

# Insights from Members of the Kollel Elyon

## The Unity of Torah

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Every year before Tisha b'Av we read Parshas Devarim. The Maharal and the Avnei Nezer point out that this parsha is the transition and transformation from the written Torah to the Oral Torah. The first four books of the Torah were given by Hashem speaking through Moshe. Sefer Devarim, however, was a new category of Torah, namely *Moshe m'pi atzmo* (Moshe using his own words). Why is this parsha the prelude to our mourning of the Beit Hamikdash?

The two Temples that stood on Har Habayis were destroyed for two different reasons. The gemara tells us that the first Beis Hamikdash was destroyed because of the three cardinal sins: illicit relations, idolatry and murder. It is difficult to understand how the great scholars of the First Temple period stooped to such levels and transgressed such severe sins. The gemara (Sanhedrin 102b) records how Rav Ashi asked Menashe, who had appeared to him in a dream, how he could have stooped so low and fallen into the trap of avodah zarah in the time of the First Temple. Menashe responded that had Rav Ashi lived in the time of the First Temple he not only would have sinned, he would have lifted up the curtains of his cloak in order to run to sin! The Maharal in Netzach Yisrael explains that Menashe was conveying to Rav Ashi that his generation didn't sin because of a mistake or lack of recognition of God. They were aware of God's omnipotence and that He is the beginning and source of everything. However the yetzer harah was so strong at that time that if Rav Ashi had experienced it he would have lifted up any inhibitions set up to avoid doing evil and transgressed these violations even faster.

This strong evil inclination of the first Beis Hamikdash period was a reflection of the high spiritual level of that time. The connection between man and God was apparent and embracing. The time period benefited from prophecy, the aron kodesh and the urim v'tumim, through which God could communicate with the Jewish people. The revelation of God in man's life was unique to the time period of first Beis Hamikdash. During the second Beis Hamikdash these items were not present. The second Temple was not based on man's revelation and spiritual height but rather on the concept of kneset Yisrael, the unity of the Jewish people, a kedusha which stemmed from man. The first Beis Hamikdash stood on the merits of our forefathers and after its destruction the gemara (Shabbos 55a) relates that the merits of our forefathers were exhausted. The second Beis Hamikdash stood on our own merit; not because of the great spiritual heights that individuals achieved but rather because of the collective strength of kneset Yisrael.

Rav Hutner writes that during the time of the two Batei Mikdash different aspects of Torah were emphasized. The first Beis Hamikdash was focused on the written Torah, from divine revelation, whereas the second Beis Hamikdash focused on the oral Torah, emanating from the rabbis and chazal, a Torah generated through the people. Most of the rabbinic decrees were enacted during that time, which represented a Torah developed by the nation. The kneset Yisrael connected to Hashem as a united entity. Rav Hutner explained that there were two avenues of breaking the connection with God which therefore caused the destruction of the Batei Mikdash. The first was from heaven, God ceasing to appear and communicate with man. This was a break caused by man's rebellion against God. However, during the second Beis Hamikdash, the disconnect was created from below, by destroying the unity of the Jewish people. The connection between God and kneset Yisrael was severed because of our interactions with each other. God was ready to rest upon us, but we destroyed His home from below. The gemara tells us that the Beis Hamikdash was destroyed because of baseless hatred. However, the Beis Halevi in Parshas Bo explains that the cause of the hatred that led to the destruction was the breach in emunat chachamim and mesorah, a breakdown in the loyalty towards chazal and the rabbis, which was created by the tzedukim, which led the nation to disconnect from the Oral Torah. Once there was no unity under the chachamim, every man was independent, which automatically led to sinned chinam. The Maharal says the names Kamtza and Bar Kamtza, who ultimately caused the destruction of the Temple, come from the root *kemitzah*, which means to separate. This refers to the separation from the mesorah which led to a separation within the nation. The second Temple's destruction was a more severe break, and therefore we still suffer in its exile 2000 years later, unlike the first exile which was only 70 years.

The Turei Even in in Rosh Hashanah writes that the mourning of Tisha B'av in our day is for the second Beis Hamikdash. This is what we remember by reading Devarim, the Oral Torah we lost after the destruction of the second Beis Hamikdash. The Torah was lost due to our failure to sustain a collective nation. We suffer today from these similar breaches of lack of faith in our rabbis, a constant interest of change in halacha, and ultimately diversifying Judaism which automatically causes baseless hatred. The Rambam tells us although the Beis Hamikdash was destroyed, the kedusha remains because God's presence is still there. The shechina is always present, looking for a place to dwell, but we broke away. We must focus during these trying times to reunite and recreate the foundation of the Beis Hamikdash and restore the achdut and kneset Yisrael that it stood on.

