

Examining the roots of Tish'ah b'Av in *Sefer Devarim*¹¹

Mrs. Yael Goldfischer

Chair of the Chumash Department and
Director of Israel Guidance for Girls at The Frisch School

Sefer Devarim, the fifth book of the Pentateuch contains various chapters dealing with our nation's future. Moshe weaves together in the powerful speeches that comprise *Sefer Devarim* the beginning of our national existence in Israel, our suffering by the hands of oppressors, and finally our ultimate redemption. The origins and roots of all fast-days can be tied to the strong warnings and rebuke found in *Sefer Devarim*. Tish'ah b'Av, however, more than any other fast day is bound with *Sefer Devarim*. The textual and thematic connections between *Sefer Devarim* and Tish'ah b'Av are evident from the beginning and end of the book. From analyzing several passages of *Sefer Devarim*, unique perspectives of Tish'ah b'Av emerge.

Sefer Devarim and Tish'ah b'Av

Three *parshiot* in *Sefer Devarim* are either read in conjunction with Tish'ah b'Av and/or contain textual and thematic similarities with the fast-day. The weekly Torah portion preceding Tish'ah b'Av, *Parshat Devarim*, is replete with connections to Tish'ah b'Av. The word *eikhah* (how) and *chet hameraglim* (the sin of the spies), two defining aspects of Tish'ah b'Av, feature prominently in *Parshat Devarim*. In chapter one, Moshe retells the story of appointing judges to relieve his sole responsibility of leading the nation. In the beginning of this passage Moshe asks: '*eikhah*'- "how can I alone carry your care, burden and strife?" (*Devarim* 1:12). *Megilat Eikhah*, the book read Tish'ah b'Av night to a mournful tune, is an emotional lament of the destruction of the First Temple. Furthermore, the practice to read *Devarim* 1:12 aloud in the synagogue to that same dirge tune of *Megilat Eikhah* heightens the obvious connection between the Torah reading and the oncoming day of Tish'ah b'Av. The first chapter of *Devarim* also discusses the sin of the spies. The *Mishnah* in *Ta'anit* (26b) says that five events occurred on Tish'ah b'Av, the first of which, the sin of the spies resulted in the divine decree forbidding the nation from entering the land of Israel. Rav Soloveitchik teaches that all the troubles that we mourn on Tish'ah b'Av originate from the sin of the spies (*The Lord is Righteous In All His Ways* p.67-68). In short, *chet hameraglim* is the foundation, if not the key catalyst for all we say and do on Tish'ah b'Av.

The second *parshah* that contains a link to Tish'ah b'Av is *Parshat Ve'ethchanan*. *Shulhan Arukh* (*Orah Hayiyim* 428:4) writes that the custom is to read *Parshat Va'etchanan* the shabbos following Tish'ah

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b'Av. Furthermore, we read from *Parshat Va'etchanan* for the Torah reading of Tish'ah b'Av morning. This section begins with the phrase “*ki tolid banim*” “when you will have children” and paints a picture of a future in the land of Israel where Jews are corrupt and ultimately exiled due to their sinning. This theme of sin and punishment, specifically manifested through *galut* (exile), lies at forefront of every Jew’s religious awareness on Tish’ah b’Av as it is the day on which we commemorate the exiles, and accompanying troubles of those exiles, ensuing from the destruction of the first and second Temples.

The third *parshah* that contains a link to Tish’ah b’Av is *Shirat Ha’azinu*. Syrian Jews have the custom of reading *Shirat Ha’azinu* before reading *Eikhah* the night of Tish’ah b’Av. Some additionally have the custom to insert *Shirat Ha’azinu* in the Tish’ah b’Av morning prayers in place of *Shirat Ha’yam* (*Az Ya’shir*).

Megillat Eikhah, like many other passages in *Tanakh*, borrows words and concepts from *Shirat Ha’azinu* to demonstrate the prophetic nature of *Shirat Ha’azinu* and its relevance. In this vein, the *Midrash* describes *Shirat Ha’azinu* as a timeless poem that contains insight and wisdom to all people in all times.

