

מ"חגה". ומאן דאמר כולו אסור מ"חדשה". ומאן דאמר כל השבת כולה אסור מ"שבתה".

אמר רבא: הלכה פרבן שמעון בן גמליאל. ואמר רבא: הלכה פרבי מאיר. ותרווייהו לקולא, וצריכא. דאי אשמועינן הלכה פרבי מאיר, הוה אמינא: אפילו מראש חדש. קמשמע לן: הלכה פרבן שמעון בן גמליאל.

ואי אשמועינן הלכה פרבן שמעון בן גמליאל, הוה אמינא: אפילו לאחריי. קמשמע לן: הלכה פרבי מאיר.

ערב תשעה באב, לא יאכל אדם שני תבשילין, בו. אמר רב יהודה: לא שנו אלא ממש שעות ולמעלה, אבל ממש שעות ולמטה מותר. ואמר רב יהודה: לא שנו אלא בסעודה המפסיק בה, אבל בסעודה שאינו מפסיק בה, מותר.

ותרווייהו לקולא, וצריכא. דאי אשמועינן בסעודה המפסיק בה, הוה אמינא: אפילו ממש שעות ולמטה. קמשמע לן: ממש שעות ולמעלה. ואי אשמועינן ממש שעות ולמעלה, הוה אמינא: אפילו בסעודה שאינו מפסיק בה. קמשמע לן בסעודה המפסיק בה.

תניא כלישנא קמא, תניא כלישנא בתרא. תניא כלישנא בתרא: הסועד ערב תשעה באב, אם עתיד לסעוד סעודה אחרת, מותר לאכול בשר ולשתות יין. ואם לאו, אסור לאכול בשר ולשתות יין.

derives from the phrase “her Festival”^N that acts of mirth and rejoicing are prohibited from the New Moon, which is considered like a Festival. And the one who said that these activities are prohibited during the entire month learns this from the phrase “her New Moon.” And the one who said that acts of rejoicing are prohibited during the entire week of the Ninth of Av, derives this from the phrase “her Shabbat,” which also means a week.

With regard to the *halakha* itself, Rava said: The *halakha* is in accordance with the opinion of Rabban Shimon ben Gamliel. And Rava also said that the *halakha* is in accordance with the opinion of Rabbi Meir. The Gemara remarks: And both of these rulings are intended as a leniency. And it is necessary for Rava to state both rulings, for had he taught us only that the *halakha* is in accordance with the opinion of Rabbi Meir, I would have said that the mourning practices are obligatory even from the New Moon, as maintained by Rabbi Meir. Therefore, Rava teaches us that the *halakha* is in accordance with the opinion of Rabban Shimon ben Gamliel, that the restrictions of mourning do not apply until the week of the Ninth of Av.

And had he taught us only that the *halakha* is in accordance with the opinion of Rabban Shimon ben Gamliel, I would have said that the prohibitions apply even after the fast, until the end of the week. Consequently, Rava teaches us that the *halakha* is in accordance with the opinion of Rabbi Meir. The prohibitions apply only until the Ninth of Av itself, not afterward.

§ The mishna taught: On the eve of the Ninth of Av, a person may not eat two cooked dishes^N in one meal. Rav Yehuda said: They taught that one may not partake of a meal with two dishes only from six hours of the day and onward, but from six hours and earlier it is permitted. And Rav Yehuda also said: They taught that it is prohibited to eat two dishes only in the concluding meal^H before beginning the fast. However, in a non-concluding meal it is permitted to eat two cooked dishes.

The Gemara comments: And both of these rulings are intended as a leniency. And it is necessary for Rav Yehuda to state them both, for had he taught us that this *halakha* is referring only to the concluding meal, I would have said that this applies even from six hours and earlier. Rav Yehuda therefore teaches us that it applies only from six hours and onward. And had he taught us only that it is prohibited to eat two dishes from six hours and onward, I would have said that this applies even to a meal by which he does not stop eating. Rav Yehuda therefore teaches us that it applies only to the concluding meal.

The Gemara comments: It is taught in a *baraita* in accordance with the first version, and it is taught in a *baraita* in accordance with the second version. The Gemara elaborates: It is taught in a *baraita* in accordance with the second version, as follows: With regard to one who dines on the eve of the Ninth of Av, if he will eat another meal, he is permitted to eat meat and to drink wine during this first meal. But if he does not intend to eat another meal, he is prohibited to eat meat and to drink wine.

HALAKHA

In the concluding meal – בסעודה המפסיק בה: On the eve of the Ninth of Av, it is prohibited to eat meat or drink wine during the last meal before the fast, if that meal is taken after midday. During that meal it is also prohibited to eat two cooked dishes. It is even customary to refrain from eating salted meat, fowl, and fish, and from drinking wine that has not yet fermented properly. If a single dish was cooked in two separate pots, the food is considered two

cooked dishes. It is proper to act stringently and to refrain from eating even two foods cooked in the same pot, unless those two foods are regularly cooked in the same pot. Food that was cooked but could have been eaten raw is defined as a cooked dish for the purpose of this *halakha*. Some add that for this prohibition there is no difference between boiling and roasting (Rema; *Shulhan Arukh, Orah Hayyim* 552:1–3).

NOTES

From “her Festival” – מהחגה: Rashi explains that the New Moon itself is called a Festival, and therefore the verse is teaching that the mourning rites commemorating the destruction of the Temple begin on the New Moon of Av. Other authorities suggest that the verse means that the Ninth of Av is treated as though it were the final day of the festival of *Sukkot*, which is celebrated for eight days. This indicates that some mourning rites must be observed during the eight days preceding the Ninth of Av.

