

Rabbi Isaac Elchanan Theological Seminary
Yeshiva University Center for the Jewish Future

THE BENJAMIN AND ROSE BERGER TORAH TO-GO[®]

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Dedicated by Scott and Elaine Liebman and family in memory of their parents
Rabbi Philip (Shraga Fievel) and Ruth Cohen z"l and Seymour and Rhea Liebman z"l



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Dr. Deena Rabinovich
Rabbi Dr. Jacob J. Schacter
Rabbi Dr. Moshe D. Tendler
Rabbi Netanel Wiederblank

Tisha B'av Experiential Program

Ms. Aliza Abrams





Dear Friends,

Rabbi Yosef Dov Soloveitchik reflected on an important difference between mourning for a relative, what is known as *aveilus chadasha* (literally new mourning) and mourning for the loss of our Holy Temples, what is known as *aveilus yeshana* (literally old mourning). In *aveilus chadasha*, there is a regression in the intensity of mourning, starting with the most intense form of mourning (*shiva*) and then transitioning to less intense forms of mourning (*shloshim* and the 12 months). In *aveilus yeshana*, the intensity increases from the Three Weeks to the Nine Days to Tisha B'av itself. Rabbi Soloveitchik explained that when one suffers the loss of a relative, the pain and suffering is natural. The mourning practices function to help the mourner transition to normal life, and therefore, regression is appropriate. However, mourning the loss of the Beis Hamikdash is not natural. We use the mourning practices as a tool to help us appreciate the loss. Therefore, the mourning practices increase in intensity so that by Tisha B'av, we can fully appreciate the loss (see *The Lord is Righteous in All His Ways*, pp. 22-31).

This Tisha B'av may feel less like *aveilus yeshana*. Our experiences as a people over the past two months have brought to us an overwhelming sense of void for redemption. We stood to pray as one unified people for Gilad, Naftali and Eyal, and we stood together to mourn the *aveilus chadasha* when they were finally discovered. This is not a Tisha B'av that relies on the Three Weeks and Nine days to experience Tisha B'av. We have had a Tisha B'av feeling since we learned of their horrific murder. Like many times throughout Jewish history, when *aveilus chadasha* and *aveilus yeshana* converge, it provides us with an opportunity to truly internalize the message of Tisha B'av.

We hope that this collection of divrei Torah will provide greater meaning on Tisha B'Av. May the hopes of the Jewish people for a redeemed world and a redeemed nation be fulfilled.

Rabbi Yaakov Glasser

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Revisionist History: Was there one exile or two?

Rabbi Etan Moshe Berman

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Both of our Holy Temples were destroyed on the ninth of Av. Is that only a reflection of the gravity of the day, or does it also indicate that the Second Temple was never independent of the First? Does our history reflect two Temples and two exiles, or are we still suffering from one long exile? Was the Second Temple period really a redemption?

On the surface¹ this would appear to be a dispute between the Ramban and the Abarbanel.

Exile is predicted and detailed twice in the Torah. Once in the 26th chapter of Vayikra and again in the 28th chapter of Devarim. The Ramban (Vayikra 26:16) understands this dichotomy to indicate two distinct historical periods; namely, the First and Second Temple periods respectively. The Abarbanel (Ibid. verse 27), however, sees too much overlap in both cause as well as substance to distinguish absolutely between Vayikra and Devarim in that regard. He therefore illustrates a single exile with a brief reprieve, whose purpose went unfulfilled. In his view, the return to the Land of Israel and the rebuilding of the Temple was intended to facilitate the necessary repentance,² but it was not a true redemption.³

¹ It seems that the dispute is rather technical. Even though the Ramban insists that Vayikra details only the first exile and Devarim only the second, he also writes that there was no repentance done for the sins causing the first exile, only confessions by the leadership. He also admits that there are certain verses that refer to both exiles even in Vayikra.

² Although cryptic, see the response of the prophet Zechariah (Zechariah 7) to the question of observing fast days relating to the destruction of the First Temple and exile after the return to Zion and rebuilding of the Second Temple.

³ There is a subtlety in a passage of the Talmud that also reflects this. The Talmud (*Yoma* 54a) relates that when the Jewish People would arrive at the Temple during the *shalosh regalim* (three festivals), the curtain before the Holy of Holies was opened allowing them to view the cherubim atop the ark embracing (reflecting a love between Hashem and His people). The Talmud questions the allowance for this viewing based on a prohibition of the Levites to look at the Holy Ark when it was being covered prior to the transport of the Mishkan. The Talmud resolves this problem by distinguishing between the period prior and subsequent to the construction of the Temple. Before the construction of the Temple, the relationship between Hashem and His people was not yet comfortable enough to allow for such intimacy. After the Temple was built, it is as if husband and wife have their own home and she is now comfortable enough to allow for intimacy. The Talmud then questions this resolution based on an incident during the Second Temple period where a Kohen discovered the location where the Holy Ark had been hidden. So that no one would be able to view it, the Kohen died before he could indicate the precise location. This was after the Temple was built! To which the Talmud answers that this incident was during the Second Temple period and that was a period of divorce. The language of the Talmud is remarkable. Instead of referring to the Second Temple period as a period of reunion involving a degree of hesitation, or even suspicion, the Talmud refers to it as a period of divorce.

It follows, according to the Abarbanel, that we cannot view the causes and resolutions of the two periods as disparate. There was, in reality, only one exile, and the causes are found leading up to the first. This would force us to contextualize a famous passage in the Talmud regarding the cause of our current exile.

Why was the first Temple destroyed? Because of three things that were present: Idolatry, sexual immorality and bloodshed ... however, the Second Temple, when they were involved in Torah, mitzvos and acts of kindness, why was it destroyed? Due to baseless hatred that was present. This teaches you that baseless hatred is equal to three sins: idolatry, sexual immorality and bloodshed.

Yoma 9b

מקדש ראשון מפני מה חרב מפני שלשה דברים שהיו בו עבודה זרה וגלוי עריות ושפיכות דמים [...] אבל מקדש שני שהיו עוסקין בתורה ובמצוות וגמילות חסדים מפני מה חרב מפני שהיתה בו שנאת חנם ללמדך ששקולה שנאת חנם כנגד שלש עבירות עבודה זרה גלוי עריות ושפיכות דמים
יומא ט:

According to the Abarbanel, the 70 years of exile after the destruction of the First Temple atoned for the violations of *shmittah* and *yovel*, but the People of Israel never properly repented for all of their other wrongdoing. The Land of Israel and even a Temple structure was provided after 70 years, but only to facilitate full repentance.⁴ This opportunity was squandered and the Temple structure lost due to baseless hatred. Apparently, as long as there was unity among the people, fixing the real problem was possible; the potential existed for a *teshuvah* movement en masse. However, once there was baseless hatred and the unity gone, the place of unity, the Second Temple, was lost as well. Baseless hatred destroyed the facilitator of *teshuvah*; but the *teshuvah* was not supposed to be for baseless hatred! The *teshuvah* was supposed to be for that which caused the first exile. According to the above passage in the Talmud, the cause would appear to be idolatry, sexual immorality and bloodshed. The Mishna (*Avos* 5:9) reflects this as well.⁵

However, Chazal point out additional sins that contributed, perhaps equally, to the destruction of the First Temple and subsequent exile⁶. Among them is an explicit statement from the prophet Yirmiyahu in the name of Hashem.

Rav Yehuda said, "Rav said, 'What does the verse mean (Yirmiyahu 9), 'Who is the man so wise that he can understand this? And who is he to whom the mouth of the Lord has spoken, that he may declare it? Why is the land ruined?' Regarding this the sages said and did not explain it, the prophets said and did not explain it, until God Himself explained it, as it says (ibid.), 'God said because they abandoned My Torah that I gave before them.'" Rav Yehuda said, "Rav said, 'They did not make the blessing on the Torah first.'"

Bava Metzia 85a

אמר רב יהודה אמר רב מאי דכתיב (ירמיהו ט') מי האיש החכם ויבן את זאת ואשר דבר פי ה' אליו ויגדה על מה אבדה הארץ דבר זה אמרו חכמים ולא פירשוהו אמרו נביאים ולא פירשוהו עד שפירשו הקדוש ברוך הוא בעצמו שנאמר (ירמיהו ט') ויאמר ה' על עזבם את תורתי אשר נתתי לפניהם אמר רב יהודה אמר רב שלא ברכו בתורה תחילה:
בבא מציעא פה.

⁴ The fact that the Divine Presence and Holy Ark, among several other important items, were lacking in the Second Temple (*Yoma* 21b) would seem to validate this approach.

⁵ "Exile comes to the world for idolatry, sexual immorality, bloodshed and failure to observe *shmittah* and *yovel*."

⁶ See *Bava Metzia* 30b, *Shabbos* 119b, and the section dealing with the destruction in *Gittin*. There are also statements made in midrashim and even in Rishonim.

How can we resolve this contradiction, why should a failure to recite the proper blessing lead to exile, and where is this even alluded to in the Torah?

Many have offered answers to one or more of these questions, and although he does not address any of them explicitly, I would like to point out some very telling comments of Rashi to Vayikra, specifically regarding the primary cause of the entire exile.

When we look to the Torah for the root of exile, we find the following:

If you do not listen to Me and do not perform all of these commandments: If you despise My laws and if your souls loathe My judgments so that you do not perform all of My commandments to violate my covenant:

Vayikra 26:14-15

וְאִם לֹא תִשְׁמָעוּ לִי וְלֹא תַעֲשׂוּ אֶת כָּל
הַמִּצְוֹת הָאֵלֶּה: וְאִם בְּהִקְדְּתִי תִמְאָסוּ וְאִם אֶת
מִשְׁפָּטִי תִגְעַל בְּפִשְׁכֶּם לְבַלְתִּי עֲשׂוֹת אֶת כָּל
מִצְוֹתֵי לְהַפְרֹכֶם אֶת בְּרִיתִי:
וַיִּקְרָא כו: יד-טו

The consequence of these failures is ultimately destruction of the Temple(s) and exile, as the chapter goes on to detail. What is not entirely clear at first glance, however, is the initial failure.

If you do not listen to Me. to be toiling in Torah, according to the midrash of the sages. Perhaps it refers to [not] fulfilling commandments? When it says, “and do not perform all of these commandments,” [not] fulfilling commandments is stated, so how should I understand the phrase, “If you do not listen to Me”? To be toiling in Torah.

Rashi Vayikra 26:14

וְאִם לֹא תִשְׁמָעוּ לִי. לִהְיוֹת עֹמְלִים
בְּתוֹרָה, לְדַעַת מִדְרַשׁ חֲכָמִים. יָכוֹל
לְקוּיֹם הַמִּצְוֹת, כְּשֶׁהוּא אוֹמֵר וְלֹא
תַעֲשׂוּ וְגו', הֲרֵי קוּיֹם מִצְוֹת אֲמֹר,
הֵא מָה אֲנִי מְקִיִּים וְאִם לֹא תִשְׁמָעוּ
לִי, לִהְיוֹת עֹמְלִים בְּתוֹרָה.
רש"י וַיִּקְרָא כו: יד

Rashi struggled to understand each phrase precisely. One is tempted to translate “not listening to Me” as failing to perform commandments, or committing sins. If that were to be true however, then the very next phrase in the verse would be redundant. Therefore, “not listening” to Hashem must refer to something prior to violating His commandments, namely, not listening to the underlying value system of the Torah; not toiling in the Torah.

Two questions immediately trouble us. Why is the failure to toil in Torah couched in the phrase “not listening”? Furthermore, isn’t learning Torah one of the commandments?

To properly understand this explanation of Rashi, and the foundation of the problem that led to exile and destruction, we have to see from where Rashi derived it. The Torah first details the positive before the negative. First the Torah tells us how to properly behave and thereby receive all the blessings before it expresses the opposite.

If you follow in my laws and guard my commandments and perform them:

Vayikra 26:3

אִם בְּהִקְדְּתִי תִלְכוּ וְאֶת מִצְוֹתֵי תִשְׁמְרוּ וְעֲשִׂיתֶם אֹתָם:
וַיִּקְרָא פֶּרֶק כו: ג

Here, too, Rashi is bothered with the precision in the phrases of the Torah. What exactly does it mean to follow in the laws of Hashem? It cannot mean to perform them, because that is explicitly stated subsequently.

If you follow in my laws. Perhaps this refers to fulfilling commandments? When it says, “and guard My commandments” the fulfillment of commandments is stated. So how should I understand, “If you follow in my laws”? That you should be toiling in the Torah:

Rashi Vayikra 26:3

אם בחקתי תלכו. יכול זה קיום המצות, כשהוא אומר ואת מצותי תשמרו, הרי קיום המצות אמור, הא מה אני מקיים אם בחקתי תלכו, שתהיו עמלים בתורה:
רש"י ויקרא פרק כו פסוק ג

How did Rashi come to the conclusion that “following the laws” refers to toiling in Torah? It is understood that it cannot mean fulfilling commandments, but why does it necessarily refer to toiling in Torah as opposed to something else?

My Rebbi, Rav Aharon Kahn shlit”a, pointed out that this verse is clearly to be contrasted to one of striking linguistic similarity:

In their laws you should not follow

Vayikra 18:3

ובחקתיהם לא תלכו
ויקרא יח:ג

The verse is referring to the “laws” of the non-Jews, but what exactly is being prohibited?

It does not refer to legalistic “laws” of the non-Jew at all. Rather, customs and general behaviors observed by the non-Jewish world, without a clear, practically beneficial motivation, are prohibited.⁷ To mimic such practices is to follow an underlying non-Jewish approach, which is prohibited. Perhaps it is rooted in idolatry, but even if it is not, the absence of any practical benefit or clear motivation reveals a practice that is certainly not rooted in the Torah.⁸

Transposing this understanding of the word חוקים—“laws”—to the “laws of Hashem,” produces a remarkable explanation for our original verse. Following the laws of Hashem in this context refers to following the underlying attitudes and perspectives of the Torah, and does not refer to any specific commandment.

If these “laws” are not specific commandments, how does one even know what they are? Is there a guide to understanding underlying attitudes and perspectives? The answer, says Rashi, is through toiling in Torah. The way to discover and comprehend the underlying attitudes and perspectives of the Torah is through a strenuous immersion in the Torah itself. Thereby, ultimately, these “laws” will reveal themselves.

The foundation of the reception of blessing is the toiling in Torah in order to follow the underlying values, perspectives and sensitivities of the Torah. The foundation of destruction and exile is in the failure to do just that. When one is toiling in Torah, his mind and heart are inundated with everything good and appropriate, but when one fails to toil in Torah, the result is a vacuum that could potentially lead to disaster.

Rashi explains this further. The verses at the core of exile can be broken down into seven stages:

1. ואם לא תשמעו לי - If you do not listen to Me
2. ולא תעשו את כל המצוות האלה: - and do not perform all of these commandments:

⁷ Ramo, Yoreh Deah 178.

⁸ See Igros Moshe, Yoreh Deah 4:12.

3. ואם בְּחַקְתִּי תִמְאָסוּ--If you despise My laws
4. ואם אֶת מִשְׁפָּטֵי תִגְעַל נַפְשְׁכֶם--and if your souls loathe My judgments
5. לְבַלְתִּי עֲשׂוֹת--so that you do not perform
6. אֶת כָּל מִצְוֹתַי--all of My commandments
7. לְהַפְרֹכֶם אֶת בְּרִיתִי--to violate my covenant

There are seven steps leading to the subsequent curses. Rashi explains each step:

Behold seven sins. The first causes the second and so on until the seventh. And they are the following: He did not learn, and he did not do, he is disgusted by others that do, he hates the sages, he prevents others, he rejects commandments, he denies the Creator.