Great is this poem that is contains the present, the past and the future, in it is this world and the world to come.
Sifrei 333

גדולה שירה זו שיש בו עכשיו ויש בה לשעבר ויש בה לעתיד לבוא, ויש בה בעולם הזה ויש בה לעולם הבא
ספרי שלג

Megillat Eikhah contains many images and themes that are found in *Shirat Ha’azinu*, the song that God gave the Jewish nation to bear witness to its future suffering (*Devarim* 31:25-30). Like *Parshat Devarim*, as noted above, the word ‘*eikhah*’ appears in *Shirat Ha’azinu* as well.

How should one chase a thousand, and two put ten thousand to flight, except their Rock had given them over and the LORD had delivered them up?
Devarim 32:30

איכה ירדף אֶחָד אֶלֶף וּשְׁנַיִם
 יְנַסּוּ רֶכֶבָה אֶם-לֹא כִי-צוּרָם
 מְקַרְמָם וְהִ' הִסְגִּירָם :
דברים לב:ל

In addition, in both works we find God depicted as a consuming fire (*Devarim* 32:22, *Eikhah* 2:3), shooting arrows at us (*Devarim* 32:23, *Eikhah* 2:4), meting out our punishment through famine and sword (*Devarim* 32:24, *Eikhah* 4:9), and destroying specifically *bahur u'betulah*, our young men and women (*Devarim* 32:30, *Eikhah* 1:15). In a striking comparison both *Ha’azinu* and *Eikhah* liken the Jewish people to *Sedom* and *Gomorra* (*Devarim* 32:32, *Eikhah* 4:6). The imagery of an eagle is presented in both, albeit with opposite intentions and connotations. In *Ha’azinu* we remember God’s protective nature as an eagle yet in *Eikhah* we recall how our enemies, swifter than eagles, attacked us (*Devarim* 32:11, *Eikhah* 4:19). One of the dominant themes of *Ha’azinu* is that God will punish the nations who oppressed us. The last verses of *Ha’azinu* depict God avenging our blood by destroying those that sought our destruction (*Devarim* 32:41-43). In *Eikhah* the prophet implores God to punish the nations as He promised. The prophet asks God “Bring about the day that you have proclaimed” (*Eikhah* 1:21). The divine proclamation that the prophet refers to is a direct reference to the concluding verses of *Shirat Ha’azinu*.

Recalling Our Exile

Tish’ah b’Av is linked thematically and textually with the three *parshiot* from *Sefer Devarim* mentioned above. Ostensibly, it would make most sense to read from all three of these *parshiot* on the day of Tish’ah

b'Av. It seems odd that the practice is, in fact, just to read from *parshat Va'etchanan* on Tish'ah b'Av. When codifying the Torah portions to be read before each Holiday the *Shulhan Arukh* (*Orah Hayyim* 428:4) concludes that *Parshat Ve'ethchanan* is read the Shabbat following Tish'ah b'Av. Rav Soloveitchk notes the glaring inconsistency in the *Shulhan Arukh's* wording. For each of the other holidays the *Shulhan Arukh* states the Torah portion of the Shabbat preceding the holiday while for Tisha b'Av the *Shulhan Arukh* identifies the weekly reading following the fast day. Why this strange deviation? According to Rav Soloveitchik, this formulation of the *Shulhan Arukh*, already mentioned in the *Tur*, most likely emanates from the time of *Hazal*, or at least from the time of the early Geonim. It is apparent that *Hazal* saw a deep rooted connection between Tish'ah b'Av and *Parshat Ve'ethchanan* more so than Tish'ah b'Av and any other *parsha*, and therefore emphasized the *parsha* following Tish'ah b'Av. (*ibid* p. 63)

At first glance, the *pesukim* of *Parshat Va'etchanan* are quite similar to the other *Devarim* passages. On the one hand, as we noted above the Torah portion of Tish'ah b'Av morning, taken from *Parashat Va'etchanan*, describes Bnei Yisroel sinning just as the other two *Devarim* passages (*Parshat Devarim* and *Shirat Ha'azinu*). In addition, *Parshat Va'etchanan* calls upon the heaven and earth to bear witness to divine punishment, if and when the Jewish people sin (*Devarim* 4:26). Similarly, in the opening verse of *Shirat Ha'azinu*, Moshe poetically calls upon the heaven and earth to bear witness to the prophetic words (*Devarim* 32:1).