לא יאכל – A person may not eat two cooked dishes – אדם שני תבשילין: The early commentaries discuss at length the meaning of cooked dishes with regard to this prohibition. This concept is found in several areas of *halakha* and varies in definition. Some argue that whatever is considered a cooked dish for the purposes of the *halakhot* of *eiruv* or for the Passover Seder is likewise classified as a cooked dish for the prohibition concerning the eve of the Ninth of Av (Rashi on 26b; Ran, citing *ge'onim*). Others maintain that this prohibition depends on the importance of the dish and the enjoyment it provides. Consequently, anything prepared in one pot is considered a single cooked dish, whereas something prepared in two pots is viewed as two cooked dishes (Ramban; Ritva). The early commentaries also disagree as to whether cooked food that could have been eaten raw is excluded from this prohibition, just as it is excluded from the prohibition against eating foods cooked by a gentile (see *Tosafot* and Ritva).

One must adjust – יִשְׁנֶה: The two *baraitot* quoted here indicate that the necessary adjustment is limited to a reduction in the number of cooked dishes, the amount of wine, and the number of people in whose company one dines. Some commentaries suggest that the *baraita* should read: If he is accustomed to eating two cooked dishes, he should eat a different [*aher*] type, rather than one [*ehad*] type.

In other words, in addition to reducing the amount of food one eats and the number of people with whom he dines, one should change his regular eating habits by eating a different type of food.

Prohibited to bathe – אָסוּר לְרַחוֹץ: The text found in many manuscripts, as well as the parallel *baraita* of the *Tosefta*, reads: With regard to any meal that is not being eaten in preparation for the Ninth of Av, it is permitted to eat meat and to drink wine, and it is permitted to bathe. Rabbi Yishmael, son of Rabbi Yosei, says in the name of his father: As long as it is permitted to eat, it is permitted to bathe. According to this version, Rabbi Yishmael, son of Rabbi Yosei, does not mention meat at all.

Some commentaries explain that the expression: Anything that is due to the Ninth of Av, refers to the last meal eaten before that fast, while the phrase: Anything that is not due to the Ninth of Av, refers to a meal eaten earlier in the day (Ramban). Others maintain that the second expression means the last meal eaten before other communal fast days, even those that begin at night like the Ninth of Av (Ra'avad). Rashi cites both interpretations.

The explanation of these two opinions is as follows. According to the Ramban, the first *tanna* maintains that once someone begins to eat his last meal before the fast of the Ninth of Av, it is prohibited for him to eat meat or to drink wine, and it is also prohibited for him to wash himself. Washing is prohibited because the benefit it provides lasts for a significant period of time, and therefore he would appear to be washing for the Ninth of Av itself. However, one is permitted to wear shoes and engage in the other activities that are prohibited on the Ninth of Av. Conversely, during a meal eaten earlier in the day, one is permitted to eat meat and to drink wine, and he may also wash himself at this stage. Rabbi Yishmael, son of Rabbi Yosei, disagrees with the initial ruling of the first *tanna*. Even if one has finished his last meal before the fast of the Ninth of Av, nevertheless, he is permitted to wash as long as he is still permitted to eat, i.e., until sunset.

According to the Ra'avad, the first *tanna* maintains that once someone has completed his last meal before the fast, during which it is prohibited for him to eat meat or to drink wine, it is prohibited for him to eat anything more, as he is considered to have accepted the fast upon himself, and it is for this reason that he is prohibited to wash. However, after eating the last meal before other fasts, during which it is permitted to consume meat and wine, one may not eat anymore at this stage. It is nevertheless permitted to wash. The explanation of the opinion of Rabbi Yishmael, son of Rabbi Yosei, is the same as above.

All mitzvot practiced by a mourner – כָּל מִצְוֹת הַנֹּהֲגוֹת בְּאֲבֵל: One practical ramification of this principle that is not addressed by this *baraita* is the issue of donning phylacteries on the Ninth of Av. According to some early authorities, just as a mourner does not don phylacteries on the first day of mourning, nobody dons phylacteries on the Ninth of Av (Ra'avad). Others argue that only the restrictions that apply to the entire seven days of mourning apply to the Ninth of Av, which means that phylacteries are worn on the Ninth of Av. Moreover, the mourning observed on the Ninth of Av does not override the Torah obligation to wear phylacteries (Ramban; Ritva). In actual practice, customs vary. Most Sephardic Jews don phylacteries on the Ninth of Av in the regular manner. Most Ashkenazic Jews don phylacteries only after midday, when certain leniencies with regard to the mourning restrictions are allowed.

תֵּנִיָּא כְּלִישְׁנָא קָמָא: עֶרֶב תְּשַׁעָּה בְּאַב, לֹא יֵאכֵל אָדָם שְׁנֵי תַבְשִׁילִין. לֹא יֵאכֵל בְּשָׂר וְלֹא יִשְׁתֶּה יַיִן. רַבִּין שִׁמְעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: יִשְׁנֶה. אָמַר רַבִּי יְהוּדָה: בֵּיצֵד מִשְׁנֶה? אִם הָיָה רְגִיל לְאֹכֹל שְׁנֵי תַבְשִׁילִין, יֵאכֵל מִיֵּן אַחַד, וְאִם הָיָה רְגִיל לְסַעוּד בְּעֶשְׂרֵה בְּנֵי אָדָם, סוֹעֵד בְּחֻמְשָׁה. הָיָה רְגִיל לְשִׁתּוֹת עֶשְׂרֵה כּוֹסוֹת, שׁוֹתֵה חֲמִשָּׁה כּוֹסוֹת. בְּמָה דְּבָרִים אָמֹרִים? מִשְׁשׁ שְׁעוֹת וְלִמְעֻלָּה, אֲבָל מִשְׁשׁ שְׁעוֹת וְלִמְטָה מוֹתָר.

תֵּנִיָּא אִידֵךְ: עֶרֶב תְּשַׁעָּה בְּאַב, לֹא יֵאכֵל אָדָם שְׁנֵי תַבְשִׁילִין. לֹא יֵאכֵל בְּשָׂר וְלֹא יִשְׁתֶּה יַיִן. דְּבָרֵי רַבִּי מֵאִיר, וְחֻכְמֵי אוֹמְרִים: יִשְׁנֶה, וּמִמַּעַט בְּבִשָּׂר וּבַיַּיִן. בֵּיצֵד מִמַּעַט? אִם הָיָה רְגִיל לְאֹכֹל לִיטְרָא בְּשָׂר, יֵאכֵל חֲצִי לִיטְרָא. הָיָה רְגִיל לְשִׁתּוֹת לֹג יַיִן, יִשְׁתֶּה חֲצִי לֹג יַיִן. וְאִם אֵינֹה רְגִיל כָּל עֵיקָר, אָסוּר. רַבִּין שִׁמְעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: אִם הָיָה רְגִיל לְאֹכֹל צָנָן אוֹ מְלִיחַ אַחַר סַעוּדָתוֹ, הֲרִישׁוֹת בֵּידוֹ.

