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## Tisha b'Av 5771



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### **Kinot Insights from Members of the YU Torah Mitzion Kollel of Chicago**

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# Table of Contents

**Tisha B'av 2011/5771**

## Introduction

Rabbi Kenneth Brander ..... Page 4

## Tishah b'av: A Day Without Closure

Rabbi Etan Moshe Berman ..... Page 5

## Kinot Instead of Selichot

Rabbi Yosef Blau ..... Page 16

## Torah Study on Tisha B'Av

Rabbi Joshua Flug ..... Page 18

## Mourning for Individuals

Rabbi Jesse Horn ..... Page 23

## Betar and Aelia Capitolina: Symbols of Jewish Suffering

Dr. Jill Katz ..... Page 26

## וביום פקדי – Chet HaEgel Revisited

Mrs. Dena Knoll ..... Page 29

## נחמו נחמו עמי: Finding Comfort in Exile

Dr. Michelle J. Levine ..... Page 34

## Bereavement and Consolation

Rabbi Yona Reiss ..... Page 44

## Tish'a B'Av: Holiday of Distance

Mrs. Shira Smiles ..... Page 48

## Forging a New Beginning

Rabbi Mordechai Torczyner ..... Page 52

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The Shulchan Aruch (Orach Chayim 549) relates that while Tisha b'Av commemorates the loss of both Temples, our mourning begins on the 17<sup>th</sup> of Tamuz, as it marks the beginning of the destruction of the second Temple. Rav Karo explains we do not begin the mourning process from the 9<sup>th</sup> of Tamuz, when the destruction of the first Temple began, because the loss of the second Temple is more significant.

As the central kinot for Tisha b'Av is Megillat Eicha, it is important that we recognize that the word itself holds the critical ingredient necessary for us to transform this day of sadness and mourning to a day of solace and jubilation. To solve the problem of *Eicha*, "How could this happen?," we need to scrutinize how the realities of this Diaspora came to be. While the first Temple was destroyed due to the lack of embrace of the *sh'mittah* year, acts of idol worship and sexual promiscuity, the second Temple was destroyed for a singular issue, *si'nat chinam* – baseless hatred, the lack of respect for one another.

Rabbi Joseph B. Soloveitchik was fond of saying that the best way to understand a word is to analyze the first time it appears in the Torah. The word *איכה*, *eicha*, first appears in the Torah as *איכה*, *ayekah*, (Bereshiet 3:9) when Hashem asks Adam and Chava "where are you?" If we are to solve the national calamity of *golah*, exile and Diaspora, and move to a state of *גאולה* *geulah*, redemption, then we must recognize that the phonetic difference between these two words is one letter, *aleph*, representing the role of *אני*, the individual. For each of us must ask ourselves *ayekah*, where are we, in responding to *eicha*, how did this happen?

Rav Naphtali Tzvi Yehuda Berlin explains in his introduction to Sefer Bereshiet that the calamity of the Diaspora occurred when those involved with Torah study were not willing to recognize that there are multiple gateways of service to God. "The pious, the righteous and those steeped in Torah study were not virtuous in their interactions with others. They had baseless hatred of others in their hearts. They looked askance at those who served Hashem differently ... thinking that they were *zadukim* and *apikorsim*, apostates and heretics. It is for this reason that death and civil unrest [came to our people], and all the evils that happened in the world culminating with the destruction of the [second] Temple occurred."

It is not coincidental that the *troph*, cantillations, for Megillat Eicha and Megillat Esther are similar. What separates these two megillot is not the masoretic musical notes, but rather the tone in which they are enunciated. It is a keen reminder that the Messiah is born on this day of Tisha b'Av. Moshiach is found in each of us. When we answer the question of *ayekah*, where are we, in the way we treat other Jews and other human beings, we solve the problem of *Eicha*, how could this have happened and how do we change the status quo. Our personal commitment to engage in the solution instead of being part of the problem changes *golah* to *geulah*.

Hopefully the learning we share will empower and enable us to become the change agents to make *geulah* happen.

Wishing you all a meaningful three weeks and fast.

Sincerely,

**Rabbi Kenneth Brander**

*The David Mitzner Dean, Center for the Jewish Future*

# *Tishah b'Av*: A Day Without Closure

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There is perhaps no moment on the Jewish calendar more depressing than *motzei Tishah b'Av*. While *Yom Kippurim* and *Tishah b'Av* are comparable in many ways, there is a stark discrepancy between *motzei Yom Kippurim's* elation, resulting from an extended *teshuvah* process coupled with an awareness that on some level, one has redefined himself, and the sense on *motzei Tishah b'Av* that seemingly, nothing has changed.

On the surface, it would appear that both *Tishah b'Av* and *Yom Kippur* are days of affliction. There is no washing for pleasure, no eating or drinking, no wearing leather shoes, no anointing ourselves, marital relations are forbidden, and much of the day is spent in the synagogue. The *kinnah* depicting the ten martyrs is recited on both days. Both days also appear to be days of introspection and *teshuvah*. One would certainly imagine that especially on the day marking the destruction of the Temple, the Jewish People should join together in collective *teshuvah*.

Yet, while nearly the entire day of *Yom Kippur* is spent doing *teshuvah*, this is not the case on *Tishah b'Av*. The focal points of *Yom Kippur*, namely *vidui*, *al cheit*, and the *yud-gimmel middos* recited during *Selichos*, the centerpieces of one's expression of *teshuvah* and desire for atonement, are entirely absent from the *Tishah b'Av* service.

The approach to *Yom Kippur* as opposed to that of *Tishah b'Av* also reflects this discrepancy. The days leading up to *Yom Kippur* involve daily *selichos*. This is not the case with the approach to *Tishah b'Av*. Instead of *teshuvah*, we build up our path to the ninth of *Av* with increasing degrees of *aveilus*, of mourning. The Ashkenazik custom is to spend three weeks "preparing" for *Tishah b'Av* with a gradual reverse mourning. In respect to many of its *minhagim*, the Three Weeks reflect the situation of one observing the twelve month period following the death of a parent, followed by *shloshim* and culminating with *shivah*. Consider the customs of the Three Weeks, namely, no haircuts, live music or weddings. These are the basic restrictions of what is referred to as *yud-beis chodesh*, the twelve month period of mourning for a parent<sup>1</sup>. With the onset of *rosh chodesh Av*, the nine days begin. Not only do we minimize joy in general (we do not eat meat or drink wine), but we also do not wear freshly laundered clothing or bathe for pleasure. These are restrictions of *shloshim*, the thirty day period after the death of an immediate relative. Along with the arrival of *Tishah b'Av*, come the restrictions of *shivah*, the seven days of

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<sup>1</sup> Although one customarily gets a haircut after thirty days once he begins to look disheveled.

mourning for the loss an immediate relative. In fact, the *halachah* is that if someone, G-d forbid, is actually observing *shivah* for a relative during *Tishah b'Av*, he may attend *kinnos* at the synagogue, because the entire Jewish People are all mourners on that day. In this context, it is fascinating to consider that the customary phrase of comfort to one in mourning is *Hamakom yinacheim eschem besoch shaar aveilei Tzion veYerushalayim* - may God console you among the rest of the mourners of Zion and Jerusalem. This phrase does not refer to all the other mourners of relatives in the Jewish people, it refers to the fact that all Jews are in mourning every day of the year for Zion and Jerusalem. Every time that one consoles a mourner he makes reference to this fact. One day a year however, on *Tishah b'Av*, this mourning takes on its full expression.

The approach to, and essence of *Tishah b'Av* is mourning, not *teshuvah*. It is for this reason that perhaps the most depressing moment on the Jewish calendar is *motzei Tishah b'Av*. On *motzei Tishah b'Av*, the lamenting has waned, but the *Beis Hamikdash* remains in ruins and one might have a sense that nothing has changed. If one was truly successful in appreciating the significance of the loss of the *Beis Hamikdash*, a feeling of sadness and almost despair might set in, as he struggles to discover what could possibly change to enable its return. The Jewish People as a whole have not done *teshuvah*, nor isolated the cause of the delayed return of the Temple. They have simply sat a *shivah* without consolation. One arises on *motzei Tishah b'av* from his *aveilus*, like a mourner who has lost a dearly beloved, lost, uncertain how life could possibly continue.

The truth is, even when it is over, it has not ended. The *halachos* of the nine days remain in effect until midday on the tenth of *Av*, because while the Temple was lit aflame towards the end of the ninth of *Av*, it continued to burn well into the tenth.<sup>2</sup> Even when the laws of *Tishah b'av* have ended, the spirit of the day has not. There is no closure to *Tishah b'av*.

On the one hand, this feeling is circumstantially appropriate and from a pragmatic perspective potentially beneficial. Feeling this way *motzei Tishah b'av* may well drive one to *teshuvah*. On the other hand, if it leads to a sense of depression, a feeling that returning to *Tzion* and rebuilding the Temple is hopeless, then it is certainly detrimental. Is there any consolation to the day that has no closure?

Perhaps the true consolation is that the tears one sheds on *Tishah b'av* have already begun, in a sense, to rebuild the Temple. The tears shed in the desert by the Children of Israel in response to the report of the *meraglim*<sup>3</sup> ultimately caused the destruction of the Temple, and the exile from which we are still suffering.<sup>4</sup> Tears express that one feels lost. Rav Moshe Shapiro *shlit"i* points out that the Hebrew word for crying in Hebrew, *bechiah*, is related to the word for perplexed, or wandering, *navoch*, as Pharaoh says about the Jewish people (Ex. 14:3) *nevuchim heim baaretz*, they are wandering in the land. The tears in response to the spies ripped the Land of Israel out of the Nation of Israel.<sup>5</sup> If the Land of Israel was part of the People of Israel, then they would be drawn to it naturally. The tears, however, outwardly expressed the inner feeling

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<sup>2</sup> *Taanis* 29a

<sup>3</sup> See Numbers chapters 13 and 14.

<sup>4</sup> *Taanis* 26b mishnah, *Taanis* 29a. See also *Tehillim* 106:24-27.

<sup>5</sup> Maharal, *Netzach Yisrael* chapter 8.

of that generation that they could not go; they did not want to go. They could not go to the Land of Israel, for they did not view themselves as capable of maintaining it,<sup>6</sup> and they did not want to go back to Egyptian slavery either. They were completely lost, neither here nor there. The resulting decree of wandering until they died (forty years) was a result of the reality they had created for themselves at that moment.

Perhaps, for this reason, the only way to replace the Land of Israel in the hearts of the Jewish People is to cry and thereby express the exact opposite of the tears in response to the report of the spies. Tears shed on *Tishah b'Av* express that **without** *Tzion* and the Temple the Jewish People are lost; they are wandering in exile. Crying to have it back demonstrates that the Land of Israel **is** part of the People of Israel. Perhaps this explains why *Tishah b'Av* is not about *teshuvah* - it is about tears. What caused the loss of *Tzion* and the Temple were tears of separation, tears that expressed they could not live with it, therefore what reconnects the people to the land, and enables the rebuilding of the Temple, is tears expressing that they can't live without it. *Tishah b'Av* is not primarily for *teshuvah*, it is for crying. The tears that result from mourning the destruction of the Temple and the loss of the Promised Land, rectify the tears that, in a broader sense, caused the loss in the first place.<sup>7</sup>

This type of crying is hard to come by. It can only result from a real appreciation of what *Tzion* and the Temple represent and engender in contrast to one's current state and what one's potential truly is, both as an individual as well as a part of a greater collective. This is an overwhelming agenda, but perhaps a few points could be clarified herein to enable one to appreciate to a greater extent the vast chasm between where the Jewish People are, and where they could be, from one perspective.

In addition, almost two millennia have gone by and the world still lacks a tangible result from those tears that were shed. The Jewish People need inspiration. The Children of Israel want to feel that when *Tishah b'Av* is over, their connection to Hashem and His Temple is stronger. While such a feeling may not be readily available in terms of the third Temple, it is available, to a degree, even in exile. As the Talmud (Megillah 29a) teaches, God provides a miniature Temple for the Jewish People in exile.

To understand and appreciate the nature of the miniature Temple that we still possess, we have to begin with its roots; the *Beis Hamikdash* itself. In broad strokes, there are two basic approaches to the purpose and function of the Temple. At its root, the issue is whether the Temple is purely to benefit the growth of the Jewish People in particular, and humanity as a whole, or if it can be suggested that there is a certain type of benefit to God as well. Certainly, the Temple is an opportune location to fix one's perceptions, attitudes and behaviors, and many

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<sup>6</sup> See Rav Eliyahu Kitov's [Book of our Heritage](#) for a beautiful development and presentation of this approach.

<sup>7</sup> Perhaps this is the explanation of the statement of Rebbi Yochanan in *Taanis* 29a, "That night (that the Jewish People cried), was *Tishah b'Av* eve. The Holy One, blessed be He said to them, 'You cried a cry for no reason, I will establish for you crying for generations.'" On the surface, Rebbi Yochanan is pointing out that because on *Tishah b'Av*, they cried without reason in response to the spies, on that same day the Jews will be crying for generations over the loss of the Temple. What is the connection between the tears of that generation and *Tishah b'Av* today? According to the above explanation, it is these tears 'for generations' that ultimately fix the disaster created by the tears in response to the spies.

*rishonim* explain the commandment to establish a Temple with humans as the beneficiaries.<sup>8</sup> The Ramban, however, takes an entirely different approach and consequently provides another avenue of understanding regarding the significance of the *Beis Hamikdash*.

The Ramban<sup>9</sup> notes certain curiosities regarding the structure and situation of the *mishkan* that hint to its deeper significance, and consequently, to that of the Temple itself.<sup>10</sup> His comments must be understood in light of the first and tenth chapters of Yechezkel, where the prophet Yechezkel is granted two visions of the chariot of God, the *Kisei Hakavod*, the Throne of Glory. In chapter one, he perceives four *chayos*, angels, bearing the throne, each possessing four heads with four different faces, that of a human, a lion, an ox and an eagle. Later, in chapter ten, Yechezkel realizes that these same *chayos* were *keruvim*, and there he perceives God standing atop these *keruvim*.

Probably the most unexpected objects present in the Temple are the *keruvim*, the angelic forms on the cover of the ark. The Ramban explains that the *keruvim* are there because the ark in particular, the *mishkan*, and ultimately the Temple, in a broader sense, are a physical manifestation of the Throne of Glory. Since God is depicted by Yechezkel as standing atop *keruvim*, so too in the *mishkan*, His presence rests atop *keruvim*<sup>11</sup>. Similarly, we find that the twelve tribes of Israel are divided into four banners with the *mishkan* in the center, which the Ramban also explains as a reflection of the structure of the Throne of Glory. He quotes the Ibn Ezra that the four banners had representations of a lion (Judah), an ox (Ephraim), *dudaim*, the flower that was utilized for its ability to assist fertility (Reuben), and an eagle (Dan)<sup>12</sup>. These parallel the four faces of the angels that bore the Throne of Glory in Yechezkel's vision. Later in Bamidbar (chap. 11), Moshe is told to gather seventy men, which would ultimately form the Sanhedrin. Again, the Ramban (Num. 11:16) notes a parallel between the seventy men and the seventy angels that surround the Throne of Glory, as mentioned in Pirkei D'Rabbi Eliezer (chapter 24). For this reason, there were also seventy elders present when God revealed Himself upon Mount Sinai. In that context, the Ramban summarizes these hints.

*For it is appropriate that He should rest the Glory of the Shechinah upon them with this complete number, as it is in the upper camp - because Israel is the legion of God in the physical world - like the ark and its cover and the mishkan were fashioned to resemble the heavenly ministers, and the banners in the likeness of the chariot that Yechezkel perceived, in order to rest His*

כי ראוי במספר השלם הזה שישרה עליהם כבוד השכינה כאשר היא במחנה העליון, כי ישראל צבאות השם בארץ, כמו שנעשה ארון וכפורת ומשכן בדמות המשמשין במרום ונעשו הדגלים בדמיון המרכבה אשר ראה יחזקאל

<sup>8</sup> See, for example, the *Sefer Hachinuch mitzvah* 95 at length (note as well his concluding comments regarding the root of the *mitzvah*).

<sup>9</sup> See his comments to *Shmos* 2:2, and 2:21, as well as *Bamidbar* 2:2 and 11:16.

<sup>10</sup> While not espousing the perspective of the Ramban, in the beginning of *Hilchos Beis Habechirah*, the Rambam describes the historical process of metamorphosis from *mishkan* into *Beis Hamikdash*. They are not to be viewed as disparate entities. In fact, the Rambam there indicates that the construction of the Temple is a fulfillment of the same *mitzvah* as was fulfilled with the construction of the *mishkan*.

<sup>11</sup> Based on this understanding, the necessity for the presence of the *aron* in the Temple takes on a unique significance.

<sup>12</sup> Although many *midrashim* depict the snake on the flag of Dan, see *Psikta Zutresa* to *Bamidbar* 83a.

*Shechinah upon them in the physical world just like it is in Heaven.*

**Ramban, Commentary to Bamidbar 11:16**

להשרות שכינה עליהם בארץ  
כאשר היא שכינה בשמים.  
רמב"ן במדבר יא:טז

Although the Ramban does not spell this out, the seventy-member Sanhedrin (along with the *Nasi* paralleling *Moshe Rabbeinu*, making it a total of seventy one), was required to be housed, in part, within the Temple structure. All these curiosities point to the fact that the *mishkan* and ultimately the Temple itself, was designed to be a physical manifestation of the Throne of Glory and its accompanying entourage.<sup>13</sup>

This understanding sheds light on a difficult passage in the Talmud.

*Perhaps one would think that he should fear the Temple itself? Therefore, the verse states, 'My sabbath you shall guard and My mikdash you shall fear (Lev. 19:30).' Guarding is mentioned regarding Shabbos and fear regarding the Temple. Just like in terms of guarding the Shabbos, it is not from Shabbos that one fears, but rather from He who warned us regarding it, so too in terms of fearing the Temple, it is not the Temple that one fears, but rather from He who warned us regarding it.*

**Yevamos 6a**

יכול יתיירא אדם ממקדש? תלמוד  
לומר: את שבתותי תשמורו ואת  
מקדשי תיראו, נאמרה שמירה בשבת  
ונאמרה מורא במקדש, מה שמירה  
האמורה בשבת - לא משבת אתה  
מתיירא אלא ממי שהזהיר על השבת,  
אף מורא האמורה במקדש - לא  
ממקדש אתה מתיירא אלא ממי  
שהזהיר על המקדש.  
מסכת יבמות דף ו.

The question of the Talmud appears inexplicable. Why would one think to fear the Temple itself? Based on the comments of the Ramban, however, one could suggest that because the Temple structure is a physical manifestation of the Throne of Glory, it has a certain status in and of itself, and for this reason, one should, perhaps, relate to it with awe. The Talmud therefore understands the verse to be instructing us not to express the awe from that posture. The awe due the Temple is a result of the commandment from God Himself, and not due to any independent status of the Temple.<sup>14</sup> This conclusion notwithstanding, there was a legitimate *prima facie* approach, to fear the Temple itself, due to that which it represents.

One wonders if there is an avenue towards an understanding, to some extent, of why God commanded the Jewish People to create a physical representation of His Throne of Glory. What is the significance of this physical expression of a spiritual reality?

For the Ramban, this is part of a much larger picture. In his introductory remarks to each book of the Torah, the Ramban develops a basic outline for the entire *Chumash*. He comments that the theme of the first book of the Torah, *Bereishis*, is the creation and formation of the world. Included in that are the lives of the *avos*, because they were a type of formation for their descendants, since the lives of the *avos* determined all that would befall their children in the

<sup>13</sup> Several *midrashim* refers to the Temple, or more precisely, the *aron*, as the "lower throne". See *Psikta Zutresia Shmos perek 15, Sechel Tov perek 15* and *Yalkut Shimoni Beshalach remez 253*. All are commenting on the verse *machon leshivtecha (Shmos 15:17)*.

<sup>14</sup> Compare this understanding with the comments of the Rambam to the very beginning of *hilchos acu"m*, regarding how idolatry began.

future. The *avos* had succeeded in connecting themselves, intellectually, emotionally and behaviorally, to God to such an extent that they had become a chariot for the *Shechinah*. They had become the vehicle that drew the presence of Hashem from the spiritual realm to the physical. For this reason, the second book of the Torah, the book of redemption, does not end with the physical redemption from slavery, nor does it end with the giving of the Torah. The redemption was not complete until the Children of Israel had regained the status of the *avos*, as a chariot for the *Shechinah*. Therefore, *Shmos*, the Book of Redemption, ends with the construction of the *mishkan*. It was not until the physical Throne of Glory was constructed that the Children of Israel had regained the role that was prepared for them by their ancestors, to be the chariot, the vehicle to draw the presence of God from the spiritual plane to the physical. According to the Ramban, the rest of the Torah is basically how to maintain the connection between the *Shechinah* and the physical structure, with a few stories and lessons along the way.

It is clear from the presentation of the Ramban that the role of the Jewish People is to connect the spiritual to the physical in general, and to bring a tangible sense of the presence of God into the world. The world was created for *Yisrael*; as *chazal* state,<sup>15</sup> the world was created for *reishis*, the Jewish People. When the Jewish people are functioning properly, fulfilling their role that, in fact, the world was created for, the Throne of Glory is manifest in their midst. We reference this in *kabbalas Shabbos* every Sabbath eve, in *Tehillim* 99 which refers to God as the *yosheiv keruvim*, He Who sits upon *keruvim*. Whereas Yechezkel perceived Hashem as standing atop *keruvim*, when He is finally recognized as King in the physical world, Hashem is described as *yosheiv keruvim*, because His presence will finally sit, so to speak, upon the *keruvim* of the *kapores* in the Holy of Holies.