## **Rabbi Akiva's Message**

### **Rabbi Akiva Block**

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Rabbi Akiva's confidence and optimism in the face of the despair and destruction of Churban Beit Hamikdash is certainly well documented. In the inspiring tale told at the end of Masechet Makkot, as the great sages of the time are hovering over the ruins of the churban and witness a fox trotting through the kodosh kodoshim, all of the rabbis begin crying, lamenting the sobering reality that things had come to such a pass. Rabbi Akiva, on the other hand, begins laughing. He proves to his colleagues based on scriptural evidence that if this prophecy of the churban has come true, certainly the prophecy of the end of days will come true, that the Beit Hamikdash will be rebuilt in all its glory and the city of

Yerushalayim restored to prominence. Rabbi Akiva's colleagues respond, "עקיבא נחמתנו, עקיבא נחמתנו", "Akiva you have consoled us, Akiva you have consoled us".

As inspiring a tale as this may be, we are nonetheless compelled to ask a number of very obvious questions regarding this episode. Here they are, the greats of the generation, standing over the ruins of the churban, struggling to come to grips with the reality that all that was the center of communal Jewish life has now been destroyed, and Rabbi Akiva attempts to comfort them by telling them that now we know for certain that better days lie ahead? How does this serve as a consolation?! The destruction has literally just taken place, and the greatest figures of the time should be focused on a prophecy that one day will come true, rather than lamenting the horrors they are witnessing before their very own eyes? The Mishna in Pirkei Avot (4:18) directs, "אל תרצה את חברך בשעת כעסו, ואל תחנמנו בשעה שמתו מוטל לפניו", do not attempt to appease your friend at his time of anger, and do not attempt to comfort him while his dead is still lying before him". It would appear that this situation falls under the category of מתו מוטל לפניו. So why did Rabbi Akiva not let his colleagues cry over the churban? And were the rabbis not aware of this second prophecy? Did they honestly have doubts as to whether or not it would come to fruition? Moreover, even if Rabbi Akiva felt their response was inappropriate, why is laughing the appropriate response? Once again, using the מתו מוטל לפניו analogy, no one would expect someone who's mourning the loss of a loved one to laugh immediately upon hearing the news of the loss, even if they were certain that their deceased will rise again at the end of days, or that better, happier days lie ahead. Such a response would be considered bizarre, at best. If so, to what can we attribute Rabbi Akiva's laughter, and why is it met with such admiration?

Perhaps the answer lies in a better understanding of the term נחמה, generally translated as comfort or consolation. In the Torah, the term is used to mean something else entirely. נחמה means an abrupt change. It can be a change of heart, it can mean turning the page, beginning anew, or starting a new chapter. When Hashem decides to destroy the world with the flood, the Torah describes, "וינחם ה' על", "אשר עשה את האדם בארץ", Hashem changed his mind, he regretted having created Mankind, and he likewise exclaims, "כי נחמתי כי עשיתים". Similarly, in the aftermath of the sin of the Golden Calf, when Hashem accedes to Moshe's plea to spare the nation, the Torah says, "וינחם ה' על הרעה אשר דבר לעשות", "לעמו", Hashem changed his mind, and decided not to destroy the Jewish people. If so, perhaps what Rabbi Akiva's colleagues are saying at the end of the story is not that we have been comforted, but rather, "Rabbi Akiva, you have changed us, and the way we look at the churban Beit Hamikdash."

But what was the nature of this change? What was the approach to churban that these rabbis subscribed to, that Rabbi Akiva was able to debunk? On a simple level, we may say that he implored them to be optimistic. Instead of constantly focusing on all the death and destruction, Rabbi Akiva persuaded his colleagues to look at all the good that lies ahead. This, however, as we noted, remains a difficult proposition. But on a deeper level, perhaps Rabbi Akiva was imparting a different message entirely.

A close examination of the text reveals a give and take between Rabbi Akiva and his colleagues that appears at first glance to be quite odd. The rabbis ask, "why are you laughing?" Rabbi Akiva responds, "why are you crying?" The rabbis come back, saying, "והזר הקרב יומת' ועכשיו שועלים" "ההלכו בו ולא נבכה" The place about which the verse says, 'if a stranger comes in, he will die' and now a

fox walks there, and we shouldn't cry? Rabbi Akiva responds quite oddly with, "לכך אני מצחק", "it is for this reason that I am laughing!" He then goes on with his somewhat convoluted proof that the prophesy of the end of days would come true, which is his motivation for laughing.