Rashi Vayikra 26:15

הרי שבע עבירות. הראשונה גוררת השנייה, וכן עד השביעית. ואלו הן: לא למד, ולא עשה, מואס באחרים העושים, שונא את החכמים, מונע את האחרים, כופר במצוות, כופר בעיקר: רש"י ויקרא כו:טו

1. ואם לא תִשְׁמְעוּ לִי — One ceases serious learning of Torah
2. וְלֹא תַעֲשׂוּ אֶת כָּל הַמִּצְוֹת הָאֵלֶּה: — He ceases doing mitzvos properly and some in their entirety
3. ואם בְּחַקְתִּי תִמְאָסוּ — He becomes disgusted by others that do the mitzvos
4. ואם אֶת מִשְׁפָּטֵי תִגְעַל נַפְשְׁכֶם — He resents and hates the Rabbis
5. לְבַלְתִּי עֲשׂוֹת — He tries to prevent others from doing mitzvos
6. אֶת כָּל מִצְוֹתַי — He denies and rejects that certain practices could even be mitzvos
7. לְהַפְרֹכֶם אֶת בְּרִיתִי: — Ultimately he is compelled to deny the existence of the Creator Himself

According to Rashi, this is the slippery slope that ultimately leads to exile. The Torah is detailing the psychology of guilt and its consequential rationalizations. Failure to learn and properly perform mitzvos provokes a rationalization that can be disastrous. Repentance is, of course, possible at any given point, but one readily sees the challenge. A failure to be immersed in strenuous learning; the failure to toil in Torah, is the beginning of the slippery slope to destruction and exile.

Perhaps this is an appropriate way to understand the Talmud's statement that exile resulted from the failure of Jewish People to "make the blessing on the Torah first." The essential problem was in the relationship of the Jewish People to the Torah. They did not appreciate the Torah, and consequently they could not possible toil in it properly.⁹

According to the Abarbanel, there was only one exile, and the Jewish People are still suffering within it. Baseless hatred destroyed the most efficient facilitator of repentance, but the real cause of exile can be traced to a failure to toil in Torah. The two cannot be severed, there cannot be proper Torah along with baseless hatred, as we know all too well from the death of the students of Rabbi Akiva. In fact, the proper relationship and responsibility that each member of the Jewish People has to one another involves an attitude, perspective and sensitivity found in Torah, and in that sense, the problem of baseless hatred is itself a reflection of a failure to properly toil in Torah.

⁹ See Rashi to *Bava Metzia* 85b, and the famous explanation of the Ran to *Nedarim* 81a.

Insights of the Rav into the *Inuyim* of Tisha B'Av¹

Rabbi Eliakim Koenigsberg

Rosh Yeshiva, RIETS

The Nature of the Five *Inuyim* on Tisha B'Av

The Gemara, in discussing the laws of erev Tisha B'Av, states:

Another beraisa states: Regarding anything related to Tisha B'Av, one may not eat meat, drink wine or bathe. Regarding anything not related to Tisha B'Av, one may eat meat, drink wine but one may not bathe. R. Yishmael son of R. Yosi said in the name of his father: Any time when it is permissible to eat meat, it is permissible to bathe.

Ta'anis 30a

תניא אידך כל שהוא משום תשעה באב
אסור לאכול בשר ואסור לשתות יין
ואסור לרחוץ כל שאינו משום תשעה
באב מותר לאכול בשר ולשתות יין
ואסור לרחוץ. ר' ישמאעל בר' יוסי
אומר משום אביו כל שעה שמותר
לאכול בשר מותר לרחוץ.
תענית ל.

On a simple level, the Rav (Rabbi Yosef Dov Soloveitchik) suggested the following approach to understanding the dispute between the *Tanna Kamma* (first opinion) and R. Yishmael b. R. Yosi: the *Tanna Kamma* is of the opinion that the prohibition against bathing on a fast is not limited to the act of bathing, but rather to the enjoyment and benefit one receives on the fast because of one's bathing. For this reason, it is prohibited to bathe even before the fast, if one will benefit from it on the fast itself. This rule is not limited to Tisha B'Av, but rather to all fasts.² As the language of the beraisa implies, the prohibition against bathing before a fast applies to fasts related to Tisha B'Av and to those that don't relate to Tisha B'Av. On the other hand, R. Yishmael b. R. Yosi distinguishes between Tisha B'Av and other fasts in that on Tisha B'Av, there is a prohibition against benefitting from a bath that one took previously, whereas on other fasts it is the act of bathing that is prohibited. [Rashi's version of the Gemara is that according to R. Yishmael b. R. Yosi, any time it is permissible to eat (not just when it is permissible to eat meat), it is permissible to bathe. Accordingly, R. Yishmael b. R. Yosi is of the opinion that even on Tisha B'Av, the prohibition is only against the act of bathing and one may bathe before Tisha B'Av.]

¹ Adapted from R. Eliakim Koenigsberg, *Shiurei Harav Al Inyanei Tisha B'Av* (Hebrew) pp. 34-37, 50-52.

² While common practice is to permit bathing on the "minor" public fast days, the Ramban, *Toras Ha'adam* (pg. 244) notes that in principle, all of the prohibited activities that apply on Tisha B'Av apply to the other fasts as well. The only reason why we are more lenient on the "minor" fast days is because the Gemara, *Rosh Hashanah* 18b, states that the other fasts are optional in nature and while we accepted upon ourselves to observe them, we only accepted the prohibition against eating and drinking. See also, Rambam, *Hilchos Ta'anios* 5:5 and 5:10.

However the Ra'avad, in his comments on the *Ba'al Hamaor* to *Maseches Ta'anis* (3b in the pages of the Rif no. 3), suggests that the beraisa is not referring to what one may do before the fasts, but rather what one may do if one accepted the fast early. The Rif and R. Hai Gaon dispute whether one can accept a fast before the actual time.³ The Ra'avad's opinion is that one can accept the fasts earlier. The Ramban disagrees with the Ra'avad and explains that the beraisa is dealing with the prohibition against bathing before Tisha B'Av.⁴ The Ramban seems to be consistent with his opinion (*Milchamos Hashem* to *Ta'anis* 3b) that the concept of accepting days early only applies to *kedushas hayom* (the sanctity of the day) and not to the acceptance of fasts.⁵

The Rav explained that according to the Ra'avad, the dispute between the *Tanna Kamma* and R. Yishmael b. R. Yosi must be understood differently. It is clear that the five *inuyim* (afflictions) of Tisha B'Av are a function of the laws of *aveilus* (mourning), as evidenced by the language of the Gemara (*Ta'anis* 30a): "All mitzvos that apply to a mourner apply on Tisha B'Av." However on Yom Kippur there is no mourning, and nevertheless, the five *inuyim* apply. The *inuyim* are a function of the fast day. As such, one must explore whether the *inuyim* of Tisha B'Av are also a function of it being a fast day or only because it is a day of mourning.⁶ The Ra'avad seems to see

³ The Rif (3b) attempts to prove his position that one can accept a fast early from a comment in *Eruvin* 40b, regarding the possibility of reciting *Shehechyanu* over a cup of wine on Yom Kippur: "How could one do this? By reciting the beracha and then drinking? Once one recites *Shehechyanu*, one has accepted [Yom Kippur] and it is prohibited to drink." The *Ba'al Hamaor* (3a) rejects this proof and contends that the issue is that the reason it is prohibited to drink is a technicality in the rules of *berachos* in that drinking after the recitation of *Shehechyanu* gives the impression that the beracha was said in vain. Furthermore, one can argue that the Rif's proof only applies to the early acceptance of Yom Kippur, not other fasts. In fact, the Ramban, *Milchamos Hashem* ad loc., and in *Toras Ha'adam* (pg. 249) writes that accepting a fast early only applies on Yom Kippur, not other fasts "because one can add onto a holy day with part of an ordinary day ... the same way we add to Shabbos and Yom Tov, and adding additional time to the *inuyim* of Yom Kippur is a biblical requirement." The Netziv explains in *Ha'amek Davar* to *Emor* 23:32, that the Ramban is of the opinion that *tosefes*, the ability to add to a day, is a function of the sanctity of the day. *Inui* on Yom Kippur is part of the sanctity of the day of Yom Kippur, and therefore, *tosefes* is applicable.

⁴ See the Ramban's comments in *Toras Ha'adam* (pg. 247) that according to the *Tanna Kamma* "it is prohibited to bathe even though Tisha B'Av has not begun because bathing provides benefit at a later time and it appears as though one bathed for the purpose of receiving benefit on Tisha B'Av and this is why it is prohibited." It seems that the Ramban is not dealing specifically with someone who accepted the fast early. Although the Ramban writes "Since he accepted upon himself some aspects of mourning, he may not bathe," the Rav said that the Ramban certainly did not mean to say that the prohibition against bathing takes effect because of his acceptance. Rather, the prohibition is automatic once one finishes the *seudah hamafsekes* (the final meal before Tisha B'Av). [See the comments of the Vilna Gaon to *Shulchan Aruch, Orach Chaim* 553:5, who also assumes that according to the Ramban, the prohibition begins after the *seudah hamafsekes*.] One can add that the Ramban did not explain the dispute exactly as our original presentation because the Ramban implies that the *Tanna Kamma* only prohibits bathing before Tisha B'Av, not other fasts, and his version of the *Tanna Kammai's* statement is "Regarding anything not related to Tisha B'Av, one may eat meat, drink wine and one may bathe," which differs from our version.

⁵ It seems that the Ra'avad is of the opinion that the concept of *tosefes* not only applies to the sanctity of the day, but also to the fast itself. The Rambam has a different approach and he assumes that *tosefes* only applies to a fast. For this reason, he only mentions the concept of *tosefes* in the laws of Yom Kippur (*Hilchos Shevisas Asor* 1:6) and in his *Commentary on the Mishna* (end of *Ta'anis*) regarding Tisha B'Av. The Netziv, *ibid*, addresses this issue.

⁶ From the fact that the beraisa includes eating and drinking among the other *inuyim* (according to Rashi's text), it is clear that the beraisa is not limited to prohibitions relating to mourning because there is no prohibition for a mourner to eat or drink. It is possible to suggest that just as eating and drinking are fast day related prohibitions, so too, the other *inuyim* mentioned in the beraisa are a function of the fast day. However, according to the text found in

this as the point of contention in the beraisa. The *Tanna Kamma* is of the opinion that the five *inuyim* are also a function of Tisha B'Av as a fast day, and therefore the concept of accepting Tisha B'Av early is relevant (just as it is relevant on Yom Kippur). However, R. Yishmael b. R. Yosi is of the opinion that the *inuyim* of Tisha B'Av are only a function of Tisha B'Av as a day of mourning, and therefore one cannot accept the fast early.

One could prove that the five *inuyim* of Tisha B'Av are also a function of the fast day from the fact that a mourner is only prohibited from bathing his whole body in cold water or part of his body in warm water (*Moed Katan* 15b and *Shulchan Aruch, Yoreh Deah* no 381), but on Yom Kippur and Tisha B'Av, it is prohibited to wash even part of one's body in cold water. It is clear that the prohibition against bathing on Tisha B'Av is not just a function of mourning but also a function of Tisha B'Av as a fast day.⁷

The Rav noted that we find support for the idea that the *inuyim* of Tisha B'Av are both a function of mourning and a fast day from the prohibition against wearing shoes on Tisha B'Av. While a mourner may not wear (leather) shoes, the Rambam (*Hilchos Avel* 5:6) writes that one who is walking on the road may wear shoes. The Rambam (*Hilchos Shevisas Asor* 3:7) does not present this leniency regarding Yom Kippur, implying that it is prohibited. The Rambam (*Hilchos Ta'anis* 5:10) also writes that the prohibition against wearing shoes on Tisha B'Av is equivalent to the prohibition on Yom Kippur. It would seem that the rules regarding wearing shoes on Tisha B'Av are stricter than the rules for a mourner. The reason seems to be that the prohibition against wearing shoes on Tisha B'Av is not only a function of mourning, but also a function of Tisha B'Av as a fast day.⁸

We find this idea in a responsum of R. Hai Gaon⁹, where he discusses why we don't apply *miktzas hayom k'kulo*—the principle that allows one to treat a portion of the day as if the day is complete—to the prohibition against wearing shoes and the other *inuyim* of Tisha B'Av. He writes that the *inuyim* are not only a function of mourning (where the *miktzas hayom k'kulo* principle is relevant), but also a function of a fast day (where *miktzas hayom k'kulo* is not relevant).¹⁰

Since the idea that the *inuyim* of Tisha B'Av are also a function of Tisha B'Av as a fast day is very compelling, the Rav suggested that perhaps even R. Yishmael b. R. Yosi agrees to this idea. R. Yishmael b. R. Yosi's disagreement with the *Tanna Kamma* is based on the fact that he is of the

the Rosh, the beraisa does not discuss eating and drinking, and it is therefore logical to assume that the other *inuyim* are a function of mourning and for this very reason, the beraisa specifically only mentioned prohibited activities that are a function of mourning.

⁷ The *Minchas Chinuch* (mitzvah no. 313) and the Brisker Rav (*Chiddushim to Hilchos Ta'anios*) also make this point.

⁸ The Rav mentioned this idea in his *Shiurim L'zecher Abba Mari* (Vol. I, pg. 89), but there, he explained it in a different manner, that the mourning of Tisha B'Av generates the prohibitions of the fast day. See also, Rosh, *Ta'anis* 1:19, who follows the opinion of the Yerushalmi, *Ta'anis* 1:6, that on Tisha B'Av, one may wear shoes if one is walking on the road. According to the Rosh, there is no proof from the specifics of the prohibition against wearing shoes that the prohibition on Tisha B'Av is a function of a fast day.

⁹ Cited in *Otzar Hageonim to Ta'anis* pg. 47.

¹⁰ Regarding the prohibition against anointing on Tisha B'Av, see *Marcheshes* 1:42, who suggests the issue is contingent on a dispute between the Bavli and Yerushalmi with a practical application regarding anointing that is not for the purpose of enjoyment. See notes 11 and 12.

opinion that acceptance of the fast early is only relevant to aspects of the fast that constitute a fulfillment of the fast, not to the prohibitions of the fast. The prohibition against bathing is simply a prohibition, and refraining from bathing does not constitute a fulfillment of the fast. By contrast, refraining from eating and drinking are the primary components of the fast, and to refrain from eating and drinking constitutes a fulfillment of the fast. Therefore, one can accept upon oneself to refrain from eating and drinking before the fast starts.

The Rav added that this idea that refraining from eating and drinking represents the primary component of the fast is relevant to another halacha as well. According to the *Shulchan Aruch*, *Orach Chaim* 566:6, one who is not fasting may not receive an *aliyah* on a fast day. What if someone refrained from eating and drinking, but did not observe the other *inuyim*? The Rav suggested that since refraining from eating and drinking is the primary component of the fast, this individual is considered to be observing the fast and may receive an *aliyah*.

Bathing and Anointing on Tisha B'Av

There are two statements in the Gemara that teach us about the prohibition against bathing for mourners and on fast days:

Rafram bar Papa said in the name of R. Chisda: Anything that is prohibited because of mourning, such as Tisha B'Av and a mourner, there is a prohibition against [bathing] in warm water or cold water. Anything that is prohibited because of enjoyment, such as a public fast day, warm water is prohibited and cold water is permissible.

Ta'anis 13a

אמר רפרם בר פפא אמר רב
חסדא כל שהוא משום אבל כגון
תשעה באב ואבל אסור בין
בחמין בין בצונן, כל שהוא
משום תענוג כגון תענית ציבור
בחמין אסור בצונן מותר.
תענית יג.

R. Elazar said: It is prohibited to place one's finger in water on Tisha B'Av just as it is prohibited to place one's finger in water on Yom Kippur.

Pesachim 54b

א"ר אלעזר אסור לו לאדם שיושיט
אצבעו במים בתשעה באב כדרך שאסור
להושיט אצבעו במים ביום כ.
פסחים נד.

From these two statements we see that there are three distinct categories. On public fast days, there is a prohibition against washing one's whole body in warm water. A mourner may not wash part of his body in warm water or all of his body in cold water. On Tisha B'Av and Yom Kippur, it is prohibited even to place one's finger in water.

The Rav explained the distinction as follows: On public fast days, the reason for the prohibition is to minimize enjoyment. The prohibition against bathing for a mourner is so that the mourner should have a dishonorable appearance, what is known as *nivul*. The prohibition against washing one's finger on Tisha B'Av and Yom Kippur is a specific prohibition not to wash at all.

However, one must consider why the Rambam seems to take a different approach regarding the prohibition against *sicha*, anointing. The Rambam (*Hilchos Shevisas Asor* 3:9) rules that anointing is prohibited on Yom Kippur, even if it is not for enjoyment. However, he rules (*Hilchos Ta'anios* 5:10) that on Tisha B'Av, it is permissible to anoint oneself if it is not for the purpose of enjoyment, such as one who applies deodorant to conceal an unpleasant odor. Why is

the prohibition against anointing on Tisha B'Av modeled after the laws of mourning, when the prohibition against bathing on Tisha B'Av seems to be based on the laws of Yom Kippur?¹¹

The Rav suggested that the *inuyim* of Tisha B'Av are modeled after the laws of mourning in quality, and after the laws of Yom Kippur in quantity. He explained that the *inuyim* of Yom Kippur are action-oriented prohibitions. This is implied in the language of the Rambam:

We have a tradition that it is prohibited to bathe or anoint on [Yom Kippur] ... There is a mitzvah to refrain from all these just as one refrains from eating and drinking.

