

PRELIMINARY DRAFT

Textual Study Following Birkat HaTorah (The Blessing of Torah Study) On Tisha b'Av By Rabbi Noah Gradofsky

Note: This is not an intensively researched work and therefore is published for discussion and comment. Kindly contact me at noah@e-ark.net with your thoughts.

Generally, study of Torah is very limited on Tisha b'Av (see BT Ta'anit 30a quoted below, cf Mishneh Torah Ta'anit 5:11 and Tur/Beth Yoseph/Shulchan Arukh Orach Chayim 554:1). Shulchan Arukh 554:2 rules that in addition to the texts listed in Ta'anit 30a, some other troubling texts may be studied. It is also generally accepted that study of text that is relevant to the practices of the day may be read.

Shulchan Arukh Orach Chayim 554:4 rules that texts that are part of the regular course of prayer may be recited even if they contain texts that otherwise may not be read/studied on Tisha b'Av (Orach Chayim 554:4). Perhaps on this basis, most people recite Birkat HaTorah on Tisha b'Av in the regular manner, including reciting the selections from Numbers, Mishnah Peah, and BT Shabbat that are normally recited immediately following Birkat HaTorah in order to fulfill the minimum requirements of Torah study following the recitation of Birkat HaTorah. However, any such analogy seems false, as these texts represent not liturgy, but Torah study (perhaps sometimes we forget this point).

Below are suggested texts for pro-forma Torah study following Birkat HaTorah on Tisha b'Av. Note that the only text below that is explicitly permitted by the Talmud is the text from Lamentations, the entirety of which is permitted to be read on Tisha b'Av.¹ However, I have included a selection of text that I believe to be permissible texts from Torah, Mishnah, and Talmud for those who feel that study of text from Lamentations would not be sufficient to fulfill one's duty for Torah study following the recitation of Birkat HaTorah. Translations are my own, with literal translation indicated in bold.

¹ Thank you to Gilad Gevanyahu for pointing out a possible misconception that my original draft of this document might have caused.

Deuteronomy 28

דברים כח

15 But it shall be if you do not hearken to the voice of the LORD your God to take care to do all His statutes and ordinances which I command you today, all of the following curses will come to you and overtake you.

טו וְהָיָה אִם לֹא תִשְׁמַע בְּקוֹל ה' אֱ-
לֹהֶיךָ לְשָׁמֵר לַעֲשׂוֹת אֵת כָּל מִצְוֹתָיו
וְתִקַּחְתָּ אֲשֶׁר אֲנִי מְצַוֶּה הַיּוֹם וּבָאוּ
עָלֶיךָ כָּל הַקְּלָלוֹת הָאֵלֶּה וְהִשְׁיִיגוּךָ:

47 Because you did not serve the LORD your God with joy and glad heart due to the abundance of everything.

מז תַּחַת אֲשֶׁר לֹא עֲבַדְתָּ אֵת ה' אֱ-
לֹהֶיךָ בְּשִׂמְחָה וּבְטוֹב לֵבָב מְרֹב כָּל:

Lamentations

איכה

1:1 How she sits alone! The city full of people is like a widow! The city great among the nations, princess of the states, has become a tributary!

א:א אֵיכָה יֹשְׁבָה בְּדָד הָעִיר רַבְתִּי עַם
הָיְתָה כְּאַלְמָנָה רַבְתִּי בְּגוֹיִם שָׂרְתִי
בְּמַדְיָנוֹת הָיְתָה לְמַס

5:19 You, LORD, sit on the throne forever, your throne is everlasting; why should you forget us for eternity, why should you abandon us for the length of days. 5:21 Return us, LORD, to you, and we will return, restore our days as of old!

ה:יט אַתָּה ה' לְעוֹלָם תִּשָּׁב כְּסֵאֲךָ לְדֹר
וְדֹר: ה:כ לָמָּה לְנִצָּחַת תִּשְׁכַּחְנוּ תַעֲזָבֵנוּ
לְאֶרֶץ יָמִים: ה:כא הֲשִׁיבֵנו ה' אֱלֹהֶיךָ
<וְנָשׁוּב> וְנִשְׁוָבָה חַדְשׁ יָמֵינוּ כְּקֶדֶם:

Mishnah Taanit 4:6

משנה מסכת תענית פרק ד משנה ו

Five tragedies (lit. “things”) befell our ancestors on the 17th of Tamuz, and five tragedies befell our ancestors on the 9th of Av. . . On the 9th of Av it was decreed upon our ancestors that they would not enter the land of Israel after the sin of the spies, and the temple was destroyed during the first Temple period and during the second Temple period, Betar was seized, and the city of Jerusalem was plowed.

חמשה דברים אירעו את אבותינו
בשבעה עשר בתמוז וחמשה
בתשעה באב . . . בתשעה באב
נגזר על אבותינו שלא יכנסו
לארץ וחרב הבית בראשונה
ובשניה ונלכדה ביתר ונחרשה
העיר

Babylonian Talmud Ta'anit 29a

תלמוד בבלי מסכת תענית דף כט עמוד א

And on the ninth of Av near dark, i.e. at the end of the 9th day, they set fire to it, and it continued to burn all day, as is said (Jeremiah 6:4): “Woe for us, for the day has waned, for the evening shadows grow.”

ותשיעי סמוך לחשיכה הציתו בו את
האור, והיה דולק והולך כל היום כולו,
שנאמר +ירמיהו ו'+ אוי לנו כי פנה היום
כי ינטו צללי ערב.