What is Rabbi Akiva's message here? Perhaps Rabbi Akiva was saying that their basis for crying was misguided. If we cry over the destruction of the Beit Hamikdash simply because the pasuk says we should, our crying is sorely lacking. If we mourn over the churban merely because of a logical deduction based scripture, our mourning has fallen woefully short. Upon hearing the rationale of the other rabbis as to why they're crying, based on a scriptural proof of וְהָזַר הַקֶּרֶב יוֹמַת, Rabbi Akiva responds, "this is not how we mourn over the Beit Hamikdash! If we base it merely on pesukim, I can deduce in the same way, from pesukim, that we should be laughing right now!" No, begged Rabbi Akiva, we cry over the destruction, first and foremost, because we feel the loss emotionally and spiritually. It should, above all else, be a personal and communal tragedy, one which is felt palpably by all, even thousands of years later. To this, to the assertion that our tears over the churban should not be limited to logical deductions and scriptural proofs, to the powerful message that we all must experience the loss on a deep and profound emotional level, Rabbi Akiva's colleagues respond, "עקיבא נחמתנו, עקיבא נחמתנו". Rabbi Akiva, you have indeed changed our perspective, on what it means to properly mourn over the churban.

Rabbi Akiva's lofty charge remains eludes us today as well, just as it did the Torah giants surveying the ruins of the churban two thousand years ago. Nonetheless, Rabbi Akiva's boundless optimism and unwavering resolve, the realization that better days lie ahead, should serve as an inspiration to us all. Indeed, as we mourn over the churban this year, may our tears flow from a sincere yearning for those better days, and may we too be moved by the message of Rabbi Akiva, to the point where we can confidently declare, "עקיבא נחמתנו, עקיבא נחמתנו".

## Tisha Ba'av – A “Moed” of Tragedy

Rabbi Yoni Chambre

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The Torah (Vayikra 23:2) terms our holidays as moadim—“appointed times.” Each day is a time to emphasize a particular aspect of our relationship with Hashem. Whether the freedom of Pesach, the receiving of the Torah on Shavuot, our judgement on Rosh Hashana, the forgiveness of Yom Kippur, or the unique level of divine protection we celebrate on Succot, each and every theme is something that is relevant at all times. In this regard moadim are not to be viewed as disconnected from the regular days of the year. Rather, precisely because there are so many elements of our relationship with Hashem, combined with the more general reality of competing legitimate priorities for time and energy, we have times that are meant to temporarily allow us to focus on a narrower agenda, so that we might cultivate our intellectual and emotional connection to that element. Ramchal further elaborates that these days are not merely available time that per se is comparable to other times, but that these days metaphysically are different with regard to the opportunities they present for spiritual growth.<sup>28</sup>

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<sup>28</sup> Rav Moshe Chaim Luzzatto, in *Derech Hashem* 4.7.6.

Eichah (1:15) designates Tisha Ba'av as a moed. This seems striking, as Tisha Ba'av certainly does not possess celebratory elements. The Mishna Brurah (Orach Chaim 659:17) emphasizes that one should not mistake the designation as a moed to think that it is a day on which a hesped is forbidden, as "after all, the day is designated for bechi and hesped."

As noted, a moed is a time for greater focus on a specific value. The Shulchan Aruch (Orach Chaim 1:3) notes that in truth it is appropriate to mourn for the Beis HaMikdash each day. However, it is clear from many statements in the gemara<sup>29</sup> that Chazal struggled to strike the proper balance of mourning; life simply could not go on as before, but exile was meant to spur true and lasting teshuva, and not to permanently paralyze our spiritual ambitions.<sup>30</sup>

The Rambam implicitly emphasizes this point. In the Fifth Chapter of the Laws of Taaniyot, after spending five halachot describing the dating and laws of the standard taaniyot, the following six halachot describe the unique laws of Tisha Ba'av. Logically, one might have expected that the chapter would end at this point. However, the Rambam then continues, in a section that is structurally to be dedicated to laws that are applicable on specific dates, to describe the various practices of mourning for the mikdash that are done throughout the year.

Tisha Ba'av is not meant to be on anyone's short list of favorite days. However, it is a moed like all other moadim, an anchor of who we are and what our values are. Tisha Ba'av reminds us of our place in history, and the crushing spiritual handicaps that it creates. By using Tisha Ba'av to be aware of our spiritual handicaps, may we intensify and elevate our constant quest towards fulfilling of Ratzon Hashem.