Rambam, Hilchos Shevisas Asor 1:5

וכן למדנו מפי השמועה שאסור לרחוץ
בו או לסוך בו ... ומצוה לשבות מכל
אלו כדרך ששובת מאכילה ושתייה.
רמב"ם הל' שבייתת עשור א:ה

The *inuyim* of Yom Kippur are part of the obligation to refrain from certain activities. By contrast, on Tisha B'Av this is not the case. Rather, the prohibitions against bathing and anointing are prohibitions against enjoyment, similar to the prohibitions for a mourner. One must act in a way that leaves one in a state of *nivul*, and as such, one cannot engage in activities that bring one enjoyment.

Nevertheless, although the nature of the *inuyim* on Yom Kippur and Tisha B'Av are qualitatively different, they both share the same measurements for determining the parameters of the *inuyim*. Anointing and bathing on Tisha B'Av are prohibited to the same degree that they are prohibited on Yom Kippur as long as those specific parameters serve to enhance the *nivul* caused to the individual. For this reason, the Rambam distinguishes between anointing that is not for the purpose of enjoyment and bathing that is not for the purpose of enjoyment. The two ideas are fundamentally different. If one were to refrain from anointing not for the purpose of enjoyment, it would not enhance the *nivul* to the individual because *nivul* is a function of appearance, not smell. As such, the prohibition against anointing should follow the same parameters as the laws of mourning and should only be prohibited when done for enjoyment. However, if someone refrains from washing even a small part of one's body, it would cause *nivul* and would therefore be an appropriate form of mourning. While the rabbis did not prohibit a mourner from washing a small portion of his body, on Tisha B'Av, the quantity of the *inuyim* is derived from Yom Kippur. The prohibition against washing a small part of one's body is not a qualitative detail, but rather a quantitative measurement. Since washing with this amount of water is prohibited on Yom Kippur, on Tisha B'Av it is also prohibited at this quantity because refraining from washing in this manner enhances the *nivul* of the individual.¹²

Netilas Yadayim on Tisha B'Av

There is a dispute among the Rishonim regarding *netilas yadayim* on Yom Kippur and Tisha B'Av when one wakes up in the morning. Tosafos, *Yoma* 77b, quote Rabbeinu Tam that just as it

¹¹ The Talmud Yerushalmi, *Yoma* 8:1, actually states that on Tisha B'Av, the only type of anointing that is prohibited is anointing that provides enjoyment, whereas on Yom Kippur, all types of anointing are prohibited. However, one must still understand the reason for the distinction.

¹² See *Marcheshes* 1:42 (10), who suggests that perhaps anointing that is not for the purpose of enjoyment is not prohibited because of *inui*, but rather because we treat anointing like drinking, and this association is only made on Yom Kippur which is a biblically ordained fast, not Tisha B'Av, which is rabbinic in nature.

is permissible to wash one's hands if they have dirt on them, it is also permissible to wash one's hands for the purpose of being able to recite the morning prayers. *Shulchan Aruch, Orach Chaim* 554:10, follows Rabbeinu Tam's ruling. However, the Rambam, *Hilchos Tefillah* 7:8, writes that on Yom Kippur and Tisha B'Av, when there is a prohibition against washing, one does not recite the beracha on *netilas yadayim*.

The Rav suggested that Rabbeinu Tam is of the opinion that any type of bathing (or washing) that is for a specific purpose is not considered bathing for the purpose of enjoyment and is permitted.¹³ For this reason, it is permissible to wash dirt off of one's hands, and to immerse in a mikveh for the purpose of fulfilling a mitzvah. Likewise, it is permissible to perform *netilas yadayim*. However, the Rambam is of the opinion that even bathing (or washing) that is not for the purpose of enjoyment is prohibited on Yom Kippur and Tisha B'Av, as we find that it is even prohibited to place one's finger in water. According to the Rambam, the leniencies to wash dirt off of one's hands or to immerse in a mikveh are specific exceptions to the rule and we cannot derive anything from these leniencies.¹⁴

¹³ It seems that the prohibition to place one's finger in water on Yom Kippur and Tisha B'Av is not because bathing is prohibited even when there is no derivation of enjoyment. Rather it is because any type of bathing or washing that doesn't have a specific (non-bathing) purpose is considered bathing for the purpose of enjoyment. The practical difference is that it would not only be permissible to wash off dirt, it would also be permissible to wash for sanitary purposes. This, in fact, is the opinion of Rabbeinu Manoach, *Hilchos Shevisas Asor* 3:9. See *Magen Avraham* 614:1, and *Taz* 613:1, who dispute what the opinion of *Shulchan Aruch* is on this matter.

¹⁴ This is also how the Rav understood Rashi's position in his comments to *Berachos* 16b, s.v. *Rachatz*. Rashi explains that Rabban Gamliel bathed the night after his wife was buried because he was an *istanis* (very sensitive person). It seems from his comments that if she would not have been buried until the next day, he would not have bathed. The Rav, in his *shiurim* on the laws of mourning, inferred two ideas from Rashi's comments. First, Rashi agrees with the opinion of the Ramban that the laws of mourning apply before the burial. Second, the leniency for an *istanis* is a special leniency that only applies after the burial. See also, the comments of the Rosh ad loc., (no. 15) who quotes Rabbeinu Chananel that an *istanis* is someone in a dangerous situation "and since it is for medical purposes, they permitted it for him in a pressing situation." Rabbi Mordechai Willig, in *Am Mordechai, Berachos* no. 13, notes that from the fact that Rabbeinu Chananel only permits an *istanis* to bathe in a situation of danger, we see that *istanis* is a leniency that is only applied in special situations.

The Ten Martyrs

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A late midrash tells the following story:

After the destruction of the Temple, the impudent of the generation said "what loss have we suffered? After all, we still have scholars amongst us who teach us His Torah and mitzvot." At once God put the idea in the heart of the Roman emperor to study the Law of Moses with the wise men and elders. He began with Bereishit and continued until they came to this verse: וְגֵנוֹב אִישׁ אֶת אֶחָיו וְנָמְצָא בִידוֹ מוֹת יוֹמָת: A man who kidnaps another and sells him into slavery and is found with the victim, that man should surely die (Shemot 21:16). Upon reading this verse he commanded that his palace be filled with shoes. He then called for ten sages of Israel to be brought before him, had them seated on golden chairs, and challenged them thusly: "What is the law regarding a man who kidnaps his brother and sells him into slavery?" They replied "The Torah states that such a man must be put to death." "If so," continues the Emperor, "you are all obligated to die." "Why?" they asked. "For the sale of Yosef, who was sold by his brothers. Had the brothers been present I would have judged them, but as they are no longer alive, you shall bear the sins of your forefathers." The rabbis asked for three days in which to seek a defense to the charges. Then they prevailed upon Rabbi Yishmael the Kohen Gadol to recite the Divine Name and ascend to Heaven to see if such a decree against them had been sealed by the Almighty. Rabbi Yishmael accepted the mission and reported back that the decree was indeed ordained in Heaven. In the end, the Sages were publicly executed by the Romans.

The killing of individual Sages is attested to in the Talmud and early midrashim. Scholars have tracked the development of the idea that ten Sages were killed (the lists, though, are not uniform), and eventually framing the story presented above, which is briefly mentioned in *Midrash Shir HaShirim* and in more detail in *Midrash Eleh Ezkerah*.¹ These midrashim form the basis of several *piyyutim* (most notably *Eleh Ezkerah*, "These I Will Remember," and *Arzay Halevanon*, "The Cedar Trees of Lebanon").²

¹ In addition to the above, there is a brief mention of ten men who died in *Eicha Rabbah* 2:4, and a slightly different list in *Midrash Tehillim*, *Shochar Tov* 9:13. The first mention of the term *Asarah Harugei Malkhut* is found in *Midrash Mishlay* 1:13, where Rabbi Yehoshua ben Levi connects the death of the *Asarah Harugei Malkhut* with the sale of Yosef by his brother (there is no list, however, of who these *Asarah Harugei Malkhut* were). See Ra'anana Abusch's dissertation, *From Martyr to Mystic: "The Story of the Ten Martyrs," "Hekhalot Rabbati," and the Making of the "Merkavah Mysticism"* (Princeton, 2004), p. 114, for a complete listing of sources and names. See also [עשרה הרוגי מלכות במדרש ובפיוט של אלתר ולגר](#), הוצאת מוסד הרב קוק, תשס"ה, for a presentation about the deaths of each one of the martyrs listed.

² *Eleh Ezkerah* is recited by Ashkenazim on Yom Kippur and by Sephardim on Yom Kippur and Tisha B'av; *Arzay Halevanon* is recited by Ashkenazim on Tisha B'av. For an extensive of other *piyyutim* on the same topic, see [עשרה הרוגי מלכות במדרש ובפיוט של אלתר ולגר](#), הוצאת מוסד הרב קוק, תשס"ה.

The narrative raises numerous questions on different planes—symbolic, historical and theological. What is the significance of shoes? Did the emperor wish the Sages to see the shoes and derive some lesson from them? Moreover, how can the Sages be sentenced to death for something done more than a millennium earlier? Maybe the emperor stopped his studies too soon. Had he continued, he would have heard *לא ימותו אבות על בנים ובנים לא ימותו על אבותם*, fathers should not die for the sins of the sons and sons should not die for the sins of the fathers (Devarim 24:16). One wonders, in any event, where the emperor would have encountered the idea of punishing some for the crimes of others—Roman law punishes one for one's own crimes.

Once we add the names of the Ten Martyrs, the list of questions grows longer. The Rabban Shimon ben Gamliel who is mentioned is presumably the one who died during the siege of Jerusalem around 70 CE (there is no evidence suggesting that the second Shimon ben Gamliel was martyred). However, Rabbi Akiva was martyred following the failure of the Bar Kochba revolt in 135 CE. Were the martyrs killed at one time or over generations? As we have seen, the story features Rabbi Yishmael the Kohen Gadol—was there such a person? Were not the High Priests of the late Second Temple Saducees? As to the framing story itself that the Romans killed ten Sages at one time—why is there no mention of such an event in the Talmud or early midrashim where the deaths of several of the rabbis identified as the Ten Martyrs are recounted?³ Why does the story insist on ten martyrs being brought to the emperor together?⁴

If we conclude that the story is ahistorical and is meant to teach a lesson, what is that lesson? And why have we chosen to include it as part of our liturgy on the two most somber days of our calendar year—Yom Kippur and Tisha B'av?

Let us return to the shoes. The Biblical text informs us that Yosef was sold for 20 (pieces) of silver (Bereishit 37:28). It is not at all clear from that verse that it was the brothers who received the silver, but most rabbinic interpretations assume that the brothers were involved in the sale (and see Bereishit 45:4). In this case, though, there is earlier evidence that our late midrash was

³ The death of R Judah ben Baba is recorded in *TB Sanhedrin* 14a; the death of R Haninah ben Teradion is recorded in *TB Avodah Zarah* 18a; there is a mention that it was seeing the tongue of R Judah ben Hanahtum that prompted Elisha ben Abuyeh to become an apostate (*TB Kiddushin* 39b; *TB Hullin* 142a). R Akiva's death is found in *TJ Berachot* 9:5; *TJ Sotah* 5:5; and *TB Berachot* 61a. The Talmud mentions the tongue of R Judah ben Hanahtum carried by a dog in its mouth and R Huzpit's tongue was found lying in the dung; neither death, however, is attributed to the Roman government.

⁴ The *Tosefta Sotah* 13 records a prophecy said by Shmuel ha-Koten at his deathbed that *אף הוא אמר בשעת מיתתו* שמעון וישמעאל יחברוהי לקטלא, Shimon and Yishmael would die by the sword. Many see this as a reference to the death of the first two names listed as part of the Ten Martyrs, Rabban Shimon ben Gamliel and R Yishmael. This identification, however, presents even more challenges. As Professor Solomon Zeitlin notes, "Samuel ha-Koten lived in the time of Rabban Gamaliel II and could not have prophesied the death of Simon who died long before Samuel and who most likely was assassinated the Sicarii during the civil war in Jerusalem before the destruction of the Temple. Nor could Samuel have prophesied that Simon, the son of Gamaliel II, would meet a violent death. Simon lived after the time of the persecutions and his death was due to natural causes. The Simon referred to by Samuel ha-Koten was not Simon the Prince nor was Ishmael, Ishmael, the high priest. Simon and Ishmael, who Samuel ha-Koten foretold would be put to the sword, most likely were among the leaders of the Bar Kokba revolt. It is possible that this Simon may refer to Bar Kokba himself, whose proper name was Simon. Zeitlin, S. (1945). "The Legend of the Ten Martyrs and Its Apocalyptic Origins." *Jewish Quarterly Review*, 36(1), 1–16.

building upon. Targum Yonatan, for instance, going beyond a simple translation of the verse, adds that the brothers used the proceeds of the sale to buy shoes.

*And the Midianite men, masters of business, passed by.
And they raised Yosef out of the pit. And they sold Yosef
to Arabs for twenty pieces of silver and they bought
shoes with them and brought Yosef down to Egypt.*

Targum Yonatan, Bereishit 37:28

ועברו גברי מדינאי מרי פרקמטיא ונגידו
ואסיקו ית יוסף מן גובא וזבינו ית יוסף
לערבאין בעשרין מעין דכסף וזבנו מנהון
סנדלין ואייתו ית יוסף למצרים.
תרגום יונתן בראשית לז:כח

What is the basis for this interpretation?⁵ The *Midrash Eleh Ezkerah*, notes that the source for the sale of shoes is Amos (2:6):

*For three transgressions of Israel, and for one I will not retract (the
decision to punish them), for the selling of a righteous man (tzaddik)
in exchange for silver, and an impoverished one for shoes.*

Amos 2:10

כה, אָמַר ה', עַל-שְׁלֹשָׁה פְּשָׁעֵי
יִשְׂרָאֵל, וְעַל-אַרְבָּעָה לֹא אָשִׁיבָנּוּ:
עַל-מִכְרָם בְּכֶסֶף צְדִיק, וְאֶבְיוֹן
בְּעִבּוֹר נַעֲלִים.
עמוס ב:ו

Yosef is often referred to by the Rabbis as a “tzaddik,”⁶ and he was certainly sold for silver. Since the second half of a verse in the *Nevi'im* will commonly paraphrase the idea in the first half, the impoverished one would be another reference to Yosef with the shoes shedding some light on what was purchased with the silver that the sale brought them. By lining his palace with shoes, the emperor was setting up a symbol of the brothers’ ill-gotten gains, which the Sages were going to be punished for.

What of our theological objection? How can Jewish Law be used to punish these ten men for the crime committed by ten other men generations earlier? Are these midrashim in fact teaching us that notwithstanding the principle of sons not dying for the sins of their fathers, great scholars or saints do in fact suffer for the sins of others? Hillel Rosensweig has suggested that the Ten Martyrs were punished not for a sin committed by their ancestors, but for a sin that was committed by the people of their own generation. What lay behind the sale of Yosef, notes Rosensweig, was *sinat chinam*, baseless hatred. When a group of men can, in cold blood, plot, first to kill and later to sell, their brother into slavery, after which they spread a picnic blanket and have lunch—or when they go to the mall to pick up the latest in foot fashion with the money they realized from selling a brother into slavery—we are seeing a tear in the fabric of the family. Members of such a family will never be able to trust one another or work with one another toward a common goal. Such a family will never be able to grow into a society. The Second Temple was destroyed because of *sinat chinam*. In the words of the Netziv, *Ha’amek Davar*, in his introduction to *Sefer Bereishit*, the people “acted crookedly and claimed that it was for the sake of Heaven. This causes the destruction of creation and the annihilation of the world’s

⁵ The idea is similarly found in *Pirkei deRabbi Eliezer*, 38, and in the *Testament of Zebulon* 3:1-2, quoted by James Kugel in *The Bible as it Was* (Belknap Press, Harvard, 1991). In the *Testament of Zebulon*, Zebulon asserts that while he had no share in Yosef’s price, Simeon and Gad and six other brothers used the money to buy sandals for themselves and their wives and their children.