תֵּנִיָּא אִידֵךְ: כָּל שֶׁהוּא מְשׁוּם תְּשַׁעָּה בְּאַב, אָסוּר לְאֹכֹל בְּשָׂר וְאָסוּר לְשִׁתּוֹת יַיִן, וְאָסוּר לְרַחוֹץ. כָּל שֶׁאֵינֹה מְשׁוּם תְּשַׁעָּה בְּאַב, מוֹתָר לְאֹכֹל בְּשָׂר וְלְשִׁתּוֹת יַיִן, וְאָסוּר לְרַחוֹץ. רַבִּי יִשְׁמַעֵאל בְּרַבִּי יוֹסִי אוֹמֵר מְשׁוּם אֲבִיו: כָּל שֶׁעָשָׂה שְׁמוֹתָר לְאֹכֹל בְּשָׂר מוֹתָר לְרַחוֹץ.

תֵּנוּ רַבְנֵי: "כָּל מִצְוֹת הַנֹּהֲגוֹת בְּאֲבֵל נוֹהֲגוֹת בְּתְשַׁעָּה בְּאַב: אָסוּר בְּאֲכִילָה וּבִשְׁתִּיה, וּבִסְבִּיחָה, וּבִנְעִילַת הַסַּנְדֵּל, וּבִתְשִׁימֵשׁ הַמָּטָה. וְאָסוּר לְקַרֹּת בְּתוֹרָה, בְּנִבְיָאִים, וּבְכַתּוּבִים, וּלְשׁוֹת בְּמִשְׁנֶה, בְּתַלְמוּד, וּבְמִדְרָשׁ, וּבְהִלְכוֹת וּבְאַגְדוֹת.

It is taught in a *baraita* in accordance with the first version: On the eve of the Ninth of Av, a person may not eat two cooked dishes. Furthermore, one may neither eat meat nor drink wine. Rabban Shimon ben Gamliel says: One must adjustⁿ and decrease the amount he eats. Rabbi Yehuda said: How should one adjust his meal? If he is accustomed to eat two cooked dishes at each meal, he should eat only one type of food; and if he is accustomed to dine in the company of ten people, he should dine with only five; and if he is accustomed to drinking ten cups of wine, he should drink only five cups. In what case is this statement said? From six hours and onward; however, from six hours and earlier all these practices are permitted.

It is taught in another *baraita*: On the eve of the Ninth of Av, a person may not eat two cooked dishes, and he may neither eat meat nor drink wine; this is the statement of Rabbi Meir. And the Rabbis say: One must adjust and reduceⁿ his consumption of meat and wine. How does one reduce his meat and wine? If he is accustomed to eating a liter of meat in his meal, he should eat half a liter; if he is accustomed to drinking a log of wine, he should drink half a log of wine; and if he is not accustomed to eating meat or drinking wine at all, it is prohibited for him to do so at all. Rabban Shimon ben Gamliel says: If he is accustomed to eating a radish or a salted dish after his meal, he has permission to do so on the eve of the Ninth of Av, as they are not considered an additional dish.

It is taught in another *baraita*: In any meal that is eaten due to the fast of the Ninth of Av, it is prohibited to eat meat; and it is prohibited to drink wine; and it is likewise prohibited to batheⁿ in anticipation of the fast. However, in any meal that is not due to the Ninth of Av, i.e., one is eating the meal in order that he shouldn't be hungry on the Ninth of Av, it is permitted to eat meat and to drink wine, but it is nevertheless prohibited to bathe at that time. Rabbi Yishmael, son of Rabbi Yosei, said in the name of his father: For the entire time that one is permitted to eat meat, he is likewise permitted to bathe.

The Sages taught: All mitzvot practiced by a mournerⁿ are likewise practiced on the Ninth of Av:^h It is prohibited to engage in eating, and in drinking, and in smearing oil on one's body, and in wearing shoes, and in conjugal relations. It is prohibited to read from the Torah, from the Prophets, and from the Writings, or to study from the Mishna, from the Gemara, and from midrash, and from collections of *halakhot*, and from collections of *aggadot*.

HALAKHA

And reduce – וּמִמַּעַט: In the last meal before the fast of the Ninth of Av, one should adjust his regular habit and eat less than usual. Three adult males should not eat together, so as not to be obligated in the special blessing of *zimmun* (*Shulhan Arukh, Orah Hayyim* 552:8).

All mitzvot practiced by a mourner are likewise practiced on the Ninth of Av – כָּל מִצְוֹת הַנֹּהֲגוֹת בְּאֲבֵל נוֹהֲגוֹת בְּתְשַׁעָּה בְּאַב: On the Ninth of Av, it is forbidden to wash oneself, to smear one's body with oil, to wear leather shoes, or to engage in conjugal relations. It is likewise prohibited to read from the Torah, Prophets, or the Writings. One may not study Mishna,

Gemara, midrash, *halakhot*, or *aggada*. Even schoolchildren must abstain from their studies. However, it is permitted to read from the book of Job, the book of Lamentations, and prophecies of doom in Jeremiah. One may study the midrash on the book of Lamentations and the talmudic sections dealing with the destruction of the Temple. Some authorities render it prohibited for one to even think about the Torah sections that are prohibited for him to read and study. Nevertheless, it is permitted to read the Torah portions that have been incorporated into the daily liturgy, although it is customary to read some of those sections only after midday (*Shulhan Arukh, Orah Hayyim* 554:1–4).

