

# 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.<sup>1</sup> 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.<sup>2</sup> This argument gained much more urgency and currency after the Six Day War in 1967 when all of Jerusalem, including the Temple Mount,

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<sup>1</sup> 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.

<sup>2</sup> 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‘aniyot?,” *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?<sup>3</sup>

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).<sup>4</sup>

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

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<sup>3</sup> 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.

<sup>4</sup> 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](http://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.<sup>5</sup>

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*.<sup>6</sup> Also, the sanctity of the city of Jerusalem was never abrogated because it, again like the *mikdash*, drew its holiness from the Shehinah.<sup>7</sup> 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.<sup>8</sup>

<sup>5</sup> See R. Ovadya Yosef, *Yehaveh Da’at*, vol. 1 (Jerusalem, 1977), 120-22, #43, discussed in Yael Levine Katz, “Nusah Tefillah ‘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.

<sup>6</sup> *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.

<sup>7</sup> *Hil. Bet ha-Behirah* 5:16.

<sup>8</sup> *Mesorah* 7 (1992):19. The Rav’s position is discussed in R. Hershel Schachter, *Nefesh ha-Rav* (Jerusalem, 1994), 79; Yael Levine Katz, “Nusah Tefillah ‘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.<sup>9</sup> 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.<sup>10</sup>

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.

<sup>9</sup> 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.

<sup>10</sup> 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.