⁶ See *Zohar*, Part 1, 45:1, Yosef the Tzaddik is a pillar of the world.

זוהר חלק א מה:א-יוסף הצדיק הוא עמוד העולם

population.” The death of the rabbinic martyrs in effect was a warning that the type of baseless hatred evidenced by the ten brothers had become prevalent in Second Temple Jewish society (and beyond), and that it had serious consequences. The Ten Martyrs “are not being punished for a sin that occurred in the past, but for the fact that it has continued, unchecked, until their time.”⁷

In short, sons are not punished for the sins of their fathers, so long as they do not perpetuate the same iniquity. If the sons continue to behave in the improper way of their fathers they will be punished. In this manner, the Sages, then, are responsible for the members of their generation who had not mended their ways and had continued to display the same baseless hatred as the ten brothers of Yosef. The harshness of the midrash forces us to confront an honest truth about our behavior in the hope that we may learn to rectify it.

Additional interpretations of the midrash can be sought in the *petikhtah*, the opening, or proem, to the midrash. (There are two different proems to examine, one for each of two versions.)⁸

When God created the trees, they were very proud of their stature and would stand tall. However, when God created metal, the trees would lower/deflate themselves and say “Woe is to us for God has created that which can cut us down.” Similarly, after the Destruction of the Second Temple, the mockers of the generation were preening and saying “What have we really lost with the Destruction of the Temple?”...

**Otzar HaMidrashim, Asarah Harugei Malkhut
Midrash Eleh Ezekerah Version 1**

כשברא הקב"ה את האילנות היו מתגאים בקומתן ומגביהים עצמן למעלה למעלה, וכיון שברא הקב"ה את הברזל היו משפילין עצמן ואמרו אוי לנו שכבר ברא הקב"ה דבר שיכרות אותנו. כך אחר חרבן הבית היו פריצי הדור מתגאים ואמרו מה הפסדנו בזה שנחרב הבית ...
**אוצר
המדרשים (אייזנשטיין) עשרה
הרוגי מלכות מדרש אלה
אזכרה נוסח א**

The midrash then continues as we have seen earlier.

In the *mashal*, the trees are haughty and proud of their height and glory. They feel empowered and superior to everything around them and invincible. This feeling changes immediately when they learn about the existence of metal. They cringe in fear as they realize that they are all too vulnerable. Shimon Tudar understands the phrase *peritzei hador*, the mockers of the generation, as a reference to the Hellenized Jews or to the Messianic Jews who later converted to Christianity. Both of these groups wished for greater interaction between the Jews and the other nations. Both of these groups saw the Temple as a barrier that prevented integration and were glad to see that it was destroyed.⁹

⁷הלל רוזנצווייג, "עשרה הרוגי מלכות", אב תשס"ו, מאמר באתר כיפה:

http://www.kipa.co.il/jew/holidays/The_Three_Weeks/13846.html

⁸ The third version does not have a proem. See Wilner, *ibid*, p. 133 for a discussion of the different versions.

⁹ראו בעין רעה את היבדלותו של עם ישראל משאר העמים, שבית המקדש הוא שסימל והדגים את המחיצה הזאת שבין ישראל לעמים. מכאן שבית המקדש היה כקוץ בעיניהם של אלה אשר שאפו לתבוללות בין העמים ובתרבות האיזור. שתי הכיתות שהזכרנו אף היו מעוניינות בגילוי תורת ישראל בין העמים, כל אחת וטעמה עמה. המתיונים התכוונו להראות לגויים את יפיפותו של יפת באהלי שם, לגלות את המאור שבתורת ישראל כדי להוכיח שהיא אינה סותרת ח"ו את תרבות האיזור וראוי עם ישראל להיכלל בין הנאורים שבאומות... ולעומתם היהודים-הנוצרים, שכל זכות קיומם מקורה ב'ברית ישנה' המעידה על ה'ברית

What these groups didn't understand was that the Bet HaMikdash also symbolized autonomy for the Jews, and that its destruction augured the end of an era where the Jews had political freedom. They misunderstood the power inherent in the Bet HaMikdash and its symbolic value and thought that Judaism—at least their idea of Judaism—could be spread with their universal approach. In their desire to break down the separations and to be like everyone else, in their desire to show the intrinsic worth of their Torah to others, they celebrated the destruction of that which should have protected them, and thus began the downward spiral that led to the Hadrianic decrees. The midrash, according to Tudar, is insinuating that the decrees were part of the effects of their desire to assimilate. Whether or not we accept Tudar's identification of the "mockers," (and Jewish history does not lack those who have downplayed the significance of the Temple), the punishment for this fundamental sin by the mockers is suffered by the Sages.

The alternative *petikhtah* has a different message.

Rav Tanchuma taught: "There is gold, and a multitude of rubies: but the lips of knowledge are a precious jewel" (Mishlay 20:15, JPS translation). A man who has (plenty of) silver but is lacking in knowledge—what pleasure will he take (from the silver)? As the parable has it, "Short on knowledge? What, then, have you acquired?" Rav Yudin said: This refers to those who presented a false front of friendliness. One such person approaches a housewife. "Have you an onion to give to me?" Once the onion is given he asks, "who ever heard of an onion without accompanying bread?" Once she gives him the bread, he asks, "Does one eat without drink?" In the end he succeeded in eating and drinking. (Similarly), when God created the trees, they were big and strong and were very happy. When God created metal, the trees got sad and lamented, "Woe is to us that

רבי תנחומא פתח 'יש זהב ורב פנינים וכלי יקר שפתי דעת' (משלי כטו). בנוהג שבעולם, אדם שיש לו כסף וזהב ואבנים טובות ומרגליות וכל החמודות שבעולם- ודעת אין בו, מה הנאה יש לו? דמתלא אמרי דעה חסרת מה קנית. אמר ר' יודן "אילין כותאי חכימין למיחסדא חד מנהון אזיל לגבי אתתא. אמר לה אית לך חד בצל, תיתנון לי. מן דיהבה ליה א"ל אית בצל בלא פיתא? מן דיהבה ליה א"ל אית מיכל בלא משתי. מתוך כך אכיל ושתי". כשברא הקב"ה את האילנות גברו וגבהו עד למאוד ושמחו שמחה גדולה. כיון שברא הקב"ה את הברזל, נעצבו ואמרו: אוי לנו שברא

החדשה'. דעותיהם של 'פריצי הדור', שהסתמכו על 'תלמידי חכמים', הן שסבבו את העניינים להפצת תורה בין העמים, וכך הגיע הקיסר ללמוד את תורת ישראל.

The two looked negatively on the separation of the Jews from the other nations. The Bet HaMikdash served as a physical representation of this divide. The Bet HaMikdash was like a thorn in the eyes of those who wished to further assimilate into the surrounding culture. The two groups had a vested interest in revealing/exposing the Torah to the other nations, each one for its own reason. The Hellenized Jews wished to show the nations the beauty of the Torah, the beauty of Yafet dwelling in the tents of Shem, and then wished to show the light within the Torah to prove that it does not contradict the surrounding culture and to demonstrate that the Jews should be included amongst the visionaries and illuminators of the nations ... in contrast, the Judeo-Christians, whose existence is based on the "Old Testament" that testifies to the "New Testament." The opinions of the mockers of the generation who relied solely on the Talmidei Hakhamim and their desire to promulgate the Torah amongst the nations, this is what brought the Emperor to learn Torat Yisrael.

שמעון תודר, 'עשרה הרוגי מלכות- הסיפור ורקעו'- בטאון 'האומה', תשל"ב, עמוד 199-206. מצוטט ב"עשרה הרוגי מלכות במדרש ובפיוט" של אלתר ולנר, הוצאת מוסד הרב קוק, תשס"ה, עמוד 120.

God created the metal that can cut us down.” They then said, “If not for the wooden handle that is placed on the metal, they could not cut us down.” Similarly, had Israel not taught Torah to the Roman emperor, they would not have brought about the (disastrous events that followed).

**Otzar HaMidrashim, Asarah Harugei Malkhut
Midrash Eleh Ezkerah Version 2**

הקב"ה ברזל הקוצץ אותנו. חזרו
ואמרו אם לא ניתן לברזל עץ בית יד
לא יוכל לקצץ בנו. וכן
ישראל, אלמלא שלימדו לקיסר תורה
לא היו באים לידי כך.
אוצר המדרשים (אייזנשטיין)
עשרה הרוגי מלכות מדרש אלה
אזכרה נוסח ב

If the first *mashal* expounds on the premeditated motives of the Jews in teaching the emperor Torah and the dire ramifications of their actions, the second *mashal* highlights the opposite—a lack of insight, a lack of knowledge, a lack of vision, a foolish act with drastic consequences. The trees feel threatened by the metal, but do not realize that the only way the metal can become an axe is by receiving a wooden handle that will hold the metal in place. The trees (the Jews) did not realize that by providing the wooden handle for the metal (by teaching the emperor the Torah), they were enabling the situation they most feared—the cutting down of the trees, (the destruction of the Jews.)

What the two proems have in common is the cause-effect nature of the midrash. In both cases, the Jews taught the emperor Torah. In each case, their action comes back to haunt them when the emperor uses his new found knowledge to justify the killing of the Sages. The first proem implies that the Jews were being punished for disrespecting the significance of the Temple and perhaps for trying to impress the others with the beauty of a watered-down Torah. The second proem implies the Jews were acting foolishly. Either way, the message is clear. We need to consider the consequences of our actions.

The third question looked into the historicity of the midrash. Who were the men listed as martyrs? When did they live? How does the historical backdrop add to our understanding of the midrash and our understanding of martyrdom?

The term *harugei malkhut* originally referred to those that were put to death at the behest of a Jewish king and were executed by the Sanhedrin.¹⁰ The first use of the term *harugei malkhut* is used (along with the number ten) to refer to those killed by the Romans and thus died *al kiddush HaShem*, for the Sanctification of God, is by Rabbi Yehoshua ben Levi, a Palestinian amora who lived in the first half of the third century. In Midrash Mishlay he is quoted as follows:

Rabbi Yehoshua ben Levi said: the Ten Martyrs were not dragged down for anything other than the sin of selling Yosef (by his brothers).

Midrash Mishlei 1:13

אמר ר' יהושע בן לוי לא נמשכו עשרה
הרוגי מלכות אלא בחטא מכירתו של יוסף.
מדרש משלי פרשה א סימן יג

Here then is our first mention of a group of martyrs killed by the Emperor. The amora is praising the martyrs, positing that they were blameless and died only for the sin of Yosef's brothers.

¹⁰ C.f. BT Bava Batra 10b; BT Bava Metzia 107b; BT Sotah 48b; BT Sanhedrin 11a.

There is no hint of criticism of the Sages for not attempting to save themselves. He does not indicate, for instance, that there were steps they might have taken to forestall the decree.

The concept of martyrdom, death *al kiddush HaShem*, is not always looked upon favorably in Jewish sources. An earlier reference to those who die *al kiddush HaShem* is referred to in *TB Bava Kama*, with a statement attributed to Shmuel haNavi:

This I have learned from the Beth Din (court) of Shmuel haNavi of the Ramah: anyone who sacrifices his life for the sake of Torah, we do not record halakhah in his name.
Bava Kama 61a

כך מקובלני מבית דינו של שמואל הרמתי: כל המוסרע
צמו למות על דברי תורה – אין אומרים דבר הלכה
משמו
תלמוד בבלי בבא קמא דף סא עמוד א

One might also cite to the famous derasha on “והי בהם, and you shall live in them” (Lev 18:5)—you shall live through them and not die through them (*Sanhedrin* 74a).

The censure is apparent. A person who chooses death, even if the reason for his death is to show the importance of Torah, will forfeit the right of having his name associated with a halakhic ruling.

How did the rabbinic opinion about martyrdom change? According to M.D. Herr, it was R Haninah ben Teradion who helped to shift the pendulum of rabbinic opinion. R Haninah ben Teradion was a third generation Tanna who lived in the second part of the first century CE and the beginning of the second century CE. Of the rabbis whose death is listed in the Talmud, he is the only rabbi “who consistently followed the same course from beginning to end,” who publicly flaunted the Hadrianic decrees and was arrested for their violation. While other rabbis were arrested for their participation in the Bar Kokhba rebellion (like Rabbi Akiva), and others denied their actions upon arrest and were acquitted (like Rabbi Elazar ben Perata who was in prison with R Haninah), R Haninah ben Teradion openly studied the Torah, gathering groups in public (*TB Avodah Zarah* 17b-18a). R Hanniah ben Teradion advocated taking a drastic stance because he, according to Herr, perceived a truth that others would only realize later. The truth had to do with the new threat to Judaism despite the waning of traditional idolatry—the worship of the persona of the emperor.

A conversation recorded between Rabbi Akiva and Zonin in *TB Avodah Zarah* highlights the new consensus of public opinion about idolatry (circa 96ce).

Zonin said to Rabbi Akiva: We both know in our hearts that idolatry has no substance.
BT Avodah Zarah 55a

א"ל זונין לר"ע: לבי ולבך ידע דעבודת כוכבים לית
בה מששא
תלמוד בבלי מסכת עבודה זרה דף נה עמוד א

In place of idols, Roman citizens began venerating the emperor. They saw a good emperor as embodying and representing the empire both politically and spiritually. The good emperor, notes Herr,

*... was portrayed as uniting in himself the virtues of the wise statesman ... the brilliant general ... the man of war ... and the man of peace ... as if he were divine rather than human.*¹¹

¹¹ Herr, *ibid*

Compounding the issue was the general perception of the failure of the Jewish rebellion. Not only was the emperor seen as a good and brilliant man, he and his forces overcame the Jewish God for clearly, the destruction of their Temple meant that the God of the Jews was weak and had failed. Acquiescing to the emperor, then, in the eyes of some of the Jews, was tantamount to declaring that the emperor was more powerful. It was in this environment that Hadrian prohibited the performance of certain positive commandments such as reading Shema, observing Shabbat, and wearing tefilin and tzitzit.¹² Not only were these commandments among the most central positive commandments in the Torah such that failing to perform them would rob Judaism of most of its essence, but any indication that a Jew was obeying the decree would be seen as a concession to the emperor, to the ruler, to this godlike figure, and such a concession could ultimately prove a threat to Judaism. It was clear to the Sages that, “The kingdom of the god-emperor and the Kingdom of Heaven could not co-exist. It was forbidden to avow the sovereignty of the emperor when such avowal entailed such far-reaching significance.”¹³

The approach to martyrdom, dying *al kiddush HaShem*, took on a new significance and the shift from the position seen in *Bava Kama* to the new norm as seen in the Tosefta. Dying *al kiddush HaShem* is no longer condemned, it is now condoned and even has redemptive qualities to it,¹⁴ for the death of a righteous person brings atonement on Bnai Yisrael just like Yom Kippur.¹⁵ The shift in attitude was not a shift in principles—Judaism always did and always will encourage choosing life over observance of mitzvot. However, when applying these principles to their times, the Sages, led by R Haninah ben Teradion, felt that dying *al kiddush HaShem* was the more appropriate response to the Hadrianic decrees.

In reflecting on the changes towards the concept of martyrdom, Shira Lander, in “Martyrdom in Jewish Traditions,” notes that there is a

... general development of ideas about martyrdom from second temple to tannaitic to amoraic sources, both Palestinian and Babylonian ... The traditions move from notions of vicariously redemptive suffering and triumph over death through individual resurrection; to joyful death and end-time harbingers; to tzidduk ha-din and exegesis of love; to the miraculous power of the martyr-rabbis and exegesis beit-midrash style as the fulfillment of Scripture. Martyrs have been

¹² Herr, *ibid*, lists 21 positive commandments that were prohibited. Other commandments that were prohibited include: appointment of Sages; maintenance of Jewish courts; gatherings in synagogues; public reading of the Torah; public reading of the Book of Esther; affixing a mezuzah; distribution of gifts to the Kohanim and Leviim; eating matzah; sukkah; lulav; lighting Hanukkah lights; ritual immersion in a mikvah; observing shemittah; blowing the shofar; and freeing slaves. In general, he notes that the “Romans, for various psychological and tactical reasons, only enacted prohibitions against the observance of positive precepts.”