From a place that he is unaccustomed – **במקום שאינו רגיל** – According to Rashi, the first *tanna* of the *baraita* permits one to study a biblical or talmudic section with which he is not familiar, as this study will cause him distress when he arrives at a passage that he does not understand (Rabbi Yehuda bar Natan).

As long as it is like peace-offerings – **כְּלִי זֶמֶן שֶׁהוּא כְּשֶׁלָמִים** – There are two versions of this passage: As long as it is like the peace-offerings, and: As long as it is not like the peace-offerings. There is no practical difference between these two readings, as everyone agrees that peace-offerings may be eaten for two days and the intervening night, and that meat that has been heavily salted for that period of time no longer tastes like ordinary meat. According to the first reading, the Gemara is explaining how long heavily salted meat is considered as ordinary meat and is therefore included in the prohibition against eating meat in the last meal before the fast of the Ninth of Av. According to the alternative reading, the Gemara is referring to the time when heavily salted meat ceases to be treated as ordinary meat and is excluded from the prohibition.

אֲבָל קוֹרֵא הוּא בְּמָקוֹם שֶׁאֵינוֹ רְגִיל לְקֹרֵא, וְשׂוֹנֵה בְּמָקוֹם שֶׁאֵינוֹ רְגִיל לְשׂוֹנֵה. וְקוֹרֵא בְּקִיּוֹת, בְּאִיּוֹב, וּבְדַבְרֵי הָרַעִים שְׁבִירְמִיָּהּ. וְתִינוּקוֹת שֶׁל בֵּית רַבִּין בְּטָלִין, מִשּׁוֹם שֶׁנֶּאֱמָר: "פְּקוּדֵי ה' יִשְׂרָאֵל, מִשְׂמַחֵי לֵב".

רַבִּי יְהוּדָה אָמַר: אִף אֵינוֹ קוֹרֵא בְּמָקוֹם שֶׁאֵינוֹ רְגִיל לְקֹרֵא, וְאֵינוֹ שׂוֹנֵה בְּמָקוֹם שֶׁאֵינוֹ רְגִיל לְשׂוֹנֵה. אֲבָל קוֹרֵא הוּא בְּאִיּוֹב, וּבְקִיּוֹת, וּבְדַבְרֵי הָרַעִים שְׁבִירְמִיָּהּ. וְתִינוּקוֹת שֶׁל בֵּית רַבִּין בְּטָלִין בּוֹ, מִשּׁוֹם שֶׁנֶּאֱמָר: "פְּקוּדֵי ה' יִשְׂרָאֵל, מִשְׂמַחֵי לֵב".

לֹא יֹאכַל בֶּשֶׂר וְלֹא יִשְׂתֶּה יַיִן. תֵּנָא: אֲבָל אוֹכַל הוּא בֶּשֶׂר מְלִיחַ וְשׂוֹתֵה יַיִן מִגְתּוֹ. בֶּשֶׂר מְלִיחַ עַד כַּמָּה? אָמַר רַב חִינְנָא בְּרַב כְּהֵנָּא מְשִׁמִּיָּה דְשִׁמוּאֵל: כָּל זֶמֶן שֶׁהוּא כְּשֶׁלָמִים.

וַיַּיִן מִגְתּוֹ עַד כַּמָּה? כָּל זֶמֶן שֶׁהוּא תוֹסֵס. תֵּנָא: יַיִן תוֹסֵס אֵין בּוֹ מִשּׁוֹם גִּילּוּי. וְכַמָּה תִּסְיָקְתוּ? שְׁלֹשָׁה יָמִים.

אָמַר רַב יְהוּדָה אָמַר רַב: כִּךְ הָיָה מְנַהֲגוֹ שֶׁל רַבִּי יְהוּדָה בְּרַבִּי אֵילְעָא: עָרַב תְּשֻׁעָה בְּאֵב מְבִיאִין לוֹ פֶת חֲרֻבָה בְּמִלְתָּ, וַיּוֹשֵׁב

However, one may read from a place in the Bible that he is unaccustomed^N to reading, as it will be difficult for him and he will not derive pleasure from it, and he may likewise study from a place of the Talmud that he is unaccustomed to studying. And one may read from the book of Lamentations; from the book of Job; and from the evil matters in Jeremiah, i.e., his prophecies of doom. And schoolchildren interrupt their studies for the day because it is stated: "The precepts of the Lord are right, rejoicing the heart" (Psalms 19:9).

Rabbi Yehuda says: One may not even read from a place in the Bible that he is unaccustomed to reading, nor may one study from a place of the Talmud that he is unaccustomed to studying. However, one may read from Job, and from Lamentations, and from the evil matters of Jeremiah. And schoolchildren interrupt their studies on that day because it is stated: "The precepts of the Lord are right, rejoicing the heart" (Psalms 19:9).

§ The mishna taught that one may neither eat meat nor drink wine. A *tanna* taught in the *Tosefta*: However, one may eat heavily salted meat and drink wine from his press,^H i.e., wine that has not finished fermenting. The Gemara inquires: With regard to salted meat, how long must this meat remain in salt before it is permitted? Rav Hinnana bar Kahana said in the name of Shmuel: As long as it is like peace-offerings,^N which could be eaten for two days and one night after they were sacrificed. After this time has passed, it is no longer called meat. Therefore, if it was salted for longer than this, it may be eaten on the eve of the Ninth of Av.

The Gemara asks: And with regard to wine from his press, until when is wine considered from his press? As long as it is fermenting.^B A *tanna* taught in a *baraita*: Wine that is fermenting does not have a problem with regard to exposed liquids,^H as there is no concern that a snake will leave its venom in that wine. And how long is its fermenting period? Three days from the time the grapes were pressed.

Rav Yehuda said that Rav said: This was the custom of Rabbi Yehuda,^H son of Rabbi Ilai. On the eve of the Ninth of Av, near the evening, they would bring him stale bread with salt, and he would sit

BACKGROUND

Fermenting – **תוֹסֵס**: After grapes are pressed and preservatives added, the wine begins to ferment, a process that lasts three to four days. During fermentation, the temperature of the wine can rise up to 40°C. The concern for exposure

refers to the possibility than a snake might drink from a liquid and inject its venom into it. In this case, however, the heat of the boiling, fermenting wine prevents snakes from tasting it.

