. This is a catch phrase for the ultimate redemption. In the time of Moshiach, Hashem will reunite Emes and Shalom. According to the Midrash, prior to the creation of man Hashem, K'vayachol, asked whether He should create man. The attributes of Chesed and Tzedek counseled that man should be created, Emes and Shalom counseled against creation, for man would always be a liar and constantly in conflict with his fellow man. Hashem separated Emes and Shalom, and threw Emes to the ground. In the realm of Hashem, there is no conflict between Emes and Shalom. Man can either be a perfect man of truth or he can be a perfect man of peace. He cannot be both at the same time. For instance arbitration, Peshara, is inconsistent with the truth, but it is a manifestation of maintaining peace between litigants. In this world there is a conflict between Emes and Shalom. The Torah was given to Yisrael in order that men should reconcile the two, sometimes he should prefer the Emes and other times the Shalom. Man should strive to combine both as much as possible. The Midrash says that Hashem creates Shalom Bayn Gavriel Lmichael. Gavriel is the Sar Aysh, angel of fire, and Michael is Sar Mayim, angel of water. Hashem reconciles both, just as He reconciles Emes and Shalom in His realm. When Tisha Bav will be a Yom Tov, the period of joint Emes and Shalom will commence.

We say to Hashem that we accept the judgement of Hashem, we bow before Hashem and we will dance before Hashem. Why does the Piyut refer to Machol and not Rikud? The difference between Machol and Rikud is that Machol is a circle. In a Machol, Hashem is in the middle, and we will dance around Him. The first in line touches the last. In a Rikud, the ends of the line dance away from each other. We desire a Machol, where Rayshis touches Acharis, where there is continuity and completion. The first chapter of Eycha asks over and over again, how this happened. The third chapter describes in strong language how Hashem destroyed the city and its inhabitants. We have a special permission on Tisha Bav to recite Eycha which we do not have on other days. But after we ask all these questions we admit that the fault lies within us, for we did forsake the ways of Hashem. The conclusion of this Piyut is similar to the end of Eycha where we announce that we have sinned and rebelled and Hashem did not forgive our transgressions. Aycha Yashva Chavatzeles Hasharon describes the 24 Mishmaros Hakehuna and describes the cities of Kohanim. (Cities of Kohanim are mentioned, Bays Lechem, Yurpas, etc.). We have very little information about these 24 Mishmaros. The Kohanim were apparently singled out for death by the conquering armies. Perhaps they offered the most resistance. The blood of the Kohanim filled every inch of the city. There are three components of Kedusha of Knesses Yisrael: Kedushas Kehuna, Leviya and Yisrael. There is a Bris Olam on these parts of Kedusha. The Romans wanted to destroy this covenant. That is why there is a Piyut dedicated to the attempted destruction of the Kohanim, Churban Hakehuna.

Why was the refusal of the people to answer Amen singled out as one of the causes of the Churban? It is easy to understand why failure to keep Shmita, or idolatry would be cause for Churban, but why would lack of answering Amen be an equivalent cause? The Rav explained that this refers to their refusal to submit to the will of Hashem as expressed through the

prophets. It expresses the lack of Emunah on the part of Bnay Yisrael. The Piyut describes the profane acts of Titus in the Holy of Holies. Hashem allowed His throne, Kvatayachol, to be defiled and destroyed as a substitute for the utter and complete destruction of the people. Bnay Yisrael were guilty and punishable, just like the generation of the Mabul, and should have been completely destroyed just like the Dor Hamabul. But Hashem, through his kindness, allowed the enemy to instead desecrate His throne, Bays Zevul, and because of that the people survived and the Kohen from the city of Kavul was led away in chains instead of murdered. Rosh Mamlach refers to the Kohayn Gadol, the captain of the ship. In Bayis Shayni there was no Shemen Hamishcha to anoint the Kohen Gadol. The Shemen Hamishcha was one of the things that was not disclosed to Ezra. So the Kohen Gadol's appointment was through different means in Bayis Sheini, through Ribuy Begadim. They used to put on the Bigdei Kehuna on the Kohen Gadol and that served as the vehicle for sanctifying the Kohen Gadol in Bayis Sheini. This was punishment for their not being careful about Bris Melach, the eternal covenant that Hashem made with Bnay Yisrael that there should always be salt with the Korbanos. Vkonanti Byaar Barav describes the incident of Bnay Yisrael who were given spicy food to eat by the Bnay Yishmael and then were given empty flasks to drink from. This happened in Churban Bayis Rishon. In Churban Bayis Sheini, the Ner Maaravi was extinguished. Re'eh Ki Husarti K'anya. When Yonah was thrown about the ship and within the whale, he eventually prayed to Hashem and was saved. The Piyut describes that Bnay Yisrael were simply thrown around but were not able to pray for their salvation. What does Mishulchanecha Ta'ariach mean? From Your table, You will invite Orchim, guests, to partake in your Seudah. Hashem will invite the Kohanim to His table and show kindness to the young Kohanim from Chamas Ariach. This concludes the Kinot for the Churban Hamikdash and Churban Hakohanim. Through the time of the Churban, the Kohanim were the teachers of Bnay Yisrael. After the Churban the tradition transferred from the Kohanim to the Chachmei Hatalmud. The elimination of the Kehuna and the Mesoras Hakorbanos is something that Edom and Christianity has sought for the last 1900 years, but have never been able to accomplish. The next Kinah describes the eulogy of Yirmiyahu for Yoshiyahu. After all, Yoshiyahu was an individual and his death seems insignificant when compared to the loss of the city and the Mikdash. Yet Yirmiyahu is told that his Sefer Kinot will not be complete unless he recites this Kina hand eulogy over him. Rashi says that the fourth chapter of Eichah is the eulogy devoted to Yoshiyahu. The term Kinah and the obligation to call the Mekonenos to wail over Yoshiyahu, the individual, is the same.

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