The Temple, the structure within which the presence of Hashem, the *Shechinah* rested, was the pride of Israel. Israel is the nation that was chosen to be the bearers of the Throne of Glory and the *Shechinah* itself. The Children of Israel are the people whose camp in the desert reflected the structure, imagery and sanctity of the angels that surround the Throne of Glory. All this, however, occurred when the Sanctuary was on its foundation and the Temple was on its site, and the *kohen gadol* stood and ministered. Now that this has all been taken away, the Jewish People have been deemed unworthy of that distinction. The presence of the Temple indicates that the Jews are furthering their purpose, and the purpose of physical existence in general, functioning as the vehicle to draw down the *Shechinah*. Without it, however, the Children of Israel are exiled, and so is the *Shechinah*; the Throne of Glory remains a spiritual entity in Heaven, its physical manifestation lacking, lying in ruins, and God remains a King without a throne. The purpose of the Jew goes unfulfilled, and the world continues as a physical location distant from its spiritual source and core. This is the situation today.

The fact of the matter is that the Jewish People's connection to the *Shechinah* has not been entirely lost, and the physical Throne of Glory has not been completely destroyed. There are statements of *Chazal*, both in the Talmud<sup>16</sup> and later sources<sup>17</sup> indicating that certain actions are

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<sup>15</sup> Quoted by Rashi in his second comment to *chumash*.

<sup>16</sup> Learning the details of a sacrifice is considered as if one has brought it on the altar. (Menachos 110a) The recital of the order of the sacrifices is considered as if one has brought them. (Taanis 27b) Prayer is in place of sacrifices.

tantamount to Temple *service*. The prophet Hoshea himself said that when there are no longer sacrifices to be brought, the words of our lips will take their place (Hosea 14:3), which the Talmud (Yoma 86b) understands to be a reference to repentance.

Aside from certain actions being considered like sacrifices, there are also statements of *Chazal* to the effect that certain locations or objects have the *status* of certain vessels, or even of the Temple itself. The one that is, perhaps, most familiar is the synagogue. Quoting the verse regarding God's relationship to the Jews in exile, "I have been for them a miniature temple, a *mikdash m'at* (Yechezkel 11:16)," the Talmud (Megillah 29a) states, in the name of Rabbi Yitzchak, that *mikdash m'at* refers to synagogues and study halls. In exile, a synagogue is the Temple in miniature.

How far does this statement go? How literally does the status of *mikdash* apply to synagogues and study halls? Is it merely symbolic, a philosophical abstraction, or is there some sort of practical, *halachik* consequence? Is there, perhaps, a spiritual reality to this concept?

The Chofetz Chaim writes<sup>18</sup> that one of the commandments that is a Torah law, even in our time, is fear, or awe, of the Temple. While one might expect his explanation to relate to the Western Wall, or the Temple Mount, that is not the case.

*It is a positive commandment to have awe of the Temple, as it says (Lev. 19:30), "My Temple you shall fear". Our synagogues and study halls are called, "Miniature temples", as it says (Yechezkel 11:16), "I have been for them a miniature temple". One should be careful to avoid jest, mockery and unnecessary speech in them; one should not make calculations in them; and one should not sleep in them. Their sanctity is very severe.*

**Sefer Hamitzvos Hakatzer (Mitzvah 18)**

מצות עשה לירא מן המקדש, שנאמר (ויקרא יט:ל), "ומקדשי תיראו". ובתי כנסיות ובתי מדרשות שלנו, נקראים "בתי מקדש מעט", שנאמר (יחזקאל יא:טז), "ואהי להם למקדש מעט". ויש ליזהר בהם משחוק והיתול ושיחה בטילה, ואין מחשבין בהם חשבונות, ואין ישנים בהם. וקדושתם חמורה מאד.

**ספר המצות הקצר מצוה יח**

While the miniature temple does not have exactly the same status as the *Beis Hamikdash*, the *mitzvah* to have awe of the "Temple" applies to both.<sup>19</sup>

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(Berachos 26a) One who brings the poor into his home or one who gives a gift to a Torah scholar is considered to have brought *bikkurim* to the Temple. (Kesubos 105b) One who desires to perform wine libation upon the altar, should fill the throats of the sages with wine. (Yoma 71a)

<sup>17</sup> For example: Monetary fines may be instituted by a community to encourage synagogue attendance to ensure that there is a *minyan*, in the words of the Rama (*Orach Chaim siman 55:22*), "So that the daily *Tamid* sacrifice continue." The *tamid*, being a communal offering, is expressed today by the community coming together to pray. The *sandik* at a *bris* is considered as if he has brought incense. (Maharil in the name of Rabbeinu Peretz, quoted by the Rama in *Shulchan Aruch 265:11*)

<sup>18</sup> The Chofetz Chaim was not the first to state this. The *Yereyim* (*siman 409*) had already explained the *mitzvah* this way in the twelfth century. The fact that the Chofetz Chaim held this way is noteworthy however, and sheds light on his comments to *Shulchan Aruch siman 151*.

<sup>19</sup> See *Shiurim Lezeicher Abba Mori* vol. I on *kavod ve'oneg* where the Rav *zt"l* explains certain distinctions between the Temple and the synagogue in this regard. Rav Schachter *shlit"a* in *Eretz Hatzvi siman 12* explains that those who

In a similar vein, the *mishnah* (*Megillah* 3:3) states that a synagogue maintains its sanctity even in ruins, based on the verse, “I will lay desolate your temples (Lev. 26:31).” Even when desolate, they are referred to as temples. Again, while the plural language is noteworthy, the basic understanding of the verse is in reference to the *Beis Hamikdash*. The *mishnah* nonetheless quotes it as proof that even after a synagogue is destroyed, it is still referred to as a *mikdash*, i.e. it retains its sanctity, and therefore behaviors inappropriate in a standing synagogue are likewise prohibited in a ruined one. While there are Rishonim that understand the citation of this verse as a mere *asmachta*, there are also those that understand this to be a Torah law.

There are many other examples of a synagogue’s status as a miniature *Beis Hamikdash* in *halachah*.<sup>20</sup> The *Zohar Hakadosh* appears to equate the commandment to build the Temple with a requirement to build a synagogue.<sup>21</sup> Rav Asher Weiss *shlit”a*, points out that the Rambam, in his enumeration of the six hundred and thirteen commandments, published as a preface to his *Mishnah Torah* (number 65), lists a prohibition to destroy the Temple, as well as synagogues and houses of study.<sup>22</sup> Rav Weiss notes that the Mordechai (*Megillah* 826) similarly learns that one who destroys a part of a synagogue violates this Torah prohibition. The *Yereyim* (*mitzvah* 104) seems to understand the prohibition of *meilah* to apply to personal use of synagogue property. The later authorities debate the application of the principle of *ein chatzer lahekdesh* to a synagogue,<sup>23</sup> as well as if a synagogue has sanctity on par with the sanctuary of the Temple or its courtyard.<sup>24</sup> This short list is by no means exhaustive.

While many of these examples are debated regarding their details and application, nonetheless, there is clearly a connection between the sanctity of a synagogue and the sanctity of the Temple, and this connection engenders *halachik* consequences.

It stands to reason that it is due to its relationship with the sanctity of the Temple that the physical structure of a synagogue mirrors that of the Temple and its vessels. Based on the verse, “To exalt the House of the Lord (Ezra 9),” the Talmud (*Shabbos* 11a) states that a synagogue should be constructed at the highest elevation of a city. Similarly, based on the Tosefta (*Megillah* 3:22), the *Shulchan Aruch* (*Orach Chaim siman* 130:5), states that the doors to a synagogue should open opposite the direction to which the congregation prays, so that the entrance is opposite the ark, as was the case in the sanctuary of the Temple.

Within the synagogue doors, the focal point is the ark containing the *Sifrei Torah*. The Rambam

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understand fear of the Temple to apply *mideoraisa* to a synagogue, limit its application somewhat due to this explanation.

<sup>20</sup> Rav Asher Weiss *shlit”a* in his *Minchas Asher* (*Balak* 54) presents twelve examples of the *halachik* relationship between the synagogue and the *Beis Hamikdash*. See there for a more detailed discussion.

<sup>21</sup> *Zohar Hakadosh Naso* 126a, see also *Raaya Mehemna beshalach* 59b. See however *Sdei Chemed clalim maareches 2 clal* 44. Compare the statement of Rebbi Elazar in the *Zohar Hakadosh Naso* above with the statement of Rebbi Shimon bar Yochai in *Megillah* 29a.

<sup>22</sup> Rav Weiss points out that while the Rambam lists these three together in this location, in his *Sefer Hamitzvos* as well as in his *Mishnah Torah* proper, he fails to mention anything other than the Temple and its vessels as included in this prohibition.

<sup>23</sup> *Ketzos Hachoshen* (*siman* 200).

<sup>24</sup> *Beis Yoseif siman* 151.

in his *Mishnah Torah* (*hilchos sham 10:10*) writes that a Torah must be stored in an ark. Since every Torah has within it the ten commandments, a *sefer* Torah also has the *halachik* status of *luchos*, and *Moshe Rabbeinu* was commanded by God that upon reception of the *luchos*, he should store them in an ark (Deut. 10:2). This was commanded to Moshe even before the Ark of the Covenant had been constructed. Therefore, every synagogue has, as its focal point, the *luchos* contained in an ark, just as it was in the Temple. Interestingly, Rav Moshe Feinstein<sup>25</sup> felt that a *paroches* composed of two separate curtains was a violation of the ancient *minhag* to model the cover of the ark in a synagogue based on the *paroches* in the Temple.

Other vessels of the Temple find their expression in the synagogue structure as well. Certainly, on *Chanukah*, the *menorah* is lit in the southern part of the synagogue, but every day before the ark there is a *ner tamid*, that represents the *menorah*, as the verse states, “*Lehaalos ner tamid* (Ex. 27:20, Lev.24:2)”. The *amud* from which the chazan leads the prayers at the front of the synagogue could be viewed as the incense altar,<sup>26</sup> as exemplified by King David’s request that his prayers should be accepted like incense before Hashem (Tehillim 141:2). Traditionally, in the middle of the synagogue is a raised platform, used primarily for the public reading of the Torah. On the holidays the special reading from that *bimah* is the sacrificial order unique to that day. One gets the sense that this *bimah* represents the outer altar of the Temple. In fact, the Talmud (Megillah 31b) relates a dialogue between Avraham and Hashem during *bris bein habesarim*. Avraham was concerned that his descendants might sin and be destroyed like the generation of the flood, or dispersed like the generation of the Tower of Bavel. Hashem reassures him by relating the mitzvah of the sacrifices in the Temple, assuring them atonement. Avraham responds that this mechanism is sufficient when there is a Temple, but without the Temple, how can he be certain the sins of his descendants will not cause their annihilation? Hashem responds that whenever the Children of Israel will read the sacrificial procedures, it will be considered as if they actually brought a sacrifice, and via that mechanism they will be forgiven. Our public readings of the holiday sacrifices, on the *bimah* in the center of the synagogue, are therefore considered sacrifices today. Similarly, on *Succos* we encircle the same *bimah* during *hoshanos*, because in the Temple these *hakafo*s were performed around the altar. The Chasam Sofer (*Orach Chaim siman 51*) views an *aliyah* in conjunction with the blessing of *hagomel* to be tantamount to sacrificing a thanksgiving offering.

From all of the above, one understands that the synagogue has both the halachik sanctity as well as the physical structure of the Temple, albeit in miniature.

All of this indicates that we are not completely bereft of the presence of Hashem in our midst. If the synagogue is a miniature temple, along with the status, structure and sanctity of the Temple in miniature, then the synagogue is also a miniature Throne of Glory. After the destruction of the Temple, what remains of the Throne of Glory, is the synagogue. For this reason, there is a presence of the *Shechinah* in the synagogue, and this fact is pointed out in the Talmud.

*It is taught Rabbi Shimon ben Yochai says: Come and see how beloved Israel is before the Holy One blessed be He. In every place*

תניא, רבי שמעון בן יוחאי אומר: בוא וראה כמה חביבין ישראל לפני

<sup>25</sup> *Igros Moshe* vol. 4 *siman* 40.

<sup>26</sup> Rav Asher Weiss (*Ibid.*) quotes this idea from *Michtav Sofer* vol. II *siman* 1.

they were exiled the Shechinah was with them. When they were exiled to Egypt the Shechinah was with them, as it says (Shmuel I 2) Did I reveal myself to the house of your father when they were in Egypt? When they were exiled to Bavel, the Shechinah was with them, as it says (Isaiah 43) For your sake I was sent to Bavel. Even when they will be redeemed in the future, the Shechinah will be with them, as it says (Deut. 30) Hashem, your Lord will return your captivity. It does not say He will cause them to return, rather He will return. This teaches that the Holy One, blessed be He, returns with them from the exiles... Where [is the Shechinah] in Bavel? Abaye said in the synagogue of Hutzal and in the synagogue of Shaf-veyasiv in Nehardea. Don't say it was in both places, rather sometimes here and sometimes here.<sup>27</sup>

### Megillah 29a

הקדוש ברוך הוא. שבכל מקום שגלו - שכינה עמהן. גלו למצרים - שכינה עמהן, שנאמר: (שמואל א' ב) הנגלה נגליתי לבית אביך בהיותם במצרים וגו', גלו לבבל - שכינה עמהן, שנאמר: (ישעיהו מ"ג) למענכם שלחתי בבלה. ואף כשהן עתידין ליגאל שכינה עמהן, שנאמר: (דברים ל') ושב ה' אלהיך את שבותך, והשיב לא נאמר אלא ושב, מלמד שהקדוש ברוך הוא שב עמהן מבין הגלויות. בבבל היכא? אמר אביי: בבי כנישתא דהוצל, ובבי כנישתא דשף ויתיב בנהרדעא. ולא תימא הכא והכא, אלא: זמנין הכא, וזמנין הכא. מסכת מגילה דף כט.

The language utilized by Rabbi Shimon, come and see, is unusual for the Babylonian Talmud. The *Ben Yehoyada* (Megillah 29a) therefore comments that Rabbi Shimon bar Yochai was saying that one can tangibly recognize how precious the Jews are to Hashem, by coming to synagogue, because in those days the revelation of the *Shechinah* in the Diaspora was recognizable in the synagogues.

It is in this context that the Talmud quotes the verse, "I have been to them a miniature Temple", upon which Rav Yitzchok comments, "This refers to the synagogues and study halls in Bavel." Rav Yitzchok is also quoted in *Berachos* 6a commenting that the Holy One, blessed be He is found in the synagogue. On this passage of the Talmud, the *Pnei Yehoshua* writes that once a building is constructed with the intent to serve as a synagogue, and utilized on a regular basis for prayer with a quorum, the *Shechinah* can be found there always, and is never absent at all. For this reason the Talmud Yerushalmi<sup>28</sup> encourages prayer specifically in a synagogue. The verse instructs, "Search out Hashem, where He is found (Isaiah 55)." Where is He "found"? The Yerushalmi answers, "in synagogues and study halls."

There is *Shechinah* in the synagogue, because it is a miniature Temple, and therefore a miniature Throne of Glory. Along with this reality comes a degree of solace, but also an agenda. The presence of the *Shechinah* in the synagogue has *halachik* ramifications, and demands a response, in general attitude and particular behaviors. The *Shulchan Aruch* (*siman* 151) states, regarding appropriate behavior in synagogue, that any activity reflecting ignorance of one's location, like jest, mockery and general unnecessary conversation is prohibited. The *Chofetz Chaim* elaborates in detail regarding appropriate behavior and speech in his *Mishnah Berurah* (*Siman* 151 note 2). As was pointed out above, according to the *Chofetz Chaim*, one who behaves in a manner prohibited by the *Shulchan Aruch* is in violation of a positive commandment of the

<sup>27</sup> The Talmud goes on to relate incidents when the presence of the *Shechinah* arrived, in a tangible way, in a synagogue.

<sup>28</sup> Yerushalmi *Berachos* chap. 5 *halachah* 1.

Torah. All this is obvious when one considers the reality of a synagogue being a miniature throne for the *Shechinah*.

It is fascinating that in both the verse commanding the construction of the Temple and the verse in which Yechezkel tells us that God provides a miniature Temple in exile, the stated purpose is so that the *Shechinah* will rest among the people, not within the structure. In *Shmos* (25:8) it says, "Make for Me a Temple and I will dwell within *them*," and in Yechezkel (11:16), "I have been for *them* a miniature Temple." Neither verse states that the presence of Hashem will rest in *it*, but rather in *them*. It is the people who function as the chariot, as the vehicle, not the building. When the people function as such, the Throne of Glory is expressed in its full glory, among them. When the people are not functioning as such, then the physical Throne of Glory is removed from among them. However, even in that scenario, the *Shechinah* is never fully removed. When one is conscious of this fact, and its expression in the synagogue, his prayers are strengthened and his attitude and behavior therein are more sanctified.

This year, let no one leave *Tishah b'Av* solely depressed, because the Temple remains in ruins. One should also focus on the miniature temple, therein finding an element of solace, with the *Shechinah* that is with the Jews in exile. Perhaps, through the Jewish People's collective efforts to appreciate the sanctity of the synagogue and a renewed awareness and emphasis on the presence of the *Shechinah* that dwells therein, the Chosen People will merit to once again have the physical manifestation of the Throne of Glory in their midst, with the construction of the third, and final *Bais Hamikdosh*, may it be speedily built in our days.

# Kinot Instead of Selichot

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A key component of prayers on a fast day, including Yom Kippurim, is the recitation of Selichot. The exception is Tisha B'Av, when Kinot are recited until mid-day while Selichot are omitted. "Kina" is mentioned in Yirmiyahu and in the Haftorah that we read on Tisha B'Av morning, and is associated with mourning. The Talmud (Taanis 30a) points out that Tisha B'Av is a day of mourning as well as a fast day. While all four national fast days are connected to the destruction of the temple, only Tisha B'Av marks the date of the actual destruction of both temples.

The contrast between Shiva Assar B'Tammuz and Tisha B'Av is found even in the earliest events that are associated with both fast days. On Shiva Assar B'Tammuz Moshe broke the tablets when the Israelites worshiped the golden calf. It was a terrible tragedy, but the Jewish people were forgiven and received the second tablets. On Tisha B'av the Jews adopted the report of the majority of the spies; that generation was no longer permitted to enter the land of Israel. The latter event led to a punishment that was not revoked.

On the night of Tisha B'Av, Eicha is recited and a few Kinot are said. The words of Yirmiyahu are so powerful that they need little addition. The tone of the day has been established through the Eichah reading; it will be reinforced as the bulk of the Kinot are recited in the morning.

There is a revealing example of parallel texts on the two fast days, one a Kina said on Tisha B'Av and the other a Selicha said on Yom Kippurim. Both discuss the midrash of ten martyred scholars killed by the Romans; the story is essentially the same, differing only in details. The Selicha, "Eilu Ezkara," has a refrain while the Kina, "Arzei Halevanon," does not. The refrain, "chatanu Tzureinu slach lanu yotzreinu," stresses that we sinned and asks God to forgive us, while in the Kina the account of the tragedy is given without comment.

Aside from any distinctions in the words of the Kinot and Selichot, there is a fundamental difference in context. Selichot are introduced by recitals of the thirteen attributes of Divine mercy and conclude with Vidui, an alphabetic listing of sins. Both elements are absent in the recital of Kinot.

On a day of mourning for national tragedy Divine mercy is not apparent and its absence is felt. We can understand why we do not say the thirteen attributes of Divine mercy. What is more surprising is the omission of Vidui. Confession is a critical element of repentance. But on the morning of Tisha B'Av, when we are to re-experience communal tragedies, it is premature to

even hint about repentance which we hope will lead to forgiveness. The recital of Kinot helps us feel the full extent of loss though these events took place thousands of years ago. It is difficult to say the Kinot for the entire morning without introducing any other theme, but that is exactly the point.

The mood lightens when mincha is prayed in the afternoon of Tisha B'av. The Torah reading is about the prayers of Moshe after the Jews sinned through worshipping the golden calf, and includes the initial mention of the thirteen attributes of Divine mercy. Moshe carves out the second tablets where the Ten Commandments will be written again. Strikingly, these events occurred on Shiva Assar B'Tamuz. The possibility of Teshuva (repentance) is introduced, though without confession. Selichot are not said to balance or reduce the impact of hours of reciting Kinot.

Part of our tradition is the ultimate reversal of Tisha B'Av from a national day of mourning to one that will celebrate the final redemption, but this is inferred while the mourning is explicit. As individuals we should evaluate our actions and privately confess our sins, but to do so publicly would reduce the absolute sense of bereavement and tragedy.

Selichot also relate to tragedy and sin, but in a context where there is hope for forgiveness. On Tisha B'Av we need to acknowledge the full measure of the tragedies in Jewish history without diluting our sense of loss. From this perspective we can understand the inclusion of Kinot for other tragic events that took places on other days in the Jewish calendar, culminating with Kinot written to commemorate the Holocaust.

# Torah Study on Tisha B'Av

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The laws of Tisha B'Av preclude the study of Torah. Yet, to a certain extent, Tisha B'Av is one of the most popular days for Torah study.<sup>29</sup> This is due to the fact that it is permissible to study certain portions of Torah, most notably, portions that are relevant to Tisha B'Av. In this article, we will explore the nature of the prohibition against Torah study on Tisha B'Av and the permissibility to study those portions.