HALAKHA

Salted meat and wine from his press – **בְּשֶׂר מְלִיחַ וַיַּיִן מִגְתּוֹ**: During the last meal before the Ninth of Av, it is customary to refrain from eating heavily salted meat and from drinking wine that has not yet fermented properly, despite the fact that the Gemara permits the consumption of these foods (*Shulhan Arukh, Orah Hayyim 552:2*).

Wine that is fermenting does not have a problem with regard to exposed liquids – **יַיִן תוֹסֵס אֵין בּוֹ מִשּׁוֹם גִּילּוּי**: The prohibition against drinking liquids that have been left exposed to the venom of snakes does not apply to wine that is still fermenting. Wine is considered to be fermenting for three days after

the grapes were trodden in the press (Rambam *Sefer Nezikim, Hilkhot Rotze'ah UShmirat HaNefesh 11:8*).

This was the custom of Rabbi Yehuda – **כִּךְ הָיָה מְנַהֲגוֹ שֶׁל רַבִּי יְהוּדָה**: During the last meal before the Ninth of Av, one who is able to restrict himself to the consumption of bread with salt and a cup of water should do so. Some cite a custom to dip bread in ashes (Rema), or to eat lentils cooked with eggs, a dish that is often served to mourners. The Rema further adds that some are accustomed to eating hard-boiled eggs, another food eaten by mourners (*Shulhan Arukh, Orah Hayyim 552:6*).

LANGUAGE

Jug [*kiton*] – קיתון: From the Greek *κῶθων*, *kothon*, meaning a vessel used for drinking or a saucer.

NOTES

And he would resemble one whose deceased relative is laid out unburied before him – וְדוֹמֶה כְּמִי שְׁמֹתוֹ – מוֹטֵל לְפָנָיו: Rabbi Yehuda, son of Rabbi Ilai, sought to demonstrate that he did not view the Ninth of Av as the commemoration of an event that had taken place in the distant past. Rather, he considered it a day of mourning for a recent loss, as though a deceased relative was lying before him awaiting burial (Maharsha).

So that he will feel the hardship of the fast – כְּדֵי שְׂתִיעֶנֶה: Some commentaries note that this clause explains why it is permitted to act in the manner of a Torah scholar and refrain from working on the Ninth of Av (Rav Tzvi Hirsh Chajes). Elsewhere Rabban Shimon ben Gamliel stated that an ordinary individual may not act like a scholar in a matter that will garner him praise, but only in a matter that will simply cause him pain (10b). Consequently, it is permitted to act as a scholar here because refraining from work on the Ninth of Av is a source of affliction, as he loses money.

Other commentaries offer two explanations for this prohibition: One should refrain from working on the Ninth of Av so as not to be involved in work and fail to experience properly the mourning of the day. Alternatively, one should not perform labor so as to preserve enough strength to observe the fast until its conclusion (*Mikhtam*).

And whose iniquities are upon their bones – וְהָיָה עֲוֹנוֹתָם עַל עֲצָמוֹתָם: Some commentaries explain that if one fails to mourn properly for Jerusalem, his punishment will be inflicted on his bones, as they will not take part in the resurrection that will accompany the rebuilding of the Temple (Ritva). This resurrection is promised only to those who mourn for Jerusalem and patiently await its salvation. Others state that the iniquity of eating meat and drinking wine on the eve of the Ninth of Av will leave an imprint on an individual's bones even after he is dead and his flesh has turned to dust (Maharsha).

בֵּין תִּנּוֹר לְכִירִיִּים, וְאוֹכֵל, וְשׂוֹתֵה עָלֶיהָ קִיתוֹן שֶׁל מַיִם, וְדוֹמֶה כְּמִי שְׁמֹתוֹ מוֹטֵל לְפָנָיו.

תִּנּוֹן הַתָּם: מְקוֹם שֶׁנִּהְגוּ לַעֲשׂוֹת מְלָאכָה בְּתַשְׁעָה בְּאָב, עוֹשִׂין. מְקוֹם שֶׁנִּהְגוּ שְׂלֵא לַעֲשׂוֹת, אֵין עוֹשִׂין. וּבְכֹל מְקוֹם תִּלְמִידֵי חֲכָמִים בְּטוֹלִים. רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: לְעוֹלָם יַעֲשֶׂה כָּל אָדָם עֲצָמוֹ בְּתִלְמִיד חֲכָם. תִּנְיָא נִמְי הָכִי: רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: לְעוֹלָם יַעֲשֶׂה אָדָם עֲצָמוֹ בְּתִלְמִיד חֲכָם, כְּדֵי שְׂתִיעֶנֶה.

תִּנְיָא אִידך: רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: כָּל הָאוֹכֵל וְשׂוֹתֵה בְּתַשְׁעָה בְּאָב כְּאִילוֹ אוֹכֵל וְשׂוֹתֵה בְּיוֹם הַכִּפּוּרִים. רַבִּי עֲקִיבָא אוֹמֵר: כָּל הָעוֹשֶׂה מְלָאכָה בְּתַשְׁעָה בְּאָב אֵינוֹ רוֹאֶה סִימָן בְּרִכַּה לְעוֹלָם.

