

Parshas Vaeschanan Shabbos Nachamu פרשת ואתחנן

We left off last week discussing the various decrees of Chazal to remind us of the Churban Bayis. We will now discuss several more of these decrees.

I. A fifth forbidden item that the Gemara in Brachos¹ mentions is to "fill one's mouth with laughter". The Poskim explain that this does not mean that it is altogether forbidden to laugh, rather the intent is to forbid a person from sitting around in jest and laughter for an extended amount of time. (Hence "filling his mouth")² Others explain that this refers to any laughter that is done aloud.³ Others say that this is not really forbidden, and is only suggested as being inappropriate.⁴

There is a question in the Rishonim if this Issur is in fact connected with Churban Bayis. Many say that it is.⁵ However, Rabeinu Yonah⁶ concludes that this Din applied even when the Beis Hamikdosh was still standing. According to this opinion, this Din is a general prohibition of extensive frivolousness, unrelated to the Churban.⁷

II. The Gemara in Gittin⁸ relates that following the siege of Yerushalayim by the Roman general Vespasian, "Ataros Chassanim" were forbidden. This refers to the silver crown that the Chosson would wear at his Chasuna. Likewise, they forbade Kallos from adorning themselves with these crowns as well. (ע' סוטה מ"ט) However, in contrast to Ataros Chassanim where all crowns were forbidden, Kallos were only forbidden from wearing crowns made of gold and silver, cloth ones are permitted.⁹

It is common to see nowadays Kallos wearing a tiara that its base is cloth, and is merely decorated with gold or jewels. If it is genuine, it is questionable if it may be worn. The Minhag is to be lenient in this case.¹⁰

III. Another Minhag in Klal Yisrael that is customary as a Zecher L'churban, is reciting the Perek על נהרות בבל prior to bentching. This custom is mentioned in the Zohar¹¹ and is brought in the Poskim.¹² The concept behind this is in a similar vein as the other items mentioned, that at a time when one has completed enjoying his meal he should contemplate the fact that he cannot possibly enjoy anything to the fullest as long as the Beis Hamikdosh is in ruins.¹³

¹ דף ל' ע"א

² ערוה"ש או"ח תק"ס

³ יוסף אומץ תתצ"ב

⁴ שדי חמד, מקו"ח, ובית האוצר מער' א'. וע' בס' בית אהרן עמ' תנ"ז שהאריך בכמה דוגמאות שמצינו דאסור לאו דוקא

⁵ רמב"ן תורת האדם ד"ה בפרק, תשו' הגאונים ס' ק', ושאלתות פ' כי תבוא שאילתא קנ"ח

⁶ בברכות שם, וכן בנצח ישראל למהר"ל פכ"ג

⁷ בסידור יעב"ץ הביא ב' הטעמים, וע' בט"ז שכתב דאה"נ דבזמן ביה"מ היה אסור, אבל למצוה היה שרי, ועכשיו גם למצוה אסור. וע' א"ר שהניח בצ"ע. וע"ע שיט"מ בברכות שם ובערו"ל לנדה דף ג' ע"א דלמצוה הוה רק מנהג חסידות ובמילי דעלמא

הוה מדינא

⁸ ע"א

⁹ גמ' שם וכ"פ המחבר

¹⁰ ע' ב"י שמסתפק בדעת הרמב"ם. אולם דעת הרמב"ן היא להקל, ובאר"ר כתב דעל זה סמיכין. וע' במ"ב ושעה"צ ס"ק כ"ח

מש"כ על דברי הט"ז

¹¹ ח"ב דף קנ"ז

¹² מ"א ס"א סק"ה בשם השל"ה בשער האותיות

¹³ וע' בסידור יעב"ץ שהוסיף דגם כיסוי הסכינים הוה זכר לחורבן, והיא ע"פ מעשה שהיה בא' שהיה מברך ברכת בונה

ירושלים והרג עצמו מחמת צער החרבן בסכין שעל השלחן.

This Perek is only said on days when Tachanun is recited. Furthermore, many people do not have the minhag to say על נהרות בבל at all.