## What is the Basis for the Prohibition?

The source for the prohibition against Torah study on Tisha B'Av is a *Beraita*:

*Our rabbis taught, all of the commandments that apply to a mourner apply on Tisha B'Av ... One may not read the Torah, the Prophets or the Writings, one may not study Mishna, Talmud, or Midrash, whether halachic or aggadic ... One may read Job, Lamentations and the somber portions of Jeremiah. The schools are closed on that day as it states (Tehillim 19:9) 'The commandments of God are just, they cause the heart to rejoice.'*

### Ta'anit 30a

ת"ר כל מצות הנוהגות באבל נוהגות  
בט' באב ... אסור לקרות בתורה  
בנביאים ובכתובים ולשנות במשנה  
בתלמוד ובמדרש ובהלכות ובאגדות  
... אבל קורא הוא באיוב ובקינות  
ובדברים הרעים שבירמיהו ותינוקות  
של בית רבן בטלים בו משום שנאמר  
פקודי ה' ישרים משמחי לב.  
תענית ל.

There are a number of questions one can ask regarding this passage:

1. The Gemara, *Mo'ed Katan* 21a, in presenting the prohibition against Torah study for a mourner during the first seven days does not present any subjects that the mourner may study. Is there a difference between Tisha B'Av and private mourning?
2. The end of the *Beraita* cites a verse that Torah study provides one with joy. Is this the basis for the prohibition against Torah study on Tisha B'Av or is the verse only employed for the prohibition against teaching children?
3. Do the selected portions of permissible study provide one joy when studying them throughout the year? If so, why is it permissible to study these portions on Tisha B'Av?

There is a discussion in *Tosafot* whether the sections that are permissible to study on Tisha B'Av are necessarily permissible for a mourner mourning the loss of a relative:

<sup>29</sup> As an example, yutorah.org received five times its average daily traffic on Tisha B'Av 5770.

*In the responsa of Rabbeinu Yitzchak it states that Rabbeinu Ya'akov prohibited [study of] Job, Lamentations and the somber portions of Jeremiah during one's mourning period because the Talmud does not mention it [regarding mourning] as it does regarding Tisha B'Av. In his later years, he permitted it ... Rabbeinu Yitzchak's proof to prohibit it from the previous statement that [a mourner] is prohibited from Torah study as it states (Yechezkel 24:17) 'whimper in silence' which implies [a prohibition from studying] everything, doesn't seem to be a proof ...*

**Tosafot Mo'ed Katan 21a.**

בתשובת רבינו יצחק זקני כתב כי רבינו יעקב היה אוסר בימי אבלו באיוב ובקינות ובדברים הרעים שבירמיה מדלא תני ליה בשמעתין כמו ט' באב שילהי תענית ובימי זקנותו חזר והתיר ... ומה שהביא רבי יצחק ראייה לאסור מדקאמר לעיל אסור בדברי תורה שנאמר האנק דום ומשמע הכל אין נ"ל ראייה ...

**תוספות מועד קטן כא.**

Rabbeinu Ya'akov (Rabbeinu Tam c.1100-1171) concluded in his later years that it is permissible for a mourner to study certain portions of Torah. Yet, Rabbeinu Yitzchak seems to take the approach that it is prohibited. R. Menachem Meiri (1249-1306) explains why one might distinguish between Tisha B'Av and mourning the loss of a relative:

*According to some, it is prohibited [to study] even Lamentations and the somber portions, even though these are permissible on Tisha B'Av because mourning [the loss of a relative] is focused on silence and Tisha B'Av is focused on feeling suffering.*

**Beit HaBechirah, Mo'ed Katan 15a**

שלדעת קצת אסור אף בקינות ודברים הרעים אעפ"י שהותרו בתשעה באב, שבאבל הדבר תלוי בשתיקה, ובתשעה באב אינו תלוי אלא בצער.

**בית הבחירה מועד קטן טו.**

Meiri's comments seem to provide an important insight into the nature of the day of Tisha B'Av. Regarding mourning the loss of a relative, the focus is on the deceased and therefore, there is a requirement to be "silent" on any other matters.<sup>30</sup> The prohibition against a mourner exchanging greeting with someone else is also based on the requirement for silence.<sup>31</sup> Both Torah study and greetings can serve as a distraction from the mourning process and are therefore prohibited. However, mourning on Tisha B'Av is a different experience. The Gemara, Yevamot 43b, refers to the mourning of the destruction of the Temple as *aveilut yeshana*, old mourning. We are mourning events that took place many years ago and the feeling of grief that a mourner normally experiences doesn't come naturally. Perhaps according to Meiri, the rabbis allowed/encouraged<sup>32</sup> the study of Torah portions that facilitate one to mourn properly. Furthermore, Tisha B'Av is considered a day of mourning for all Jewish tragedies and, as such,

<sup>30</sup> *Shulchan Aruch, Yoreh De'ah 384:4*, rules that a mourner may study the aforementioned Torah portions privately. One might still argue that Meiri's analysis is applicable and that the requirement to study these portions privately is a function of a modified understanding of "silence."

<sup>31</sup> *Mo'ed Katan 15a*. Rambam, *Hilchot Ta'anot* 5:11, implies that this rule is more relaxed on Tisha B'Av. See *Bach, Orach Chaim* no. 554, and Magen Avraham 554:22.

<sup>32</sup> See R. Eliyahu Schelisinger, *Eleh Hem Moadai*, Vol. IV, no. 161, for a discussion about whether there is an exemption from the mitzvah of studying Torah on Tisha B'Av or whether there is an obligation to study the aforementioned portions. It should be noted that even if there is an exemption from the perspective of the mitzvah of studying Torah, it may still be encouraged to study these portions in order to properly experience Tisha B'Av.

study of Torah portions relating to tragedies of the Jewish people is not considered a distraction from the mourning process, but rather a more intense focus on mourning.<sup>33</sup>

How does Meiri's approach account for the concern that Torah study brings one joy? Rashi (1040-1105), *Ta'anit* 30a, *V'Asur Likrot*, states explicitly that the prohibition against Torah study on Tisha B'Av is based on the concern that Torah study brings one joy. Yet, R. Shmuel Eidels (1555-1631), Maharsha, *Ta'anit* 30a, suggests that perhaps the prohibition against Torah study is not based on a concern for joy. The concern for joy only applies when one is teaching children. Rather, the concern is that Torah study is a distraction from mourning the destruction of the Temple.

Meiri's approach seems to be more compatible with Maharsha's explanation. If the only concern for prohibiting Torah study is joy, there should be no reason to distinguish between someone mourning the loss of a relative and Tisha B'Av. However, if the concern is distraction, it is easier to distinguish between the two different types of mourning as presented earlier. Nevertheless, such an assertion would lead one to the conclusion that Rashi and Maharsha's explanations are contingent on the dispute about whether someone mourning a relative may study the aforementioned selected portions, a conclusion that is not compelling. Alternatively, it is possible that we are concerned for joy as well as distraction. This approach is advanced by R. Shlomo Kluger, *Chochmat Shlomo, Orach Chaim* 554:1.

## Is it Permissible to Study These Portions In Depth?

Meiri's comments are also relevant to the question of how in depth one may study the permissible portions. R. Yosef Karo, *Beit Yosef, Orach Chaim* no. 554, quotes the opinion of Rabbeinu Peretz (d. 1295) that one may not study the commentaries on Yirmiyahu and Iyov because one may only read these portions and not delve into their analysis. R. Karo then quotes Maharil (c. 1365-1427) who states:

*To study the commentaries to Jeremiah, Job and the third chapter of Mo'ed Katan on Tisha B'Av, I am not sure why you distinguish between the commentaries and the text. Is there a reason to believe that one is only permitted to perform a superficial reading? Are we dealing with the ignorant who don't understand what comes out of their mouths? If so, let them study whatever they want because if they don't understand, why not also learn the commentaries? ... If your concern is that there is in depth study, it would seem that this is better ... because if one struggles to understand, it is preferable.*

**Responsa of Maharil no. 201**

וללמוד בט' באב פ"י ירמיה ואיוב, ואלו מגלחין, לא ידענא במאי נסתפקת אדון לחלק בין [הפירוש] והקריאה, וכי סלקא דעתך שלא התיר אלא לקריאה בעלמא כו', פ"י אטו בשופטני עסקינן שאינם מבינים מה שמוציאין מפייהם, ואם כן יקרא מה שירצה אם אינו מבין שום דבר, וכי מאחר שאינו מבין למה לא ילמוד מתוך הפירוש. ואי משום שיש בו עיון, מכל שכן דעדיף ... דכל מה דמצטער ללמדו ומתקשה, טפי עדיף.

**שו"ת מהרי"ל ס' רא**

<sup>33</sup> R. Avraham Gombiner (c.1633-1683), *Magen Avraham* 554:3, prohibits studying the chapters in Yirmiyahu (46-51) that discuss the downfall of the other nations of the world. This indicates that one is prohibited to study portions that don't relate to Tisha B'Av, the day of mourning Jewish tragedies, even if they relate to tragic events.

Rabbeinu Peretz's opinion may be explained based on the concern for joy when one studies Torah materials in depth, even if the subject matter is of a somber nature. Yet, Maharil seems to be focused on the effect that it has on the person studying these materials. One can explain that there is no resulting joy when one studies these subjects, even when they are studied in depth. Alternatively, one can understand that the primary concern is the proper focus on mourning and the themes of the day. When one studies these matters in depth, it contributes to a greater focus on mourning and the themes of the day.

While Shulchan Aruch, *Orach Chaim* 554:2, rules in according with Maharil, R. Avraham Gombiner (c.1633-1683), adds a qualification:

*It seems to me that for this reason (i.e. because of the concern for joy) it is prohibited to study a discourse or question and answer even relating to somber matters because it provides one with joy.*

**Magen Avraham 554:5**

נ"ל דמה"ט אסור ללמוד איזה דרוש  
או קשיא ותירוץ אפ"ל בדברים הרעים  
מפני ששמח' הוא לו.  
**מגן אברהם תקנד:ה**

R. Gombiner seems to take the approach that the permissibility to study the commentaries on Yirmiyahu and Iyov is based on the fact that there is no resulting joy. This is true regarding an in depth study of certain types of somber material. However, if there will be resulting joy, it is prohibited. According to R. Gombiner, this does occur when studying a discourse or the give and take of a complex portion of Torah.

R. Yechiel M. Epstein (1829-1908), notes that it is inevitable that a scholar who studies Torah materials on Tisha B'Av is going to think about in-depth matters while studying. R. Epstein attempts to seek a justification for a scholar to study these materials:

*In truth, it is very difficult for a scholar who is studying, because his mind will involuntarily think of questions and answers and the like. However, based on what I wrote, it is not a problem because all matters of Torah bring a certain element of joy, even the somber matters. However, the suffering nullifies the joy. Therefore, even if one thinks of a novel idea, the suffering is not nullified.*

**Aruch HaShulchan, Orach Chaim 554:7**

ובאמת הדבר קשה מאוד לת"ח הלומד  
שבע"כ השכל יחשוב קושיא ותירוץ וכיוצא  
בזה אך לפמ"ש א"ש דוודאי טעם ומתיקות  
התורה יש בכל דברי תורה אף בדברים  
הרעים אלא שהצער מבטל השמחה א"כ אף  
אם מחדש איזה חידוש עכ"ז לא נתבטל  
הצער הצרות.  
**ערוך השולחן אורח חיים תקנד:ז**

According to R. Epstein, as long as there is an element of suffering in the subject matter, one is permitted to study that subject on Tisha B'Av. R. Epstein also adds that R. Gombiner's stringency is more compatible with Rabbeinu Peretz's approach than Maharil's.

R. Yosef D. Soloveitchik<sup>34</sup> (1903-1993) offers a slightly different explanation. He notes Torah study always results in joy. Therefore, the permissibility to study certain portions is not based on the lack of joy in studying these portions. Rather, study of these portions is a fulfillment of mourning on Tisha B'Av, even though they bring one joy. For this reason, R. Soloveitchik

<sup>34</sup> *Shiurei HaRav al Inyanei Aveilut U'Tisha B'Av* pp. 45-46

affirms the position of his grandfather, R. Chaim Soloveitchik (1853-1918) who permits in-depth study of the portions as they further enhance one's fulfillment of mourning on Tisha B'Av.

## Summary

On Tisha B'Av many of us struggle to make the mourning experience meaningful. The portions of Torah that one may study on Tisha B'Av are not simply a permissible means of passing the time. Rather, they serve as a tool to make the mourning experience more meaningful. For Meiri and Maharil, study of these portions is encouraged because they arouse the feelings of suffering that should be felt by someone who is mourning. For R. Eidels, study of these portions allows one to focus on the themes of the day. For R. Soloveitchik, these portions are part and parcel of the Tisha B'Av experience. The surge in study of these portions on Tisha B'Av in recent years is indicative of our desire to have a greater connection to the mourning experience. May the increased desire to connect to Tisha B'Av hasten the ultimate redemption as the Gemara states:

*All who mourn Jerusalem will merit and see its Joy.*

**Baba Batra 60b**

כל המתאבל על ירושלים זוכה ורואה בשמחתה.

**בבא בתרא ס:**

# Mourning for Individuals

Rabbi Jesse Horn

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Kina 23 recounts a tragic story that takes place after the destruction of Bayis Sheni and after Yerushalayim fell to the Romans. The Kina refers to the son and daughter of R' Yishmael Kohen Gadol, who each independently were taken as slaves by two neighbors. One day, the master of R' Yishmael Kohen Gadol's daughter was bragging to the other slave owner about how beautiful his newly acquired female slave was. The neighbor responded that he too had taken a slave who was unusually handsome. Together the slave masters decided to breed them in hopes of having beautiful children who could be sold at a high profit. The two slaves were placed alone in a room for the night. All night long, R' Yishmael Kohen Gadol's children cried, alone, in different corners of the room. Early the next morning, when dawn broke, the children recognized each other, embraced, and died together.

This particular event had no major impact on the course of our national history. What is it about this account that gives it the importance to be told as an independent Kina? What are we to take from this Kina? What does it lament?

There are a number of other questions that can be asked as well. At the end of the Kina, for example, Yirmiyahu himself mourns this event. However, he lived approximately five hundred years before this story occurred, so why was he lamenting? Additionally, the paytan used several unique details to describe his feelings and actions. He claims that, "their memory is like a fire in my heart." He also rends his garment, performing an act of kreyah. Why specifically here is this response appropriate? What about this story triggers tearing kreyah more than anything else?

Rabbi Joseph B. Soloveitchik<sup>35</sup> suggests that Kina 21, Arzay H'Livanon and Kina 22, HaCharishu, are two kinos that deal with national issues, and the horrific things that happened to communities and Am Yisroel at large. Kina 23, by contrast, is a story of individuals. Judaism recognizes and values the mourning for regular, normal everyday people. "We mourn for a boy and girl who were not leaders or scholars and who did not play any major public role". Rabbi Soloveitchik further suggests that telling a story of individuals accomplishes a twofold goal. Firstly, it demonstrates that our mourning isn't just for large numbers, communities and other large scale events. We care for and mourn for individuals as well. Our sadness on Tisha B'av is caused by events that impacted us nationally, as well as individually.

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<sup>35</sup> The Lookstein Edition Kinos p 443

Secondly, Rabbi Soloveitchik suggests that mourning for individuals enables the mourner to better connect with the events that have transpired. It's much easier to identify and sympathize with the pain of one person in trouble rather than a story of a national crisis. Human nature allows us to relate to stories of individual people more than large scale numbers or events.

To this second advantage of recalling a story of individuals, Rabbi Soloveitchik quotes a Medrash (Bereshis Rabah 33:5) that highlights this idea. It describes how Rabbi Akiva, while visiting Ginzak (a city), told the people there both about Noach and the flood that destroyed the entire world, as well as the heartbreaking events of Iyov. The reaction from the people to Iyov's tribulations was significantly greater, for after hearing about him, they broke out into tears. After the Noach story, the people's reaction was significantly less intense.

Rabbi Soloveitchik uses this hypothesis and expounds on several lines found in the kina. When the paytan says, "Their memory is like a fire in my heart," he explains, it's true "even though they are individuals, not a community (ibid 443)." Furthermore, when the paytan describes himself saying, "I rent my garments," Rabbi Soloveitchik comments that when it comes to death *al pi Kiddush Hashem*, "We do not analyze whether the person was a scholar, a prince or *Av Beit Din* (ibid 443)." Instead, we mourn regardless of their stature or position. Again, the theme of these two youths not being anyone special, but just plain and normal individuals resurfaces.

The kina closes with Yermiyahu's mourning. Here too Rabbi Soloveitchik understands that Yermiyahu "lamented each individual who perished during the destruction of the First Temple and the Second Temple (ibid 444)."

There is, however, a small problem with Rabbi Soloveitchik's approach to this kina. It is somewhat difficult to imagine that these two children were selected as paradigmatic examples of no-name individuals. After all, they were the children of the Kohen Gadol. Certainly, other people with a less illustrious lineage and family background could have been selected. And if no other story drives home the message as well as this one does, the paytan should have left out that particular detail. If the kina truly wanted to stress that these people were common people, it should have told the story anonymously.

However, it is true that this kina is very unique in its telling of such a long and detailed story of individuals. Perhaps there is a different profound element to the message of this kina. This kina intentionally uses individuals from aristocracy and superb pedigree as their tragic decline serves as a paradigm for a parallel phenomenon on a national level. All Jews suffered, even the Jews from the most respected and significant families. What could be more expressive of Klal Yisroel's demise than members of its most respected family being enslaved and bred for sale?

When crying all night long, R' Yishmael Kohen Gadol's son says, "How will a grandson of Aharon marry a slave-girl," and his daughter wonders how "a daughter of Yokheved (can) marry a slave?" The characters themselves are undoubtedly grieving this exact point. They aren't selfishly concerned with their own fate. They are mourning how Bnei Yisroel have so severely fallen. This is even more clearly seen when taking into account the fact that, in this kina, the children speak only once. Presumably, the paytan has them communicate something of great importance. They are recognizing Am Yisroel's collapse.

Addition support can be seen by how the paytan describes R' Yishmael Kohen Gadol's daughter to be "dressed in scarlet-wool." At first glance this may have been overlooked as an unnecessary detail. Yet based on our theory, it's an important description. She may be a slave, but she is still wearing clothing that reflects her previous wealth. She isn't a regular pauper. She has fallen from royalty.

The phrase, "I shall moan (about this) each year on this day" is mentioned seven times in this kina. This disproportionate emphasis can be understood because it supports the primary theme of the kina, Am Yisroel's plummet fits that description.

This can also explain why Yirmiyahu, himself, mourns these children's death, although he lived roughly five hundred years earlier. He doesn't have to be seen as mourning individuals who have not yet died. He could be mourning Am Yisroel's downfall, something which has already begun in his time period.

Finally, the paytan rending kreyah can be explained with our theory as well. For nationalistic catastrophes, one tears kreyah. For example, the death of an Av Beis Din, Rosh Sanhedrin, Nasi, or Talmud Chochom requires one to tear kreyah (Shulchan Aruch YD 40:7,8,17). The kreyah torn by the paytan too may be one that mourns the loss of Am Yisroel's honor.

Jews are meant to be similar to princes and princesses, being the children of Hashem. One of the aspects mourned on Tisha B'av is that fallen status. This kina reminds us of our unique status as Hashem's chosen nation, mourns us not living up to that responsibility, and the sunken stature that results.

# Betar and Aelia Capitolina: Symbols of Jewish Suffering

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Of the five specific tragedies that warrant fasting on Tishah b'Av (Mishnah *Taanit* 4:6), two are related to the Second Jewish Revolt against Rome. The first is the capture of the city of Betar (135 CE) and the second is the plowing of Jerusalem one year later. At first glance, these calamities do not seem to be of the same scale as the destruction of the First and Second Temples. The Jews were neither forcibly removed *en masse* to a distant land nor was a standing Temple destroyed. Perhaps one could argue that their inclusion within the list was simply due to their still being fresh in people's memories. Surely, the rabbis of the Mishnaic period would have encountered eyewitnesses to these events and been moved by their recollections. Yet, if this were so, then the Mishnah really need only include one reference to the rebellion. By including two, the Mishnah is teaching us something about the magnitude of this tragedy and the challenges that lay ahead for the Jewish people.

## Betar

If not for the Bar Kokhba rebellion, it is unlikely many people would be familiar with Betar. The ancient city (Khirbet el-Yahud – “ruin of the Jews”) was a modest settlement southwest of Jerusalem in the Judean Hills. Surveys and brief excavations have demonstrated that Betar was first settled during the period of the Shoftim and became a city of moderate importance by the time of Hizkiyahu.<sup>36</sup> Settlement continued unabated through the Persian, Hellenistic, and Early Roman Periods. Ceramic and architectural remains, including some Herodian style ashlar, attest to the emergent prosperity of the site during Second Temple times.

When the Second Jewish Revolt broke out, Bar Kokhba chose Betar as his headquarters for three main reasons, its proximity to Jerusalem and to the main road running from Jerusalem to Gaza, its abundant spring water; and its location atop a hill surrounded by deep valleys.

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<sup>36</sup> David Ussishkin, “Betar,” in *The New Encyclopedia of Archaeological Excavations in the Holy Land*, vol. 5, edited by Ephraim Stern (Jerusalem: Israel Exploration Society, 2008), 1605.

In preparing their stronghold, the rebels established a fortification system that is still visible today. It consisted of a wall and perhaps a moat. The wall was constructed hastily and incorporated, where possible, segments of an earlier wall or buildings. Particular emphasis was given to strengthening the southern end of the settlement, as this was topographically the most vulnerable. The rebels raised the ground level here by adding an artificial fill comprised of earth and limestone chips. As a result, the southern edge became the highest point of the summit as well as the best fortified.

The Roman objective in attacking Betar was not really the city itself but rather the annihilation of Bar Kokhba and his men. The Romans decided to pursue a strategy of prolonged siege, which in its most elementary form can be carried out by simply surrounding a beleaguered settlement with soldiers. In this case, however, the Romans opted for a more efficient and effective method, which involved the construction of a siege wall. Evidence of this wall, built of fieldstones, is preserved along the western, northern, and part of the eastern side of the site. The wall encircled the city, thereby thwarting rebel efforts to escape, bring in fresh supplies, or gain access to their main water supply (*i.e.*, the spring).