וְחֲכָמִים אוֹמְרִים: כָּל הָעוֹשֶׂה מְלָאכָה בְּתַשְׁעָה בְּאָב וְאֵינוֹ מֵתְאַבֵּל עַל יְרוּשָׁלַיִם אֵינוֹ רוֹאֶה בְּשִׂמְחָתָהּ, שְׁנֵאמַר: "שִׂמְחוּ אֶת יְרוּשָׁלַיִם, וְגִילוּ בָּהּ, כָּל אֲהֶבְיָהּ: שִׂישׁוּ אֶתְּהָ מְשׁוֹשׁ, כָּל הַמֵּתְאַבְּלִים עָלֶיהָ." מִכַּאֵן אָמְרוּ: כָּל הַמֵּתְאַבֵּל עַל יְרוּשָׁלַיִם זֹכֶה וְרוֹאֶה בְּשִׂמְחָתָהּ, וְשֵׁאֵינוֹ מֵתְאַבֵּל עַל יְרוּשָׁלַיִם אֵינוֹ רוֹאֶה בְּשִׂמְחָתָהּ. תִּנְיָא נִמְי הָכִי: כָּל הָאוֹכֵל בְּשָׂר וְשׂוֹתֵה יַיִן בְּתַשְׁעָה בְּאָב, עָלָיו הַכְּתוּב אוֹמֵר: "וְהָיָה עֲוֹנוֹתָם עַל עֲצָמוֹתָם."

between the oven and the stove, which was considered the least respectable place in the house. And he would eat his bread, and drink a jug [*kiton*]^l of water with it, and in doing so he would resemble one whose deceased relative is laid out unburied before him.ⁿ

S We learned in a mishna there: In a place where people were accustomed to perform labor^h on the Ninth of Av, one performs labor. In a place where people were accustomed not to perform labor, one does not perform labor. And in all places, Torah scholars are idle and do not perform labor on the Ninth of Av. Rabban Shimon ben Gamliel says: With regard to the Ninth of Av, a person should always conduct himself as a Torah scholar and refrain from performing labor. This is also taught in a *baraita*: Rabban Shimon ben Gamliel says: A person should always conduct himself as a Torah scholar, so that he will feel the hardship of the fast.ⁿ

It is taught in another *baraita* that Rabban Shimon ben Gamliel says: Whoever eats and drinks on the Ninth of Av, although the prohibition was instituted by the Prophets, it is as though he eats and drinks on Yom Kippur. Rabbi Akiva says: Whoever performs labor on the Ninth of Av^h never sees a sign of a blessing from that work.

And the Sages say: Whoever performs labor on the Ninth of Av and does not mourn for Jerusalem will not see her future joy, as it is stated: "Rejoice with Jerusalem and be glad with her, all who love her; rejoice for joy with her, all who mourn for her" (Isaiah 66:10). From here it is stated: Whoever mourns for Jerusalem will merit and see her future joy, and whoever does not mourn for Jerusalem will not see her future joy. This is also taught in a *baraita*: Whoever eats meat or drinks wine in the meal before the Ninth of Av,^h about him the verse states: "And whose iniquities are upon their bones,ⁿ because the terror of the mighty was in the land of the living" (Ezekiel 32:27).

HALAKHA

A place where people were accustomed to perform labor – מְקוֹם שֶׁנִּהְגוּ לַעֲשׂוֹת מְלָאכָה: In a place where it is customary for people to perform labor on the Ninth of Av, it is permitted to do so. However, in a place where it is customary for people to refrain from labor, it is prohibited to work. In all places, Torah scholars must abstain from working. Any individual who wishes to act in the manner of a Torah scholar and to refrain from labor is permitted to do so.

Even in a place where it is customary to refrain from working, labor may be performed for a Jew by a gentile. Some authorities add that it is customary to refrain from working only until midday (Rema). Until midday, it is customary not to engage in any type of labor that requires a significant amount of time to complete, even if it does not require professional expertise. However, labor that does not require a significant amount of time, e.g., lighting a

candle or tying a knot, is permitted even before midday (*Shulhan Arukh, Oraḥ Ḥayyim* 554:22).

Whoever performs labor on the Ninth of Av – בְּתַשְׁעָה בְּאָב: Whoever engages in work on the Ninth of Av will not see a blessing from that labor. This applies even if he works after midday (*Magen Avraham; Shulhan Arukh, Oraḥ Ḥayyim* 554:24).

Whoever eats meat or drinks wine in the meal before the Ninth of Av – כָּל הָאוֹכֵל בְּשָׂר וְשׂוֹתֵה יַיִן בְּתַשְׁעָה בְּאָב: One who eats or drinks on the Ninth of Av will not witness the future joy of Jerusalem, whereas those who mourn deeply for Jerusalem will merit seeing this joy. The verse states about those who eat meat or drink wine during the last meal on the eve of the Ninth of Av: "And whose iniquities are upon their bones" (*Shulhan Arukh, Oraḥ Ḥayyim* 554:24).

The day on which the last tablets were given – יום שניתנו בו לוחות האחרונות: The first tablets were broken on the seventeenth of Tammuz, exactly eighty days before Yom Kippur (see Rashi). Some commentaries discuss whether Moses spent the first forty days on the mountain or whether he was sitting in judgment and arranging matters in the camp. In any case, it is stated in many *midrashim* that Moses ascended Mount Sinai for the second time on the first of Elul. This is also the source of the custom to recite special prayers of supplication from the beginning of Elul until Yom Kippur.

יום – The day on which the tribes were permitted – שְׁהוּתָרוּ שְׁבָטִים: In other words, on this day they expounded the verses and taught this *halakha*. Some add that the celebration was not for the *halakha* itself, but for the novel exposition of the verse, i.e., that the phrase “of us” does not apply to descendants. This exposition gave added weight to the *halakha* (*Gevurat Ari*).

רבי יהודה מחייב בכפיית המטה, ולא הודו לו חכמים. תנא: אמרו לו לרבי יהודה: לדבריך, עיבורות ומניקות מה תהא עליהן? אמר להם: אף אני לא אמרתי אלא ביכול.

§ The mishna taught: Rabbi Yehuda obligates one to overturn the bed, but the Rabbis did not agree with him. It is taught in a *baraita* that the Rabbis said to Rabbi Yehuda: According to your statement, pregnant women and nursing women, who cannot sleep on the floor, what will become of them? Rabbi Yehuda said to them: I, too, spoke only with regard to those who are able.

תנא נמי הכי: מודה רבי יהודה לחכמים בשאינו יכול. ומודים חכמים לרבי יהודה ביכול. מאי בינייהו? איבא בינייהו שאר מטות.