## Rebuilding the Beis Hamikdash: What Can We Do

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During the three weeks, as we mourn the loss of the *Beis Hamikdash*, we ask ourselves, what can we do to rectify the situation? What can we do to help bring about the rebuilding of the *Beis Hamikdash*? Can we simply begin to build the physical structure of the *Beis Hamikdash* or should we focus our energies on something else?

There is an apparent contradiction in Chazal as to whether the *Beis Hamikdash* can be built at night. The gemara in *Shavuos* (15b) proves from a passuk that it cannot be built at night, while the gemara in *Sukkah* (41a) writes that it can be. Is there any way to resolve this contradiction?

Rashi (*Sukkah* 41a) explains that the gemara in *Shavuos* that says that the *Beis Hamikdash* cannot be built at night is referring to the first two times the *Beis Hamikdash* was built. However, the gemara in *Sukkah* is referring to the third *Beis Hamikdash*, which will be different because, as Rashi proves from a

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<sup>29</sup> See, for example, Bava Kamma 59b and Bava Basra 60b, Sotah 49a, among others. (Of similar importance is the issue of takanot that were made (RH 29b) to perpetuate those mitzvot that are not performable in their proper form outside of the context of the Mikdash (other than korbanot, which instead have a unique status with regard to their study; see Menachot 110.)

<sup>30</sup> See Yirmiyahu 1:10, where Hashem explains that while Yirmiyahu was to be the prophet who was to foresee Hashem's destruction ("to uproot and to smash, and to destroy and to overthrow"), that ultimately, such was "to build and to plant." (Artscroll Translation.) See also the Pesukim in Devarim 4:25-30, which are appropriately read on the mourning of Tisha Ba'av.

*pasuk* (Shemos 15:17), it will not be built by man as the first two were, but rather the physical structure will come down from the heavens completely intact. Therefore, the third *Beis Hamikdash* can be “built” at night, because we will not be building it.

The Aruch L’Ner (Sukkah 41a) disagrees with Rashi’s explanation that the third *Beis Hamikdash* will descend intact from the Heavens. He writes that the gemara in *Shavuos* is only referring to the actual walls of the structure of the *Beis Hamikdash* which cannot be built at night. However, the gemara in *Sukkah* is referring to the utensils in the *Beis Hamikdash* like the *mizbeach* and the *shulchan*. He explains that the *pasuk* that seems to support the view of Rashi that the physical edifice of the *Beis Hamikdash* will come down from the heavens is not referring to the physical building. Rather, it is referring to the spiritual *Beis Hamikdash* which will descend into the physical building after it is built by man, like a *neshama* entering the body.

The Rambam (*Hilchos Beis Habechira*, Intro) seems to disagree with Rashi as well by listing the building of the *beis hamikdash* as a positive commandment, which would apply even nowadays. The Rambam (ibid, 1:12) also writes that it is forbidden to build the *Beis Hamikdash* at night, like the gemara in *Shavuos*, and adds that women are obligated to build the *Beis Hamikdash*.

There are two questions that need to be answered to understand the Rambam.

1. How does he explain the gemara in *Sukkah* that says the *beis hamikdash* can be built at night?
2. If the *Beis Hamikdash* can only be built during the day, isn’t it a time-bound positive commandment (*mitzvas aseh shehazman grama*) which women are not obligated in?

The *Yerushalmi* (Yoma 5a) writes that every generation in which the *Beis Hamikdash* is not rebuilt is guilty of destroying it. The obvious question is that although a generation might not merit bringing about the rebuilding of the *Beis Hamikdash*, why are they guilty of destroying it? The Chofetz Chaim (*Shemiras Halashon*, Section 2 Chapter 7) explains that every generation has the potential and ability to cause the rebuilding of the *Beis Hamikdash*. If a generation repairs the sin that caused the destruction of the *Beis Hamikdash*, they would bring about its rebuilding. Therefore, since the second *Beis Hamikdash* was destroyed because of the sin of baseless hatred, when a generation repairs that, the third *Beis Hamikdash* will be rebuilt. It is for this reason that the *Yerushalmi* writes that a generation that does not rebuild the *Beis Hamikdash* is guilty of destroying it, because the lack of rebuilding reflects that they are also guilty of baseless hatred and would have caused the destruction of the *Beis Hamikdash* as well.