¹³ Herr, *ibid*

¹⁴ While there are various stories of martyrdom during the times of the decrees of Antiochus, Herr posits that this view was promulgated by the Hellenized Jews who were influenced by the Greek culture. There are many tales of martyrdom in the Greek annals; in Jewish sources there is nothing mentioned in the years between Antiochus and Hadrian.

¹⁵ תלמוד ירושלמי (וילנא) מסכת יומא פרק א הלכה א: א"ר חייא בר בא בני אהרון באחד בניסן מתו ולמה הוא מזכיר מיתתן ביום הכיפורים ללמדך שכשם שיום הכיפורים מכפר על ישראל כך מיתתן של צדיקים מכפרת על ישראל.
R Hiyya b. Ba said: The sons of Aaron died on the first of Nissan. Why does it mention their deaths on Yom Kippur? To teach you that just as Yom Kippur atones for the Jewish people, so too, the death of the righteous atones for the Jewish people.

transformed from models of courage to objects of veneration to guardians of heaven. As the era of rabbinic literature concludes, the martyrs' function on this earth, in this world, has been deferred to the next world.

Thus, in the era of the Hadrianic decrees, in attempting to underscore the importance of not giving in to the emperor a new attitude toward martyrdom arose. Gradually, over centuries, we find that the previously unconnected stories of horrific deaths that were found in different sources were assembled as one collective, the midrash of *Asarah Harugei Malkhut*.

On Changing the Text of *Nahem*: A Study in Tradition, Truth and Transformation

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For many centuries, close to two millennia, the overarching message of Tish'ah be-Av posed no challenge to the Jew. For him or her, its basic themes and lessons reflected not only the distant past but also the reality of exile, destruction, suffering, victimization, vulnerability and discrimination that he or she experienced first-hand in the present. But in the twentieth century, the challenge of defining the contemporary relevance of Tish'ah be-Av became a significant one, even within the traditional community. Already before the founding of the State of Israel, Rabbi Baruch Halevi Epstein (d. 1942) questioned the appropriateness of the text of the *Nahem* prayer at a time when Jerusalem could boast of beautiful buildings and a large Jewish population.¹ His response, that the text was still relevant as long as the Land of Israel was under foreign domination, clearly lost its relevance with the founding of the State of Israel in 1948.

With the establishment of the State, a number of voices were raised questioning, in general, the role of Tish'ah be-Av as a day of mourning for the loss of Jewish sovereignty. The new reality of the recently established state led a number of individuals to call for a reimagining of the day, introducing changes into its character and practices.² This argument gained much more urgency and currency after the Six Day War in 1967 when all of Jerusalem, including the Temple Mount,

¹ R. Baruch Halevi Epstein, *Barukh She-Amar* (Tel-Aviv, 1979), 134. The book was first published in Pinsk in 1938. See A. Z. Tarshish, *Rabi Barukh Halevi Epstein* (Jerusalem, 1967), 186. It was the last work published by its author.

² There is a large literature on this subject. See, for example, Yeshayahu Leibowitz, "Tish'ah be-Av be-Yamenu," *Ha-Dor* (Erev Shabbat Nahmu, 1949); repr. in his *Yahadut, Am Yehudi u-Medinat Yisrael* (Jerusalem and Tel-Aviv, 1975), 88-90; Yehuda Gershuni, "Azma'ut Yisrael ve-Daled Zomot," *Or Ha-Mizrah* 6:3-4 (1959):15-20; idem, "Ha-Im Azma'ut Yisrael Kohah Levatel Daled ha-Ta'anivot?," *Shvilin* 3 (1962):21-25; repr. in his *Kol Zofayih* (Jerusalem, 1980), 221-25.

was brought under Jewish control. What role could this traditional day of mourning play given this new reality?³

At that point the issue became particularly pressing regarding the *Nahem* prayer. Questions arose over the appropriateness of continuing to recite its traditional text with its reference to Jerusalem as a “city that is in sorrow, laid waste, scorned and desolate; that grieves for the loss of its children, that is laid waste of its dwellings, robbed of its glory, desolate without inhabitants.” Do these words not ring hollow and even false, it was suggested, in the face of the conquering of the Old City of Jerusalem and its coming under Jewish political control, the renewed access of hundreds of thousands of Jews to the Kotel ha-Ma’aravi and the growing and expanding population and municipal boundary of the city?

Indeed a number of different suggestions were made and alternate texts suggested. They ranged from maintaining the basic integrity of the text but just framing it in the past, instead of the present tense, emending the words to read “city that was [not ‘is’] in sorrow, laid waste, scorned and desolate . . .” (R. Hayyim David Halevi), to keeping the text of the prayer intact with the exception of removing the few problematic phrases (R. Aharon Lichtenstein), to proposing various alternative rewritings of the text that removed the problematic phrases in their entirety, thereby creating versions more in keeping with the historical reality (earlier version of Rabbi Shlomo Goren), to essentially rewriting the entire prayer (later version of Rabbi Goren; Rabbi David Shloush).⁴

Others were opposed to emending the text at all, for different reasons. Rabbi Ovadya Yosef argued that, after all, the prayer was composed by the Anshei Knesset ha-Gedolah, venerable

³ Here too the literature is large. See, for example, R. Hayyim David Halevi, *Aseh Lekha Rav*, vol. 1 (Tel-Aviv, 1976), 43-46, #13; R. Yaakov Ariel, *She’elot u-Teshuvot Be-Ahalah shel Torah*, vol. 2 (Kfar Darom, 1999), 269-73. As indicated there (p. 269, n.), the essay was written in the summer of 1967. In the summer of 1968 Rabbi Joseph B. Soloveitchik delivered a shiur on this subject. An edited version, based on a tape recording of the presentation, was published in *Alon Shevut le-Bogrei Yeshivat Har Ezion* 9 (1996):131-35, 137-42.

⁴ For R. Hayyim David Halevi, see his *Aseh Lekha Rav*, vol. 1 (Tel Aviv, 1976), 46-47, #14, reconfirmed in *Aseh Lekha Rav*, vol. 2, pp. 139-48 and *Aseh Lekha Rav*, vol. 7 (Tel Aviv, 1986), 328, #35 (“She’elot u-Teshuvot bi-Kizur”), discussed in Yael Levine Katz, “Nusah Tefillat ‘Nahem,’” pp. 84-86, Marc D. Angel and Hayyim Angel, *Rabbi Haim David Halevy: Gentle Scholar and Courageous Thinker* (Jerusalem and New York, 2006), 108-09, and supported by R. Hayyim Navon, “Nusah ha-Tefillah be-Mezi’ut Mishtaneh,” *Zohar* 32 (2008):62, 65-66. For R. Aharon Lichtenstein’s position, see *idem.*, n. 26.

For the earlier version of Rabbi Goren’s text, outlined in a letter dated during the summer of 1968, see R. Shlomo Goren, *Terumat ha-Goren* (Jerusalem, 2005), 308-09. For another, totally new text, see www.machonshilo.org. For R. David Shloush’s version, see his *Hemdah Genuzah* (Jerusalem, 1976), #21, p. 233.

See the versions suggested by Rabbi Shlomo Goren, Professor Ephraim Urbach and Rev. Abraham Rosenfeld, printed and discussed in Yael Levine Katz, “Nusah Tefillat ‘Nahem,’” pp. 73-79, 82-83; Saul Philip Wachs, “*Birkat Nahem: The Politics of Liturgy in Modern Israel*,” in Ruth Langer and Steven Fine, eds., *Liturgy in the Life of the Synagogue: Studies in the History of Jewish Prayer* (Winona Lake, 2005), 247-58; and Daniel Sperber, *On Changes in Jewish Liturgy: Options and Limitations* (Jerusalem and New York, 2010), 162-64 (see too p. 128).

See too Abraham Rosenfeld, *The Authorised Kinot for the Ninth of Av* (Israel, 1970), 216-17 for both the traditional text as well as a version “substituted by the author after the recapture of the Old City of Jerusalem, during the Six Days War.” The first publication of this work, published five years earlier, in London, 1965, contains only the traditional text (p. 216). This is also the case in the republication of the work under the auspices of The Judaica Press in New York, 1999. There the revised version was removed (p. 216).

men of great authority. How dare one have the chutzpah to change the words instituted by “our holy rabbis through whom spoke the spirit of God.” After all, every word and letter of the prayers they composed contain “exalted and wondrous secrets” full of deep mystical significance. Second, with all the real transformations wrought by Israel’s military victory, the reality did not sufficiently change to warrant tampering with the traditional text. After all, continued Rabbi Yosef, the Temple Mount and its environs are still under the authority of “strangers, haters of Israel.” The Old City is still full of churches whose leaders were responsible for the spilling of Jewish blood for many generations while once imposing synagogues there still lay in ruins. And finally, noted Rabbi Yosef, what about the abysmal spiritual level of many of Jerusalem’s inhabitants? It is “at the lowest level”; many of them live lives distant from Torah and mizvot. For all these reasons no changes in the text should be made, argued Rabbi Yosef, and the prayer of *Nahem* should be recited exactly as it had been for centuries.⁵

Rabbi Joseph B. Soloveitchik also took a very strong position against emending the text but adduced a very different rationale for his position, one that reflects the lens through which he viewed the world in general. After also expressing an aversion against changing texts hallowed by virtue of their rabbinic authorship, he quoted the Rambam who, in a number of different places in his *Perush ha-Mishnayot*, maintained that the city of Jerusalem had the halakhic status of *mikdash*. For example, when the shofar was sounded on Shabbat in the *bet ha-mikdash*, it was also sounded in Jerusalem. In addition, for the Rambam, the *mizvah de-orayta* of *arba minim* on Sukkot in Jerusalem was for all seven days, like in the *mikdash*.⁶ Also, the sanctity of the city of Jerusalem was never abrogated because it, again like the *mikdash*, drew its holiness from the Shehinah.⁷ Since, concluded the Rav, Jerusalem according to the Rambam has the halakhic status of *mikdash*, as long as the *mikdash* is destroyed, Jerusalem is considered halakhically destroyed as well. What was relevant for Rabbi Soloveitchik is the conceptual halakhic status of Jerusalem, not how many hundreds of thousands of people may regularly stream to the Kotel.⁸

⁵ See R. Ovadya Yosef, *Yehaveh Da’at*, vol. 1 (Jerusalem, 1977), 120-22, #43, discussed in Yael Levine Katz, “Nusah Tefillat ‘Nahem,’” pp. 83-84. For a critique of R. Yosef’s position, see R. Hayyim Navon, “Nusah ha-Tefillah be-Mezi’ut Mishtaneh,” pp. 63-65.

⁶ *Perush ha-Mishnayot*, *Rosh Hashanah* 4:1. See too *Perush ha-Mishnayot*, *Sukkah* 3:12; *Ma’aser Sheni* 3:4; *Shekalim* 1:3. This position of the Rambam needs further refinement based on his formulations in the *Mishneh Torah*, *Hil. Shofar* 2:8, *Hil. Lulav* 7:13, and *Hil. Ma’aser Sheni* 2:1. My thanks to my son-in-law, Corey Tarzik, for bringing this matter to my attention and for working through the various texts with me.

⁷ *Hil. Bet ha-Behirah* 5:16.

⁸ *Mesorah* 7 (1992):19. The Rav’s position is discussed in R. Hershel Schachter, *Nefesh ha-Rav* (Jerusalem, 1994), 79; Yael Levine Katz, “Nusah Tefillat ‘Nahem,’” pp. 80-81; R. Hayyim Navon, “Nusah ha-Tefillah be-Mezi’ut Mishtaneh,” p. 64; Dr. Arnold Lustiger, ed., *Yom Kippur Machzor* (New York, 2006), 817-18.

For a similar position, cited in the name of R. Zvi Yehudah Kook, see R. Shlomoh Hayyim Hakohen Aviner, *Shalhevetyah* (Jerusalem, 1989), 5; idem., *Le-Mikdashekh Tuv: Yerushalayim ve-ha-Mikdash* (Jerusalem, 1999), 11; idem., *Piskei Shlomoh*, vol. 1 (Bet El, 2013), 94, 250. See too R. Moshe Shternbuch, *Mo’adim u-Zemanim Ha-Shalem* (Jerusalem, 1970), #348, n. 2 (p. 212); R. Yaakov Halevi Horowitz, “Iyyunim be-Mishnat Haba”d u-Minhagehah: Al ‘Yom Yerushalayim,’” *Pardes Haba”d* 11 (2003):172-73. It would appear that R. Hayyim Kanievsky took the same position. See R. Shmuel Zalman Feuer, *Sefer Halikhot Hayyim*, vol. 2 (Lakewood, 2005), 104. It is interesting to note that the Rav’s father also saw the world, in his case the world of nature, through the lens of Halakhah. See the Rav’s well-known description of his father’s comments to him as a young boy upon witnessing

However, by the second decade of the twenty-first century, more than 45 years after the Six Day War, much has changed. The euphoria that gripped much of world Jewry in the aftermath of that miraculous event has largely dissipated and has given way to profound concerns for the very safety and security of the State. For example, after the liberation of the Old City of Jerusalem in 1967, Rabbi Menachem Mendel Schneerson instructed his followers to remove themselves to a distance of 15 *mil* from the city on Erev Pesach out of concern that, should they not do so, they might be obligated to bring a *korban Pesach*. But, eight years later, in 1975, he changed his mind due to the fact that since “the situation has changed” it was no longer appropriate to even entertain the possibility that the sacrifice could be brought and therefore no such move was necessary.⁹ And, regarding the matter under discussion here, already in November 1978, Rabbi Goren wrote that he withdrew his new text of *Nahem* and felt that after the “ethical, moral and national decline” that took place in the wake of the Yom Kippur War and in light of the preparations then being made to return parts of Eretz Yisrael to the Palestinians, he saw no reason to change the existing form of the prayer. In 1967, he wrote, he believed that he had witnessed the realization of the millennia-old dream of the Jewish return to Zion and wanted the language of the prayers to reflect that new reality. A short 12 years later, he was no longer so sure.¹⁰

And what about today? The answer depends on one’s position on general liturgical textual change and on one’s assessment of the current political situation relating to the State of Israel. But, in any case, we continue to be blessed by Medinat Yisrael and pray every day for her safety and security. And we continue to pray that the city that was once “in sorrow, laid waste, scorned and desolate” will be the site of our rebuilt *bet ha-mikdash*, *bimherah be-yamenu*.

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the setting of the sun on Yom Kippur evening in the courtyard of the synagogue. It was not just a sunset; it was a source of *kapparah*. See R. Joseph B. Soloveitchik, *Halakhic Man* (Philadelphia, 1983), 38. For both father and son, real reality is halakhic reality.

Relevant here as well is the Radak, Isa. 62:9, s.v. *ki me’asfav*, who states that the entire city of Jerusalem has a status of “*lifnei Hashem Elokekha*.”

For a summary of some of the positions on this issue, see R. Chaim Rapoport, “Nusah Tefillat Nahem: ‘Ha-Ir ha-Avelah ve-ha-Harevah ve-ha-Bezuyah ve-ha-Shomemah,’” *Pardes Haba”d* (2206):85-90.

⁹ See Yehoshua Mondschein, ed., *Ozar Minhagei Habad: Nisan-Sivan* (Jerusalem, 1996), 101. My thanks to Rabbi Daniel Yolkut for bringing this source to my attention.

¹⁰ R. Shlomo Goren, *Terumat ha-Goren*, pp. 327-29. My thanks to Rabbi Yehoshua Grunstein for bringing this source to my attention.

There was a spirited exchange of emails among rabbis in July 2013 regarding whether Rabbi Goren really did change his mind. Several participants reported that, when asked about this, members of Rabbi Goren’s family emphatically insisted that he never retracted his position on the use of his revised text and that various synagogues as well as a minyan that still meets on the edge of Har ha-Bayit on Tish’ah be-Av continue to use his revised text. While I appreciate that information, I have trouble reconciling it with what I consider to be his quite explicit retraction of it in his 1979 letter.

Nachamu Nachamu Ami: Consolation Doubled

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The medrash states:

They sinned doubly as it states "a sin was sinned by Jerusalem." They were punished doubly as it states "For she was punished by the hand of Hashem double for her sins." We will be comforted doubly [as it states] "Comfort, comfort, my people."

Yalkut Shimoni, Yeshaya 445

חטאו בכפלים חטא חטאה ירושלים,
ולקו בכפלים כי לקתה מיד ה' כפלים
בכל חטאתיה, ומתנחמים בכפלים
נחמו נחמו עמי.