Not much is known archaeologically of the actual battle, except that the rebels did not run out of sling stones – a cache of them were found on top of the wall – and that the Roman soldiers stormed the city without a ramp.<sup>37</sup> Bar Kokhba, his army, and the city's inhabitants were all killed, while the fortress itself was destroyed and abandoned.

The destruction of Betar effectively brought an end to the rebellion and to the small measure of political independence that Bar Kokhba had achieved. While the physical consequences were severe, including forced migration out of Judea, slavery, and widespread extermination, the spiritual consequences were equally devastating. The period after Betar ushered in pervasive religious persecution and forced Jews to adjust to a long-term religious landscape, which included neither Jerusalem nor the Temple. Finally, and perhaps most critically, was the grave injury to the collective psyche, for the capture of Betar represented failure in the face of tremendous effort. A small nation had taken on the mighty Roman Empire, engaged in the greatest war of liberation the world had ever seen, and lost. Betar symbolized our failed attempt to help ourselves.

## Aelia Capitolina

It may be hard to conceive, but Hadrian originally intended the rebuilding of Jerusalem – still in ruins from the Roman conquest in 70 CE – to be a gift to the Jewish people. Hadrian envisioned a typical Roman provincial capital, with the elevated status of a colony. However, the three years of rebellion left Hadrian furious with the Jews, and he resolved to punish them severely. Privileges that the Jews had enjoyed from the time of Julius Caesar were revoked, and new laws forbade Jews to live anywhere in the vicinity of Jerusalem.

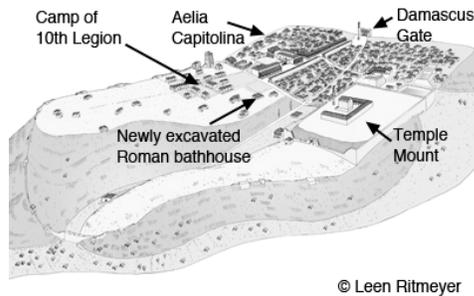
Hadrian's city, now called Aelia Capitolina, was divided into two distinct areas: a civilian section in the north and a Roman encampment in the south (fig. 1). Even today, the layout of the Old City reveals a clear difference in the street plan between the northern and southern sectors. In the

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<sup>37</sup> *Ibid.*

northern sector (today's Moslem and Christian Quarters), the streets generally intersect at perpendicular angles whereas in the southern part of the Old City (the Armenian and Jewish Quarters) streets intersect at odd angles. The reason for this distinction is that the southern area was haphazardly settled after the Roman Tenth Legion left Jerusalem at the end of the 3<sup>rd</sup> century CE.

The city was further divided into quarters by two principal roads: *Cardo Maximus* (north-south) and *Decumanus* (east-west). *Cardo Maximus*, lined with columns, extended from what is now the Damascus Gate in the north through the civilian section of the Roman city as far south as the northern border of the Roman Tenth Legion campsite (today's David Street). Beyond this, no remains of the Roman era *Cardo* were found (remains of the *Cardo* visible today south of David Street date to the Byzantine era).



**Fig. 1. Aelia Capitolina**

The inhabitants of Aelia Capitolina enjoyed all the refinements of a Roman colony. There were columned streets, an open plaza, statues, market places, a theater, public baths, and temples. To enter the city, people passed through an arched gateway, which is partially intact and visible today below and to the left of modern Damascus Gate. In short, Jerusalem flourished as a pagan city after the Second Jewish Revolt.

It was precisely this flourishing that was so tragic. When the Mishnah states “*nechreshah ha-ir*” – “the city was ploughed under” (*Taanit* 4:6), it does not mean that after Bar Kokhba Jerusalem was rendered uninhabitable, but rather it was the Jewish and sacred character of Jerusalem that was obliterated. Jews were by decree forbidden to live in the city or even to visit it, except on Tishah b’Av. The central religious focus of the city became the Temple of Venus (Aphrodite) at the intersection of *Cardo Maximus* and *Decumanus* – (the same location of present-day Church of the Holy Sepulchre). What happened to the Temple Mount is not clear. Hadrian certainly intended to build a Temple there to Jupiter, yet eyewitnesses only mention two statues, one of Hadrian himself and one of his successor Antonius Pius. Like the tragedy of Betar, the physical and spiritual consequences were severe. But again it was the psychological ones that seemed most devastating. By rebuilding Jerusalem as a thriving provincial capital that was strictly pagan, the great political power of the time deliberately set out to mock the Jewish people.

We mourn, therefore, on Tisha b’Av not just a physical destruction and our broken spiritual connection, but also our psychological sufferings: that our best efforts to protect ourselves are sometimes not enough and that our enemies will seek out opportunities to mock and humiliate us.

# Chet – וביום פקדי... HaEgel Revisited

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In the aftermath of Chet HaEgel, HaShem declares to Moshe, "וביום פקדי עליהם הטאתם" – Nevertheless (though I am ostensibly forgiving the Jewish people), on the day when I take account of them, I shall revisit their sin upon them (Shemot 32:34). Rashi (based on Sanhedrin 102a) explains this as follows:

*Now I shall listen to you [and refrain] from destroying them all at once, but always whenever I will punish them for their sins, I will also punish them a little for this sin along with their other sins; no suffering comes upon Israel that does not have along with it a little of the punishment for the sin of the Calf.*

עתה שמעתי אליך מלכותם יחד, ותמיד תמיד כשאפקוד עליהם עונותיהם, ופקדתי עליהם מעט מן העון הזה עם שאר העונות; ואין פורענות באה על ישראל שאין בה קצת מפרעון עון העגל

In other words, every punishment that has befallen us through the ages contains an element of retribution for Chet HaEgel. Thus, on Tisha B'Av, when we commemorate all of the national suffering we have undergone, it is appropriate to delve into this foundational sin of Chet HaEgel, which rears its shameful head each time HaShem visits tragedy upon us.

There are three classic approaches to Chet HaEgel. Rashi understands the sin as one of actual avodah zarah, idolatry.<sup>38</sup> This interpretation is heavily supported by the simple reading of the pesukim. Bnei Yisrael's request to Aharon is, "קום עשה לנו אלהים אשר ילכו לפנינו" – Arise and make for us gods that will go before us (Shemot 32:1). Similarly, Bnei Yisrael's pronouncement upon seeing the calf emerge is, "אלה אלהיך ישראל אשר העלוך מארץ מצרים" – These are your gods, Israel, which brought you up out of the land of Egypt (Shemot 32:4). They then proceed to sacrifice korbanot to the egel (32:6), and God even describes them as prostrating themselves before it (32:8). All of this strongly indicates that the people engaged in idol worship. Despite the textual strength of this approach, however, on a conceptual level it begs the question: How could Bnei Yisrael have witnessed the Ten Plagues, Kriat Yam Suf, and Matan Torah, and then a mere forty days later refer to a golden calf as the god who redeemed them?<sup>39</sup>

<sup>38</sup> See Rashi on א פסוק: "ד"ה "אשר ילכו לפנינו" and "אשר העלנו מארץ מצרים"

<sup>39</sup> Rashi seems to address this question in his commentary to 32:4. There, Rashi explains that it was the Erev Rav, the "mixed multitude" who left Egypt together with Bnei Yisrael, who instigated the fashioning and worship of the

The Ramban<sup>40</sup> suggests that most of the nation did not, in fact, commit actual avodah zarah. They did not view the Egel as a replacement for God; rather, they were trying to replace Moshe. After all, Moshe is the one who disappeared up on Mount Sinai. The Ramban supports this contention in a number of ways. For example, he points out that when Bnei Yisrael make their request to Aharon, they do not ask for a god who will grant them life in this world or the next (the most Divine of powers); rather, they say "אשר ילכו לפנינו" – that will walk before us and lead us. Bnei Yisrael further explain "כי זה משה האיש אשר העלנו מארץ מצרים לא ידענו מה היה לו" – for this man, Moshe, who brought us up from the land of Egypt, we do not know what has happened to him. In other words, Bnei Yisrael explicitly state that they are looking for a leader and guide to substitute for Moshe (whom they recognize as a man, not a god), because his whereabouts are unknown. Furthermore, upon Moshe's return, the people immediately relinquish the Egel and allow Moshe to grind it up. Had they believed it possessed divine powers, they would not have abandoned it so readily.

The Kuzari<sup>41</sup> posits that Bnei Yisrael's intention when they fashioned the Egel was merely to create a tangible object that would help focus their worship of the unfathomable God. The only reason it was sinful is that God had not commanded them to do so. The Kuzari explains that Bnei Yisrael had been anxiously awaiting Moshe's return from Mount Sinai, expecting him to carry down the luchot and to construct an ark – tangible objects that would aid their avodat HaShem. When Moshe was delayed, they panicked and sought to construct their own tangible object, the Egel, to facilitate their service of HaShem. The Kuzari suggests that the Keruvim atop the aron were not fundamentally different than the Egel in that both were physical objects meant to help direct the people toward God. The difference lay in the simple yet crucial fact that God had commanded the construction of the Keruvim, while the Egel was conceived of by the people without God's authorization or consent.<sup>42</sup>

The Ramban's and Kuzari's approaches provide plausible explanations for how Bnei Yisrael could have committed the sin of Chet HaEgel so soon after experiencing the plagues, splitting of the Yam Suf, and Matan Torah. According to both interpretations, Chet HaEgel was not idolatry; the people never questioned or doubted God Himself.<sup>43</sup> They merely wanted a new leader to guide them, or a tangible object to help them focus their worship. Nevertheless, these interpretations falter when it comes to explaining the pesukim which seem to describe the people engaging in an act of avodah zarah.

I would therefore like to suggest the following approach to help make sense of Chet HaEgel:

The essence of Chet HaEgel is that Bnei Yisrael were not ready for a covenantal relationship with God that entailed rules and self control. Matan Torah was not merely an inspirational

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Egel. Even so, it is difficult to understand how Bnei Yisrael could have been persuaded to follow along after all of the miracles they recently witnessed, including the revelation of God Himself on Mount Sinai.

<sup>40</sup> In his commentary to Shemot 32:1

<sup>41</sup> I, 97

<sup>42</sup> This is supported by the fact that the phrase "כאשר צוה אותם" is the common refrain throughout the construction of the Mishkan.

<sup>43</sup> A further proof that the Kuzari brings to support this contention is that even after the sin, the manna continued to fall, the pillar of fire continued to lead them, and the prophetic spirit continued in their midst.

sound and light show; it contained laws and obligations.<sup>44</sup> At that point in their development, the people were simply not ready for such a monumental commitment. All of Parshat BeShalach, the parshah that serves as the bridge between yetziat Mitzrayim and Matan Torah, consists of test after test<sup>45</sup> that Bnei Yisrael seem to fail! They complain about the lack of water in Marah (Shemot 15:22-26); they grumble again in Midbar Sin about the lack of food (16:1-4); they leave over manna until the morning against explicit instructions (16:19-20); they go out to collect manna on Shabbat (16:25-29); they complain about the lack of water again in Refidim (17:1-7); and they are accused of testing whether God is in their midst (17:7).

Furthermore, as Rabbi Yonatan Grossman points out,<sup>46</sup> Parshat Beshalach is a chiasmatic structure:<sup>47</sup>

- 1a) external enemy (the Egyptians at Kriat Yam Suf)
- 2a) water complaint (Marah)
- 3) bread and meat complaint (mann and slav)
- 2b) water complaint (Refidim)
- 1b) external enemy (Amalek).

At the end of the parshah, Bnei Yisrael are right back where they started from at its beginning. Though the parshah has brought them to the brink of Matan Torah, they are spiritually no further along than they were immediately after Yetziat Mitzrayim.<sup>48</sup> They have not inculcated the lessons that the tests of Parshat BeShalach were supposed to have imbued. Nevertheless, God continues with His plan and bestows upon them the Torah.<sup>49</sup>

<sup>44</sup> This is especially true according to the Ramban's understanding that the detailed laws of Parshat Mishpatim constitute the sefer habrit over which Bnei Yisrael bind themselves to the covenant (see Shemot 24:3-7). Matan Torah consists of them agreeing to abide by many detailed, practical laws that will govern every aspect of their lives.

<sup>45</sup> Note that words containing the root .ה.ס.ג, test, appear a surprising number of times throughout the parshah: 15:25 – "שם שם לו חק ומשפט ושם נסהו" – There (in Marah) He placed for him a statute and a law and there He tested him.

16:4 – "למען אנסנו הילך בתורת אלהים" – so as to test him, will he follow My laws or not (regarding the manna).

17:2 – "מה תריבון עמדי מה תנסון את ה'" – Why are you fighting with Me (Moshe)? Why are you testing God?

17:7 – "ויקרא שם המקום מסה ומריבה על ריב בני ישראל ועל נסותם את ה' לאמר היש ה' בקרבנו אם אין" – He called the name of the place Masah U'Merivah because of the fight of Bnei Yisrael and because of their testing of God saying, 'Is HaShem in our midst or not?'

17:15 – "ויבן משה מזבה ויקרא שמו ה' נסי" – Moshe constructed an altar and called his name 'HaShem nisi' – God is my banner, my miracle, my tester.

<sup>46</sup> "The Manna and the Paschal Sacrifice" found at <http://www.vbm-torah.org/parsha.59/16besha.htm>

<sup>47</sup> In a chiasmatic structure, the topics in the text appear in the order ABCBA, so that the first topic also appears last, the second appears again second to last, etc. This structure can be used to emphasize the topic in the middle which serves as the focal point. It also creates the impression that there is progression at first but then regression back to the beginning.

<sup>48</sup> Rashi famously comments on the use of the singular, "ויחן שם ישראל נגד ההר" (19:2), that at Mount Sinai, Bnei Yisrael were unified כאיש אחד בלב אחד. This might have seemed to indicate that Rashi thinks the people have made tremendous progress. However, that very Rashi continues by pointing out that all the other encampments were filled with resentment and dissention.

<sup>49</sup> Why God continues with His plan despite all of Bnei Yisrael's shortcomings and failed tests is an interesting question. Perhaps because He had promised Moshe at the Burning Bush (Shemot 3:12)?

Within this context, it is clear that Bnei Yisrael did not possess the spiritual maturity necessary for Matan Torah. They were not ready for the obligations that God demanded of them on Mount Sinai. Thus, they were in a high state of panic in the aftermath of Matan Torah, overwhelmed by the magnitude of what they had just committed themselves to.<sup>50</sup> It is not surprising, therefore, that they jumped at the slightest opportunity to return to their lives of no rules, no obligations, no laws. Upon Moshe's delay, they immediately constructed an idol. At first glance, this seems incomprehensible – how could the nation that experienced God on Mount Sinai have worshiped an idol that they fashioned themselves. However, with the above background in mind, it begins to make sense: the Egel's attraction lay precisely in its being a man-made god. They controlled it; it did not have power over them. It could not make demands of them, nor impose rules or laws upon them. Bnei Yisrael could not possibly have believed that the Golden Calf was the God that took them out of Egypt. But they desperately tried to convince themselves that it was<sup>51</sup> because this god would not insist upon anything in return. Thus, the answer to the question of how the people could have committed Chet HaEgel so soon after Matan Torah, is that they committed Chet HaEgel precisely *because* of Matan Torah and the overwhelming obligations it entailed.<sup>52</sup>

Consequently, the essence of Chet HaEgel lies in the people's attempt to return to a rule-free life. This underlying motivation is clearly evidenced in the pesukim that describe the people's worship of the Egel. Over and over again, the Torah emphasizes the spirit of revelry and the lack of self-restraint that characterized the worship. This wanton spirit is captured in the phrase "ויקמו לצחק" – they arose to make merry, to party, to let loose.<sup>53</sup> In fact, when Moshe is first approaching the camp, Yehoshua hears "קול העם ברעה"<sup>54</sup> Rashi translates this as בהריעו שהיו מריעים ושמחים וצוחקים – trumpeting, because they were blowing horns, rejoicing, and laughing. In response, Moshe says that it is not *kol anot gevurah* or *kol anot chalusha*, but rather "קול ענות" "אנכי שומע", which Rashi translates as גודפין וגדופין – a sound of defamations and blasphemies. The sounds that assault Moshe's and Yehoshua's ears are those of utter chaos.

The atmosphere of anarchy is further highlighted by 32:25, which states, "וירא משה את העם כי פרע הוא כי פרעה אהרון לשמצה בקמיהם" - Moshe saw the nation, that it was in disorder, for Aharon had made them disorderly to be a disgrace among their enemies. This pasuk too focuses on the wild unruliness of the people. In addition, it is significant that the word chosen to describe their lack of control is "פרע." This is an obvious allusion to Paroah, who represents the life they claim to still want, in which there are no Divine demands made upon them.

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<sup>50</sup> This approach fits nicely with the "כפה עליהם הר כגיגית" midrashim (Rashi to Shemot 19:17; Shabbat 88a). God had to coerce them to accept the Torah because they were not ready to do so themselves.

<sup>51</sup> "אלה אלהיך ישראל אשר העלון מארץ מצרים" (Shemot 32:4)

<sup>52</sup> See Rabbi Chanoch Waxman's article, "The Jewelry and the Tent" (<http://www.vbm-torah.org/parsha.59/21kitis.htm>), in which he suggests that Chet HaEgel is the "anti-covenant." In worshipping it, Bnei Yisrael do everything from Shemot Perek 24 (the perek in which they forge their covenant with God as part of Matan Torah), but instead of performing these actions as part of a brit with HaShem, they are doing them to celebrate around the Egel.

<sup>53</sup> Shemot 32:6

<sup>54</sup> Shemot 32:17

Furthermore, immediately before Moshe shatters the luchot, it says in 32:19, "וַיִּרְא אֶת הָעֵגֶל, וַיִּחַלְצֵם מִיָּדָם" – it is the dancing that pushes him over the edge. Some commentators<sup>55</sup> explain that what upsets Moshe is the pleasure Bnei Yisrael are taking in worshipping the Egel. But I would argue that the significance of this phrase is that Moshe totally understands what is going on – that the people want to dance wantonly; they crave no rules.

I would even suggest that subconsciously, Bnei Yisrael are trying to sabotage their relationship with God. They are terrified of what they have committed themselves to, but even more terrified of backing out of it themselves. Deep down, they actually want God to get angry with them so that He will be the one to renege on their covenant.

Ultimately, Moshe gives the people exactly what they want. He smashes the luchot, thereby nullifying their covenant with God and the obligations it entailed. The people are now free from the mitzvot and responsibilities that a committed relationship with God demands. But instead of feeling relieved, Bnei Yisrael are shocked into realizing that it isn't what they really want at all. They are filled with remorse and desperately beg God to forgive them. They remove their ornaments from Har Chorev (33:4,6) and enter into a mourning period (33:4) during which God dwells outside their camp rather than in it (33:7). They look longingly after Moshe every time he goes out to communicate with God (33:8), something to which they are no longer privy. After much pleading and negotiation on Moshe's part, HaShem agrees to completely forgive Bnei Yisrael and forge yet another covenantal relationship with them. The shock and pain of their first failed relationship has matured them, and when God calls Moshe up to receive the second luchot, the people are finally ready to enter a committed relationship with God - laws, luchot, and all.

To return to Tisha B'Av, I had always assumed that the reason God visits punishment upon us for Chet HaEgel over and over, within every other punishment, is that it was a sin of such staggering magnitude it can never be fully atoned for.<sup>56</sup> However, perhaps the reason we are continuously punished for Chet HaEgel is that there is an element of that sin in every other sin we commit. If the root of Chet HaEgel was Bnei Yisrael's fear of committing themselves fully to God, then perhaps it is that same apprehension, that same holding back of complete faith and commitment that lies at the heart of every other sin as well. On Tisha B'Av, when we mourn all of the tragedies that have befallen us, perhaps we should also look within ourselves and examine whether we may be guilty of our own Chet HaEgel. Perhaps when we can overcome this and commit ourselves fully and confidently to God, God will in turn commit Himself fully to us by once again dwelling among us in the Beit HaMikdash.

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<sup>55</sup> See the Alshich, Seforno, and Rav Hirsch (all are cited in Nehama Leibowitz, p.603-4)

<sup>56</sup> This would fit best with Rashi, who says it was actual avodah zarah.

# נחמו נחמו עמי: Finding Comfort in Exile

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“Alas! She sits solitary, the city that was great with people. She has become like a widow, she that was great among the nations. . . She cries bitterly in the night, her tears are on her cheeks. There is none to comfort her (איך לה מנחם) . . .” (Eichah, 1:1-2). The piercing lament of Yirmiyahu that cries out from Megillat Eichah does not leave a dry eye among Bnei Yisrael who languish in exile. How will Israel find comfort when she feels so abandoned? How will she be consoled when she is surrounded by the taunts of her enemies? With great intuition, Hazal have discerned that Hashem provided the nation of Israel with solace and relief, even before the advent of the catastrophic events that would befall them. “You find that concerning all of the harsh prophecies which Yirmiyahu prophesied about Israel, Yeshayahu preceded them and provided healing for them. . . Yirmiyahu said, ‘They heard how I have sighed; there is no one to comfort me’ (Eichah, 1:21). Yeshayahu said, ‘Comfort, comfort My people (נחמו נחמו עמי)’ [Isa. 40:1].”<sup>57</sup> Chapter 40 of Sefer Yeshayahu, which we read as the first of seven selections of haftarot from the prophecies of Yeshayahu, beginning with the Shabbat after Tisha be-Av,<sup>58</sup> marks the commencement of a journey of healing. After remembering the destruction of the two Batei Mikdash, every Jew attempts to fortify himself with the prophetic words of comfort and hope, finding the courage to survive in exile while awaiting the final redemption.<sup>59</sup>

At the outset of his prophetic message of consolation, Yeshayahu captivates his audience by evoking the memory of the unprecedented events of *Yeziat Mitzrayim* and *Matan Torah*, which established the eternal covenant between Hashem and Bnei Yisrael. Summoning imageries and verbal cues that conjure up the glorious past, Yeshayahu impresses upon his audience that Hashem has not abandoned Israel, but He intends to redeem them and restore their status among the nations of the world. A survey of chapter 40 testifies to the prophet’s intent. The

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<sup>57</sup> *Midrash Eichah Rabbati*, 1:23.