Despite these similarities, the tone of *Parshat Ve'ethchanan* differs drastically from the other *Devarim* passages. *Parshat Ve'ethchanan* speaks of teshuvah and redemption, elements that are distinctly absent from the sin of the spies of *Parshat Devarim* and the depressing verses of *Shirat Ha'azinu*. In fact, the Torah portion of Tish'ah b'Av is much more positive and reassuring than it is distressing or depressing.

By choosing the less obvious Torah portion for Tish'ah b'Av, *Hazal* sensitized the reader to probe deeper and search for the overlooked theme of the day.

The purpose of Tish'ah b'Av

What is the purpose of Tish'ah b'Av? The common perception is that Tisha'ah b'Av is a day of mourning and tears. Certainly the bulk of Tish'ah b'Av is spent recalling and remembering past suffering. We publicly proclaim the devastating events of the *churban* in order to create an atmosphere of collective mourning. Although the above approach to Tish'ah b'Av is the primarily accepted view of the day, it is not the sole approach in defining the meaning of Tish'ah b'Av.

An alternative approach is found within the words of the *Rambam*.

There are some days in which all Jews fast, because of the tragedies that befell them, in order to awaken the hearts and open the way of teshuvah. These [days] are a remembrance of our bad actions and the actions of our fathers that are like ours now until it led to their tragedies and ours. By remembering these things we can return better to God as it says in Vayikra (21:4) "you will admit your sins and the sins of your fathers."

Rambam Hilchot Ta'aniyot 5:1

יש שם ימים שכל ישראל מתענים בהם מפני הצרות שאירעו בהן כדי לעורר הלבבות ולפתוח דרכי התשובה ויהיה זה זכרון למעשינו הרעים ומעשה אבותינו שהיה כמעשינו עתה עד שגרם להם ולנו אותן הצרות, שבזכרון דברים אלו נשוב להיטיב שנאמר (ויקרא כו:מ) והתודו את עונם ואת עון אבותם וגו'.
רמב"ם הלכות תעניות ה:א

Rambam teaches that the purpose of the four fast-days (Tzom Gedalia, 10th of Tevet, 17th of Tamuz and 9th of Av) is to bring about national teshuva. We fast and ponder past suffering in order to arouse within us the desire for change. We look inward, find our faults and begin the process of teshuva. In sum, teshuvah is the goal of a fast day.

The Rambam's insight of national mourning bringing about repentance is not localized to the four fast days but finds expression in the halachot of the personal mourner as well. The Rema (Yoreh De'ah 403:10) writes that a mourner should look inward and use his personal tragedy as a time to contemplate and evaluate his own actions. Suffering acts as a catalyst for inward growth.

Tish'ah b'Av, a day that Rabbi Soloveitchik defines as both a *yom tzom* and *yom aveilut* (*ibid* 1-16), does focus on teshuvah as one of its two basic themes. The mitzvot of Tish'ah b'Av are fasting and other physical signs of mourning. Yet, the unifying purpose of these mitzvot is to bring us towards teshuvah. Since a goal of Tish'ah b'Av is *Teshuva*, *parshat ha'Teshuvah* from *Parshat Va'etchanan* is the designated Torah portion.¹²

This perspective of Tishah b'Av as a day of Teshuva evidenced from the Rambam perhaps finds its ultimate source in the *pesukim* from *Va'etchanan* which are chosen as the Torah reading for Tishah b'Av. *Parshat Va'etchanan* explicitly defines for us the purpose of national mourning. There, the recollection of suffering leads to national soul-searching. What emerges is the profound realization that our suffering is a result of our sins (*Devarim* 4:29-30). *U'vekashtem me'sham* (4:29) from there you shall seek God, the emphasis of *me'sham* (from there) is that we seek out God not only when we are in *galut* but specifically because of the *galut*. The next verse continues this message. *Ba'tzar lechah* (4:29), when we suffer and take note, only then will we return to God.