According to this explanation of the Chofetz Chaim I think we can answer the two questions we asked on the Rambam. It is possible to suggest that the Rambam actually agrees with Rashi that the gemara in *Sukkah* that says that the *Beis Hamikdash* can be built at night is referring to the physical structure of the third *Beis Hamikdash* and it will come from the heavens. The positive commandment to build the third *Beis Hamikdash* that the Rambam lists is not referring to building the physical structure, which is forbidden at night. Rather, the mitzvah is to build the *Beis Hamikdash* by correcting the cause of its destruction, baseless hatred, by creating a society of unwarranted care and concern for others. According to this it makes sense that women are obligated in this mitzvah because it is not a time-bound mitzvah, because it applies both during the day and during the night.

With this understanding of the Rambam we can understand our responsibility and what we can do to bring about the rebuilding of the *Beis Hamikdash*. We need to try to correct the baseless hatred that destroyed the *Beis Hamikdash* and replace it with undeserving love and care. We need to make an attempt to look out for the needs and concerns of others and search for opportunities of kindness. By doing this hopefully our generation will be the one that merits the rebuilding of the *Beis Hamikdash*.

## Mourning without Feeling – For What?

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The yearly mourning period that culminates with Tisha Ba'av consists of a variety of prohibitions and customs. During this time, many do not get haircuts or shave, listen to music or get married. The goal of it all seems clear – to better appreciate the impact of the Temple's destruction and to better understand the sorrow we should feel. Should this mission be accomplished, we gain greater insight into what Tisha Ba'av is all about and increased awareness of the emotional reaction it should induce.

Mourning the Temple, though, is not always easy, nor does it come naturally. It is challenging and, possibly as a result, often neglected. Indeed, the Talmud (Bava Batra 60b) records a practice to leave a small portion of every newly built house unfinished in remembrance of the Temple's destruction. R. Tzvi Hirsch Chayes (*Kol Sifrei Mahatz Chayes, chapter 4, pg. 230*), notes that the common custom is not in accordance with the Talmud, despite the fact that he was aware of no halakhik argument justifying such a practice. Apparently, not all mourning customs were kept, possibly because of the challenges inherent in mourning a Temple destroyed so many years ago.<sup>31</sup>

Yet, all of this leads to a basic question. True, halakha mandates acts of mourning, but what purpose do they have for one who is not moved by them? Do they, in fact, have a function if they fail to elicit an emotional reaction? Moreover, how can one who lacks feelings of sorrow infuse meaning into these customs and rituals? How can they be transformed from rote and perfunctory to deep and meaningful?

According to R. Soloveitchik (*Shiurim LeZecher Avi Mori Z"l*, vol. 2 pg. 205), mourning over a loved one has a specific goal, to engender feelings of sorrow in the mourner. The goal is not the external act, but the internal impact, how one feels and not merely what one does. However, while R. Soloveitchik's approach has precedent, an alternative model may exist. Rashi (Sukkah 25a) implies mourning is an attempt at honoring the dead, at paying homage to the deceased.<sup>32</sup> Refraining from certain joyous acts and engaging in activities that induce sorrow highlight that life cannot go on as normal. For Rashi, mourning is how we honor the dead.

Possibly, the same is true when we mourn the Temple's destruction. On one level, R. Soloveitchik's model underscores an important and critical facet of mourning. One should feel sorrow and pain over the destruction of the Beit Hamikdash; the intellectual recognition of what was lost should lead to an

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<sup>31</sup> One contemporary authority that cites R. Chayes' opinion is R. Nachum Rabinovitz. See *Shut Siach Nachum* no. 38. For a more thorough discussion of this practice and whether it should in fact be observed nowadays, see R. Yitzchak Yosef's *Sefer Chupah ViKiddushin* pgs. 506-512.

<sup>32</sup> R. Soloveitchik offered an alternate understanding of Rashi. See *Reshimot Shiurim* to Sukkah 25a.

emotional awareness of what is no longer. However, for one who does not feel the pain, and for one who fails to internalize the necessary feelings, Rashi's model remains. We mourn the Beit HaMikdash to honor its memory. We respect the values it represents, the ideals it symbolizes, and the standards it inspires. Mourning over the temple highlights our inability to go on as normal, to proceed as before. Even if we unfortunately feel nothing, mourning still has a purpose. Through changing the way we live, albeit for a short three week period, we show our respect for the Temple. We show that life cannot go on as normal. Indeed, a critical component of our religious experience is gone, and we, in turn, must pay it respect by changing the way we live, even if only temporarily.

May we merit the time when we no longer need to mourn the Temple and when it is no longer necessary to honor its memory, but rather when we can see with our own eyes its true beauty and splendor, and when we can appreciate its true role in our religious life.