<sup>58</sup> See Maimonides, *Hilkhot Tefillah*, 13:19.

<sup>59</sup> While the entire chapter 40 will be discussed in the ensuing analysis, the haftarah reading itself ends after verse 26.

charge to clear a path in the wilderness and desert, to flatten the mountains and hills (וכל הר) (וגבעה ישפלו) (40:3-4) recall the geography of Matan Torah (Exod. 19).<sup>60</sup> “Voices (קול)” that announce important revelations (40:3, 6) remind one of the voice of Hashem that Bnei Yisrael heard at the giving of the Torah (Deut. 4:12, 33).<sup>61</sup> The manifest appearance of Hashem’s glory (ונגלה כבוד יקוק וראו כל בשר יהדו) (40:5) at the time of redemption evokes the momentous occasion of Matan Torah (Exod. 24:16-17).<sup>62</sup> The image of a storm that destroys the rulers of nations like straw (40:23-24); God’s arm of strength that ensures triumph (40:10); the spirit (or: wind) of God (רוח) that blows and dries up what once flourished (40:7); while Hashem serves as the shepherd of His nation (40:11), lifting them up with renewed strength to soar like eagles (40:31), recalls the drying up of the waters with a strong wind so that Am Yisrael could escape the Egyptians (Exod. 14:21); the drowning of the Egyptians in the sea like straw, through Hashem’s powerful spirit (Exod. 15:7-8); Moshe, the divinely ordained shepherd (Exod. 3:1)<sup>63</sup> leading his people out of Egypt, with Hashem carrying them as if on the wings of eagles (Exod. 19:4); and Hashem leading His flock through the wilderness (Ps. 78:52).<sup>64</sup>

Yeshayahu sharpens his message of comfort by evoking another dimension of the Exodus memory. Analyzing the symbolism of Hashem’s choice to initiate His encounter with Moshe with the apparition of a burning bush, Rashi, based on a midrash, observes that Hashem wanted to send a poignant message to His suffering nation: “I am with you in your distress” (עמו אנכי בצרה).<sup>65</sup> When Am Yisrael descends to the depths of exile, Hashem, כביכול, feels their humiliation and pain and suffers with them. As Hashem declares to Moshe at the scene of the burning bush, “I know their sufferings (ידעתי את מכאביו)” [Exod. 3:7]. As Rashi explains, “I

<sup>60</sup> The reference to a herald to ascend a high mountain to announce to the cities of Judah that Hashem is returning to Zion (40:9) also alludes to מעמד הר סיני. Compare the discussion of Yosef Rut and Nahum Sharvit, *פרקים בנבואת* (Tel Aviv: Or Am Pub., 1987), pp. 19-21, who observe that this topography is reminiscent of that of the desert of Sinai, as noted in Deut. 8:15 and Jer. 2:6.

<sup>61</sup> The reference to a “voice” (קול) is also reminiscent of Hashem’s voice that answered Moshe prior to the giving of the Torah (בקול יעננו והאלקים ידבר משה) in Exod. 19:19; cf. as well the sounds of the shofar and of thunder (Exod. 19:16, 19), described with this same term.

<sup>62</sup> Hashem’s “כבוד” is also noted in relation to the מן in Exod. 16:7, and it is manifest in the Mishkan, as noted in Exod. 40:34-35.

<sup>63</sup> Compare the description in relation to Moshe’s role as the divinely ordained shepherd of Israel in Isa. 63:11.

<sup>64</sup> For this parallel from Psalms, cf. Amos Chacham, *ספר ישעיהו: פרקים לו - טו* (Jerusalem: Mosad Harav Kook, 1984), p. 414, n. 15. Even the mention of a “tent” describing how the heavens are spread out like a tent to dwell in (40:22), might stir within the reader the image of the אהל מועד, as juxtaposed to other images from the Book of Exodus. Furthermore, in an unsettling reminiscence, one of the only other times that the image of grasshoppers (חגבים) appears as descriptive of the inhabitants of the earth, aside from Isa. 40:22, is in the spy narrative, depicting the spies’ perception in relation to the giants whom they encountered in Canaan (Num. 13:33). This imagery might parallel the doubters and pessimists regarding Hashem’s concern for Israel’s plight, as expressed by Yeshayahu in 40:27. The Exodus motif is invoked in numerous places throughout Yeshayahu’s prophecies; see, for example, Isa. 10:24, 26; 11:16; 42:15; 42:14-21; 43:1-3. For additional discussion of the Exodus paradigm in Yeshayahu’s prophecies of consolation, cf. B. W. Anderson, “Exodus Typology in Second Isaiah,” in *Israel’s Prophetic Heritage*, eds. B. W. Anderson and W. Harrelson (New York: Harper and Bros., 1962), pp. 181-85.

<sup>65</sup> Cf. Rashi, Exod. 3:2, citing *Midrash Tanhuma, Shemot* 14, with the application of the text from Ps. 91:15.

[Hashem] have turned My attention to understand and acknowledge their sufferings, and I have not hidden My eyes and I have not closed my ears from their cries.”<sup>66</sup> To impress upon his nation the surety of their redemption, Yeshayahu describes a scene at the beginning of his prophecy of consolation in which the way is first prepared for Hashem to return to Jerusalem, to reclaim His place of abode (40:3-5). Only then can He bring back His people and restore them to the cities of Judah (Isa. 40:9-11). While Yeshayahu speaks often of preparing “the way for the redeemed (דרך גאולים) to travel” (Isa. 51:10), and of removing the obstacles from the path of his nation (דרך עמי) [Isa. 57:14; compare Isa. 62:10], in this context, he focuses on smoothing the path for “the way of Hashem (פנו דרך ה’)” and straightening “the road for our God (מסלה) (לאלקינו) [40:3].”<sup>67</sup>

The imagery describing Hashem’s return is especially poignant in light of the distressing portrayal of the abandonment of Hashem’s glory from the confines of the city of Jerusalem, in preparation for exile, as described by Yehezkel (10:18-22, 11:22-23).<sup>68</sup> The cosmic redemption must transpire before the earthly redemption can materialize. While Yeshayahu had originally envisioned the glory of Hashem filling the entire world (מלא כל הארץ כבודו) [Isa. 6:3], Yehezkel perceived Hashem’s glory as blessed, but “from His place” (ברוך כבודו ה’ ממקומו) [Ezek. 3:12], during the period of exile. In the time of redemption, Hashem’s presence will be manifest once again, but this time, it will have universal proportions. “ונגלה כבוד ה’ וראו כל בשר יחדו”: God’s glory will be revealed, and all flesh, together, will see (40:5). The wide ranging impact of Bnei Yisrael’s redemption will be acknowledged by the world over.<sup>69</sup>

Perhaps, however, the description of Hashem’s return to Jerusalem at the beginning of Yeshayahu’s prophecy alludes to another predominant motif that permeates his message of consolation in chapter 40: the Creation narrative ויהי תהום ורוח תהום על פני תהום (Gen. 1:2). When analyzing the meaning of “תהום ובהו,” Rashbam and Ibn Ezra clarify that the initial condition of the world was uninhabitable. The earth was filled with obstacles to a prosperous existence, permeated by a thick darkness and covered with deep

<sup>66</sup> Rashi, Exod. 3:7, who also compares this acknowledgment to the statement in Exod. 2:25, “God knew.” Cf. Rashi on Exod. 2:25.

<sup>67</sup> For this reading, compare Amos Chacham, *ישעיהו ספר* (Jerusalem: Mosad Harav Kook, 1984), Vol. 2, p. 410, on Isa. 40:3; cf. Radak, Isa. 40:3, who notes the emphasis to clear “the way for our God,” signifies that “He is the leader of this nation that is emerging from exile.” This reading differs from that of Rashi and Ibn Ezra, Isa. 40:3, who equate the “way of Hashem” with the path for the redeemed. It is instructive, however, to see a sequential progression here or at least two different perspectives of the redemption process, with Hashem leading the way and reinstating His glory and presence in Jerusalem as a means of preparing for the ingathering of the exiles and restoring them to their cities.

<sup>68</sup> Cf. John D.W. Watts, *Isaiah 34-66: Word Biblical Commentary, Volume 25* (Waco, Texas: Word Books, 1987), p. 80, on Isa. 40:3, and John Goldingay, *The Message of Isaiah 40-55: A Literary-Theological Commentary* (London/New York: T and T Clark International, 2005), p. 18.

<sup>69</sup> Compare Isaiah 2 regarding the universal features of the final redemption; cf. Isa. 66:19, where Yeshayahu emphasizes that during the time of redemption, all nations will acknowledge Hashem’s “glory (כבוד).” Compare Zephaniah 3:9, in which the prophet stipulates how the entire world will speak a clear language, declaring the oneness of Hashem in the time of the final *geulah*.

waters (Gen. 1:2).<sup>70</sup> Similarly, Yeshayahu declares, “For thus said Hashem, Creator of the heavens; He is the God who fashioned the earth and its Maker. He alone established it. He did not create it to remain as תהו; He formed it to inhabit it (לשבת יצרה)” [Isa. 45:18]. In the song of *Ha’azinu*, Moshe associates the geography of תהו with a place of wilderness (ארץ מדבר) [Deut. 32:10]. The wilderness is symbolic of a less than ideal existence, signifying the domain of exile.<sup>71</sup> With poetic double entendre, Yeshayahu envisions a voice that calls out to remove the obstacles that make the world a place of תהו, uninhabitable for Hashem’s presence. It commands that a path be cleared so that Hashem may once again “reside” in His permanent domain, in Jerusalem, where His glory is revealed openly to everyone.<sup>72</sup>

Evoking the cornerstone motif of Creation, Yeshayahu expands upon the significance of this event as the indisputable proof that redemption is imminent. The relationship between creation and the world’s historical destiny may be clarified through Rashi’s answer to the question of the midrashic sage, R. Isaac, regarding Hashem’s choice to begin the Torah with the Creation story. R. Isaac ponders, “The Torah should have commenced with [the commandment of] ‘This month will be to you. . . (Exod. 12:1),’ the first commandment that Israel receives on the threshold of becoming a nation.<sup>73</sup> Assuming that the primary objective of the Torah is to serve as a law book to instruct Israel, R. Isaac questions the purpose of the story of creation within the Torah’s framework.<sup>74</sup> Applying the answer of R. Joshua from another midrashic source, Rashi qualifies that Hashem wanted to declare first and foremost to the nations of the world, “All of the earth belongs to the Holy One, blessed be He. He created it and gave it to whom He deemed proper in His eyes.”<sup>75</sup> Hashem as Creator signifies Hashem as sovereign ruler over the destiny of the world. As Creator, Hashem has the absolute authority to determine the course of historical events and the fate of Israel and the nations of the world.

Significantly, Yeshayahu’s reminiscence of the redemption from Egypt and the giving of the Torah imparts how Hashem guides the progress of history to fulfill His divine plan for which the world was created. As Rashi, citing midrashic interpretation, expounds, “בראשית: For the sake of the Torah that is called ‘the beginning of His way (ראשית דרכו)’ [Prov. 8], and for the sake of Israel, that is called ‘the beginning of His harvest (ראשית תבואתה)’ (Jer. 2),” Hashem brought the world into existence.<sup>76</sup>

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<sup>70</sup> See Rashbam and Ibn Ezra, Gen. 1:2.

<sup>71</sup> Compare Yehezkel’s description of Israel’s exile among the nations as “the wilderness of the nations” (מדבר העמים) [Ezek. 20:35]; cf. Malbim on this text. Compare Isa. 64:9.

<sup>72</sup> Note that Yeshayahu in 45:19 observes that Hashem declares, “I did not say to the progeny of Jacob, ‘Seek me in *tohu*.’” תהו represents that state of contra-reality, an undesirable condition of existence.

<sup>73</sup> Cf. Rashi’s citation and clarification of R. Isaac’s question in his commentary on Gen. 1:1. For the midrashic source, with a slightly different wording, see *Midrash Tanhuma, Bereishit*, 11.

<sup>74</sup> On this point, see the analysis of the Maharal, *Gur Aryeh*, ed. Yehoshua David Hartman (Jerusalem: Makhon Yerushalayim, 1989), Vol. I, Genesis, p. 2, on 1:1.

<sup>75</sup> Rashi, Gen. 1:1, based on *GenR*. 1:2. This response applies Ps. 111:6, by interpreting that “the power of His actions” which God revealed to His people is that He is the Creator, which gives Him the jurisdiction to “give them the heritage of the nations.”

<sup>76</sup> Rashi, Gen. 1:1, based on *GenR*. 1:4; *Vayikra Rabbah* 36:4.

Numerous verbal cues stimulate the attuned reader to recollect various facets of the creation process. Yeshayahu recalls the activities of creation, by invoking the very first verb describing this process, ברא. Hashem is described as “the Creator of the earth from end to end” (40:28) and of the hosts of the heavens (40:26).<sup>77</sup> The absolute guarantee of the word of Hashem which Yeshayahu associates with Hashem’s eternity (40:8) alludes to Hashem’s declarations (ויאמר אלקים), which marked the creation activities of each of the six days of creation.<sup>78</sup> The primary components of the world that Hashem created with careful planning and design - water, heavens, the hosts of the heavens, the dust of the earth, and the mountains- are invoked (40:12, 21-22, 26). The calling of names of each of the heavenly hosts (40:26) recalls Hashem naming His creations (Gen. 1:5, 8, 10).<sup>79</sup> The voice of Hashem that pervades the Garden of Eden (Gen. 3:8) is echoed in the mysterious voices that herald the redemption (40:3-4, 6-8, 9-11). The description of the world in its raw state of תהו ובהו, juxtaposed with the evocative synonyms imparting the idea of nothingness (איך; אפס), is an image adapted by Yeshayahu in order to graphically portray Hashem’s singular, incomparable status in relation to world powers (40:17, 23). The “רוח” of Hashem that appears over the waters in Gen. 1:2 is re-positioned in relation to the grasses and flowers (40:7), and imparted with a double, allusive meaning of “wind” and “spirit,” the latter meaning especially applying to 40:13, which dwells on Hashem’s creative wisdom in the formation of the world. In that regard, it is instructive to note that רוח אלקים, the designation in the creation account, is also associated with the bestowal upon select individuals of a divine wisdom, which gives them the resources and creativity to accomplish great things. Yosef is attributed with this divine gift by Pharaoh after interpreting the king’s dreams (Gen. 41:38), and Bezalel is given this capacity in order to fashion the vessels of the Mishkan (Exod. 31:3, 35:31). As a resourceful and creative being, Hashem brought the world into existence through great planning and forethought.<sup>80</sup>

Metaphors and similes that strive to impart the strong contrast between Hashem’s capacities and stature in relation to His creations apply imageries from plant life (40:6-8, 16, 24) and animal life (40:11, 16, 22, 31). Hashem’s reliable commitment to fulfill His word is starkly contrasted with the transitory, dubious condition of the human being, whose strength and ability to fulfill his intent is compared to the flower of the field<sup>81</sup> and grass, which easily dry up when the wind/spirit (רוח) of Hashem blows on them (40:6-8).<sup>82</sup> If one interprets Gen. 1:2 to refer to a “divine *wind blowing*

<sup>77</sup> Yeshayahu applies other verbs of creation, such as עשה and יצר, in other prophecies of consolation, as, for example, 45:7.

<sup>78</sup> Compare as well Isa. 40:26, in which the verb “call” (קרא) is also invoked in relation to the bringing forth of the stars, reminiscent of the creation story; similarly this verb and that of “say (אמר),” which are used in relation to the announcing voices, recall the creation narrative (Isa. 40:3, 6, 9).

<sup>79</sup> Compare as well Adam’s naming of the animals (Gen. 2:19-20).

<sup>80</sup> For this analysis of “רוח אלקים,” see Avraham Walfish “Chaotic Language and Systematic Interpretation: An Analysis of Genesis 1:2,” *Nahalat* 1 (1999), pp. 116-17, and nn. 44-45, who applies this meaning of Hashem’s spirit to indicate how Hashem goes about transforming the state of תהו ובהו into a world that is hospitable for sustaining life.

<sup>81</sup> This is another allusion to the creation account, which references the trees and grasses of the field in Gen. 2:5.

<sup>82</sup> Compare similar imagery and messages in Ps. 103. Cf. Robert Alter, *The Art of Biblical Poetry* (New York: Basic Books Pub., 1985), pp. 191-92, who observes about this metaphor “... God’s power is a hot wind that makes

over the waters,” to reveal the dry land so that the earth becomes habitable,<sup>83</sup> then the application of this imagery in Yeshayahu’s prophecy acquires an ironic reversal of meaning. In this context, the divine “wind” now conveys an image of powerlessness and frailty of the human who can disappear into oblivion if Hashem wills it. Human beings are compared to grasshoppers (40:22), but when Hashem desires, they can be given the ability to fly tirelessly as eagles (40:31). Perhaps the herald’s declaration that Israel need not fear any longer (40:9) may be seen as a counterpart to the fear that gripped the first couple when faced with the consequences of punishment because of the first sin (Gen. 3:10). Similarly, in an allusion to the eating from the “Tree of Knowledge Good and Bad,” Yeshayahu implores the nation to acquire the proper form of knowledge and understanding (40:21, 28).<sup>84</sup>

By framing his prophecy of comfort against the backdrop of the creation narrative, Yeshayahu sets out to convey the message that Hashem as Creator has the exclusive and singular powers to determine the path of the world’s future. In order to accentuate how he envisions the pivotal role of the Creation event in relation to the guarantee of redemption, the prophet illustrates Hashem’s prolific enterprising activities in a manner that distinguishes Hashem from all of His creations. “To whom could you liken Me? To whom can I be compared? (Isa. 40:25; compare 40:18). Hashem’s creative genius is marked by His infinite and independent wisdom, planning, and careful assessment of each step of the process. “Who directed the spirit of God . . . Whom has He consulted?” (Isa. 40:13-14). Only God has the capabilities to, as if, measure, weigh, and assemble all the components of the world, as a master architect who meticulously crafts each aspect of the creation. “Who has measured the waters with his palm, calibrated the heavens with a span, weighed the earth’s dust with a measure. . . ?” (Isa. 40:12). To the rhetorical, pedagogically oriented question, there is but one answer. God is unparalleled to His creations.<sup>85</sup>

These unrivaled descriptions of Hashem in relation to the creation process nullify the impression among the nations of the world of their invincibility and indomitable powers. Yeshayahu’s depiction of God as Creator frames his rhetoric concerning the relative worthlessness of human values, aspirations, and activities. “All the nations are as nothing before Him; they are accounted by Him as nothingness, emptiness” (40:17); “Who turns princes into nothing, judges of the land into emptiness” (40:23). With scathing imagery, Yeshayahu compares the nations of the world to the raw state of *תהו ובהו*, a state which represents a reversal of creation and the purpose for which the world came into being. The products of human

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transient growing things wither, but God’s spirit is also the source of His promise to Israel, through covenant and prophecy, which will be fulfilled . . . while human things and human faithfulness vanish in the wilderness of time.”

<sup>83</sup> For this reading, see Rashbam and Ibn Ezra, Gen. 1:2.

<sup>84</sup> Cf. Isa. 40:14, which speaks of Hashem’s infinite knowledge and wisdom of the absolute standards of justice.

<sup>85</sup> Goldingay, *The Message of Isaiah 40-55*, pp. 36-37, points out that Yeshayahu’s focus on the imagery of scales and weighing might also serve as a polemic against Babylonian mythos that assigns such capabilities to the gods, who are described as performing comparable actions in relation to their sovereignty over the world. Cf. James B. Pritchard, ed., *Ancient Near Eastern Texts Relating to the Old Testament* (Princeton: Princeton Univ. Press, 1955), p. 332a, lines 224, 241-42, describing the Babylonian god, Marduk, as the “Lord of the world, king of the gods, divine Marduk, who establishes the plan . . . Who measures the waters of the seas . . .”; p. 387b, lines 22-23, describing the sun god, Shamash, “holding the ends of the earth suspended from the midst of heaven. The people of the world, all of them, thou dost watch over.” Note as well, *ibid.*, p. 387b, line 26, describing this god as “their shepherd both above and below.”

activity, idol making, are mocked and reduced to worthlessness. The artisan who thinks he can create a product that will never fall apart is taunted (40:20). The thought that goes into producing these false forms of worship, selecting a tree that will not rot and choosing precious metals of gold and silver for the overlay (40:19), is considered for naught as compared to the thoughtfulness and wisdom of Hashem's creative activities (40:21; compare 40:13). Nations that think they are in control of their fates are weightless,<sup>86</sup> barely discernible as a drop in the bucket, as dust on the scales (40:15). Rulers and princes are easily uprooted, cast off into the wind (40:24). Peoples who have convinced themselves that they have limitless powers are reminded that from Hashem's perspective above the earth, they are as minute as grasshoppers (40:22), for only Hashem is infinite, unbound by concrete images, never tiring, his wisdom fathomless (40:28).<sup>87</sup>

As Moshe Weinfeld has observed, Yeshayahu sharpens his meaning by shifting the focus of certain aspects of the Genesis account in order to present a clear message regarding Hashem's unmatched powers.<sup>88</sup> Relevant to chapter 40, while the creation narrative indicates that the human being is created with a divine-like "image" (Gen 1:26-בצלמנו כדמותנו; compare Gen. 5:1-בדמות אלקים עשה אתו), Yeshayahu reiterates that there is no image or likeness that can be assigned to Hashem (40:18; 40:25). What Yeshayahu aims to emphasize, as noted by Robert Alter, is that "God is perfectly free to fashion a human creature in his own likeness, but it is utterly beyond the creature's capacity to fashion a likeness for his creator."<sup>89</sup> While one might surmise that Hashem took counsel at least with regard to the creation of the human being (as noted in Gen. 1:26-בצלמנו אדם . . . , *Let us make man*), Yeshayahu emphasizes that Hashem had no advisors in the creation of the world (40:13-14).<sup>90</sup> Although Hashem is described as "resting" on the seventh day after completing the work of creation, Yeshayahu portrays Hashem as never tiring or growing weary (40:28). By recasting various elements of the creation account, Yeshayahu zeroes in on his intent for incorporating the first chapters of the Torah into his

<sup>86</sup> Note the imagery of the scales in Daniel 5:25-28, in which the "writing on the wall" is interpreted by Daniel to mean that Hashem has, as if, weighed the Babylonian Empire on the scales of justice, and it was deemed to be weightless and deserving of destruction. On the symbolism of this vision in relation to the significance of the scale and weights imagery, see Al Wolters, "The Riddle of the Scales in Daniel 5," *Hebrew Union College Annual* 62 (1991): 155-177.