This theme is also elucidated in the other *Parshat Ha'teshuva*, at the end of *Sefer Devarim* (*Devarim* chapter 30). "And it shall come to pass, when all these things are come upon thee, the blessing and the curse, which I have set before you, and you shall recall to your hearts" (*Devarim* 30:1). The phrase *ve'hashevota el levavekha* "you shall recall to your hearts" means to look inward and ponder. Rabbi Elchanan Samet writes in his commentary to *Parshat Nitzavim* that the object of the sentence is absent: what is it that we are to recall to our hearts? The answer is found in the beginning of the verse, namely the national experience of the blessings and the curses. This observation of our historical fate is the first step of repentance. We begin teshuvah by acknowledging that our sins have caused our suffering. This idea even finds its way into the prayers of the festivals, "Because of our sins we were exiled from our country."

We purposefully do not read from *Parshat Ha'azinu* because its verses lack our acknowledgment of our sins. In the verses preceding *Shirat Ha'azinu* God describes His behavior towards the Jewish people as *hester panim*, hiding His face (30:18). *Hester panim*, however, does not result exclusively in the Almighty hiding his face from his people but *hester panim* also causes the people's inability to see God. In a world of *hester panim* we do not acknowledge God in our suffering, we do not realize that He, and He alone, is punishing us. If we fail to see the hand of God in our troubles then we certainly do not attribute our suffering to our sins. The point of Tish'ah b'Av is to realize that God is directly orchestrating our

¹² In this context, I use the phrase *parshat hateshuva* broadly, as did Rav Soloveitchik (*The Lord is Righteous in All His Ways*, 9, 78). Hazal more famously refer to the *pesukim* in *Devarim* chapter 30 as *parshat hateshuva*.

suffering. Once we reveal that God devised our suffering the next and natural step is to acknowledge that He punishes us for sinning.

Tish'ah b'Av, in addition to being a *yom aveilut*, is a day of *cheshbon hanefesh* (soul searching) and *hakarat hachet* (acknowledgment of sin). We recall our suffering in order to properly mourn but also to properly repent. The recognition of suffering awakens us to the reality that our failures cause our pain.

This theme of national soul-searching and realization that suffering is a result of iniquity is a theme found in *Eikhah* and highlighted throughout many of the *kinot* that we recite on Tish'ah b'Av. Three times in the first chapter of *Eikhah* the prophet writes that we were punished because we sinned (1:8,18,22). Rav Soloveitchik explains that not until the third *Perek* does the prophet finally speak about sin and confession as the proper response to suffering (*The Lord Is Righteous In All His Ways* p. 101-103). This is stated most poetically at the end of the *megillah* "Woe to us we have sinned (5:16)". All the questions that are asked in *Eikhah* are answered with one answer - our sins caused our destruction.

Many of the *kinot* contain a statement either at the beginning or the end that gives reasons for our anguish. The first *kinah* that we recite on Tish'ah b'Av night, *zechor Hashem meh hayah lanu* (remember, God, what has happened to us) is based on the fifth chapter of *Eichah*. Each line of the *kinah* first quotes from *Eichah* and proceeds to elaborate the phrase or give reason behind the tragedy contained in the quote. For example:

We risk our lives to obtain our bread, O woe! Because we prevented our hands from giving to the poor

בנפשנו נביא לחמנו, אוי כי קפצנו מעני ידנו

Many of the other *kinot* look inward and find a reason for our national tragedies. Some of these explanations are the sin of the spies, idolatry, disobeying God's commandments and the murder of Zechariah the prophet. The explanations may differ from one *kinah* to the next, but an attempt to reveal the cause of suffering is widespread.

The beginning step of Teshuvah

Tish'a b'Av, to be precise, is not a day devoted to complete teshuva. We do not say *vidduy* (confession) as we do on Yom Kippur or *selihot* (prayers for forgiveness) as is custom on other fast days. Rather, Tish'ah b'Av lays the foundation and the framework for our repentance. In other words, Tish'ah b'Av provides *hakarat hachet*, the first step of teshuvah. A core element of how we experience Tish'ah b'Av is not just sitting on the floor but thinking about our lives and where we need to improve.

The Jewish calendar is set up with tremendous insight for us. The *hakarat hechet* of Tish'ah b'Av leads to the next month, the month of *Elul*, where we truly devote ourselves to repairing our relationship with God through the continuing process of *vidduy* and teshuvah. Let us therefore awaken our hearts and souls, probe deep within ourselves as a community and as individuals and acknowledge where we have gone wrong with the hope that this will lead us to the path of teshuvah and redemption.