From the morning until the middle of the day – From the morning until the middle of the day, to examine the conduct of the town. And another fourth part they confessed, and prostrated themselves before the Lord their God” (Nehemiah 9:3).

HALAKHA

From the morning until the middle of the day – On communal fast days that are decreed to avert an impending calamity, the court judges and the community leaders gather in the synagogues from after the completion of the morning prayers until noon, to examine the conduct of the townspeople. They attempt to rectify any flaws in behavior that they might find, and they admonish wrongdoers and shame those who resort to violence to get their way. During the third quarter of the day, an appropriate section of the Torah is read, as well as a portion from the Prophets related to the occasion. During the last quarter of the day, the congregation recites the afternoon prayer and offers special petitions and supplications. These practices have not been observed in recent generations, either because the courts no longer have the authority to correct the wrongs they find (Arukh HaShulchan), or because in general the customs concerning communal fasts are no longer observed in their entirety (Shulhan Arukh, Orah Hayyim 576:16). Others add that on communal fast days, the leaders gather to attend to the community’s problems and requirements, as well as to right any wrongs that the community as a whole may have inflicted on individuals (Rabbi Elyakim).

The Gemara asks: I can reverse* the order of events, so that the first half of the day is spent in prayer while the second half is focused on the concerns of the community. The Gemara answers: It should not enter your mind to say that, as it is written elsewhere: “Then were assembled to me* everyone who trembled at the words of the God of Israel due to the faithlessness of them of the captivity and I sat appalled until the evening offering” (Ezra 9:4). And it is written in the next verse: “And at the meal-offering I arose from my fast, even with my garment and my mantle rent; and I fell on my knees and I spread out my hands to the Lord” (Ezra 9:5). These verses indicate that first one must deal with the issues of the community, and only afterward engage in prayer.

NOTES

This supports the opinion of – When the Gemara wishes to explore the possibility that the mishna it is analyzing can be cited as proof for the opinion of a Sage, it will typically state: This source supports the statement of that Sage.

The Gemara asks: How do they act on a fast day? Abaye said: From the morning until the middle of the day they examine the affairs of the town by checking if there are any deficiencies or corruptions in the city, moral or otherwise, and attempt to fix them, as these problems may have been the cause of the Divine punishment. From this point forward, for a quarter of the day they read a portion from the Torah and a portion from the Prophets [haftara]. From this point forward, they pray and petition for mercy, as it is stated: “And they stood up in their place and they read in the book of the Torah of the Lord their God a fourth part of the day; and another fourth part they confessed, and prostrated themselves before the Lord their God” (Nehemiah 9:3).

I can reverse – Although it stands to reason that the members of a community should first correct their ways and only afterward petition for mercy, the Gemara argues that there is good reason to reverse the order, as many of the halakhot of fasting and repentance are derived from the description of the penitence of the people of Nineveh. The Rambam Shulchan points out that the book of Jonah states that the inhabitants of Nineveh first petitioned God for mercy and only then attended to the wrongs committed in their community. “But let them be covered with sackcloth, both man and beast, and let them cry mightily to God; and let them turn every one from his evil way, and from the violence that is in their hands” (Jonah 3:8). Then were assembled to me, etc. – In other words, all those who feared God came to discuss “the faithlessness of the captivity,” i.e., the sins of the people of the Babylonian captivity who had ascended to Eretz Yisrael. This is referring to the correction of communal wrongs, as stated in the previous halakha (Rabbi Elyakim).
Yehoshua, were his disciples. Rav Idi bar Avin lived a long life. It is related that Rav Idi’s father, Rav Avin the carpenter, was a pious practice that led Rav Huna to predict that his sons would become eminent scholars. Indeed, his sons were Rav Huna’s closest disciples and many of his halakhic discussions with him are shared by several Sages. For this reason, he is known principally as the transmitter of his great master’s statements. Rav Idi bar Avin also knew Rav Huna, whose statements were his textbook and on which he built his own opinions. Rafram bar Pappa also knew Rav Huna, whose statements were his textbook and on which he built his own opinions.