<sup>87</sup> Cf. Robert Alter, *The World of Biblical Literature* (Basic Books, 1992), p. 82, who observes how the "grotesque, and inaccurate, simile used by the spies in a reflex of fear" in Num. 13:33, "becomes an accurate gauge of the disproportion between creator and creatures or, indeed, a kind of cosmic understatement."

<sup>88</sup> For all of these examples and others deriving from related chapters in Sefer Yeshayahu, see Moshe Weinfeld, "האל הבורא בבראשית א ובנבואת ישעיהו השני," *Tarbiz* 37 (1967-68): 105-132, especially 121-26.

<sup>89</sup> Alter, *World of Biblical Literature*, p. 81.

<sup>90</sup> Compare Isa. 44:24, who emphasizes, "I am Hashem Who has made everything, Who alone spread out the heavens, Who spread out the earth. . ." Cf. *GenR.* 3:8, which cites this text, based on the *ktiv*, in which the last words of this verse read, "מי אתי" - who was with me [the *qere* being rendered as מֵ-אִתִּי], in order to emphasize that the angels did not assist Hashem in creating the world. Compare *GenR.* 1:9, which cites Isa. 45:6-7, in order to highlight that Hashem did not use eternal raw materials in order to create the universe; everything (as, for example, darkness) was created by Hashem. Goldingay, *The Message of Isaiah 40-55*, pp. 40-41, also observes that this declaration might serve as a polemic against the Babylonian Creation Epic that describes the chief god, Marduk, as a recipient of the advice of Ea, his father, as related in Pritchard, *Ancient Near Eastern Texts*, p. 64, Tablet II, lines 97-98; p. 68, Tablet VI, lines 3-19.

prophecy of consolation. With unambiguous emphasis, Yeshayahu sets Hashem apart from all of His creations in order to impress upon Bnei Yisrael that the eternal, irrevocable guarantee of their salvation is sustained by its divine source.

Although the capacity on the part of Am Yisrael to “listen” and “understand” seems to be lacking in the time of Yeshayahu, the prophet now calls upon them to heed the message of the Creation narrative which reveals the essential attributes of Hashem that are knowable to all human beings, attributes that will assure even the skeptics among them of the approaching redemption. Yeshayahu harshly rebukes the nation in the haftarah which we read prior to Tisha be-Av, “An ox knows its owner and a donkey- its master’s trough; but Israel does not know, my nation does not comprehend” (Isa. 1:3).<sup>91</sup> Yet, in his prophecy of comfort, he implores Bnei Yisrael to hear and listen, for the key to their faith in redemption has already been provided for them “from the beginning” (בְּרֵאשִׁית), through the Torah’s revelation of the creation account (40:21). “Have you not pondered the foundations of the earth?” (40:21). Just as Hashem controls the natural order of the earth, sitting above the earth (40:22), so, too, does Hashem control the political and historical underpinnings of the world. Hashem overturns those rulers and monarchs whose powers are undeserved (40:23), and guarantees the future of Am Yisrael, who will bring about a new historical truth in which they will fulfill the ultimate purpose for the creation of the world. Perceiving through the spectrum of time, from the past to the present and into the future, Hashem assures His people that the time will come when their rightful place among the nations will be re-instituted.<sup>92</sup>

Throughout this prophecy, Yeshayahu reiterates that in order for the redemption to be actualized, Hashem must “re-align” and “re-calibrate” the balance of the world powers, with Hashem at the helm, completely acknowledged as the sovereign ruler over the world, and Bnei Yisrael returned to Eretz Yisrael under the guidance of the Mashiach. The vibrancy of Bnei Yisrael is dependent on its understanding of its relationship to Hashem who is the sole source for their sustained and prosperous existence. Fear and hiding from the “voice” of Hashem only came about as a result of sin and betrayal (Gen. 3:8-10). The absence of fear will become pronounced when Israel is able to declare that “our God” has revealed Himself in His strength to redeem them (40:9-11), so that now they will be able to fulfill the Torah and mitzvot as a sovereign nation.

To those among Israel who question if there is divine providence within the world, declaring, “My way is hidden from Hashem and my cause is ignored by my God” (40:27), Yeshayahu answers that the creation account bears testimony to Hashem as the “eternal God, Creator of the earth from end to end, who never wearies or tires, whose wisdom is unfathomed” (40:28). This serves as incontrovertible proof that having established the world on its foundations, Hashem has a vested interest in strengthening those who trust in Him (40:31) to bring the world to its future destiny.

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<sup>91</sup> Cf. Isa. 6:9-10, which describes the Israelites’ inability to perceive and understand the ramifications of their actions. On the juxtaposition of the text of Isaiah 6 with chapter 40, see Craig A. Evans, *To See and Not Perceive: Isaiah 6.9-10 in Early Jewish and Christian Interpretation* (Sheffield: Sheffield Academic Press, 1989), p. 45, and see his related discussion of this theme in other chapters of Isaiah, *ibid.*, pp. 42-46.

<sup>92</sup> Compare Isa. 41:4 and 46:10, for a similar message.

As R. Behaye notes in the introduction to his analysis of the creation narrative, “שכל שרשי האמונה, נסמכים ונשענים על אמונת החדוש, כי החדוש מופת על ההשגחה וההשגחה מופת על גודל הנבואה ועל אמתת עונש ושכר.” All of the dogmatic principles of faith are dependent on belief in the divine creation of the world. Creation serves as proof for providence. Providence is proof of the greatness of prophecy, the Torah, and of the existence of reward and punishment in the world.<sup>93</sup>

In connection with this message of Hashem’s providential concern over the destiny of His nation, Yeshayahu’s portrayal of Hashem’s “רוח,” as the creative spirit that was exclusively responsible for creation (40:13), may serve an additional purpose if one considers alternative meanings of the description of His רוח in Gen. 1:2. Assuming that the term, מרחפת, means “hovering” (not: blowing), Rashi describes how Hashem’s throne of Glory was suspended over the waters.<sup>94</sup> Applying this explanation, one may conceive of Hashem in a role of paternal protectiveness over the world that He has just created. As U. Cassuto, adapting a similar rendition of this image, explains, “[T]he paternal care of the Divine Spirit, which hovered over it, assured its future evolution and life.”<sup>95</sup> Hashem’s spirit which established His caring presence in the world ensures that His providence will ultimately bring about the final redemption. This impression is carried through in Yeshayahu’s portrait of Hashem the shepherd carrying His flock in His arm and guiding them to their destination (40:11).

Yeshayahu’s vision of redemption as a “new creation,” as a re-setting of the world, is expressed in later chapters of his prophecy. “For I (Hashem) am creating new heavens and a new earth” (Isa. 65:17; cf. 66:22), where former suffering will be erased from our national memory. In this context, Yeshayahu emphasizes that Hashem is “creating Jerusalem a joy and its people a rejoicing” (65:18). When Bnei Yisrael begin to repopulate their cities, where only the sounds of happiness will fill its streets (65:19, 66:10), then it will become evident that the goal of creation is being fulfilled.<sup>96</sup> Continuing to capitalize on the significance of the event of Creation, Yeshayahu describes how Hashem’s creative powers will ultimately be channeled to bring about the revival of Am Yisrael. As he pictorially relates, “Your people, who will all be righteous, will possess the land for eternity. They are the shoot of My planting (נצר מטעי) . . .” (Isa. 60:21). It is Hashem who can also make the “dry” nation of Israel grow and flourish once again. Similarly, Yeshayahu observes, “And now hear Yaakov, my servant, and Israel whom I have chosen. Thus

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<sup>93</sup> Cf. R. Behaye, ed. Hayyim Dov Chavel (Jerusalem: Mosad Harav Kook, 1966), Vol. I, Genesis, Introduction, p. 13. R. Behaye applies Ps. 111:6, as does Rashi in his first comments on the creation story, but he emphasizes the first part of this verse. While Hashem’s essence is unknowable, He revealed Himself through his actions which are able to be comprehended and can teach about Hashem’s relations to His creations (כה מעשיו הגיד לעמו). This explanation may be seen as a response to Ramban, Gen. 1:1, who accentuates the esoteric aspects of the creation story.

<sup>94</sup> See Rashi, Gen. 1:2, apparently applying Deut. 32:11; for this meaning of מרחפת, cf. GenR. 2:4. However, Ibn Ezra, Gen. 1:2, renders the meaning of this term in Deut. 32, to connote “blowing.”

<sup>95</sup> See Umberto Cassuto, *A Commentary on the Book of Genesis, Part One: From Adam to Noah*, translated by Israel Abrahams (Jerusalem: Magnes Press, Hebrew University, 1961), p. 25.

<sup>96</sup> Cf. Abarbanel’s commentary on Isa. 65:17, analyzing, based on Rashi’s interpretation, that there will also be a celestial re-alignment, in which the heavenly powers that influence the nations will be rendered impotent, while Hashem will renew His special providence over the nation of Israel, which will also bring about a rejuvenation of the land of Israel.

said Hashem who made you and formed you from the womb, Who will help you (יעזורך).<sup>97</sup> Do not fear, my servant Yaakov . . . For just as I will pour water on the thirsty [land] and flowing water on the dry ground, so I will pour out My spirit on your offspring and My blessing on your progeny. And they will grow between the grass like willows by streams of water” (Isa. 44: 1-4). Adapting imagery and verbal cues from the Creation story, Yeshayahu emphasizes that Hashem’s spirit which was present when the world came into being will re-create Israel and transform its condition at the time of redemption.<sup>98</sup>

Nevertheless, while Yeshayahu declares that redemption signals a new beginning, it must be understood that it is predicated and founded on Hashem’s original plan for creation. This momentous “re-creation” is not intended as a nullification of the original creation, but an overhaul in which all powers of the world are put back in their proper place, as Hashem had originally intended, before man’s sinful ways corrupted the ideal world condition.<sup>99</sup>

“Hashem saw that it was good (וירא אלקים כי טוב),” is the repeated refrain as each day of creation is completed. When Hashem fulfills His promise to Bnei Yisrael at the time of redemption, every being will “see” and perceive how Hashem restores the world, its course of history and destiny (Isa. 40:5), to its optimal state. Israel will then be able to declare, corresponding to the herald of Isa. 40:9, “How pleasant are the footsteps of the herald on the mountains, who declares peace and brings tidings of good, who pronounces salvation, saying to Zion, ‘Your God reigns!’ (Isa. 52:7).<sup>100</sup>

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<sup>97</sup> This description of Hashem as a “helper” to revive Israel is also noted by Yeshayahu in 41:13. In this reference, I hear an echo of the creation of woman as עוזר כנגדו (Gen. 2:18). Hashem wanted man to have a worthy companion and partner to assist in attaining the goals for which humanity was created; she is his “counterpart alongside him and in relation to him;” compare the rendering of כנגדו in the commentary of Shmuel David Luzzatto (Shadal) on Gen. 2:18, ed. P. Schlesinger (Tel Aviv: Dvir Pub., 1965), p. 26, and see Rav Hirsch’s explanation of עוזר כנגדו in his commentary on 2:18, in *The Pentateuch: Translation and Commentary by Samson Raphael Hirsch*, trans. by Isaac Levy (Gateshead: Judaica Press, 1989), pp. 64-65. When nations of the world, however, behave in a manner that corrupts the purpose of creation, then Hashem views them as “כאיין נגדו,” as nothing in relation to Him. Hashem, however, serves to “help” and assure that the purpose of creation is implemented through His salvation of Bnei Yisrael from exile.

<sup>98</sup> For this reference of the resurrection of Israel in relation to the creation imagery, see Peter D. Miscall, “Isaiah: New Heavens, New Earth, New Book,” in *Reading Between Texts: Intertextuality and the Hebrew Bible*, ed. by Danna Nolan Fewell (Louisville, Kentucky: Westminster/John Knox Press, 1992), p. 54. See as well, *ibid.*, pp. 48-55, for additional references to the creation account throughout the later chapters of Sefer Yeshayahu. Note especially his focus on the usage of the imageries of light and darkness in various aspects of Yeshayahu’s prophecy, as in Isa.45:7 and ch. 60. For additional analysis of the images of light, darkness, fire, water, and dryness in the later chapters of Sefer Yeshayahu, see also Peter D. Miscall, “Isaiah: Labyrinth of Images,” *Semeia* 54 (1991): 103-121.

<sup>99</sup> Compare Ramban, Deut. 30:6, in which he observes how humanity will return to its original state of discerning clear and correct choices, as was the situation prior to eating from the Tree of Knowledge.

<sup>100</sup> This redemptive state will be in stark contrast to the topsy turvy situation that will initially ensue among Bnei Yisrael, “who are saying that the bad is good, and the good is bad” (Isa. 5:20). Note as well Isa. 3:10, where he characterizes the righteous person as “good.”

# Bereavement and Consolation

Rabbi Yona Reiss

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*And I will make their mourning into joy, and I will  
comfort and gladden them from their suffering.*

**Yirmiyahu 31:12**

והפכתי אבלם לששון ונחמתים ושמחתים  
מיגונם  
ירמיהו לא:יב

*Tisha Be'av* is the saddest day on the Jewish calendar. This is the day on which “painful events were repeated” (*Rosh Hashanah* 18b), when both of the Holy Temples were destroyed, and the totality of Jewish tragedy is commemorated. And yet, every year, almost immediately upon the conclusion of the day of *Tisha Be'av*, we celebrate *Shabbos Nachamu*, the *Shabbos* of “comfort” and the joyous day of *Tu Be'av*, which is considered one of the two most festive days of the year. How do we explain this curious juxtaposition?

The question is amplified further when we consider the unique character of the mourning period that leads to *Tisha Be'av*. When a person mourns the death of a parent, an “*aveilus chadashah*” (new experience of loss), the most intense period of mourning is the first day, followed by the seven day “*shiva*” period that restricts hygiene, grooming and movement, followed by a less-restrictive thirty day period that still prohibits haircutting, followed by an attenuated mourning period of twelve months. By contrast, the mourning for *Tisha Be'av*, an “*aveilus yeshanah*” (old experience of loss), becomes more intense as time progresses, beginning with the three weeks, during which haircuts and marriages are prohibited, then advancing to the month of Av during which laundering is prohibited, and then culminating with *Tisha Be'av* itself, in which the observances of the day are akin to the most intensive observances of a mourner observing “*shiva*.”

Rabbi Joseph B. Soloveitchik (see *Out of the Whirlwind*, pp. 9-30) explained that the reason for the distinction between the two mourning patterns is because the purpose of the mourning of a parent is to confront the immediate pain, and then eventually to re-adjust to a pattern of normalcy. By contrast, the purpose of the observance of *Tisha Be'av*, commemorating catastrophes that go back thousands of years, is to gradually reach a level of sensitivity and appreciation for the terrible loss that has befallen us, starting with a dull, almost imperceptible awareness, which gradually cascades into a crescendo of bitter mourning.

However, if the purpose of the mourning period ending in *Tisha Be'av* is to increase the intensity of the mourning experience, how can we expect that almost immediately after the climax of bereavement, we will somehow have the capacity for comfort, and even for the celebration six

days later of the day of *Tu Be'av*, one of the happiest days on the Jewish calendar? More puzzling is that the comfort and celebration are planned in advance, regardless of whether or not the Temple will actually be rebuilt immediately after *Tisha Be'av*.

Perhaps the message is that there is in fact no contradiction. The term “*nachamu*” which heralds the *Shabbos* after *Tisha Be'av* and headlines the *haftorah* of that *Shabbos*, has a double meaning, as explained by *Rashi* in *Bereishis* (6:6, and 27:42) with respect to other variations of the word *nichum*: “*Nachamu*” can mean either to be comforted, or to have a change of mind. True comfort can only be achieved when the fullest extent of one’s anguished emotions have been expressed, so that there can be a “change of mindset” from mourning to joy. It is only at the point that the mourning for the loss of the Holy Temple has been most acutely felt that the ultimate experience of comfort becomes possible. Thus, the mourning for *Tisha Be'av* is both a pre-requisite for the ensuing comfort and a prescription for future joyousness.

The notion of mourning as a pre-requisite for future joyousness is spelled out in the following Talmudic passage:

*Make Jerusalem happy and gladden it, all who love her shall rejoice with her, gladden all those who mourn for her.” (Isaiah 66:10) From here it was taught that one who mourns Jerusalem shall behold its joyousness, but one who does not mourn Jerusalem will not behold its joyousness.*

**Ta’anit 30b**

שמחו את ירושלים וגילו בה כל אהביה  
שישו אתה משוב כל המתאבלים עליה.  
מכאן אמרו: כל המתאבל על ירושלים  
זוכה ורואה בשמחתה, ושאינו מתאבל על  
ירושלים - אינו רואה בשמחתה.  
מסכת תענית דף ל:

Furthermore, Rabbi Shaul Yedidya Shochet (early 20<sup>th</sup> century), author of *Ahavat Shaul (drush l’yom sheni shel Shavuot)*, observes that the experience of mourning creates the immediate capacity to appreciate the joyousness of the Temple. This is why the Talmud uses the present tense, *זוכה ורואה בשמחתה* (which literally means “beholds its joyousness”) and not the future tense *יזכה ויראה*. In this vein, it is also interesting to note that the *Ramban* quotes a version of the text (in his *Toras Ha’adam*) that states *זוכה ורואה בנחמתה* – the mourner of Jerusalem experiences its *comfort*.

But why should it be that the full intensity of the mourning for the Temple creates the immediate capacity for comfort, and even for joy? One simple explanation, based on the Talmudic passage quoted above, is that the mourning creates the eligibility for the Temple to be rebuilt, for Jerusalem to be restored to its glory. We are comforted because, through mourning our loss, we have become eligible for salvation, and therefore we have the right to participate in eager anticipation for the redemptive moment to occur.

However, another possible explanation for the immediate capacity for comfort is inherent in the words at the beginning of the fifth chapter of *Megilat Eikhah* – *זכר ה' מה היה לנו* – remember, Oh G-d, what we have experienced. Most commentators understand the phrase as referring to a recollection of destruction, and a cry for compassion regarding our devastation as a people. But there is another interpretation from the *Alshikh HaKadosh* that appears to be reflected in the elegy *Eikha Atzta B’apekha* by Rabbi Elazar HaKalir, in which the phrase *זכר ה' מה היה לנו* is utilized as a refrain to provide a contrast between the grandeur of the Temple period and the

ravaging consequences of its destruction. According to the *Alshikh*, the words זכר ה' מה היה לנו do not refer to the period of defeat, but rather to the time of triumph, when Jerusalem and the Temple were in their glory. He explains that it is impossible to mourn our current state of spiritual poverty and political subjugation without a remembrance of the sovereignty and spiritual prosperity that we once possessed as a people, the same way that a pauper who is born indigent is less equipped to bemoan his lack of riches than a wealthy person who has become impoverished and constantly recollects what he has lost.

Accordingly, our capacity to mourn properly on *Tisha Be'av* is ultimately dependent upon a recollection and appreciation of what it means to be spiritually rich, to bask in the divine presence of *HaKadosh Barukh Hu* in the Holy Temple, and to engage in His service in an atmosphere pervaded with holiness. It is only when we realize how impoverished we have become in our mundane existence in exile, and gradually grasp, through the progressive sequence of the mourning experience, the full extent of our loss and devastation, that we are able to comprehend and therefore experience the mourning of *Tisha Be'av*. Once we have achieved this heightened state of recognition, as the *Ahavat Shaul* explains, we can appreciate the joy that is attainable through regaining our previous state of spiritual majesty. This understanding enables us to transform the intensity of the mourning experience into a period of comfort and even joy, as we once again perceive the purpose of our strivings in this world, and look forward to re-living an existence that is inextricably woven with a connection to the Almighty.

This renewed appreciation for redemption elucidates the significance of *Tu Be'av*. The Talmud (*Ta'anit* 30b, immediately following the discussion about *Tisha Be'av*) describes various reasons regarding the celebration of *Tu Be'av*, including the identification of *Tisha Be'av* as the day that members of different tribes were given permission to marry each other, and other auspicious occasions. However, Rabbi Tzadok HaKohen Me'Lublin in his work *Pri Tzadik* (volume 5) notes that there is another key allusion to the special nature of *Tu Be'av* contained in the *Mishnah* in *Ta'anit* (26b).