IV. In Sifrei Kabbalah there is a great emphasis on the significance of Tikkun Chatzos. Tikkun Chatzos is a series of Tefilos and Perakim of Tehillim lamenting the Churban. According to the Mekubalim, at Chatzos (halfway through the night) Hakadosh Boruch Hu cries for the Churban Bayis and for his children in exile. This is the proper time for a person to cry over the Churban as well.¹⁴

V. There are many Yirei Shomayim who are נוהג to fast on every Monday and Thursday.¹⁵ There are several reasons given for these fasts:

1) These fasts are to mourn three tragedies: the Churban Bayis, the burning of the Torah, and the desecration of Hashem's name.¹⁶ In truth, although each is a tragedy in it's own right, the latter two are really an outgrowth of the general Churban. Therefore, in essence these fasts are yet another way of mourning the Churban.

2) Monday and Thursday are days of great compassion, and are therefore propitious times for praying and fasting. (This is also the reason we say the long Tachanun on these days.)¹⁷

3) The Heavenly Court sits in judgement on Mondays and Thursdays. Therefore it is fitting that one should fast on a day that he is being judged.¹⁸

The Acharonim say, that even amongst those who do not fast, there are people who refrain from eating meat and wine on Mondays and Thursdays, for the aforementioned reasons.¹⁹ (Yeshivas Mir in Yerushalayim does not serve meat on Mondays and Thursdays for this reason.)

The status of the nights before and after these fasts are dependant on the reasons mentioned. If the reason is for the Churban Bayis, then the nights before (Sunday and Wednesday night) are included in the Din of not eating meat. If however, the reason is because of the Heavenly Court, the judgement of a Beis Din begins by day and concludes at night.²⁰ Therefore, according to this one should refrain from eating meat on Monday and Thursday nights.²¹

VI. The tenth Zecher L'churban is mentioned in the Gemara Sotah²². The Gemara says, that following the Churban the playing of music ceased. Music is a source of rejoicing, and after the Churban a Yid cannot fully rejoice. There are three opinions as to the exact parameters of this prohibition.

Rashi and Tosafos (שם) say, that only musical instruments as an accompaniment to a meal served with wine is forbidden. In any other setting, musical instrumentation is permitted provided one does not listen to it on a regular basis (e.g. to wake up to music every morning). Singing without an instrument is certainly permitted according to this opinion. The Rambam²³ is more stringent, and forbids all musical instruments in any setting. Furthermore, at a meal with wine, even singing is forbidden. The Bach²⁴ is

¹⁴ע' ברכות ג' ע"א ובפתח עינים שם וסנהדרין ט"ז, ריקאנטי פ' בראשית, ראשית חכמה שער עבודה פ"ז, ובשלה חולין אות רנ"ה במהד' שנדמ"ח. והסדר תיקון האריז"ל בכוונות דרוש לילה דרוש ת"ח דרוש א

¹⁵ע' ס' תק"פ ס"ג וברמ"א ס' קל"ד ס"א

¹⁶כל בו ס' ס"ג הובא בשו"ע שם

¹⁷רמ"א או"ח ס' קל"ד ס"א בשם הטור, ובמ"ב הסביר דמרע"ה עלה בלוחות אחרונים ביום ב' וירד בה' וכמש"כ התוס' בב"ק

¹⁸פ"ב ע"א

¹⁹פ"ח, ע' תוס' שם ובכתובות ג' ע"א בתוס

¹⁹ע' בה"ט בס' קל"ד ובמ"א ס' תק"פ ס"ג

²⁰סנהדרין ל"ב

²¹בה"ט שם

²²סוטה מ"ט

²³הל' תענית פ"ה ה' י"ד

²⁴תק"ס, וכ"כ הרמב"ם עצמו בתשובה

even more stringent, and forbids all musical instruments and all singing. The Mechaber (שם) paskens like the Rambam, whereas the Rama paskens like Rashi.