Although Rav Idi bar Avin was Rav Huna’s student, he also quotes other Sages from the second generation of Babylonian amora'im. He was one of the greatest of his generation, and many of his halakhic discussions with Abaye are recorded in the Gemara. Rav Idi bar Avin was the chief rabbinic authority of his city, Shelchtiyat, where he apparently headed an academy. The most eminent scholars of the next generation, Rav Pappi and Rafram bar Pappa, son of Rav Yehoshua, were his disciples. Rav Idi bar Avin lived a long life and in his old age he liked to call his students his children. He too had two sons who became Sages, but little else is known of his deeds or his life.

Bathing on the Ninth of Av

The Gemara proposes: Let us say that the following baraita supports Rav Hida’s ruling that it is prohibited for a mourner to bathe himself even in cold water: All who are obligated in immersions immerse themselves in their usual manner, both on the Ninth of Av and on Yom Kippur. The Gemara clarifies this baraita: In what do they immerse themselves? If we say that they immerse themselves in hot water, is there such a concept as ritual immersion in hot water? Hot water is necessarily drawn water, as the water has been placed in vessels for heating, and drawn water is invalid for a ritual bath.

We, too, learn – אָמוּר מַעְנֵיהּ אֲנַן

This expression is used in the Gemara when proof is adduced for the ruling of an amora from a statement of a minhah or a baraita. Typically, the tannaitic quotation will not deal directly with the subject at hand, as amora'im do not usually issue a halakhic ruling that had already appeared in a minhah. Instead, the proof is usually more complex, i.e., if one were to examine the source closely he would reach the same conclusion as the amora, despite the fact that he did not base his ruling on the minhah.
The Gemara objects: If so, the latter clause of that same mishna: Rabbi Hanina, the deputy High Priest, said: The mourning for the House of our God, the Holy Temple, is worthy of the loss of a ritual immersion once a year. And if you say that it is permitted to immerse in cold water, why does Rabbi Hanina the deputy High Priest say that he loses his immersion? Let him bathe in cold water, without having to neglect his immersion or transgress the prohibitions of a fast day. Rav Pappa said: It could be argued that the baraita is referring to a place where cold water is not available, but only hot springs. In this case there is no choice but to wait until the following day to immerse.

The Gemara proposes: Come and hear: When they said that one is prohibited in working on fast days, they said so only about working during the day, but at night it is permitted to work. And when they said that one is prohibited to engage in wearing shoes, they said so only in a city, but on the road it is permitted. How so? When one goes out on the road he wears shoes, but at the end of his journey, when he enters the town, he removes them. And when they said that one is prohibited to engage in bathing, they said this only with regard to bathing his entire body, but washing his face, his hands, and his feet is permitted. And similarly, you find that this ruling applies in the case of one who is ostracized, i.e., placed under a formal ban, and in the case of a mourner, who is also prohibited to engage in bathing, smearing, and wearing shoes.

The Gemara explains the proof from this baraita: What, is it not the case that all these halakhot refer to all of them, including one who is ostracized and one who is in mourning? And with what form of bathing are we dealing here? If we say that the baraita is referring to bathing in hot water, are bathing his face, his hands, and his feet permitted? But didn’t Rav Sheshet say: It is prohibited for a mourner to insert even his finger into hot water for the purpose of washing. Rather, is it not correct to say that the baraita is dealing with cold water? If so, it is prohibited on a communal fast to wash one’s entire body even in cold water, which contradicts the opinion of Kafarm bar Pappa, citing Rav Hisda, who permits washing in cold water on those days for the sake of cleanliness.

The Gemara rejects this argument: No, actually the baraita is referring to bathing in hot water. And with regard to what posed a difficulty for you, the phrase: And similarly, that you find in the case of one who is ostracized and in the case of a mourner, does not refer to bathing; rather, it is referring to the rest of the prohibitions, e.g., wearing and wearing shoes. Consequently, it can be claimed that the baraita refers specifically to hot water, as this clause does not refer to a mourner but only to a communal fast, and bathing in cold water is permitted on communal fasts. Rather, isn’t the baraita referring to cold water, and it teaches that those obligated in immersions, yes, they are permitted to use cold water, but another person, who is not obligated to immerse, no, he may not wash even in cold water. Rav Elana bar Ketina said: This is no proof, as the ruling of the baraita was necessary only for the hot springs of Tiberias, which are warm without having been drawn, and in which it is possible to immerse.