The *Mishnah* records that the two greatest *Yamim Tovim* (days of celebration) on the Jewish calendar are *Tu Be'av* and Yom Kippur. After describing the festivities of these two days, the *Mishnah* quotes the verse from *Shir Hashirim* (3:11): צאינה וראינה בנות ציון במלך שלמה בעטרה: שעתרה לו אמו ביום חתונתו וביום שמחת לכו. The *Mishnah* then expounds upon the latter part of this verse: זה מתן תורה – ביום חתונתו – the day of his marriage: this is the day that the Torah was given. *Rashi* explains that the day of marriage is a reference to Yom Kippur, the day that the *luchot shmiot* (second set of Tablets) were given to the Jewish people. The *Mishnah* concludes with an exposition upon the second half of this concluding phrase זה בנין בית – וביום שמחת לכו – the day of happiness of his heart: this is the day of the future building of the next Holy Temple. The *Pri Tzadik* notes that based on the sequence of the *Mishnah*, the day of “happiness of his heart” must be a reference to the holiday of *Tu Be'av* (see also *Maharsha ad loc*, who writes similarly), on which day he concludes that the Holy Temple will be re-built in the future!

After the mourning of the Temple has been observed in all of its intensity and has elicited an appreciation of the grandeur that we seek to re-experience through the re-building of the Holy Temple, we are prepared not only for the comfort of *Shabbos Nachamu* but for a “change of

mindset” from mourning to celebration, reflected in the celebration of *Tu Be’av*, heralding the future building of the Holy Temple. May we all witness the full and ultimate realization of this celebration, when even the day of *Tisha Be’av* itself shall be transformed into a day of jubilation upon the building of the third *Beit Hamikdash*, may it happen speedily in our time.

# Tish'a B'Av: Holiday of Distance

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SCW '86 • AZ '87

There is a fundamental dilemma with which we are confronted with on Tish'a B'Av. The reality is that we are pretty comfortable in *golus*, and we aren't sensitive to the fact that the Bais HaMikdash is missing from our lives. So how can we really properly mourn on this day?

## A Contradiction

As a point of departure, chazal (*Yuma* 54b) record that when our enemies entered the Bais Hamikdash, they saw the keruvim, the two angelic figures, embracing. At first glance, this is very strange. The embrace of the keruvim reflects a tremendous amount of love between God and the Jewish People. As our rabbis have taught us, when the Jewish people were doing the will of God, the keruvim faced each other, and when the Jewish people did not, they faced outwards, towards the walls. How, then, at the time of the destruction, were the keruvim embracing?

The answer to this question directs us towards understanding the essence of Tish'a B'av: the embrace of the keruvim. If one had to summarize Judaism in one word, it is "closeness." Feeling that God is so close to us, although He is exalted and is infinitely more than this universe, we have the ability, through the Torah, to bring Him into this world. That is what "doing the will of God" means – doing those things which bring Him close to us in this world.

## The Jewish Calendar: A Cycle of Closeness

This is the theme of one of the *kinos* on Tish'a B'Av, "*Ahali Asher Ta'avti*," every stanza of which ends with the word "*poh* – here." The author, the Kalir, sets up the whole concept of the *churban* (destruction) on the word "here."

In the Bais HaMikdash, the *Shechinah* was tangible, and this reality gave the physical a whole different form. It is a different view entirely when you have the concept of God infusing Himself into this world.

Rav Shlomo Wolbe (1914-2005) points out that the Jewish calendar is focused on this concept of "here." During Tishrei we crown God as King over us, in our world, and we are His subjects. From Pesach to Shavuot, God redeems us and we accept His commandments. The cycle of the Jewish year, and Judaism itself, surrounds this concept of making God part of our lives.

However, there are two events marked on the calendar as days when the Jewish people consciously created distance from God. The first was the sin of the Golden Calf, for which every generation is punished, and likewise, the sin of sending the spies, where we said, in essence, “Thank you God, but no thank you.”

The Golden Calf happened on the 17<sup>th</sup> of Tammuz, and the spies, on the 9<sup>th</sup> of Av. These two dates mark the three-week mourning period, a time of distance, on the calendar that is so focused on closeness.

## The Keruvim’s Embrace

If one takes a look at love in this world, whether in marriage or friendship, when the pair is together, their love may not be so evident. But when they are on the brink of a separation, those feelings are brought to the fore.

Marriage is apt imagery to understand the relationship between G-d and the Jewish people. According to the *Bnei Yissaschar* (Rabbi Zvi Elimelech Spira, 1783-1841) at the time of the destruction of the Bais HaMikdash, Hakadosh Baruch Hu was about to take an active step of distance. And before the actual separation, we had the most intense time of closeness. This is the embrace of the keruvim, the intense love before parting.

## Separated from God

When we refer to God leaving, as it were, what we mean is the state of a tremendous concealment in the world, in which we do not see God’s Hand. It’s almost like describing a sunset to a color-blind person. If you’re looking at the world on a black and white level, then you will not absorb all the beautiful colors. *Siluk hashechinah* (the distancing of the Divine Presence) is an empty concept to many of us because we don’t live in a reality of closeness.

An enigmatic midrash states (*Eicha Rabbah*) that when God left the Bais HaMikdash and His *shechinah* left this world, the angel Metatron fell on his face and said, “I will cry, and you will not cry.” Hakadosh Baruch Hu said, “Why do you not let Me cry?! I will enter into a place that you cannot enter, and I will cry.”

Metatron exemplifies our job of bringing the glory of God’s kingdom into this world. When the *shechinah* left Israel, that doesn’t mean it is no longer in this world. If we would measure the intensity of the shining sun outside, and then inside our home, and find the room much dimmer, the difference is not that in the room the sun isn’t shining. It is the walls that conceal its presence, and maybe our windows are dirty. The *shechinah* is still present. But we are no longer capable of using the Divine Presence to come close, to have the optimum relationship.

This is the concept of crying and laughing. Laughing – *simchah* – means *hispashtus* – moving outwards. Crying is *tzimtzum*, moving inwards. We share *simchahs*, but during times of tragedy, we turn inwards.

Metatron says to God, “You have no need to cry, as there is no impact on You. You are still being *mashpiah*, but we don’t have the ability to take the *shechinah* and to get close to God. The constriction is from our side.” To this reasoning God responds, “No I need to cry too.” In the

highest realm of Heaven, beyond even this angel, there is a point where the *hashpa'ah* of Hakadosh Baruch Hu is also affected. He can't give as much as He wants to.

God created the world in a way that enables us to use the *shechinah* to come closer. The concept of *richuk*, distance, is not having those tools. The time of transition is a time of great closeness and love, as we anticipate the distance. And that leaves us, thousands of years after that embrace, still apart.

## Celebrating Our Distance

Tish'a B'Av is called a *moed*, a holiday. We don't say *tachanun*, and we dress nicely. But what kind of holiday is this? Tish'a B'Av is the declaration: "I am not close. I am far." Why are we celebrating this?

Rav Wolbe, quoting Rabbenu Yonah, explains that when you're close, you're close, and when you're far you're far. But when you think you're close and in reality you're far, then you're in really bad shape.

This is what Yirmiyahu Hanavi said (2:23): "*Eich to'mri lo nitmeti, acharei hab'alim lo halachti – r'u darkech bagay. D'i mah asit!*" How can you say you haven't followed after the idols? Look, your foot prints are in the valley! You're going to tell me you didn't sin? The problem with the Jewish people was that at the very time they were doing evil, they found excuses for it. If you can admit you've done wrong, that's ok, that's *richuk*. But to sin, and say, "It's not so bad; we still believe in God," to live in a world of light and darkness, that's the worst.

This is the idea behind having a day that celebrates our distance. Facing up to the truth about being so distant is the first step to closeness.

We do not have even an inkling of what the Jews were like when the Bais HaMikdash was standing. But let's take a look at ourselves, focused so entirely on the desires of our bodies and the vanities of time. We do not miss the Bais HaMikdash. And we do not understand the reality of Divine Presence in the fabric of life. Tish'a B'Av says, let us at least look at the reality of how far we are standing from God. Let us celebrate our distance.

One of the essential *avodahs* of Tish'a B'Av is to ask ourselves where we stand on the spectrum. If we're honest, we can understand that we're disconnected, and no matter how much we want to fool ourselves, we have a distance to go. And that's why it's so powerful. Rabbi Yisrael Salanter (1810-1883) says that on Tish'a B'Av one can come as close to God as one does on Yom Kippur itself, because the realization of our distance brings a tremendous desire to come closer.

If we are close, then we know we're close. If we think we're close and we're far, then we're complacent. But if we're far, that should bother us, and that agitation is the desire to come close to God which we can achieve on Tish'a B'Av like on Yom Kippur.

## Painting the Background

The celebration of distance can bring us closer, because Tish'a B'Av has a certain power of closeness.

Rav Chaim Shemulevitz (1902–1979), in explaining the keruvim at the time of the churban, writes that God punishes with a tremendous amount of love. Where there is no love, there can be no punishment. This explains the embrace of the keruvim.

The Maggid of Mezerich<sup>101</sup> explains the *possuk* (*Eicha* 1:3): “*kol rodfeha hisiguha bein hameitzarim* – all who pursued her caught up with her between the straits.” *Kol rodfei-Ka* – All those who run after God, are able to catch up with Him at this time of year, during the three weeks, called “*bein hameitzarim*.”

Why? Because when a king is in his palace, it is hard to gain an audience with him. But when he is in exile, he is accessible. Likewise, the greatest amount of love between a father and his son is when the son is sick and the father himself has to act as a doctor and operate on his son. At this time there is the most intense love, with the father knowing that both he and his son are suffering so terribly.

This time of suffering is filled with a tremendous amount of love between God and the Jewish People.

The concept of the keruvim embracing during the time of God’s punishment is a concept for eternity. When an individual has difficulties in life and feels the Divine Judgment pouring over him, he needs to understand this concept of the embrace of the keruvim: that although it feels like a time of distance, on the deepest level, it’s one of closeness.

The 22 days between the 17<sup>th</sup> of Tammuz and Tish’a B’Av parallel the 22 days in Tishrei between Rosh Hashanah and Simchas Torah, placing Tish’a B’Av as a parallel to Simchas Torah. The climax of all our *avodas Hashem* in Tishrei is found on Simchas Torah, and this is the potential for closeness of Tish’a B’Av. These 22 days are like the dark background on which an artist paints a vivid picture. The blackness, the distance, creates the strong desire to come close to God. And only painting on that black background of distance and longing can prepare us to stand before our King on Rosh Hashanah, ready for a relationship with Him.

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<sup>101</sup> From here until the end of this essay is based on the *Nesivos Shalom*

# Forging a New Beginning

Rabbi Mordechai Torczyner

Rosh Beit Midrash, Yeshiva University Torah Mitzion Zichron Dov Beit Midrash of Toronto

Some twenty-five hundred years ago, on the ninth of Tammuz, the walls of Jerusalem were breached by the Babylonians. Or, perhaps not.

Yirmiyahu placed this Babylonian invasion on the ninth of Tammuz:

*In the fourth month, on the ninth of the month, the famine strengthened in the city and there was no bread for the population. And the city was breached and the soldiers fled, and they departed the city via the gate between the walls by the king's garden, with the Chaldeans surrounding the city, and they traveled via the aravah.*

**Yirmiyahu 52:6-7**

בחדש הרביעי בתשעה לחדש ויחזק  
הרעב בעיר ולא היה לחם לעם  
הארץ: ותבקע העיר וכל אנשי  
המלחמה יברחו ויצאו מהעיר לילה  
דרך שער בין החמתיים אשר על גן  
המלך וכשדים על העיר סביב וילכו  
דרך הערבה:  
**ירמיהו נב:ו-ז**

This perplexed the sages, for a mishnah (Taanit 4:6) teaches that this invasion took place on the 17th of Tammuz. Rava offered a solution in the Babylonian Talmud.

*There is no problem; Yirmiyahu spoke regarding the first Beit haMikdash, whereas in the time of the second Beit haMikdash the city was breached on the 17<sup>th</sup> of Tammuz. A braita corroborates this, saying, "In the first Beit haMikdash the city was breached on the 9<sup>th</sup> of Tammuz. In the second, on the 17<sup>th</sup> of Tammuz."*

**Taanit 28b**

לא קשיא כאן בראשונה  
כאן בשניה דתניא  
בראשונה הובקעה העיר  
בתשעה בתמוז בשניה  
בשבעה עשר בו  
**תענית כח:**

The Tur and Shulchan Aruch (Orach Chaim 549) cited Rava's view as law, explaining that we fast on the date of the second breach of Jerusalem because the destruction of the second Beit haMikdash is more severe for us.

Notwithstanding Rava's explanation and its adoption by the Tur and Shulchan Aruch, the Talmud Yerushalmi offers a different justification for the conflicting dates. Addressing both the conflict regarding the 9<sup>th</sup> or 17<sup>th</sup> of Tammuz as the date of the breach of Jerusalem, and a second conflict between Yechezkel's statement (26:1-2) that the first Beit haMikdash was destroyed on

the 1<sup>st</sup> of Av and our tradition of commemorating the destruction on the 9<sup>th</sup> of Av, Rabbi Tanchum bar Chanilai explained<sup>102</sup>:

*Rabbi Tanchum bar Chanilai said: I see a corruption of calculations here... Whether taking the view that the walls were breached on the 9<sup>th</sup> of Tammuz, or taking the view that the walls were breached on the 17<sup>th</sup> of Tammuz, there were 21 days from the time the city was breached until the Beit haMikdash was destroyed... The one who said the walls were breached on the 9<sup>th</sup> of Tammuz took the view that the Beit haMikdash was destroyed on the 1<sup>st</sup> of Av, and the one who said that the walls were breached on the 17<sup>th</sup> of Tammuz took the view that the Beit haMikdash was destroyed on the 9<sup>th</sup> of Av.*

**Yerushalmi Taanit 4:5**

אמר ר' תנחום בר חנילאי  
קילקול חשבונות יש כאן... בין  
כמאן דאמר בתשעה לחדש בין  
כמאן דאמר בשבעה עשר מה  
ביניהון עשרי' ואחד יום מיר'  
שהובקעה העיר ועד יום שחרב  
בית המקדש... מאן דאמר  
בתשעה לחדש באחד באב חרב  
הבית מאן דאמר בשבעה עשר  
בתשעה באב חרב הבית  
ירושלמי תענית ד:ה

According to Rabbi Tanchum bar Chanilai, the walls of Jerusalem were breached on the 17<sup>th</sup> of Tammuz and the destruction of the Beit haMikdash actually took place on the 9<sup>th</sup> of Av, and the Jews of Bavel remembered that twenty-one days had passed between the invasion of Jerusalem and the fall of the Beit haMikdash. Therefore, when they incorrectly set the destruction of the Beit haMikdash as the 1<sup>st</sup> of Av, they dated the invasion as having occurred 21 days earlier, on the 9<sup>th</sup> of Tammuz.

All of the above leads to a simple question, though: Granted that the beleaguered population might have been confused, why did the Sages canonize inaccurate dates? Can it be that these texts, canonized as prophecy, are simply inaccurate?<sup>103</sup>

Chatam Sofer, writing on the Yerushalmi, contended that the confusion was actually the people's misunderstanding of a proactive decision by those prophets to date the churban as the 1<sup>st</sup> of Av, even though it had occurred on the 9<sup>th</sup>:

*That generation of Babylonians did not believe this [that once the Beit haMikdash was destroyed, there was hope for redemption]. They gave up hope... The Babylonian Jews heard from their prophets, 'On the first of the month, Tyre rejoiced at the fall of Jerusalem,' and they did not understand that the prophets called the 9<sup>th</sup> of Av 'the first of the month' because of the prediction, 'Now your sin is complete [and the redemption can begin].' They thought it was to be understood literally, that the Beit haMikdash had been burned on the 1<sup>st</sup> of Av. They calculated 21 days back, and figured that the city had been breached on the 9<sup>th</sup> of Tammuz.*

אנשי אותו הדור בבבל לא  
האמינו זה, ונתיאשו... אנשי  
בבל שמעו מהנביאים שלהם  
"ביום א' לחדש שמח צור  
במפלת ירושלים" והם לא  
הבינו כי ט' אב נקרא א'  
בחדש על "כי תם עונך", על  
כן חשבו כפשוטו כי ביום ר"ח  
אב נשרף בהמ"ק והשבו כ"א  
יום למפרע לבקיעת העיר  
ויהיה ביום ט' תמוז.

The destruction of the Beit haMikdash fulfilled Eichah 4:22, "[The punishment for] your sin is concluded." Once the building was demolished, we entered a new world of consolation and re-birth, and so our leaders dated the destruction as the first day of a new month, and indeed a new

<sup>102</sup> And see also Yalkut Shimoni to Melachim II, Remez 249

<sup>103</sup> Tosafot Rosh haShanah 18b זה תשעה בתמוז, averred that the prophets were, indeed, handcuffed by popular error

era. The nation took this literally, dated the fall of the Beit haMikdash as the 1<sup>st</sup> of Av, and back-dated the fall of Jerusalem as the 9<sup>th</sup> of Tammuz.

Chatam Sofer's suggestion that the Sages would have risked calendar havoc is stunning in its presumption. Judaism views the calendar as sacrosanct, the very purpose of the creation of the celestial spheres; "He created the moon for the sake of the appointed times," King David sang in Tehillim 104, building on Bereishit 1:14. We set our halachic lives by our days and months. Our first national mitzvah was the system of calculating the lunar month. And yet, Yirmiyahu and Yechezkel felt comfortable feigning re-setting the clock, in clear defiance of the physical moon and the halachically infallible justices of the beit din, for the sake of making a philosophical statement about the new era we had entered!

This bold approach should highlight for us the importance of launching new beginnings immediately after catastrophe. The sky is still filled with soot and ash, parades of chained Jews shamble out of Jerusalem, looters are stuffing elegant gold and silver into sacks – and the prophets have the hope-filled hubris to declare, "Today is the first day of the rest of your national life." This must serve as a guide and inspiration for us; if it is always darkest before the dawn, then the moment after our darkest despair is always the start of our new day.

This point is underscored by the arrangement of our own Tishah b'Av-centered mourning. Whereas normal mourning following a personal loss consists of consecutive, easing levels of grief, our mourning for the Beit haMikdash consists of intensifying levels, building up to Tishah b'Av. Then, immediately after the Tenth of Av's special commemorations end, the mourning ceases entirely and we begin building anew. As the Chatam Sofer put it, "It is the first of a new month, menachem." This is a day deserving of the title, "Day One."

May the value of our mourning up through Tishah b'Av, and our efforts at consolation in the new era born thereafter, merit the immediate rebuilding of our Beit haMikdash.<sup>104</sup>

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<sup>104</sup> Note that the Maharsha to Taanit 28b offers a unique explanation for the calendar confusion, linking it to the difference between the lunisolar calendar observed by the Jews and a solar calendar observed by their conquerors. See, too, the explanation offered by Maharal in his Gur Aryeh to Rosh haShanah 18b.

# Kinot Insights from members of the YU Torah Mitzion Kollel of Chicago

## Eicha: Night

Rabbi Reuven Brand

Rosh Kollel

Our custom to read the book of Eicha on Tisha b'Av eve, recorded in the Shulchan Aruch (Orach Chaim 559:2), is perplexing. When else during the year do we read a Megillah at night? Even on Purim, our nighttime recitation of the book of Esther is followed by a daytime reading, which is the more essential of the two. Why then, on Tisha b'Av, is the prevalent custom to read Megillat Eicha only at night?

Night has unique qualities. The Rambam (Hilchot Talmud Torah 3:13) notes that the essential time to acquire "the crown of Torah," the transformational achievement of Torah, is at night. Why should this be so? The Chovot Halevavot (R' Bachya Ibn Paquda, Shaar Ahavat Hashem, chapter six) observes that night has unique characteristics suitable for spiritual attainment: "At night people are more available and less preoccupied... there are fewer distractions and interactions with other people... there is more quiet, and there is a general sense of solitude and greater focus." Nighttime affords one the opportunity to contemplate with a single-minded focus. Hence, the study of Torah in the quiet of night is unparalleled in its quality and purity. The Rambam cites a verse to support this notion. It is a surprising citation that is layered with meaning:

*Arise, cry out in the night, at the beginning of the watches;  
pour out your heart like water before the face of the Lord;*

**Eicha 2:19**

קומי רני בלילה לראש אשמרות שפכי  
כמים לבך נכה פני אדני  
**איכה ב:יט**

The Rambam calls upon this verse from the book of Eicha, suggesting that the crying voice is the voice of homiletic interpretation, the voice of Torah. Yet, the simple meaning of the text and the overall Megillah itself emphasize a very different voice, a crying of sadness. The double meaning of this verse teaches that the two experiences, the joy of Torah and the sadness of sorrow share a common quality: night.

To capture his horrific experience in the Holocaust in a one-word title, Elie Wiesel chose the word night. The darkness, solitude, loneliness and silent character of night convey the feelings

that he seeks to evoke. This is well understood in light of our verse in Eicha. The characteristics of night, which in times of splendor afford us the crown of Torah, are the same qualities that accentuate the suffering of those gripped by sorrow. Night, the time of solitude and contemplation, becomes a jail for those who can't emotionally extricate themselves from their current situation. It becomes a time for crying and wailing, as the verse describes according to the *pshat*, its primary level of understanding. Night exacerbates suffering and its sadness becomes contagious. The Talmud (Sanhedrin 104b) describes how "one who cries at night, his voice is heard", and "one who cries at night, all of his listeners cry with him." This voice of sorrow reverberates throughout the stillness of the night; it is far more painful and piercing than cries heard during the day.

Perhaps this is why we recite Eicha at night, for night is the time of acute suffering. It is the time when the sorrow of the book will be felt most profoundly and its messages will resonate deeply. The glimmer of hope that we can find within the book of Eicha, the tiny light that still shines in the night of our long exile, is that our voice of sorrow will one day be transformed into a voice of Torah, a crown of redemption.