ילקוט שמעוני, ישעיה תמה

One can sin grievously, greatly, horrendously. What is meant to sin "doubly"? One can be in great need of consolation after experiencing a great tragedy but what is meant by a "consolation-doubly"?

The medrash states:

R. Huna and R. Yirmiyah said in the name of R. Shmuel b. R. Yitzchak: We find that the Holy One Blessed be He ignored the sins of idol worship, incest and murder, but did not ignore the despising of Torah ... R. Huna and R. Yirmiyah said in the name of R. Chiya: the verse states "You abandoned Me and did not observe My Torah." If only you would have just abandoned Me but observed my Torah. Through your engagement in Torah, its light would have brought you back to doing good.

Eicha Rabbah, Pesichta no. 2

ר' הונא ור' ירמיה בשם ר' שמואל ברבי
יצחק אמר מצינו שויתר הקב"ה על
עבודת כוכבים ועל גילוי עריות ועל
שפיכות דמים ולא ויתר על מאסה של
תורה ... ר' הונא ור' ירמיה בשם ר'
חייא בר אבא אמרי כתיב ואותי עזבו
ואת תורת לא שמרו, הלואי אותי עזבו
ותורתי שמרו, מתוך שהיו מתעסקין בה
המאור שבה היה מחזירן למוטב.

איכה רבה, פתיחתא ב

Hashem would not have imposed the punishment of exile for the sins of idolatry, adultery and murder if the Jews did not neglect the study of His Torah. If they would have studied Torah, the light of Torah would have brought them back to observance of His commandments.

This enigmatic medrash is elucidated by the following medrash:

There were 365 houses of idol worship in Damascus and each was used for worship one day [a year]. When that worship house had its day, everyone would worship there that day ... R. Yosi b. R. Chanina said: [Hashem said]: If only My children would have worshipped me as a dessert that comes at the end [of the meal].

Eicha Rabbah, Pesichta no. 10

שלש מאות וששים וחמשה בתי עבודת
כוכבים היו בדמשק וכל אחת ואחת היו
עובדין אותה יום אחד והיה להם יום אחד
והיו כולן עובדין באותו היום ... א"ר יוסי
בר' חנינא הלואי עשו אותי בני כגרזמי
הזו שהיא באה באחרונה.

איכה רבה, פתיחתא י

The sin of *mo'asah shel Torah*—despising Hashem's Torah—could not be forgiven. All days of the year assigned to other faiths—no day for Torah! They would not let Torah values compete with other value systems. They would not allow an even playing field.

Deja vu! The universities of America (and elsewhere), captive to the Secular Left faculty and administration, do not allow the voice of Torah Judaism on their campuses. They reject and delegitimize the State of Israel because of its historic association with the Torah of the Nation of Israel and the values it represents. They are offended by the Torah's rejection of the “god” of autonomy that they worship. Hashem has “no day” on their campuses.

Chatu B'kiflayim—The "Doubled Sin"—The sin had two distinct qualities. First, it was a rejection of the discipline, beauty, majesty of a life in accordance with mitzvos Hashem. Second, there was a sin in substituting the god of autonomy with the Creator, the author of our Torah. They established a religion of hedonism without good and evil; sin and mitzva; right and wrong. Whatever one does is right if it does not conflict with the right of others.

Laku B'kiflayim—The "Double Punishment"—We were punished in two different ways. First, we were denigrated from our status as a Holy Nation and from G-d and exiled from our land. Second, nations of the world denied our humanity. They did (and some still do) dehumanize us. We were not treated as a conquered nation but degraded to the level of animals.

Nechama B'kiflayim—The "Doubled Consolation"—True consolation requires a reversal of the process that resulted in our 2,000 years of Exile. We were not allowed to have our own values system compete; we must now compete for the hearts and minds of world Jewry. Our estranged brethren, who proudly identify themselves as Jewish but without commitment to the Jewish religion, must be challenged with utilitarian statistics. Whatever criteria one chooses to evaluate success—personal, familial, national—our Torah-committed lifestyle is highly competitive and ready for any challenge.

Recently, economists have added "contentment" as a critical value in comparing societies along with gross national product. Our challenge to world Jewry is: compare on the "contentment scale" family interactions, institutions of educations and welfare of those who live by Torah values and those who don't. The Torah has a system that provides contentment, fulfills our aspirations for the nationhood of world Jewry, and our duties to contribute to world society. Its splendor can bring contentment in ways that other systems and belief cannot. Hashem presents this very challenge at the end of the “double consolation” prophecy:

To whom will you compare Me to, that I should be equal, says the Holy One.

Yeshaya 40:25

וְאֵל-מִי תִדְמֶינִי, וְאֲשֶׁר יֹאמַר,
קְדוֹשׁ.
יִשְׁעִיָּה מֶלֶכֶה

We should be eager to present the challenge: Compare and you will return to the ways of Hashem.

Images of our Exile and the Purpose of *Galut*

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The Purpose of *Galut*

What is the purpose of our exile? The most well-known reason for exile is sin, as we say in the holiday *mussaf* prayer מפני חטאינו גלינו מארצנו—because of our sins You have exiled us from our land. From this perspective, redemption can take place only when we have rectified our misdeeds.¹

¹ The question of whether repentance is a precondition to Redemption is considered in the Talmud:

רבי אליעזר אומר: אם ישראל עושין תשובה - נגאלין, ואם לאו - אין נגאלין. אמר ליה רבי יהושע: אם אין עושין תשובה - אין נגאלין? אלא, הקדוש ברוך הוא מעמיד להן מלך שגזרותיו קשות כהמן, וישראל עושין תשובה ומחזירין למוטב. **סנהדרין צ"ז:** *R. Eliezer said: if Israel repents, they will be redeemed; if not, they will not be redeemed. R. Yehoshua said to him, if they do not repent, will they not be redeemed! But the Holy One, blessed be He, will set up a king over them, whose decrees shall be as cruel as Haman's, whereby Israel shall engage in repentance, and he will thus bring them back to the right path.*

Sanhedrin 97b (Adapted from the Soncino translation of the Talmud).

It seems that even R. Yehoshua concedes that teshuva must precede redemption. The dispute is merely over whether redemption will be natural and spontaneous, or in response to persecution (see, however, Yerushalmi, *Ta'anit* 1:1).

Rambam writes that the Torah promises we will repent at the end of days. (This raises thorny issues of free will.):

כל הנביאים כולן צוו על התשובה ואין ישראל נגאלין אלא בתשובה וכבר הבטיחה תורה שסוף ישראל לעשות תשובה בסוף גלותן ומיד הן נגאלין שנאמר והיה כי יבאו עליך כל הדברים וגו' ושבתי עד ה' אלהיך ושב ה' אלהיך וגו'. **הל' תשובה פ"ז הלכה ה'** All of the prophets commanded [us] regarding repentance **and the Jewish people will only be redeemed through repentance.** The Torah **guarantees** that the Jewish people will eventually repent at the end of their exile and then they will be redeemed immediately, as it states: "And it will be, when all these things come upon you ... and you will return to the Lord, your God ... then, the Lord, your God, will bring back." **Hilchot Teshuva 7:5**

While Rambam is clear that repentance is a precondition to redemption, Ramban seems to offer contradictory perspectives. The first passage appears in Ramban's commentary to *Parshat Nitzavim*, where the Torah depicts the future redemption:

דברים פרק ל': (א) והיה כי יבאו עליך כל הדברים האלה הנרכה והקללה אשר נתתי לפניך והשבת אל לבבך בכל הגוים אשר הדיחת ה' אלהיך שמה: (ב) ושבת עד ה' אלהיך ושמעתי בקלו ככל אשר אנכי מצוה היום ויבניך בכל לבבך ובכל נפשך: (ג) ושב ה' אלהיך את שבותך ורחמך ושב וקבצך מכל העמים אשר הפיצה ה' אלהיך שמה:

*And it will be, when all these things come upon you the blessing and the curse which I have set before you that you will consider in your heart, among all the nations where the Lord your God has banished you, and you will return to the Lord, your God, with all your heart and with all your soul, and you will listen to His voice according to all that I am commanding you this day you and your children, then, the Lord, your God, will bring back your exiles, and He will have mercy upon you. He will once again gather you from all the nations, where the Lord, your God, had dispersed you. **Devarim, Ch. 30*** (Judaica Press Translation).

According to Ramban, the verses describe profound repentance before the Jews are gathered from exile. Ramban is explicit that eventual repentance thus is guaranteed to occur:

However, *galut* is more than a mere consequence of sin. Some sources inform us that certain things must be accomplished before the exile can end.

R. Yosi stated: the Son of David (i.e. *mashiach*) will not come before all the souls in “*guf*” have been disposed of, since it is said, “For the spirit that enwraps itself is from Me, and the souls that I have made.”

Niddah 13b²

א"ר יוסי: אין בן דוד בא עד
שיכלו כל הנשמות שבגוף,
שנאמר כי רוח מלפני יעטוף
ונשמות אני עשיתי.
נדה דף יג:

According to R. Yosi, the redemption will not come until no unborn souls remain in heaven.³ One way to understand this statement is that God gives every soul a fair chance to freely achieve *shleimut*. Thus, *mashiach* will not arrive until every soul has had a chance to experience the world of free will, since (according to Ramban, Devarim 30:6⁴) people no longer will be rewarded for their good deeds in messianic times. Accordingly, *mashiach* can come only once every soul has had a chance.

רמב"ן דברים פרשת ניצבים פרק ל

(ו) ומל' ה' אלהיך את לבבך ... מבטיחך שתשוב אליו בכל לבבך והוא יעזור אותך.
(יא) אבל "המצוה הזאת" על התשובה הנזכרת, כי והשבות אל לבבך (בפסוק א) ושבת עד ה' אלהיך (בפסוק ב) מצוה שיצוה
אותנו לעשות כן. ונאמרה בלשון הבינוני לרמזו בהבטחה כי עתיד הדבר להיות כן.

(6) And the Lord, your God, will circumcise your heart ... this guarantees that you will return to Him with all of your heart and He will help you. (11) However, “this mitzvah” refers to repentance because “you will consider in your heart” and “you will return to the Lord your God,” is a commandment that He commanded us to follow. It is written in a neutral tense to hint that there is a guarantee that this will happen in the future. **Ramban, Parashat Nitzavim Ch. 30**

In his commentary on Parshat Ha'azinu, though, Ramban paints a dramatically different picture:

רמב"ן דברים פרשת האזינו פרק לב: (מ) ... והנה אין בשירה הזאת תנאי בתשובה ועבודה, רק היא שטר עדות שנעשה

הרעות ונוכל, ושהוא יתברך יעשה בנו בתוכחות חימה, אבל לא ישבית זכרנו, וישוב ויתנחם ויפרע מן האויבים בחרבו הקשה והגדולה והחזקה, ויכפר על חטאתינו למען שמנו. אם כן. השירה הזאת הבטחה מבוארת בגאולה העתידה על כרחן של מינין ...
Behold, this song is not contingent on repentance or worship. Rather, it is a document of evidence that we will do bad things and God will rebuke us harshly, but He will not destroy us, and will eventually reverse course and relent and exact retribution on the enemies with His large and mighty sword and He will atone for our sins, for His sake. Therefore, this song is a clear guarantee of the future redemption, despite what the heretics say. **Ramban, Parashat Ha'azinu Ch. 32**

Here, Ramban implies that redemption is guaranteed, whether or not we do teshuva. Resolving this fascinating contradiction lies beyond the scope of this dvar Torah but gets to the very heart of nature of the messianic era. Another factor to consider when assessing the role of teshuva in the messianic era is consideration of the notion of the *keitz*, or a fixed time by when *mashiach* must come.

² Adapted from the Soncino translation of the Talmud.

³ Rav Huna (Yevamot 62a) derives from here that one has fulfilled the mitzvah of *pru u-rvu* even if his children die since the souls have been brought into the world. Halacha does not follow R. Huna's view, but nevertheless, we learn from this concept the importance of having additional children even if one has already fulfilled *pru u-rvu*.

⁴ The question of free will during the messianic era relates integrally to the purpose of the messianic era. Consideration of this question is beyond the scope of this dvar Torah, however, let us briefly summarize the positions.

According to Ramban we will no longer desire to do evil after the coming of *mashiach*. Rambam (*Melachim* 11:3) disagrees, following the view of Shmuel that “There will be no difference between the current age and the messianic era except the emancipation from our subjugation to the gentile kingdoms” (*Brachot* 34b).

The question of free will during the messianic era is debated in numerous places in the Talmud. In *Shabbat* 151b, the issue revolves around the Talmud's understanding of the following two verses:

קהלת יב, א - וזכר את בוראֵיך בימי בחורְתֶיךָ עד אֲשֶׁר לֹא יָבֹאוּ יְמֵי הָרָעָה וְהָיְעוּ שָׁנִים אֲשֶׁר תֹּאמַר אִין לִי בָהֶם חֶפֶץ.

And remember your Creator in the days of your youth, before the days of evil come, and years arrive about which you will say, “I have no desire in them.” **Kohelet 12:1**

Another dimension of exile can be seen in the Talmudic statement that highlights spiritual opportunities that can be uniquely achieved in *galut*:

R. Elazar also said: The Holy One, blessed be He, exiled Israel among the nations in order that proselytes might join them, for it is said, "And I will sow her to Me in the land"; surely, a man sows a se'ah in order to harvest many kor! R. Yochanan deduced this from here: "And I will have compassion upon she that has not obtained compassion."

Pesachim 87b

The Talmud states that the purpose of exile is to attract converts, which is surprising in light of the non-proselytary nature of Judaism. Maharsha understands that the Talmud is not referring to formal conversion, but the opportunity to spread the message of God's existence to all humanity:

[How does the Talmud know that the purpose of exile is to attract converts?] Because if exile is entirely meant as punishment for sin, it would be possible to punish them in other ways. Rather, the purpose of exile is to attract converts, in other words, to publicize our faith in God even among the idolaters.

Maharsha, Chiddushei Aggadot, Pesachim 87b

ואמר רבי אלעזר: לא הגלה הקדוש ברוך הוא את ישראל לבין האומות אלא כדי שיתוספו עליהם גרים, שנאמר וזרעתי לי בארץ. כלום אדם זורע סאה - אלא להכניס כמה כורין. ורבי יוחנן אמר מהכא: ורחמתי את לא רחמה.⁵
פסחים פז:

לא הגלה כו'. דאי משום עונש חטאם אפשר היה לו לעונשם בדברים אחרים אלא כדי שיתוספו עליהם גרים דהיינו לפרסם האמונה גם בשאר עובדי כוכבים: מהרש"א,
חידושי אגדות פסחים פז:

In fact, Ramban (in the beginning of *Torat Hashem Temimah*) describes the pervasive impact that the Torah has made on the civilized world.⁶

Other sources adopt a more mystical understanding of this idea. For example, R. Tzadok writes that attracting converts is an allegory for collecting the holy sparks that are dispersed throughout the world:

The Holy One, blessed be He, exiled Israel among the nations in order that proselytes might join them. Some have explained that this does not refer to actual converts, but rather to the holy sparks that have a hidden existence among the nations, and

... לא הגלה הקב"ה את ישראל וכו' אלא כדי שיתוספו עליהם גרים ופירשו ז"ל שאין המכוון על גרים ממש רק על ניצוצות קדושות וחיות שיש באומות בסוד ואתה מחיה את כולם וזה מוציאים על ידי

דברים טו, יא - כי לא יחדל אביון מקרב הארץ על פני אנכי מצוה לאמר פתח תפתח את ידך לאחיך לעניך ולאיבך בארץך
For there never will cease to be needy within the land. Therefore, I command you saying, "You shall surely open your hand to your brother, to your poor one, and to your needy one in your land." **Devarim 15:11**

R. Shimon ben Elazer understands the first of these verses as telling us that in messianic times, we no longer will desire to do evil. Shmuel, on the other hand, sees in the second verse a reflection of a broader principle—that the only thing that will change is that we will no longer be persecuted. Remarkably, R. Shimon ben Elazer understands the messianic era as *ימי ה'רעה*. This parallels the intense mourning of the demise of the *yeitzer ha-ra* described in *Zecharya* Chapter 12:11 (according to one view in *Sukkah* 52b).

⁵ Rashi notes that the proof is from the continuation of the verse, (Hoshea 2:25)—ואמרתי ללא עמי עמי אתה—And I will say to those that are not My people, "You are My people."