The Gemara proposes yet another proof. Come and hear a statement of a baraita, as Rabbi Abba the priest said in the name of Rabbi Yosei the priest: An incident occurred in which the sons of Rabbi Yosei, son of Rabbi Hanina, died, and he bathed in cold water all seven days of mourning. This indicates that a mourner is in fact permitted to bathe. The Gemara rejects this argument: There it was a case where his mourning periods came one after the other, as his sons died in quick succession, and this leniency is as it is taught in a baraita: If one’s mourning periods immediately succeeded each other and his hair grew heavy, then even though it is generally prohibited for a mourner to cut his hair, he may lighten it with a razor, and he may likewise wash his garment in water. If one’s mourning periods succeeded – קשו בלאתל מר – אכילא לא מתה, רבי יוסי בר אנא אמר: בית לחם אמא בר אמא הפרשה, יושב במקצתו, אמר לו, מך עליון, אמרו לו, מקצתו, אמר לו, מקצתו. The hot springs of Tiberias consist of mineral-rich water heated by geothermal energy. During the Roman period, public baths were erected in Tiberias and the second-largest bath complex in the entire Roman Empire was built in the vicinity. Some baths still function today, e.g., the baths at Hamat Gader.
With regard to this baraita, Rav Hisda said: One who is obligated to observe periods of mourning in quick succession may trim his hair with a razor, but not in the normal manner, with scissors. Likewise, he may wash his garment in water, but not with natron, a type of soap, nor with sand.

Rava said: A mourner is permitted to bathe in cold water all seven days of mourning, despite the fact that he derives a certain degree of enjoyment from the cold bath, just as it is permitted for him to eat meat and wine. The Gemara raises an objection:

Just as it is permitted to eat meat and wine – during the period of acute mourning, which lasts from the time of the death of a close relative until after the funeral, it is prohibited for a mourner to eat meat or drink wine. However, in the period of regular mourning following the funeral, meat and wine are permitted to the mourner. Likewise, Rava maintains that bathing in cold water is permitted during the seven-day period of mourning following burial, despite the fact that it is prohibited during the period of acute mourning (Rabbi Elyakim).

A grown woman, i.e., a girl over twelve and a half; who is old enough to be married, is not permitted to render herself unattractive during the days of mourning for her father, as this would adversely affect her chances of marriage. The Gemara infers that this halakha applies only to a grown woman, whereas a young woman, a girl between the ages of twelve and twelve and a half, who is not yet old enough to be married, is permitted to render herself unattractive.

The Gemara analyzes this halakha: What is it not referring to the prohibition against bathing? And in what kind of water may a grown woman bathe? If we say that the baraita is referring to hot water, is a grown woman not permitted to render herself unattractive by refraining from washing in hot water? But didn’t Rav Hisda say: It is prohibited for a mourner to insert even his finger into hot water for the purpose of washing. Rather, it is not the case that it is permitted for a grown woman to bathe in cold water, from which it may be inferred that it is not permitted for a young woman to bathe even in cold water. The Gemara answers: No, the baraita is not speaking of bathing at all. Rather it is referring to painting the eyes and dyeing (pirkus) one’s hair, which it is permitted for a grown woman to do during mourning.

The Gemara proposes: Let say that the aforementioned baraita supports Rava’s ruling. As Rabbi Abba the priest said in the name of Rabbi Yosei the priest: An incident occurred in which the sons of Rabbi Yosei, son of Rabbi Hanina, died, and he bathed in cold water all seven days of mourning. This ruling apparently indicates that a mourner is permitted to bathe in cold water.

A grown woman is not permitted – Tosafot maintain that in this context the term: Not permitted, actually means that she is obligated to wash. Other commentaries provide support for the opinion of Tosafot by citing various examples in the Gemara where the term permitted is referring to an obligation (Gevurat Ari). In contrast, some commentaries claim that here too, the term is used in its original meaning: A grown woman is not permitted to render herself unattractive when she is in mourning, lest she repel potential suitors. If she renders herself unattractive, she must be admonished (Meir).