This is also taught in another *baraita*: Rabbi Yehuda concedes to the Rabbis with regard to one who is unable to sleep on the floor, and the Rabbis concede to Rabbi Yehuda with regard to one who is able to do so. The Gemara asks: If so, what is the practical difference between them? The Gemara explains: The practical difference between them is the status of other beds.

בדתנא: כשאמרו לכפות המטה, לא מטות בלבד הוא כופה, אלא כל המטות כולן הוא כופה. אמר רבא: הלכתא בתנא דידן, ולא הודו לו חכמים כל עיקר.

As it is taught in a *baraita*: When the Rabbis said that a mourner is required to overturn the bed, they meant that he overturns not only his own bed, but also that he must overturn all the beds in the house. Rabbi Yehuda maintains that one must likewise overturn all of the beds of one's house on the Ninth of Av. Rava said: The *halakha* is in accordance with the opinion of the *tanna* of our mishna, and the Rabbis did not concede to Rabbi Yehuda at all, even with regard to one who is able. Therefore, there is no requirement to overturn one's bed on the Ninth of Av.

“אמר רבן שמעון בן גמליאל: לא היו ימים טובים לישראל בחמשה עשר באב וכיום הכפורים.” בשלמא יום הכפורים, משום דאית ביה סליחה ומחילה, יום שניתנו בו לוחות האחרונות.

§ The mishna taught that Rabban Shimon ben Gamliel said: There were no days as happy for the Jewish people as the fifteenth of Av and as Yom Kippur. The Gemara asks: Granted, Yom Kippur is a day of joy because it has the elements of pardon and forgiveness, and moreover, it is the day on which the last pair of tablets were given.ⁿ

אלא חמשה עשר באב מאי היא? אמר רב יהודה אמר שמואל: יום שהותרו שבטים לבוא זה בזה.

However, what is the special joy of the fifteenth of Av? Rav Yehuda said that Shmuel said: This was the day on which the members of different tribes were permittedⁿ to enter one another's tribe, by intermarriage. It was initially prohibited to intermarry between tribes, so as to keep each plot of land within the portion of the tribe that originally inherited it. This *halakha* was instituted by the Torah in the wake of a complaint by the relatives of the daughters of Zelophehad, who were worried that if these women married men from other tribes, the inheritance of Zelophehad would be lost from his tribe (see Numbers 36:1–12).

מאי דרוש? “זה הדבר אשר צוה ה' לבנות עֲלֵפְתָד, וגו'. דבר זה לא יהא נוהג אלא בדור זה.”

What did they expound, in support of their conclusion that this *halakha* was no longer in effect? The verse states: “This is the matter that the Lord has commanded concerning the daughters of Zelophehad, saying: Let them marry whom they think best; only into the family of the tribe of their father shall they marry” (Numbers 36:5). They derived from the verse that this matter shall be practiced only in this generation, when Eretz Yisrael was divided among the tribes, but afterward members of different tribes were permitted to marry. On the day this barrier separating the tribes was removed, the Sages established a permanent day of rejoicing.

אמר רב יוסף אמר רב נחמן: יום שהותר שבט בנימין לבוא בקהל, שנאמר: “ואיש ישראל נשבע במצפה, לאמר: איש ממנו לא יתן בתו לבנימן לאשה.” מאי דרוש? אמר רב: “ממנו,” ולא מבנינו.

Rav Yosef said that Rav Nahman said: The fifteenth of Av was the day on which the tribe of Benjamin was permitted to enter the congregation of the Jewish people. After the tragic incident at Gibeah, for which the tribe of Benjamin was blamed, the other tribes ostracized them. They took an oath to prohibit themselves from marrying a member of the tribe of Benjamin, as it is stated: “And the men of Israel had sworn in Mizpah, saying: None of us shall give his daughter to Benjamin as a wife” (Judges 21:1). The Gemara asks: What did they expound that enabled them to dissolve this oath? Rav said: They understood the verse literally, as it states: “None of us,” and not: None of our children, i.e., the oath applied only to the generation that took the oath, not their descendants.

NOTES

The day on which the deaths in the wilderness ceased – יום שִׁכְלוּ בּוֹ מֵתֵי מִדְבָּר: Many commentaries cite the following midrash: Every year, on the eighth of Av, a herald proclaimed in the camp of the Jewish people in the wilderness: Let each individual dig his grave. Everyone dug his own grave and spent the night in it. The next day, a second herald proclaimed: Let the living separate themselves from the dead, and whoever was still alive would rise up from his grave. Every year about fifteen thousand Israelites died. However, on the ninth of Av of the fortieth year, all those who had lain in a grave rose up again in the morning. At first, they thought that they had miscalculated, and that it was not yet the ninth of Av. Consequently, they slept in their graves every night for a week. When the fifteenth of Av arrived, the full moon that shone that night convinced them that the Ninth of Av had passed and that all those who were destined to die had already perished (Rashi; *Tosafot*).

The early commentaries disagree as to whether all those who were supposed to die indeed perished in the wilderness or whether some of those who were supposed to die during the fortieth year were pardoned. In commemoration of the end of the punishment, the fifteenth of Av was established as a minor holiday for all generations.

Some explain that the holiday was instituted in commemoration of the resumption of God's direct communication with Moses, which occurred when the generation of the wilderness stopped dying. According to this interpretation, the regular number of Jews died on the Ninth of Av of the fortieth year, after which a seven-day mourning period was then observed. At the conclusion of that period of mourning, on the fifteenth of Av, God's direct communication with Moses resumed, and a holiday was declared (*Tosafot* on *Bava Batra* 121a).

אָמַר רַבָּה בַּר בַּר חַנָּה אָמַר רַבִּי יוֹחָנָן: יוֹם שִׁכְלוּ בּוֹ מֵתֵי מִדְבָּר. דָּאֲמַר מַר: עַד שְׁלֵא כָּלוּ מֵתֵי מִדְבָּר, לֹא הָיָה דְבוּר עִם מֹשֶׁה, שְׁנֵאֲמַר: "וַיְהִי, כַּאֲשֶׁר תִּמּוּ כֹל אַנְשֵׁי הַמִּלְחָמָה לְמוֹתָם, וַיְדַבֵּר ה' אֵלַי הִיָּה הַדְּבוּר."

