Seeds of Redemption in Destruction

Once again they were coming up to Jerusalem together, and just as they came to Mount Scopus they saw a fox emerging from the Holy of Holies. They fell a-weeping and R. Akiba seemed merry. Wherefore, said they to him, are you merry? Said he: Wherefore are you weeping? Said they to him: A place of which it was once said, And the common man that draweth nigh shall be put to death, is now become the haunt of foxes, and should we not weep? Said he to them: Therefore am I merry; for it is written, And I will take to Me faithful witnesses to record, Uriah the priest and Zechariah the Son of Jeberechiah. Now what connection has this Uriah the priest with Zechariah? Uriah lived during the times of the first Temple, while Zechariah lived during the second Temple; but Holy-Writ linked the prophecy of Zechariah with the prophecy of Uriah, In the prophecy [in the days] of Uriah it is written, Therefore shall Zion for your sake be ploughed as a field etc. In Zechariah it is written, Thus saith the Lord of Hosts, There shall yet old men and old women sit in the broad places of Jerusalem, so long as Uriah's threatening prophecy had not had its fulfilment, I had misgivings lest Zechariah's prophecy might not be fulfilled; now that Uriah's prophecy has been literally fulfilled, it is quite certain that Zechariah's prophecy also is to find its literal fulfilment. Said they to him: Akiba, you have comforted us! Akiba, you have comforted us! (bMakkot 24b) [Soncino]

I. Omission of Tachanun & Kri’at HaTorah

We don’t recite the Tachanun prayer on the eve of Tisha beAv because it is referred to as a “Festival”, and if it is Sabbath we don’t recite tzidkatehca.

We don’t recite the Tachanun prayer (or Selichot) on Tisha beAv, and we do not fall on our faces because it is referred to as a “Festival.” Rema: And for the Torah portion we read ki tolid banim (Deut. 4); for the haftorah we read in Jeremiah asof asifem (Jer. 8-9).

II. Working on Tisha beAv

We choose the haftorah portions (or psalms) of Jeremiah and Micah.
In a place where the custom is to permit *melakhah* on Tisha beAv, one may do so. In a place where the custom is to not, one may not do so. Everywhere, scholars are idle, and anyone who chooses to make him/herself a “scholar” in this regard may do so. Even in a place where the custom is to not work, one may ask a non-Jew, even in his/her house. Commercial activity is prohibited in a place where the custom is to not do *melakhah*. In a place where the custom is to permit, one may engage in commerce provided that one reduces the scale, because even from the time [the month of] Av begins, we reduce its scale.

Rema: The custom of not performing *melakhah* is only until noon. The practice is to prohibit any *melakhah* that requires concentration even if it is not expert-work, but matters which doesn’t require much concentration, such as lighting candles and tying knots and other similar things, are permitted. Milking of the cows should be done by a non-Jew if possible.

III. Donning Tefillin on Tisha beAv

My father the Rosh ob”m that it seems that one is obligated to don phylacteries since a mourner is only prohibited on the first day, and they were not more stringent on Tisha beAv then on the final six days of mourning … but R. Meir of Rothenberg wrote that on Tisha beAv one should not don phylacteries just as on the first day of mourning for there is no day more bitter than the one set aside for the generations for crying. My father wrote, “It is possible that he (R.M. of Rothenberg) stretched to find a justification for the custom in Germany, but I think that what I wrote is correct.”

Scholars do not greet one another on Tisha beAv, but they remain downcast and despondent like mourners; if an unlearned person greets them, the reply in quiet voice and solemnness. One may not study Scripture, Mishnah, Talmud or Aggadot; one may only read Job, Lamentations and the unhappy parts of Jeremiah, and the schoolchildren are dismissed on it. Some Sages have the practice to not don the phylacteries of the head.
The custom is to not don phylacteries on Tisha beAv in the morning, nor a Tallit, but we wear a *tallit katan* under the clothing [and put it on] without a blessing; at Mincha, we put on *tzitzit* and phylacteries and we make the blessings on them.

For at that time they set the Temple on fire and our sins were expunged when God poured out his wrath on wood and stones (instead of us). There are those who say that we do this to show a degree of comfort in the midst of our mourning, but this is, according to all, only applicable to phylacteries because it is a prohibition by virtue of custom only, but all of the five forms of affliction we may not ignore for the entire day.

One who is lenient to bathe one’s feet (or any other part) in the afternoon with a cloth violates the decree of the Sages; however, there is an ancient custom of women who wash their heads in the afternoon on Tisha beAv. The early elders enacted this and with proper intent; they connected this to which is said in the Aggadah that the Messiah was born on Tisha beAv, and just as we commemorate the Destruction and its mourning, so too we must commemorate the redeemer and comforter so that they will not despair of redemption.