A grown woman is not permitted – Tosafot: During the period of acute mourning, which lasts from the time of the death of a close relative until after the funeral, it is prohibited for a mourner to paint her eyes and dye her hair when she is in mourning, including the first seven days of mourning (Arukh HaShulhan). However, it is prohibited for a young woman to do so (Shu”t Arukh, Yoreh De’ah 381:6).

Dyeing [pirkus] – Of uncertain origin, especially as this term is often exchanged with the root p-k-s, although it is spelled with the letter kaf rather than a kaf; it probably means to apply rouge. Some maintain that pirkus is from the Greek root πρωκύπτω (pirkion), meaning to dye black, to darken, particularly to darken hair.

Background – Natron [neter]: Natron is probably natron which is a naturally occurring mixture of sodium carbonate, Na₂CO₃·10H₂O, found in desert plains. In antiquity it was produced from algae. Natron is easily soluble in water and has a strong basic reaction that releases Na₂O, a substance that breaks up fats. Consequently, it was used as a detergent even in biblical times.

Language – Background – Natural natron deposit.

Notes – Background – Background.

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The Gemara responds: This is not a proof, as they say; There it is referring to a case where his mourning periods came immediately one after the other, as it is taught in a baraita. If one’s mourning periods came immediately one after the other and his hair grew heavy, he may lighten it with a razor, and he may wash his garment in water. And Rav Hisda said: He may trim his hair with a razor, but not with scissors. Likewise, he may wash his garment in water, but not with natron, nor with sand, and nor with iceplant. ¹

The foregoing is one version of Rava’s opinion and the ensuing discussion. Some say a different version of this debate. Rava said: It is prohibited for a mourner to bathe in cold water all seven days of mourning. The Gemara asks: In what way is this case different from eating meat and drinking wine, ² which a mourner is permitted to do? The Gemara responds: There, he acts to relieve his anxieties. ³ Since a mourner is typically distressed over the death of a close relative, the Sages permitted him to fortify himself with strong food and drink.

The Gemara proposes: Let say that the following baraita supports Rava’s ruling. A grown woman is not permitted to render herself unattractive during the days of mourning for her father. As above, the Gemara infers that this halakha applies only to a grown woman, but a young woman is permitted to render herself unattractive. In what kind of water may a grown woman bathe? If we say that this is referring to hot water, is a grown woman not permitted to refrain from washing in hot water? But didn’t Rav Hisda say: It is prohibited for a mourner to insert his finger into hot water for the purpose of washing. Rather, is it not the case that the baraita is referring to bathing in cold water? The Gemara answers: No; the baraita is speaking of painting the eyes and dyeing the hair.

Rav Hisda said: That is to say, i.e., as the baraita states that it is permitted for a grown woman who observes successive periods of mourning to paint and dye her hair, the same halakha evidently applies to laundry, from which it may be inferred that in an exceptional case it is prohibited for a mourner to wash laundry all seven days of mourning. ⁴ The Gemara concludes: And the practical halakha is: It is prohibited for a mourner to bathe his entire body both in hot water and in cold water all seven days of mourning. However, with regard to his face, his hands, and his feet, although it is prohibited to bathe them in hot water, in cold water it is permitted. However, with regard to smearing with oil, even any minimal amount of smearing is prohibited. ⁵ But if one does so to remove the dirt, it is permitted.

The Gemara returns to the discussion of the Aneinu prayer, recited on fast days. The prayer of a fast, how does one mention it? Rav Yehuda granted his son Rav Yitzhak general permission to expound publicly, while instructing him in the substance of what he should say, and Rav Yitzhak taught: An individual who took a fast upon himself prays the prayer of a fast. And where in the Amida does he recite this additional prayer? Between the seventh blessing of the Amida: Who redeems, and the eighth blessing: Who heals.