It is not clear if this prohibition includes classical music etc., or only lively music.²⁵ Music that is produced with one's mouth and recorded onto a tape ("acapella") is a Machlokes Haposkim if it is any different than regular recorded music. Many Poskim say that since it is being played from a tape, it is as though it is being played from an instrument, and is no longer considered coming only from one's mouth.²⁶

All opinions agree that there are certain exceptions to this rule. First of all, any music that is for the purpose of a mitzva is permitted.²⁷ For example, playing music at a Chasuna is considered a Mitzva and is permissible. Similarly, any music that is played or sung for the purpose of inspiring oneself to Avodas Hashem is also permissible.²⁸

Furthermore, one who is suffering from depression ל"ע or nervousness, may listen to music to raise his spirits, since this is for his mental health²⁹. R' Shlomo Zalman Aurbach ZT"L was once asked regarding a woman who remained daily at home by herself, if she may listen to music, as a way of filling the lonely silence. His reply was in the affirmative.³⁰

To learn to play music for the purpose of Parnassah is also permitted, since one is not doing so for his enjoyment.³¹

R' Moshe Feinstein ZT"L writes, that although Ashkenazim in general follow the opinion of the Rama, it is proper in this case to follow the more stringent opinions. Those who wish to rely on the Rama may do so, however, they must realize that even the Rama did not permit listening to music on a regular basis, only from time to time.³²

The minhag by many people is to be very lenient with this Din. This has especially become the case, in the wake of the overwhelming amount of Jewish music that has become available in the last two decades. The Poskim grapple with the explanation for this Minhag and come up empty-handed. Therefore, although the minhag is not so, it is certainly proper for one to abstain from listening to music whenever it is unnecessary. One should realize that this is a small price to pay, in exchange for the promise of Chazal - "Anyone who [properly] mourns the Churban Bayis, will one day merit to witness its rebuilding". If one realizes the great loss we have experienced, and remain with until today, one will no longer feel a desire to rejoice fully until the day when פינו ולשונונו רינה - אז ימלא שחוק פינו ולשונונו רינה - "then we shall fill our mouths with mirth and our tongues with song", Bimheira B'yameinu.

Good Shabbos.

מאיר הלוי הלמן
פעיה"ק תובב"א

²⁵ לשון המחבר הוא "לשמח בהם", אמנם במ"א איתא דגם תענוג דאית ב' שמחה, ובאג"מ שם הזכיר רק תענוג, וצ"ע להגדיר הדברים, ויש לשאול שאי"ח
²⁶ ע' אג"מ ח"א ס' קס"ו, שלמת חיים הנדמ"ח ס' תתפ"ח, דברי יציב או"ח רמ"ו, שבט הלוי ח"ח ס' קכ"ב, אז נדברו ח"ח ס' נ"ח, ובציץ אליעזר ח"ג ס' ט"ו
²⁷ רמ"א בשם תוס' ועוד ראשונים
²⁸ שבט הלוי ח"ו ס' ל"ט וע' בשו"ת להורות נתן ח"ד ס' מ"ו שכתב על המדקקים להחמיר אף בכה"ג
²⁹ חלק"י ח"א ס' ב, שבט הלוי שם ולהו"נ שם, וכן בשו"ת מהרש"ג ח"ב ס' קכ"ה ובמשנ"ה ח"ו ק"ו
³⁰ ועלהו לא יבול ח"א עמ' קצ"ח, ושם משמע שהתיר גם בבין המצרים
³¹ ע' בס' יוסף אומץ תת"צ שמתרעם על אותם עשירים שמלמדים בנותיהן כלי נגינה ללא שום סיבה של פרנסה. וע' בתשובות והנהגות ח"א ס' של"ג שלימד זכות ע"ז ובסוף כתב דהכל לפי הענין ויש לשאול שאי"ח
³² אג"מ או"ח ח"א ס' קס"ו וכ"כ רשז"א הובא בהליכות שלמה תפילה פי"ג דראוי לבני תורה להחמיר, וכ"כ הא"ר, מא"מ, מו"ק, מ"א, חיי"א, קש"ע, אז נדברו שם, וכה"ח וכן בשל"ה תענית ד' דעיקר כסברא ראשונה