⁶ This idea is major theme in the writings of the Netziv (see, for example, *Bamidbar* 14:21) and R. S. R. Hirsch (see, for example, *Nineteen Letters*, Letter 9).

You will revive them and they will be removed through exile.

Pri Tzaddik, Shemot, Parashat Parah

הגלויות.
ר' צדוק הכהן מלובלין - פרי צדיק שמות
פרשת פרה: [ג]

We should note that the above themes need not be seen to contradict the notion that *galut* is as a result of sin. Conceivably these goals could have been accomplished in a different manner had we not been exiled due to sin. Rather, these sources are meant to emphasize that there are positive accomplishments that we are meant to achieve during our exilic experience. Accordingly it would seem that redemption is not merely dependent upon our rectifying our misdeeds; it also depends upon our accomplishing the goals and purposes of exile.

The State of the Jewish People at the Time of Redemption and Yechezkeil's Prophecy of the Resurrection of the Dry Bones

Some of the above sources may paint a rosy picture of our current state of affairs in *galut*. However, further investigation indicates that the matter is not so simple. Various commentaries paint graphic images of our deplorable spiritual stature in *galut*. Consideration of these descriptions may prove helpful in igniting the feelings of mourning that we are meant to experience on Tisha B'Av. We begin with a comment from David ha-Melech:

When David asks Shaul why he has chased him, forcing him to leave the Holy Land, he says:

For they have driven me out this day that I should not cleave unto the inheritance of Hashem, saying: Go, serve other gods.

Shmuel I 26:19

כי-גרשוני היום מהסתפח בנחלת ה'
לאמר לך עבד אלהים אחרים.⁷
שמואל א' כ"ו ויט

Did they really force David to serve idolatry? He was only forced to leave the land of Israel. The Talmud derives from here that living outside of Israel is tantamount to serving idolatry— כל הדר
בח"ל כאילו עובד עבודת כוכבים.⁸ Ramban understands that this refers to our tenuous connection

⁷רד"ק שמואל א פרק כו פסוק יט לך עבוד אלהים אחרים - כאלו אומר לו לך עבוד אלהים אחרים כי מגרש' אותי מנחלת ה' לגור בין העכו"ם אעפ"י שעדיין לא יצא מארץ יהודה ידע כי יצטרך לצאת כי לא יוכל לברוח מפני שאול אחר זה והוא בארץ יהודה וישראל וגם הצטרך לו לצאת כשהלך אל אכיש מלך גת וגם כן הלך למצפה מואב והניח אביו ואמו לפני מלך מואב וישבו שם אעפ"י שהוא ואנשיו היה הולך ושב בארץ יהודה וי"ת למימר איזיל דוד ביני עממיא פלחי טעווא:

Go worship other gods—It is as if he is telling him to go worship other gods because "I am being chased away from the inheritance of God to live among the nations." Even though he didn't yet leave the Land of Judah, he knew that he would be forced to leave because he would not be able to run away from Shaul after this. Radak, Shmuel I 26:19

⁸כתובות קי: ת"ר: לעולם ידור אדם בא"י אפי' בעיר שרובה עובדי כוכבים, ואל ידור בחו"ל ואפילו בעיר שרובה ישראל, שכל הדר בארץ ישראל - דומה כמי שיש לו אלוה, וכל הדר בחוצה לארץ - דומה כמי שאין לו אלוה, שנא': (ויקרא כ"ה) לתת לכם את ארץ כנען להיות לכם לאלהים, וכל שאינו דר בארץ אין לו אלוה? אלא לומר לך: כל הדר בחו"ל - כאילו עובד עבודת כוכבים; וכן בדוד הוא אומר: (שמואל א' כ"ו) כי גרשוני היום מהסתפח בנחלת ה' לאמר לך עבוד אלהים אחרים, וכי מי אמר לו לדוד לך עבוד אלהים אחרים? אלא לומר לך: כל הדר בחו"ל - כאילו עובד עבודת כוכבים.

Our Rabbis taught: One should always live in the Land of Israel, even in a town most of whose inhabitants are idolaters, but let no one live outside the Land, even in a town most of whose inhabitants are Israelites; for whoever lives in the Land of Israel may be considered to have a God, but whoever lives outside the Land may be regarded as one who has no God. For it is said in Scripture, "To give you the Land of Canaan, to be your God." Has he, then, who does not live in the Land, no God? But [this is what the text intended] to tell you, that whoever lives outside the Land may be regarded as one who

to God outside of Israel.⁹ The degree of providence and closeness to the Divine is inherently restricted when we are not at home, to the extent that David declared the Jew in exile is Godless.

Ramban goes even further when interpreting an episode from the book of Yechezkeil. The prophet Yechezkeil describes the resurrection of dry bones:

1 The hand of Hashem was upon me, and Hashem carried me out in a spirit and set me down in the midst of the valley, and it was full of bones; 2 and He caused me to pass by them round about, and behold, there were very many in the open valley; and, lo, they were very dry. 3 And He said to me: "Son of man, can these bones live?" And I answered: "Hashem, God, You know." 4 Then He said to me: "Prophecy over these bones, and say to them: 'You dry bones, hear the word of Hashem: 5 "Thus says the Hashem, God, unto these bones: 'Behold, I will cause breath to enter into you, and you shall live. 6 And I will lay sinews upon you, bring up flesh upon you, cover you with skin, and put breath in you, and you shall live; and you shall know that I am Hashem.' 7 So I prophesied as I was commanded; and as I prophesied there was a noise, and behold, a commotion, and the bones came together, bone to its bone. 8 And I beheld, and, lo, there were sinews upon them, and flesh came up, and skin covered them above; but there was no breath in them. 9 Then He said to me: "Prophecy to the breath, prophesy, son of man, and say to the breath: 'Thus says Hashem, God: "Come from the four winds, O breath, and breathe upon these slain, that they may live.'"" 10 So I prophesied as He commanded me, and the breath came into them, and they lived, and stood up upon their feet, an exceedingly great host. 11 Then He said to me: "Son of man, these bones are the whole house of Israel; behold, they say: 'Our bones are dried up, and our hope is lost; we are clean cut off.' 12 Therefore prophesy, and say unto them: 'Thus says Hashem, God: "Behold, I will open your graves and cause you to come up out of your graves, My people; and I will bring you into the land of Israel. 13 And you shall know that I am Hashem, when I have opened your graves, and caused you to come up out of your graves, My people. 14 And I will put My

א הַיְּמָה עָלַי, יְד-ה', וַיּוֹצֵאֲנִי בְרוּחַ ה', וַיְנִיחֵנִי בְּתוֹךְ הַבִּקְעָה; וְהִיא, מְלֵאָה עֲצָמוֹת. ב וְהֶעֱבִירַנִי עֲלֵיהֶם, סָבִיב סָבִיב; וְהִנֵּה רַבּוֹת מְאֹד עַל-פְּנֵי הַבִּקְעָה, וְהִנֵּה יְבֵשׁוֹת מְאֹד. ג וַיֹּאמֶר אֵלַי--בֶּן-אָדָם, הֲתַחְיֶינָה הָעֲצָמוֹת הָאֵלֶּה; וָאָמַר, אֲדֹנָי יְהוִה אַתָּה יָדָעְתָּ. ד וַיֹּאמֶר אֵלַי, הִנָּבֵא עַל-הָעֲצָמוֹת הָאֵלֶּה; וָאָמַרְתָּ אֲלֵיהֶם--הָעֲצָמוֹת הַיְבֵשׁוֹת, שְ�מָעוּ דְבַר-ה'. ה ה כֹּה אָמַר אֲדֹנָי יְהוִה, לָעֲצָמוֹת הָאֵלֶּה: הִנֵּה אֲנִי מְבִיא בָכֶם, רוּחַ--וְחַיִּיתֶם. ו וְנָתַתִּי עֲלֵיכֶם גִּידִים וְהַעֲלֵתִי עֲלֵיכֶם בָּשָׂר, וְקָרַמְתִּי עֲלֵיכֶם עוֹר, וְנָתַתִּי בָכֶם רוּחַ, וְחַיִּיתֶם; וַיִּדְעַתֶּם, כִּי-אֲנִי ה'. ז וּנְבִאֲתִי, כַּאֲשֶׁר צִוִּיתִי; וַיְהִי-קוֹל כְּהִנָּבְאִי, וְהִנֵּה-רֵעֵשׁ, וַתִּקְרְבוּ עֲצָמוֹת, עֶצֶם אֶל-עֶצְמוֹ. ח וַחֲרָאֲתִי וְהִנֵּה-עֲלֵיהֶם גִּידִים, וּבָשָׂר עָלָה, וַיִּקְרַם עֲלֵיהֶם עוֹר, מְלֻמָּעָלָה; וְרוּחַ, אֵין בָּהֶם. ט וַיֹּאמֶר אֵלַי, הִנָּבֵא אֶל-הָרוּחַ; הִנָּבֵא בֶן-אָדָם וָאָמַרְתָּ אֶל-הָרוּחַ כֹּה-אָמַר אֲדֹנָי יְהוִה, מֵאַרְבַּע רוּחוֹת בָּאֵי הָרוּחַ, וּפָחִי בְּהַרוּגִים הָאֵלֶּה, וַיְחִיּוּ. י וְהִנָּבִאֲתִי, כַּאֲשֶׁר צִוִּנִי; וַתָּבוֹא בָהֶם הָרוּחַ וַיְחִיּוּ, וַיַּעֲמֵדוּ עַל-רַגְלֵיהֶם--חַיִל, גָּדוֹל מְאֹד-מְאֹד. יא וַיֹּאמֶר, אֵלַי, בֶּן-אָדָם, הָעֲצָמוֹת הָאֵלֶּה כָּל-בֵּית יִשְׂרָאֵל הֵמָּה; הִנֵּה אֲמַרְיִם, יָבֹשׁוּ עֲצָמוֹתֵינוּ וְאִבְדָּה תִקְוַתָּנוּ--נִגְזְרָנוּ לָנוּ. יב לִכֹּן הִנָּבֵא וָאָמַרְתָּ אֲלֵיהֶם, כֹּה-אָמַר אֲדֹנָי יְהוִה, הִנֵּה אֲנִי פֹתַח אֶת-קִבְרוֹתֵיכֶם וְהַעֲלִיתִי אֶתְכֶם מִקִּבְרוֹתֵיכֶם, עִמִּי; וְהִבֵּאתִי אֶתְכֶם, אֶל-אֶדְמַת יִשְׂרָאֵל. יג וַיִּדְעַתֶּם, כִּי-אֲנִי ה': בִּפְתָחִי אֶת-קִבְרוֹתֵיכֶם, וּבְהַעֲלוֹתִי אֶתְכֶם מִקִּבְרוֹתֵיכֶם--עִמִּי. יד וְנָתַתִּי רוּחִי בָכֶם

worships idols. Similarly it was said in Scripture in [the story of] David, "For they have driven me out this day that I should not cleave to the inheritance of the Lord, saying: Go, serve other gods." Now, whoever said to David, "Serve other gods"? But [the text intended] to tell you that whoever lives outside the Land may be regarded as one who worships idols.

Ketubot 110b (Soncino Talmud Translation)

⁹ Ramban references this Gemara in his commentary to Vayikra 18:25 and in his Hasagot to Rambam's Sefer HaMitzvot, Aseh no. 4. See also, Ramban's commentary to Bereishit 24:3 and Devarim 11:18.

spirit into you, and you shall live, and I will place you in your own land; and you shall know that I Hashem have spoken and performed it, says Hashem.”

Ezekiel Chapter 37

וְחַיִּיתֶם, וְהִנַּחֲתִי אֶתְכֶם עַל-אֲדָמְתְּכֶם; וִידַעְתֶּם כִּי-אֲנִי ה', דְּבַרְתִּי וַעֲשִׂיתִי--נְאֻם-ה'.

יחזקאל, פרק לז

Who are these dry bones and when will they be resurrected? Ramban¹⁰ understands that the awakening of the dry bones portrayed in Yechezkeil is not referring to the resurrection at the end of days (*tehiyat ha-meitim*), but rather to the messianic redemption. Who then are the dry bones? They are us—the Jewish people in exile. We are dead. In our current state of affairs we are like a corpse. The redemption is compared to resurrection in that we will be brought back to life. To fully appreciate this startling notion, let us carefully examine Ramban’s comments which concern Yaakov’s death in Egypt.

Based on the principle of *ma’aseh avot siman la-banim* (the actions of the forefathers serve as a model for future generations), Ramban writes that Ya’akov’s descent into Egypt and eventual burial in Israel serve as the model for our current exile and future redemption.¹¹ He identifies numerous parallels between Ya’akov’s exile to Egypt and our current exile in the hands of the fourth beast (described in Daniel¹²), which corresponds to Edom. Ramban’s comments are reproduced below in a way that highlights the parallels:

I have already mentioned that Yaakov’s descent to Egypt parallels our current exile in the hands of the fourth beast, the wicked romans. [We can discern the following parallels between Yaakov’s experience in Egypt and our current situation. With respect to Yaakov:]

1. *Yaakov’s sons themselves caused their descent to Egypt through their sale of their brother Yosef.*
2. *Yaakov descended there because of famine.*
3. *He thought only to be saved from starvation with his son Yosef in the house of one who loved him, for Pharaoh loved Yosef, and Yosef was like his son.*
4. *Yaakov’s children intended to return to their homeland as soon as the famine ended, as it says “we have come to sojourn in the land since there is no grazing for your servants’ flocks for the famine is intense in the land of Canaan.” But they did not go back; rather, the exile became protracted.*
5. *And Yaakov died there and only his bones went up.*

ויחי יעקב בארץ מצרים שבע עשרה שנה - כבר הזכרתי (לעיל מג יד)¹⁶ כי רדת יעקב למצרים הוא גלותינו היום ביד החיה הרביעית (דניאל ז ז) רומי הרשעה,

1. כי בני יעקב הם עצמם סבבו רדתם שם במכירת יוסף אחיהם,
2. ויעקב ירד שם מפני הרעב,
3. וחשב להנצל עם בנו בבית אוהב לו, כי פרעה אוהב את יוסף וכבן לו,
4. והיו סבורים לעלות משם ככלות הרעב מארץ כנען, כמו שאמרו (לעיל מז ד) לגור בארץ באנו כי אין מרעה לצאן אשר לעבדיך כי כבד הרעב בארץ כנען. והנה לא עלו, אבל ארך עליהם הגלות,
5. ומת שם ועלו עצמותיו,

¹⁰ See the commentaries on this verse. Kuzari, Gra, and Rav Kook all adopt this interpretation as well.

¹¹ The *ma’aseh avot siman la-banim* is not the redemption of the Jewish people but Ya’akov’s burial. This is because *ma’aseh avot siman la-banim* is limited to the *avot* themselves and to the book of *Bereishit*.

¹² The seventh chapter of the book of Daniel records Daniel’s dream of four beasts that come out of the sea: a lion with an eagle’s wings; a bear with three tusks; a leopard with four wings and four heads; and a beast with iron teeth, ten horns, one little horn, and human eyes. These beasts correspond to the four exiles: Babylonian, Median, Greek, and Roman. The Rishonim debate whether the fourth beast is referring exclusively to Rome/Edom or includes Yishmael as well (as indicated by the feet being composed of both clay and metal).

6. *And the elders of Pharaoh brought him back.*

7. *And made for him "a grievous mourning."*

Likewise, we are with Rome and Edom:

1. *Our brothers [the Chashmonaim] caused our coming under their control for they made a pact with the Romans.*¹³

2. *And Agrippa II, the last king of the Second Temple period, fled to them for assistance.*¹⁴ [Parallel to 3 above]

3. *And because of the famine the people of Yerushalaim were captured by the Romans. [Parallel to 2 above]*

4. *And the exile has become extremely protracted for us. We don't know its end, as we did in other exiles.*

6. וזקני פרעה ושריו העלוהו,

7. ועשו עמו אבל כבד:

וכן אנחנו עם רומי ואדום.

1. אחינו הסיבנו ביאתינו בידם, כי כרתו ברית עם הרומיים.

2. ואגריפס המלך האחרון לבית

שני ברח אליהם לעזרה,

3. ומפני הרעב נלכדו אנשי ירושלים,

4. והגלות ארך עלינו מאד, לא נודע קצו כשאר הגליות.