### IV. Recitation of the *Nachem* Prayer

On Tisha beAv one must make mention of the day [in the Amidah] – and that is *Nachem*. One adds it in the blessing of *boneih yerushalayim* because it is thematically connected. My father the Rosh ob”m wrote, “I have always wondered why we only say during Mincha since it is stated that a private individual must mention the day [in his Amidah], which presumably means all of his prayers – just as *ma’ariv*, *shacharit* and *mincha* of Rosh Chodesh, Chanukkah and Purim.” R. Yehuda of Barcelona wrote, “we mention the day in [the Amidah of] *ma’ariv*, *shacharit* and *mincha*. And in the blessing of *shomei’a tefillah* we mention the fast (i.e. *aneinu*) like every other public fast day. There are places whose custom is to say “*racheim*” during *ma’ariv* and *shacharit*, and to say “*nacheim*” at *mincha* …
On Tisha beAv, in the blessing of boneih yerushalayim, one says “nacheim …”, and aneinu in shomei’a tefillah; if he omitted either of these, he does not repeat. Rema: The common practice is that we only say nacheim at the mincha service of Tisha beAv because at that time they set the Temple on fire and therefore we pray at that time for comfort.

In my humble opinion, the early sages had a tradition that they only instituted it at mincha because nacheim is to pray for comfort, and thus ma’ariv and shacharit are like times that one’s deceased is resting in their presence and comfort and thus we only say it at mincha.

V. Miscellaneous

On Tisha beAv night and during the day until the mincha services, we sit in the synagogue on the ground. (Rema: Today, we sit on benches immediately after we leave the synagogue in the morning, and we go on at length with the Kinot until shortly before noon.)

During the Kinot, it is prohibited to chat or to walk out so that one not distract one’s mind from the mourning, and certainly it is prohibited to chat with a non-Jew. (Rema: The custom is to say a little bit of words of comfort after Kinot, so as to finish with comfort.)

If Tisha beAv falls out on the Sabbath and is pushed off until Sunday, the father making a brit recites mincha with much time left in the day, bathes and does not complete the fast, because it is a festival day for him.
The custom is to not perform *shechitah* of prepare the meal until after noon.

### VI. Biblical and Rabbinic Perspectives on Suffering and Redemption

2.8 Therefore, behold, I will hedge up thy way with thorns, and I will make a wall against her, that she shall not find her paths. 2.9 And she shall run after her lovers, but she shall not overtake them, and she shall seek them, but shall not find them; then shall she say: 'I will go and return to my first husband; for then was it better with me than now.' 2.10 For she did not know that it was I that gave her the corn, and the wine, and the oil, and multiplied unto her silver and gold, which they used for Baal. (JPS 1917)

32.1 The word that came to Jeremiah from the LORD in the tenth year of Zedekiah king of Judah, which was the eighteenth year of Nebuchadrezzar. 32.2 Now at that time the king of Babylon's army was besieging Jerusalem; and Jeremiah the prophet was shut up in the court of the guard, which was in the king of Judah's house.

32.6 And Jeremiah said: 'The word of the LORD came unto me, saying: 32.7 Behold, Hanamel, the son of Shalum thine uncle, shall come unto thee, saying: Buy thee my field that is in Anathoth; for the right of redemption is thine to buy it.'

32.16 Now after I had delivered the deed of the purchase unto Baruch the son of Neriah, I prayed unto the LORD, saying: 32.17 'Ah Lord GOD! behold, Thou hast made the heaven and the earth by Thy great power and by Thy outstretched arm; there is nothing too hard for Thee;...
thus saith the LORD: Behold, I will give this city into the hand of the Chaldeans, and into the hand of Nebuchadrezzar king of Babylon, and he shall take it;

32,36 And now therefore thus saith the LORD, the God of Israel, concerning this city, whereof ye say: It is given into the hand of the king of Babylon by the sword, and by the famine, and by the pestilence:

32,37 Behold, I will gather them out of all the countries, whither I have driven them in Mine anger, and in My fury, and in great wrath; and I will bring them back unto this place, and I will cause them to dwell safely;

32,38 and they shall be My people, and I will b e their God;

32,39 and I will give them one heart and one way, that they may fear Me for ever; for the good of them, and of their children after them;

32,40 and I will make an everlasting covenant with them, that I will not turn away from them, to do them good; and I will put My fear in their hearts, that they shall not depart from Me.

32,41 Yea, I will rejoice over them to do them good, and I will plant them in this land in truth with My whole heart and with My whole soul.

32,42 For thus saith the LORD: Like as I have brought all this great evil upon this people, so will I bring upon them all the good that I have promised them.

32,43 And fields shall be bought in this land, whereof ye say: It is desolate, without man or beast; it is given into the hand of the Chaldeans.

32,44 Men shall buy fields for money, and subscribe the deeds, and seal them, and call witnesses, in the land of Benjamin, and in the places about Jerusalem, and in the cities of Judah, and in the cities of the hill-country, and in the cities of the Lowland, and in the cities of the South; for I will cause their captivity to return, saith the LORD.'