Rav Yitzhak strongly objects to this: But may an individual establish a blessing for himself, in addition to the fixed blessings of the Amida? Rather, Rav Yitzhak said: One mentions his fast in the blessing: Who listens to prayer, in accordance with the general principle that an individual may insert private requests into this general plea for the acceptance of prayers, including matters outside the scope of the established blessings. And similarly, Rav Sheeshet said: One recites the prayer for a fast day in the blessing: Who listens to prayer.

In what way is this different from meat and wine – אֵין שִׁבְﬠָה אָמַר: After the deceased is buried, the mourner is permitted to eat meat and drink a small amount of wine during his meal. However, he should not drink heavily (Shu’han Arokh, Yoreh De’ah 378:8).

It is prohibited for a mourner to wash laundry – אנכי רבי ירבדא: During the seven-day period of mourning, it is prohibited for a mourner to launder his clothes, both during the day and at night (Rema), in accordance with the opinion of Rav Hisda (Shu’han Arokh, Yoreh De’ah 380:3).

With regard to smearing, even any minimal amount is prohibited – אנכי רבי ירבדא: During the seven-day period of mourning, it is prohibited for a mourner to smear any of his body with oil, if he does so for pleasure. However, it is permitted to smear oil to remove dirt or for a medicinal purpose (Shu’han Arokh, Yoreh De’ah 380:2).

To relieve his anxieties – אנכי רבי ירבדא: Eating and drinking helps the mourner cope with his sorrows, whereas washing is a form of pleasure and consequently remains prohibited (Shita Mekbubetzer).

That is to say, it is prohibited for a mourner to wash laundry all seven days of mourning – אנכי רבי ירבדא: Rashi explains that Rav Hisda derived the halakha that it is prohibited for a mourner to launder clothes during the entire seven-day period of mourning from the previous statement that a girl in mourning may not paint her eyes or dye her hair. See Rabbi Akiva Eiger in Gilon HayShas, who notes several difficulties with this explanation. Other commentators connect Rav Hisda’s statement with the aforementioned baraita concerning one who observes two consecutive periods of mourning. Since the baraita allows him to wash his soiled clothing in water, it follows that under ordinary circumstances it is prohibited for a mourner to launder his clothes. For this reason, some commentators transpose Rav Hisda’s statement so that it appears immediately after the citation of that baraita. Others argue that it is common for the Gemara to conclude its discussion of a particular topic and subsequently draw inferences that are not directly related to that issue from one of the sources cited in the course of the discussion (see Ohrim Shlomo, Rabbi Akiva Eiger, and Rashash).

1. The Gemara mentions a mention a different version of this debate in which Rava prohibits washing all seven days of mourning.
2. The Gemara is referring to the case where a mourner is permitted to eat meat and drink wine.
3. Rav Sheshet’s statement that it is prohibited for a mourner to relieve his anxieties is cited.
4. The Gemara concludes that washing all seven days of mourning is prohibited.
5. The Gemara states that even a minimal amount of smearing is prohibited.
The only difference between an individual and a community – אֶלָּא תַּאֲנִית אָם נַחֲלָה יֵתָר, אֲפִי גוֹמָל: An individual who is fasting inserts the Aneinu prayer in the blessing. Who listens to prayer, whether he is observing an individual fast or fasting together with the community. Some commentators note that even when one is observing an individual fast, he should recite the phrase: On the day of our fast. The common practice is that an individual who on a communal fast is not fasting does not recite the Aneinu prayer (Avukha Hasefta; Mishna Berurah, Shulhan Arukh, Orach Hayyim 565:3).

That this one prays eighteen blessings – אֶלָּא תַּאֲנִית אָם נַחֲלָה יֵתָר, אֲפִי גוֹמָל: Rashi notes that the Amida prayer, the main element of the daily service, is also called the Shemoneh Eveh, meaning eighteen, despite the fact that it contains nineteen blessings, but actually only eighteen blessings were included in the prayer. The nineteenth blessing, against heretics, was added at a later stage by Shmuel HaKatan (see Berachot 28b–29a).