## קינה ג: בליל זה יבכיון ויילילו בני

ר' חגי עליצור

חבר כולל

הקינה הזו מתבססת על המשנה בתענית (פרק ד, משנה ו):

"חמשה דברים אירעו את אבותינו בשבעה עשר בתמוז וחמשה בתשעה באב בשבעה עשר בתמוז נשתברו הלוחות ובטל התמיד והובקעה העיר ושרף אפוסטמוס את התורה והעמיד צלם בהיכל בתשעה באב נגזר על אבותינו שלא יכנסו לארץ וחרב הבית בראשונה ובשניה ונלכדה ביתר ונחרשה העיר משנכנס אב ממעטין בשמחה".

המשנה מתארת 5 אירועים שאירעו בי"ז בתמוז ובט' באב: הראשון – במדבר, השני – בבית ראשון, השלישי – בבית שני, הרביעי והחמישי – בימי מרד בר כוכבא.

הגמרא שם (תענית כט.) מבארת שבחטא המרגלים נקבע ט' באב ליום בכייה לדורות: "וכתיב 'ותשא כל העדה ויתנו את קולם ויבכו העם בלילה ההוא'. אמר רבה אמר רבי יוחנן: אותה לילה ליל תשעה באב היה. אמר להם הקדוש ברוך הוא: אתם בכיתם בכיה של חנם - ואני קובע לכם בכיה לדורות." - יש בחטאי המדבר יסוד לכל האירועים שקרו בהיסטוריה שלנו.

הרב קוק, באחד ממאמריו היסודיים ביותר – למהלך האידיאות בישראל – מלמד אותנו, שישנן שתי אידיאות בכל קיבוץ אנושי: אידיאה לאומית ואידיאה אלוהית. הייחוד של עם ישראל הוא ששתי האידיאות האלו אחת הן – הזהות הלאומית שלנו היא ייעודנו האלוהי. אפשר לנתח באמצעות הרעיון הזה את היחס בין י"ז בתמוז לט' באב:

ניתן לומר שנראה שהאירועים של י"ז בתמוז עוסקים בתורה ומקדש – השייכים לאידיאה האלוהית של עם ישראל ואילו ט' באב עוסק בארץ ישראל – השייכת לאידיאה הלאומית של עם ישראל.

יהי רצון שנזכה לכך שהמועד המיוחד של ט' באב, שבו עוסקת הקינה, יהפך לנו למועד המיוחד לגאולה שהיא איחודה של האידיאה האלוהית עם האידיאה הלאומית – קיום התורה בארץ ישראל.

## **Kinnah 10: Eicha Yashva Chavatzeles HaSharon**

Rabbi Dovid Asher

Kollel Fellow

This kinnah mourns the destruction of the Temple's kehuna (priesthood). There were many great personalities and groups of personalities lost throughout our various destructions that could have been our focal point. Why do we specifically focus on the kohanim?

The role of the kohanim in the Beis Hamikdash was complex. On the one hand, they were, in a sense, agents of God, in the role of assessing the sota and tzaraas, and blessing the people. On the other hand, they played the role of agents of the Jewish people, as they wore the breastplate with the names of the tribes; and, of course, they brought korbanos on behalf of the people. Agents generally do not have their own identity, but rather do the bidding of others. But isn't the kohein supposedly of higher rank than the levi or yisrael?

The Kohein Gadol wore the tzitz, or the head-plate, and the words "sanctified to God" were engraved on it. In a sense, he wore a hat saying, "Property of God." Considering his stature and power, one would think that he could do what he wanted to do, when he wanted to do it. However, the reality is that no one in our society had a more regimented life.

The concept of being powerful and having self-determination means that we control ourselves without outside interference. The problem is that as human beings we are constantly engaged and involved with the outside world so we are extremely affected by it to the extent that ignoring outside interference is not a possibility.

The only way to "avoid" the aforementioned obstruction is to involve oneself with the world in a manner that he or she controls. In other words, a regimented lifestyle is actually the key to escape being manipulated. The kohein has more laws than other Jews, and the Kohein Gadol had even more rules than his fellow kohanim. Nevertheless, this reality is the key to understanding the supremacy of the kohanim, not their restrictions. It is precisely their multitude of restrictions that gives them more self-determination and thereby the higher rank.

Our people are referred to as "mamleches kohanim," a kingdom of priests. This distinction is partially related to the limitations placed upon us. At first glance they appear to be inhibiting, but we can learn a different lesson by paying attention to the message of kohanim. If we could see the kohein again as he performs his routine, if we could smell the korbanos, if we could experience his leadership in the ideal way, then we can experience that all important model that living a life as an agent of God is in fact an ideal worth cherishing. Let us strive to appreciate the great loss that was the example set by the service of the kohanim.

## **Kinnah 11: Not Just Leaders**

Rabbi Dovi Bergman

Kollel Fellow

At first glance, the story in kina 11 stands out among the kinnot. It doesn't focus on the destruction of the Temple, or on the subsequent exile, but rather on the death of Yoshiyahu, the

last righteous king of Judah, an event that occurred decades before the churban. We will see that this event foreshadowed the coming tragedy. Yet as we read the kina, we wonder what a story so focused on one individual is doing toward the beginning of the kinnot service.

The story opens as the Egyptian army proudly marches through Israel, on its way to wage war with the Assyrian empire. The Egyptians treated Israel peacefully, merely asking for a clear passage through the land. The prophet Yirmiyahu warns Yoshiyahu not to answer peace with war. Ignoring the prophet's instruction, the king proudly musters his troops belligerently against the vast Egyptian army. The outcome is catastrophic. Yoshiyahu is killed by the Pharaoh's archers, and with his death dies the Jewish people's last hope for repentance. From the very beginning of his reign, Yoshiyahu had led the nation toward repentance. The Navi praises his sincerity as unparalleled since the time of Moshe (Melachim Bet 23:25). Yet, by failing to heed Yirmiyahu's warning, Yoshiyahu fell short as a decision maker. Yoshiyahu had put Klal Yisrael on a path of return that could, perhaps, have staved off the churban. With his death, the question of churban transformed from one of "if" to one of "when."

As told by the kina, the story focuses on one individual, Yoshiyahu. However, Chazal add a layer of context, one that trains our sights on the nation's role in this sad outcome. Yoshiyahu's disobedience of the prophet Yirmiyahu appears brazen. It flies in the face of his role as a righteous hero, a spearhead of religious revival. How can it be that such a flawless leader failed so suddenly? What came over the righteous king to ignore a prophet's warning?

Chazal offer a striking answer, actually hinted at in the kina's fourth stanza. They tell us that Yoshiyahu stumbled because he thought too highly of his people. He thought the Jews had followed his lead and totally eliminated idolatry. Had that been true, the Jewish army would indeed have had nothing to fear (see Taanit 22a,b). Sadly, this was not the case. In truth, many Jews had hidden the idols in their doorposts, where Yoshiyahu's police wouldn't find them (Eichah Rabbah 1:12). Those hidden idols erased the merit that Yoshiyahu needed for victory over the Egyptians. In Chazal's eyes, Yoshiyahu died because the people failed him. They didn't live up to his leadership, to his goal of total repentance. Seen this way, the story challenges us to introspect. We must realize that great leadership will never be enough. A leader can lead, but it is up to the followers to follow. If we are dissatisfied with the state of the Jewish people, the first place to look is not at its leaders. We first must look in the mirror, and ask ourselves if we are ready to be led.

## **Kinnah 21: Martyrdom and Faith**

Rabbi Mordecai Turoff

Kollel Fellow

Kinnah 21 conveys the heart wrenching and haunting lament over the cruel and unusual murder of the ten rabbinic giants who met their end at the hands of the Roman Empire. While this kinnah, as well as a similar passage in the Yom Kippur service, paints a most gruesome picture of the brutal slayings of most of the martyrs, it is the death of Rabbi Akiva that has served as the paradigmatic model of martyrdom throughout Jewish history.

The author's depiction of Rabbi Akiva's killing is culled from the Gemara in Brachos 61B

*When R. Akiba was taken out for execution, it was the hour for the recital of the Shema, and while they combed his flesh with iron combs, he was accepting upon himself the Kingship of heaven. His disciples said to him: Our teacher, even to this point? He said to them: All my days I have been troubled by this verse, 'with all thy soul', [which I interpret,] even if He takes thy soul. I said: When shall I have the opportunity of fulfilling this? Now that I have the opportunity shall I not fulfill it? He prolonged the word ehad until he expired while saying it. A bath kol went forth and proclaimed: Happy art thou, Akiba, that thy soul has departed with the word ehad!* **Soncino Talmud translation**

בשעה שהוציאו את ר' עקיבא להריגה זמן ק"ש היה והיו סורקים את בשרו במסרקות של ברזל והיה מקבל עליו עול מלכות שמים אמרו לו תלמידיו רבינו עד כאן אמר להם כל ימי הייתי מצטער על פסוק זה בכל נפשך אפילו נוטל את נשמתך אמרתי מתי יבא לידי ואקיימנו ועכשיו שבא לידי לא אקיימנו היה מאריך באחד עד שיצתה נשמתו באחד יצתה ב"ק ואמרה אשריך ר"ע שיצאה נשמתך באחד

While the reader of the Gemara and the Kinnah cannot help to be astounded by commitment and conviction expressed in the Tanna's final words of Shema Yisrael, the true heroic actions of Rabbi Akivah can perhaps be best seen in the context of the conversation preceding his demise.

Rabbi Kalonymus Kalman Shapira (the Piaseczner Rebbe) writing in the Warsaw Ghetto in 1941 explains that Rabbi Akiva saw in his students' question a crisis of faith and doubt in God.

*They wanted their teacher, who was firm in his great faith to say something that would result in bestowing faith upon them... So Rabbi Akiva spoke to them from his experience sharing with them the stages of his spiritual attainment.*

*(Esh Kodesh pg. 140, Translation from Nehemia Polen's "Holy Fire" pg. 29).*

Rabbi Akiva spent his final breaths transmitting faith and belief to his students and quelling their fears and doubts. In doing so Rabbi Akiva truly served as a sign, an inspiration<sup>105</sup> for leaders to rise above their own grief and suffering to help piece together the shattered lives of their students and community.

These are the heroes whom we mourn. *For these do we weep and our eyes overflow.*

## **Kinnah 25: Martyrdom or Suicide?**

Rabbi Noah Baron

Kollel Fellow

This powerful kinnah is the first one that deals with a topic other than the Beis Hamikdash. It describes the destruction that befell the Jewish people of the Rhineland – Worms, Speyer, and Mainz - in Germany during the First Crusade in 1096. During this time period, we know of the heart-wrenching phenomenon of people committing suicide in fear of yielding to torture and

<sup>105</sup> See Masechet Semachot chap. 8 where it describes the impact that Rabbi Akiva's death had on R' Yehuda ben Bava and R' Chanina ben Tradyon.

converting and of parents slaughtering their own children to prevent them from being reared as Christians. What is their halachik basis? <sup>106</sup>

In Mishnaic and Talmudic sources, we mainly see martyrdom as passively allowing oneself to be killed instead of doing certain sins. But during the crusades, we see people killing themselves and their own families to prevent being forced to convert. Indeed, we do find sources in the Aggada of people killing themselves to prevent sin and being praised for it. The gemara (Gittin 57b) speaks about 400 boys and girls who were led into captivity to be taken to brothels. They jumped into the sea and drowned themselves to be saved from this fate. The gemara says they entered the world to come. The martyrs of 1096 were probably also aware of the story of the priests jumping into the fires to be burned along with the Beis Hamikdash, and also the story of the woman whose seven sons were put to death because they refused to commit idolatry, after which the mother committed suicide and is praised by the gemara. The Aggada occupied an important place in early Germany as a source of psak, as valid as any other halachik source, which was not the case in Spain and Babylonia. This importance can be seen in the responsa of Rabbeinu Gershom who lived in the 11<sup>th</sup> century as well as in Sefer Hasidim which was written in Germany in the beginning of the 13<sup>th</sup> century.

The strong attachment of the Jews of the Rhineland to Aggada can readily explain their willingness to kill themselves, but we still do not see a source to permit one to kill one's family. The Book of Josippon was greatly appreciated in early Germany and influenced the way they perceived the events of the second Temple. Rabbeinu Gershom hand copied this book and others copied it from him. He only copied books that he considered holy, including the Bible, the Mishnah, and the Talmud so the fact that he copied Josippon shows how much he valued it. At the end of the book, the self-sacrifice of R. Elazar Ben Yair and his followers in Masada is described as great heroism. Not only did they kill themselves, they also killed their children. Josephus also tells us of 5,000 habitants of Gamla who threw themselves with their wives and children into the valley and died. It is true that the Book of Josippon was found in the Islamic countries as well, but it didn't have the same holy status that it had in Germany. It is not surprising that the Book of Josippon does not appear in the writings of the Ashkenazik sages as of the mid-12<sup>th</sup> century because that is when the teachings of the Spanish sages penetrated France and to a certain extent, Germany. But before that, the Book of Jossipon had strong influence in Germany and that was their source for the permissibility to kill the whole family.

## קינה ל"א: אש תוקד בקרבי

ר' אפרים רימל

חבר כולל

מדי שנה בשנה בט' באב, נוהג אני לעלות למקום הקרוב ביותר להר הבית, לבית הכנסת שבתוך בסיס מג"ב הקרוי על שם הרב שלמה גורן זצ"ל, הרב הראשי לצה"ל ולמדינת ישראל. בעיצומו של יום טעון זה שבו אנו מתאבלים על חורבנה של ירושלים וחורבן בית מקדשנו, לומר את הקינה הזאת במקום שממנו רואים איך מתקיימים דברי הנביא ירמיהו במגילת איכה (פרק ה' פס' יח): "על הר ציון ששמם שועלים הלכו בו" ממחיש

<sup>106</sup> This is addressed in an article written by Rabbi Avraham Grossman called "The Cultural and Social Background of Jewish Martyrdom in 1096 in Germany" which was pointed out to me by MZ Binter.

עבורי בצורה הברורה ביותר את המרחק הרב שבו אנו נמצאים כרגע בהסתר פנים לעומת המציאות החסרה של גילוי שכינה תמידי שהיה בזמן שבית המקדש היה קיים.

קינה זו הנאמרת בכל תפוצות ישראל בתפילת שחרית של תשעה באב, מבוססת על המדרש באיכה זוטא יט' ומובאת גם בילקוט שמעוני, איכה:

"בוא וראה משה מקלסם במי יתן, שנאמר מי יתן והיה לבבם זה להם (דברים ה' כ"ה), וירמיה אמר מי יתן ראשי מים (ירמיה ח' כ"ג) ... כשיצאו ישראל ממצרים אמר משה הים ראה וינוס הירדן יסוב לאחור (תהלים קי"ד ג'), וכשיצאו ישראל מירושלים אמר ירמיה על נהרות בבל שם ישבנו גם בכינו (תהלים קל"ז א')..."

על אף האוירה הקודרת בקינה ישנה התייחסות מתמדת לקב"ה והשגחתו על עם ישראל. למשל ההנגדה בין "ביתי התכונן ושכן הענן - בצאתי ממצרים, וחמת אל שכנה עלי כעננה - בצאתי מירושלים".

לומדים מכך שבאמת שתי היציאות המנוגדות כל-כך אחת לשנייה באמת טומנות בחובן קשר הדוק, והוא מציאותו של הקב"ה בהן והשראת שכינתו יתברך. הקינה אינה משווה בין הישיבה בארץ ישראל בימי דוד ושלמה כשבית המקדש בתפארתו ובין הגלות כשבית המקדש בחורבנו, אלא בין יציאת מצרים ליציאת ירושלים. הקינה משווה את שתי נקודות השינוי, כאשר הקדוש ברוך מתגלה במלוא עוזו ומחולל שינוי מהותי בחיי עם ישראל. בנקודת השינוי, ואפילו ביציאת ירושלים, כולם רואים את יד ה' במציאות, המחוללת את השינוי.

בנוהג שבעולם, לאחר השינוי שוקעים לתוך מציאות יומיומית שבה קשה לראות את יד ה' במציאות. לאחר השינוי הגדול מגיע הסתר פנים... אם כן, הטרגדיה של החורבן אינה רק בחורבן עצמו, אלא בעיקר, בגלות שבאה אחריו. הגלות גורמת לכך שלאחר גילוי השכינה מגיע הסתר הפנים. לעומת זאת, ביציאת מצרים לאחר גילוי השכינה, עם ישראל מיועד להגיע לארץ ישראל ולהמשיך את גילוי השכינה בחיי המעשה.

לקינה זו יש מספר שינויי נוסחאות. אחת מהן מתארת בצורה מושלמת, דווקא לאור הניגוד בין יציאת מצרים ליציאת ירושלים, את רוח הדברים שאמרנו, ומסיימת בדברי נחמה על הגאולה העתידה דוקא מתוך החיבור בין שתי היציאות שבהן רואים את יד ה' המשגיחה על המציאות תמיד: "יִרְאֲנוּ נְפִלְאוֹת בְּצֵאתִי מִמִּצְרַיִם וְיִשָּׁב שְׁכִינָתוֹ אֶל צִיּוֹן וְעִבְדוּתוֹ אֶל תּוֹךְ יְרוּשָׁלַיִם."

## Kinnah 38: Tzion Ateret Tzvi

Rabbi Michael Teitcher

Kollel Fellow

This kinah, written by R. Elazar ben R. Moshe HaDarshan in 13<sup>th</sup> century Germany, lies in the middle of the group of *tziyyons*. The obvious significance of Zion, or Jerusalem, on Tisha B'Av is clear. We mourn the destructions of the Temples and the loss of the city as a national capitol. But the significance of Jerusalem goes beyond these functions. It was, and is, a city whose intrinsic beauty is to be treasured on its own accord, whose splendor not only reflects the presence of the Temple, but the Divine presence, which permeates its very streets and walls.

As Rabbi Joseph Soloveitchik noted, the *Tziyyons* serve a distinct purpose among the kinot. While most kinot are mournfully explicit recordings of destruction and persecution, these kinot are not heavily focused on the mourning per se. Instead, we turn our focus to the beauty that has been lost, in order to allow us to mourn more honestly. We reawaken the old transcendent feelings that could only be conjured up in the city's presence. It is a place of spiritual vibrancy, the site of joyous public celebration during festivals, and the refuge in which sinners and the religiously downtrodden seek the shelter of God. More than lamentations, these kinot are really

odes paying homage to the splendor of Jerusalem. By understanding the glory we can better feel the pain of its loss.

The prophet Daniel described greater Eretz Yisrael as *eretz hatzvi* (Daniel 11:16). As noted by Rav Saadiah Gaon (10th cen.), this description is related to the Hebrew word צבא, referring to a military stronghold. Eretz Yisrael provides the Jewish people with a spiritual fortress, from which the lifeblood of the people is safeguarded and pumped to its people both within the land's borders and in the Diaspora.

What Eretz Yisrael is on a macro level, Jerusalem is on a smaller scale. It is at once the seat of the nation's power and symbolic of the reason for the land's significance. Its walls protected the most effective tools we had to live a life of Divine experience. The altar, the ark, the songs of the Levites, all served as catalysts to inspire pilgrims to the city. We have been deprived of these tools, making our spiritual journeys that much more difficult to realize.

Our kinnah ends with expression of the deep yearning we strive to feel for our lost city. We pine for its return to glory with unbridled passion. Finally, we are charged with a call to action:

*Wake up to greet your beloved! Shake yourself from the dust of the ground, when He returns to your palace.*

הַתְּעוֹרְרִי לְקִרְאֵת דּוֹדְךָ וְהִתְנַעֲרִי מִן הָאֲדָמָה  
בְּשׁוּבוֹ אֶל מְעוֹנֶיךָ

In our time, when faced with signs of the return of Jerusalem's splendor, let us make every effort to feel the restlessness that shakes us from our deep slumber. Let it cause us to joyously spring to our feet and embrace the spiritual inspiration embodied in the crown jewel of all cities.



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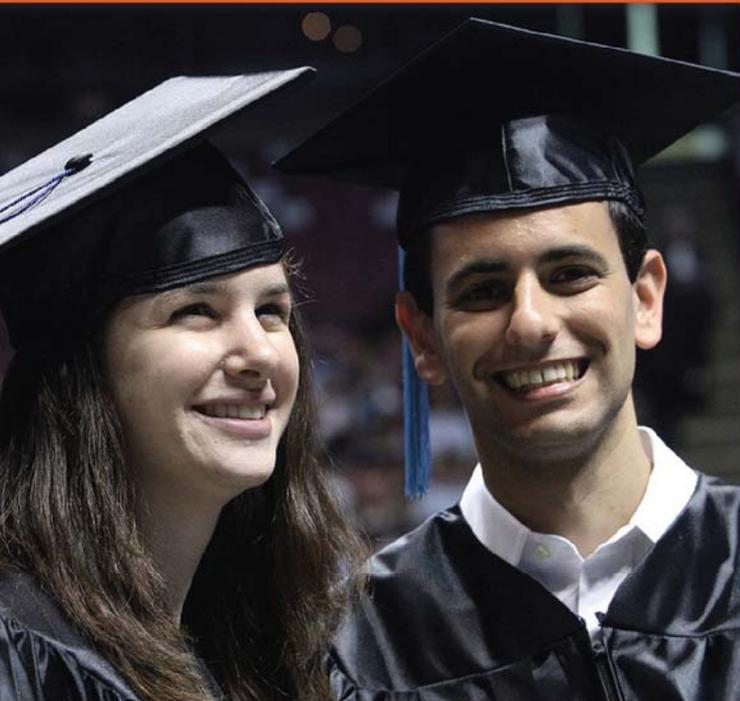
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