עוֹלָא אָמַר: יוֹם שְׁבִיטַל הוֹשַׁע בֶּן אֱלֵה פְרוֹסְדִיּוֹת שְׁהוֹשִׁיב יוֹרְבֵעָם בֶּן נְבִטָּה עַל הַדְּרָכִים, שְׁלֵא יַעֲלוּ יִשְׂרָאֵל לְרִגְלָא וְאָמַר:

Rabba bar bar Hana said that Rabbi Yohanan said: The fifteenth of Av was the day on which the deaths of the Jews in the wilderness ceased.^N The entire generation that had left Egypt had passed away, as the Master said: After the sin of the spies, on account of which the Jews of that generation were sentenced to die in the wilderness, as long as the death of the Jews in the wilderness had not ceased, God's speech did not come to Moses, as it is stated: "And it came to pass, when all the men of war were consumed and dead from among the people, that the Lord spoke to me, saying" (Deuteronomy 2:16–17). This indicates that only then, after the last member of that generation had died, was God's speech delivered to me,^N i.e., Moses, but not beforehand. When the Jews realized that the decree that God would not speak to Moses had been lifted, they established that day as a permanent day of rejoicing.

Ulla said: The fifteenth of Av was the day on which King Hoshea, son of Ela, canceled the guards that Jeroboam, son of Nevat, placed on the roads so that the Jews would not ascend to Jerusalem for the pilgrim Festival. And Hoshea, son of Ela, said

NOTES

The speech delivered to me – אֵלַי הָיָה הַדְּבוּר: Although God did in fact speak to Moses during the travels of the Jews through the wilderness (see Deuteronomy 2:2), it was only after the last members of the generation of the wilder-

ness had died that the divine revelation took the form of *dibbur*, speech, a more direct form of communication than *amira*, saying (see Rashi, Meiri, and Rabbeinu Behaye on Deuteronomy 2:16–17).

Perek IV
Daf 31 Amud a

BACKGROUND

The slain of Beitar – הָרְגֵי בֵּיתֵר: After his final suppression of the bar Kokheva revolt, the Roman emperor Hadrian issued a lengthy series of decrees against Jews and Judaism. These are the so-called decrees of apostasy that are mentioned in many places. One of these decrees was a prohibition against burying those slain in the war. These decrees were in force for at least three years, until Hadrian's death in 138 CE. The decrees were rescinded only in the reign of the following emperor. This dissolution, along with the gradual cancellation of all the decrees, was commemorated for future generations in several ways.

HALAKHA

They instituted, Who is good and does good, at Yavne – תִּקְנוּ בֵּיתֵר לְקַבְרָה: The Sages of the Mishna in Yavne instituted the blessing: Who is good and does good, the fourth blessing of Grace after Meals, after those who died at Beitar were brought to burial (Rambam *Sefer Ahava*, *Hilkhot Berakhot* 2:1).

לְאִיזָה שְׂרִיצוּ יַעֲלוּ.

that they may ascend to wherever they wish,^N i.e., they may go to Jerusalem, Bethel, or Dan.

רַב מַתְנָה אָמַר: יוֹם שְׁנֵתְנוּ הַרוּגֵי בֵּיתֵר לְקַבְרָה. וְאָמַר רַב מַתְנָה: אוֹתוֹ יוֹם שְׁנֵתְנוּ הַרוּגֵי בֵּיתֵר לְקַבְרָה תִּקְנוּ בֵּיבְנָה "הַטּוֹב וְהַמְטִיב". "הַטּוֹב" שְׁלֵא הִסְרִיחוּ. "וְהַמְטִיב" שְׁנֵתְנוּ לְקַבְרָה.

Rav Mattana said: There was an additional salvation on this day, as it was the day that the slain of Beitar^B were brought to burial,^N several years after the battle at Beitar (see *Gittin* 57a). And Rav Mattana said: On the same day that the slain of Beitar were brought to burial, they instituted the blessing: Who is good and does good, at Yavne.^H Who is good, thanking God that the corpses did not decompose while awaiting burial, and does good, thanking God that they were ultimately brought to burial.

NOTES

They may ascend to wherever they wish – לְאִיזָה שְׂרִיצוּ יַעֲלוּ: Hoshea was an evil king, as Rashi notes, as the verse states that Hoshea, son of Ela, "did what was evil in the sight of the Lord, yet not as the kings of Israel who were before him" (II Kings 17:2). Hoshea was not considered as evil as the kings before him because he removed Jeroboam's guards, who were stationed to prevent people from ascending to Jerusalem on the pilgrimage Festivals. However, he was evil nevertheless, as he let the people choose whether to go to Jerusalem or attend the idolatrous sanctuaries in Bethel and Dan. In the Jerusalem Talmud, it is stated that Hoshea was punished for presenting the people of Israel with this choice. During his reign, Shalmaneser, king of Assyria, put an end to the kingdom of Israel.

during the Second Temple period, as the *baraita* cited below describes how the daughters of the High Priest, his deputy, and the priest anointed for war would each borrow clothing from each other on that day, and these priestly offices ceased with the destruction of the Temple. How, then, could the holiday celebrated on the fifteenth of Av have been instituted to commemorate the interment of the slain of Beitar, a joyous event that took place only after the destruction of the Temple?

The *Gevurat Ari* suggests that the *baraita* is referring to the celebration that accompanied Yom Kippur, whereas the holiday celebrated on the fifteenth of Av was in fact instituted after the Temple was destroyed. Alternatively, the holiday was indeed instituted in the time of the Second Temple, and Rav Mattana is saying that because several joyous events had already occurred on the fifteenth of Av, another joyous event took place on that same date. Moreover, he explains why the day is observed as a semi-holiday even nowadays.

The day that the slain of Beitar were brought to burial – יוֹם שְׁנֵתְנוּ הַרוּגֵי בֵּיתֵר לְקַבְרָה: The fifteenth of Av was evidently celebrated as a holiday