5. ואנחנו בו כמתים אומרים יבשו

¹³ Judah (יהודה המכבי) sought an alliance with the Roman Republic to remove the Greeks. Josephus reports: "In the year 161 B.C.E., he sent Eupolemus the son of Yochanan and Jason the son of Elazar 'to make a league of amity and confederacy with the Romans'" (*Jewish War*; translation adapted from that of William Whiston). Later, Jonathan sought alliances with foreign peoples. He renewed the treaty with the Roman Republic. Hyrcanus II and Aristobulus II, Simon's great-grandsons, became pawns in a proxy war between Julius Caesar and Pompey the Great. See *Yosipon*, chapters 23 and 45.

¹⁴ The later Herodian rulers Agrippa I and Agrippa II both had Hasmonean blood, as Agrippa I's father was Aristobulus IV, son of Herod by Mariamne I, but they were not direct male descendants of the Hasmoneans. During the First Jewish-Roman War of 66–73, Herod Agrippa II (born A.D. 27/28), known as Agrippa, sent soldiers to support Vespasian, showing that, although a Jew in religion, he was entirely devoted to the Romans. After the capture of Jerusalem, he went with his sister Berenice to Rome, where he was invested with the dignity of praetor and rewarded with additional territory. Ramban presumably means that just as Yosef depended on the friendship of Pharaoh, so too Agrippa relied on the friendship of Rome. See *Yosipon*, chapter 64.

¹⁵ ויאחזקו, מעשיהם ומחשבתיהם--באה, לקבץ את-כל-הגוים והלשונות; ובאו, וראו את-כבודי. יט ושמתי בהם אות, ושלחתי מהם פליטים אל-הגוים תרשיש פול ולוד מלשכי קשת--תבל ונון: האיים הרחוקים, אשר לא-שמעו את-שמעי ולא-ראו את-כבודי--והגידו את-כבודי, בגוים. כ והביאו את-כל-אחיהם מכל-הגוים מנחה ליהודה בסוסים ובקרובים ובכרדות, על הר קדשי ירושלם--אמר יהוה: כאשר יביאו בני ישראל את-המנחה בכלי טהור, בית ה'. ישעיה, פרק סו

18 For I [know] their works and their thoughts; [the time] comes, that I will gather all nations and tongues; and they shall come and shall see My glory. 19 And I will work a sign among them, and I will send such as escape of them to the nations, to Tarshish, Pul, and Lud, that draw the bow, to Tuval and Yavan, to the isles far off that have not heard My fame nor have seen My glory; and they shall declare My glory among the nations. 20 And they shall bring all your brethren out of all the nations for an offering to Hashem, upon horses, in chariots, in litters, upon mules, and upon swift beasts to My holy mountain, Jerusalem, says Hashem, as the children of Israel bring their offering in a clean vessel into the house of Hashem. Isaiah Chapter 66

Ramban compares the return of Ya'akov's corpse for burial to the redemption from Edom: just as Ya'akov is returned to Israel with the aid of non-Jews, so too the Jews will return to Israel in messianic times with the help of non-Jews.

¹⁶ רמב"ן בראשית פרשת מקץ פרק מג: (יד) ... ולשון אחר דרשו שם בבראשית רבה, אמרו רבי יהושע בן לוי פתר קריא בגליות, ואל שדי יתן לכם רחמים לפני האיש, זה הקדוש ברוך הוא שנאמר (שמות טו ג) ה' איש מלחמה, וכתוב (תהלים קו מו) ויתן אותם לרחמים. ושלח לכם את אחיכם, אלו השבטים, אחר ואת בנימין, זה יהודה ובנימין. ואני כאשר שכלתי בחורבן ראשון שכלתי בחורבן שני, לא אשכל עוד. [לפנינו: כאשר שכלתי בחורבן ראשון ובשני (לכא' יוסף ושמעון) לא אשכל עוד.] זה לשונם ז"ל. והכונה כי ירידת יעקב למצרים ירמוז לגלותינו ביד אדום כמו שאפרש (ריש פרשת ויחי). וראה הנביא הענין מתחלתו והתפלל סתם לשעה ולדורות. והכתוב זה כפי מדרשם יש לו סוד גדול. כי אמר ואל שדי, במדת הדין, יתן לכם רחמים שלפניו, יעלה אתכם ממדת הדין למדת רחמים. והמשכיל יבין:

Our Rabbis state: And I, as I am bereaved about the destruction of the First Temple, so too am I bereaved about the destruction of the Second Temple and I will not become bereaved again. And their intent is that Jacob's descent to Egypt hints to our exile in the hands of Rome as I will explain. Ramban, Bereishit 43:14

5. *And we are like dead men, exclaiming "our bones are dried out... we are doomed" (Yechezkeil 37:11).*
6. *[But in the end] "they will bring us up from among all the nations, a tribute to Hashem."*¹⁵
7. *And they will have "a grievous mourning" upon seeing our glory. And we will see God's vengeance, may He preserve us and we will live before Him.*

Ramban Bereishit (Vayechi) 47:28

Many aspects of this comparison are striking. For example, the Egyptians participate in the burial of Ya'akov, showing him great honor. The parallel to this is the universal recognition of God and His people that will take place at the time of redemption, when the non-Jews will participate in and contribute to the redemption. In this piece, Ramban also compares the Jewish people in exile to a corpse: just as Ya'akov dies in Egypt, so too we will "die" in exile. Like the dry bones described in Yechezkeil, however, we will be resurrected and redeemed. Thus, the resurrection described by the prophet is not meant literally, but instead refers to a spiritual rejuvenation so striking that it is compared to actual resuscitation.

This comparison, which emerges directly from the verses in Yechezkeil, is remarkable insofar as we generally consider our current state of affairs to be vibrant, despite our exilic state. R. Yehdua ha-Levi also compares the Jewish people in exile to scattered bones. Responding to the Khazar king's comment that without prophets and priests the Jewish people are like a being without a head and heart, the Rabbi says:

The Rabbi: What you say is true! Moreover, we have no real bones, just scattered bones, akin to the dry bones that Yechezkeil saw in his vision. Nevertheless, King of Khazars, these bones have some remnant of life in them, for they once were utensils for the head, heart, life force, spirit, and soul. They therefore are better than the intact bodies whose head, eyes, ears, and the remaining parts are made of stone and plaster. These bodies never had the spirit of life rest within them, nor is it possible that they ever will. Rather, they are forms that resemble man, but are not really man....

Kuzari, Ma'amar no. 2

עצמותינו נגזרנו לנו,
ויעלו אותנו מכל העמים מנחה
לה',
ויהיה להם אבל כבוד בראותם
כבודנו. ואנחנו נראה בנקמת ה',
יקימנו ונחיה לפניו:
רמב"ן פרשת ויחי מז:כח

ל. אמר החבר: כן הוא, כאשר אמרת,
ועוד ולא גוף, אבל עצמות מפורדות כמו
העצמות היבשות אשר ראה יחזקאל, ועם
כל זה מלך כוזר, אלו העצמות אשר נשאר
בהם טבע מטבעי החיים, וכבר היו כלים
לראש וללב ורוח ונפש ושכל, טובים
מגופות מצויירות מאבן וסיד בראש
ועינים ואזנים וכל האברים, ולא חלה בהם
מעולם רוח חיה ואי אפשר שיחול בהם,
אך המה צורות דומות לצורות אדם ואינם
אדם.

ספר הכוזרי מאמר ב

Consolation and Conclusion

Sources such as the above Ramban and Kuzari appear to contrast the various positive aspects of *galut* described in the first section. What emerges is a portrayal of *galut* that is more complex than we usually presume. Indeed, unanswerable questions are a refrain that permeates the entire *galut* experience. Let us then conclude with one final image that ties these themes together.

Picture a crying baby with furrowed brows. The infant, uncomfortable and hungry, cries out in pain not knowing if her needs will be met. In an instant, everything changes. When she suckles

on her mother's breast, it is clear that her pain has been relieved, her uncertainty restored, and her fears vanquished.

Now imagine a barren desert. Upon seeing it, a person concludes that it is void of all life. He returns one week later to see a carpet of green grasses and colorful flowers. Sounds of life and vitality surround him. What has changed? The rain has finally come.

These are some of the images used by the prophet in the final chapter of Yeshaya to depict the redemption. Our mother will comfort us. Our doubts will dissipate. Our questions will be resolved. Our revival will be breathtaking.

The details of how and when this will occur are unknown to us at present. For now, we are like the desert that thirsts for water and the baby who yearns for her mother. We must anticipate redemption—may it come speedily in our days.¹⁷

¹⁷ My thanks to R. Nathan Hyman and Aviyam Levinson for their help in preparing this piece.

Reliving Yirmiyahu's Experience: An Experiential Tisha B'Av Program

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Megillat Eicha is an incredibly powerful piece of Tanach. According to Chazal (*Moed Katan* 26a) it is the voice of Yirmiyahu, which we hear crying out to God. His poetic words truly paint a picture of someone overcome by pain and suffering—someone who feels so lost due to the destruction he sees happening in Yerushalayim.

Being that Tisha B'Av happens during the summer months, most students do not have the opportunity to learn Megillat Eicha in depth the way they do other parts of Tanach. Education in the camp setting surrounding Tisha B'Av is usually taught in a very experiential way. Often an emotional experience is created in order to put campers into the appropriate mindset. The focus typically surrounds the destruction of the Beit Hamikdash or the Shoah. The following script pulls directly from the text of Eicha. The pain and suffering that Yirmiyahu describes is pain that has manifested in different ways over the generations. This program is designed to help break down the story told in Eicha, and can be used in any setting—camps, synagogues, or at home with one's family.

Instructions:

Before reading each perek (chapter) of Eicha, the reader should pause for the script to be read out loud or acted out. This can be done by a few different people or by one person throughout.

At the conclusion, one can lead a facilitated conversation for the participants with the questions provided at the end of the script.

First Chapter

Can anyone hear me? Is there anyone left who cares about me? Silence, yes silence is all that I hear! Why? Because I am all alone! How people used to fill my streets, streets that were once

happy and filled with love. Now, I Jerusalem who was once a beautiful city, filled with people, joy, and God, am all alone. I am like a widow! I have nothing. I have lost all of my splendor and grace. People I used to call my friends are now my enemies. When my people fell into the hands of enemies, no one stood up to help me. Can you imagine how that feels?

God, can You hear me? Does this mean anything to You? Is it nothing to You, all that passes by You? Do You see my pain? But You did this to me, You did this to me God because You were angry at me! You sent fire into my bones, You set out a net for me to trip and fall into. You God, you made me this way. And because of this I cry, and my tears won't stop falling. I cry for You God because You are far from me. God, You are the one that I should turn to for comfort, but I no longer can.

God, I am in great distress over our distance, everything about this hurts, my heart aches for You because when it comes down to it, it was me who turned my back on You. I rebelled and my enemies are laughing at me. Please God, I beg of You, please relieve me of this great pain, my heart, my heart can't bear this pain.

Second Chapter

Take a look around. Can you see what is going on here? The elders are sitting on the ground like mourners. They aren't speaking, they've covered their heads with dust and ashes as they sit in sackcloth! Our holy Temple is gone!

God, can You hear me? It's Yirmiyahu. My eyes can barely see because of the constant flow of tears falling from them. My whole body hurts from my sadness. And the children of Yerushalayim, they call out to their mothers asking for food, asking for simple things like grain, and yet their mothers have no answer. Our children walk the streets faint because of how hungry they are.

Our enemies only say hurtful things about You, God. They say that you have no pity, and that You, God, are the one that has caused our adversaries to rise up against us.

I ask You God, to think about whom you have done this to. Young and old people are hungry, dying. No one has food to eat. You, You God, have brought this upon us. No one can escape Your anger God.

Third Chapter

I, Yirmiyahu, stand before you a broken man. I am the man who has seen the affliction that God causes when he is angry. He has turned against me, He has turned away from me. Even when I cry out in prayer, He does not hear my prayers. He has made me empty.

I don't even know what the word peace means anymore. I am like the bull's-eye awaiting the sting of an arrow. I am filled with bitterness. I am like the ashes of the earth. And yet I still have hope, dreams and wishes that God's unending love has not fully ceased and that there is still compassion for me, and all of Israel.

I believe with all of my heart that God is good to those who wait for Him, to those whose soul seeks Him out. There is in fact merit in man feeling the yoke of God, sitting alone contemplating

where God is. God cannot stay away forever! We may be in pain now, but He will certainly have love and compassion for us—after all He does not willingly afflict his children, Klal Yisrael.

We should think about that which we've done. We must turn back to God. Let us lift up our hearts and hands to God in the heavens. Let us apologize for our wrongdoings, until this point it's as though there is a cloud blocking our prayers from reaching God. But we must break that wall down. I cannot stop praying and crying until God looks down on me and accepts my *tefilot* (prayers). Please God, please listen to me. You have heard the voices of my enemies; You have heard what they've said about me. Turn your heart against them God, destroy them; please God, save me from their evil.

Fourth Chapter

God, things have gone from bad to worse! Children are so thirsty, their tongues stick to the roof of their mouths. When they ask for bread, no one gives them even a crumb! We used to have holy people living here in Yerushalayim. Our *nezirim* were once pure, as pure as the white of snow, whiter than milk. Now they are blacker than coal, no one even recognizes them on the street.

I say this out of desperation; those who were killed by sword were better off than those who have died from hunger. And the number of those dying from hunger is rising. Even worse, people are going crazy from their hunger pains. I can barely say the words to describe what is going on here. Mothers have eaten their own children out of desperation. These women were once compassionate mothers! You have accomplished Your mission God, it is obvious how angry You are with us. God, You set fire to Zion, and it has devoured the foundation of our once beautiful Jerusalem.

Our enemies hunt us, it is no longer safe to walk the streets of Jerusalem. Our enemies are faster than vultures, swooping in on their prey. Certainly our enemies are rejoicing at our fate.

Fifth Chapter

God—please do not forget what has happened to us! Our inheritance has been turned over to strangers; people we don't even recognize have taken our homes. We have become like orphans, no mothers, no fathers. We have nothing!

People who were once servants now rule us and won't let us go! We risk our lives for small bites of bread just to survive. Our skin is as hot as the walls of an oven due to our hunger.

The princes, who once used to sit upon beautiful thrones, are no longer alive to rule. No one respects the elders of our community anymore. The elders who used to sit at the gates of the city are nowhere to be found. The beautiful music that was once played by young men is gone, not even a note can be heard.

Our hearts no longer recognize the feeling of joy, our feet no longer know how to dance. All we do is mourn. Har Zion, once a holy, holy mountain, is now desolate, a place where only foxes roam looking for food.

You God, You are forever, Your throne rules from generation to generation. And yet, God, it seems that You have forgotten us. Why do You ignore us for so long?! Turn us to You Hashem and we will be turned. Please, I beg of You, bring us back to the days of old! You have rejected us, You are angry with us, You are against us, it's as clear as sunlight.

But I beg of You Hashem, turn us back to You and we shall be turned! Help bring us back to the days of old!

Questions for a facilitated conversation after Megillat Eicha

1. What type of imagery did Yirmiyahu use to describe that which he was seeing and experiencing?
2. Where else have we seen this type of imagery and suffering in Jewish history?
3. Why did Yirmiyahu choose to be so graphic when speaking with God? Surely God was seeing the suffering?
4. How do you envision Yirmiyahu speaking to God?
5. Do you think Yirmiyahu was justified in the way he spoke to God? Have you ever had an experience where all you wanted to do was yell out to God? How did you handle that situation?

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PRESENTS

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Tisha B'Av Kinnot Program - August 5, 2014



with Rabbi Dovid Gottlieb

*Rabbi and co-founder,
Ganei Ha'El, Ramat Beit Shemesh
Rebbe, Yeshivat Ashreinu*

8:00am **Shacharit**

8:45am **Kinot recital and
commentary**

12:45pm **Shiur: The Halachot of
Tisha b'Av Afternoon**

1:20pm **Mincha**

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Tisha B'Av Live Webcast - Tuesday, August 5, 2014

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with Rabbi Dr. Jacob J. Schacter

*Senior Scholar, Center for the Jewish Future and
University Professor of Jewish History and Jewish
Thought, Yeshiva University*

8:30am Shacharit

9:15am Opening shiur

**History, Tragedy and
Commemoration:
The Relevance of
Tisha B'Av Today**

11:00am Kinot recital and discussion

5:00pm Mincha



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