Other commentators discuss the issue at length, and point out that Shmuel HaKatan added the blessing against heretics in the period soon after the destruction of the Second Temple. Consequently, later tannaitic sources would be expected to reflect the fact that the daily Amida prayer is comprised of nineteen blessings (Rd). Based on the Tosifra and the Jerusalem Talmud, the Rd argues that according to the original custom observed in Iretz Yisrael, the Amida prayer consisted of only eighteen blessings even after the addition of the blessing against the heretics, as the request for the reestablishment of the Davidic Kingdom and the prayer for the rebuilding of Jerusalem were originally incorporated into a single blessing.

The tanna taught and omitted – אֶלָּא תַּאֲנִית אָם נַחֲלָה יֵתָר, אֲפִי גוֹמָל: Occasionally, when a conclusion is based on an omission of a certain case from a list in a mishna or a baraita, the Gemara will claim that the list is incomplete, as the tanna did not see the need to mention all the relevant cases, and therefore no inference can be drawn from the omission of a specific case. Generally, the Gemara will continue with the question: What else did the tanna omit that he omitted this case? In other words, the tanna of the mishna or baraita would not have left out only a single case, and therefore it must be demonstrated that at least one other case was omitted as well.

Several commentators point out that there are in fact other differences between the first three and the middle three fasts. For example, the first three fasts begin at dawn and bathing is permitted, whereas the middle three fasts begin the previous evening and bathing is prohibited for the duration of each fast, as stated in the mishna. If so, it is evident that the tanna of the baraita left out certain differences. It has been suggested that this baraita is not cited in its entirety, and that the differences mentioned in the mishna are also stated in that portion of the baraita omitted by the Gemara. It was therefore necessary for the Gemara to find additional differences between the two series of fasts, to justify its claim that there is a difference between them with regard to the number of blessings that must be recited (Gevurat Ari; Keren Ora).

The Gemara raises an objection from a baraita: The only halakhic difference between an individual and a community is that this one, an individual, prays eighteen blessings in his Amida, and that one, a community, prays nineteen blessings. The Gemara analyzes this statement: What is an individual and what is a community in this context? If we say that an individual means an actual individual, and community is referring to the communal prayer leader, are there really only nineteen blessings in the communal Amida of a fast? There are twenty-four blessings. As will be explained, six additional blessings are added on communal fast days.

Rather, is it not the case that this is what the baraita is saying: The only halakhic difference between an individual who took an individual fast upon himself and an individual who took a communal fast upon himself, is only that this one prays eighteen blessings, as he mentions his fast in the blessing: Who listens to prayer, and that one prays nineteen blessings. Learn from this statement that an individual may establish an individual blessing for himself.

The Gemara questions this resolution: And are the six additional blessings not recited on the first series of communal fasts? But with regard to this issue, a baraita taught the instructive phrase: The only difference between them, as follows: The difference between the first three fasts and the middle three fasts is only that on these first fasts it is permitted to perform work, and on these middle fasts it is prohibited to perform work. This indicates that with regard to reciting all twenty-four blessings, both this and that are identical.

The Gemara rejects this argument: The tanna taught some of the differences between the fasts, and omitted some of them. The Gemara asks: What else did the tanna omit that you can justifiably claim that he omitted this case? In other words, it is possible for the tanna to have omitted a few examples, but he would not have omitted a single case. And furthermore, the baraita does not merely offer a list of differences, as it teaches: The difference between them is only. This phrase indicates that this is the only difference. Rather, the tanna is speaking of the various prohibitions of fast days, but he is not speaking of other differences, such as those that involve the details of prayers. And if you wish, say instead that on the middle three fasts too, the prayer leader does not pray twenty-four blessings, as the six additional blessings are recited only during the last series of fasts.

The Gemara expresses surprise at this: And does the prayer leader not recite all twenty-four blessings during the middle three fasts? But isn’t it taught in a baraita: The difference between the second set of three fasts and the last seven fasts is only that in these they sound the alarm and lock the stores. This indicates that with regard to all their other matters, both this and that are identical. And if you say that here, too, he taught and omitted, but it teaches: The difference between them is only indicating that there is no other difference.

The Gemara asks: And how can you understand it that way? Does the phrase: The difference between them is only, specifically mean that there is only a single difference between the cases?