

HALOCHOSCOPE

This week's question:

What are the guidelines for attending spectator sporting events during the Nine Days?

The issues:

A) *Availus*, mourning practices that are observed during the Nine Days; *mishenichnas Av mema'atin besimcha*, reducing joy in the Nine Days

B) Spectator sports

A) *Mourning practices*

During the Nine Days, we are all in mourning for the destroyed *Bais Hamikdash*. This is not on quite the same level as a true mourner. However, in a limited sense, some of the mourner's practices are observed by all Jews. The original restrictions on an *avail* are quite specific. The most stringent apply during the week of mourning. He may not engage in his usual work or business. He may not bathe or anoint himself with lotions. He may not wear leather shoes. He may not engage in marital relations. He may not engage in greeting. He may not launder clothing, or wear freshly laundered clothing. By Talmudic rule, he must cover his head, except when being consoled by others. In *Ashkenazic* countries, this is no longer practiced. In former times, there was a practice to overturn the beds. The *avail* should only sit or sleep on the overturned bed, and by day, he should sit on the ground. In modern times, we do not use the same types of beds. In addition, the practice could arouse superstitious suspicion. Therefore, we do not overturn beds anymore. He may not study Torah. He may not have his hair cut. He may not engage in joyful activities, and he may not marry. He may not play with a child on his lap.

After the first week of mourning, some of these activities must be observed for the first thirty days, or when mourning a parent, for twelve months. These include haircutting, greeting and attending weddings or other joyous occasions. He may marry after thirty days, even if he is mourning a parent.

A regular *avail* is restricted from participating in social gatherings, as an extension of the restriction on greeting. He should also refrain from engaging in frivolous distractions, even if they do not involve a *simcha*, festivities related to life-cycle events. There are certain exceptions to the rules of *simcha*.

The Talmud says that when *Av* begins we reduce *simcha*. It also says that we reduce business activity. The Yerushalmi refers to reducing building and planting of joy. A building of joy includes a house for a son who is getting married, or general decorative buildings. Planting for joy includes the grounds of a royal type of palace, or decorative gardens. Some poskim suggest that 'business' also refers to joyful purchases, such as in preparation for a wedding. Others maintain that it refers to reducing business, but not refraining totally from it. One may do what is needed.

This is added to the other restrictions during this period. Thus, a modified form of communal mourning is practiced. In addition, other practices have become accepted. The practices that concern us here are to refrain from enjoying musical entertainment.

An *avail* commonly refrains from enjoying musical entertainment. This is not mentioned directly by earlier poskim. It seems that this was not a common form of entertainment in former times. Music was used primarily as accompaniment, rather than in its own right. Music works to enhance a mood or to set a tone. In Talmudic times, it was standard practice to accompany a funeral with sad flute music. Thus, it could be argued, music should be used to inspire the right thoughts during mourning. Nonetheless, this practice has been discontinued, for the most part. Nowadays, music is commonly understood to be a form of entertainment in its own right, such that even when it is an accompaniment, people tend to focus on the music as the main attraction!

The more recent adoption of this restriction is seen by some as an extension of the mourning practice to refrain from attending weddings, and by others as a free-standing restriction on excessive merriment. Some consider it both of the above. In addition, we have mentioned that an *avail* may not engage in frivolous activity. This shows a carefree attitude to the judgment visited upon him. Certain specific institutions apply, including the restrictions on weddings and festive gatherings. During the first week, he should not even play with a small child, because that is an inappropriate type of joy. As such, musical entertainment could be part of the restriction on *simcha*, joy, that was extended to the longer and less stringent mourning periods.

In terms of the reduction of *simcha* in the Nine Days, music is also restricted. However, this is mentioned indirectly. When a *simcha* can not be postponed, there should not be live music and dancing. The actual terms used are interpreted differently by the poskim. Some say it refers specifically to dancing. Others say it refers to instrumental music. In addition, there are various restrictions and bans on certain types of music, either to commemorate the *churban* or the ongoing *galus*, or to limit frivolity. As a result, it has become the prevailing practice to restrict live or even recorded musical entertainment. [See Brochos 30b-31a Taanis 29b-30a Yerushalmi Psachim 4:1 Yevamos 43a-b Gitin 7a, Poskim. Tur Sh. Ar. OC 551 560:3 5, commentaries. Halochoscope X:42.]

B) Spectator sports

Are other forms of entertainment restricted for a mourner, during the Three Weeks, the Nine Days, or on a fast day? If the problem with festivities is frivolity, it should be the same whether or not the frivolity is in the context of a formal festive gathering.

In Judaism, many performances were associated with *moshav laitzim*, council of idlers, and were forbidden at all times. Sport highlights physical strength and accomplishment as a positive goal. In Judaism, this is, at best, a means to an end. Exercise is recommended, along with good diet and frequently relieving oneself, as part of general health. Competitive sports do not usually provide good exercise. When competition is taken too seriously, it will harm one's *midos*.

Entertainment satisfies the senses and certain emotional drives. Many sport events are truly innocent, and provide what has become known as healthy distraction. However, ultimately, entertainment involves pleasing the senses for no actual purpose other than

the pleasure itself. The senses under discussion include, primarily, the sense of sight. There is a specific *mitzvah* in the Torah, 'do not stray after your eyes and after your hearts!' At the most literal level, this commandment forbids entertainment that will lead one astray. The very first sin, the temptation of the tree of knowledge, came from its appealing to the eyes. In the broader sense, sin begins with violating this *mitzvah* in some form. The pursuit of trivial distractions with no intellectual value is considered *moshav laitzim*, a council of scoffers. This term from *Tehilim* refers to those who sit around wasting time, scoffing at the Torah. It is forbidden to sit in their company, under the Scriptural *mitzvah*, *al tifnu el ha'elilim*, do not turn to the idols, do not be distracted by vain things. The presumption is that this can easily lead to sin. Circuses and stadiums are considered *moshav laitzim*. Playing games that depend on pure luck and chance are included in this prohibition, along with reading silly books and other useless pursuits. Games that require skill and books with intellectual value are not included. These distractions are only wrong if the person occupying himself with them would otherwise be doing something really meaningful. The issue is *bitul torah*, wasting time that should be spent studying Torah. Thus, young children's play, provided it does not include undesirable traits and scoffing, could not be prohibited.

The best known instances of games in *Tanach* are the 'play' of *Yishmael* and at the time of the golden calf, and the story of *Yoav* and *Avner*. The 'playing' of *Yishmael* and of the sinners with the golden calf refers to immorality and murder. [The sin of the golden calf was also accompanied by *mecholos*, a reference to dancing or to musical entertainment!] The jousting 'games' of *Yoav* and *Avner* began as a game and led to the simultaneous deaths of every competitor. It then led to death for the spectators and sponsors.

Pigeon racing is listed by the Talmud as an activity that disqualifies its occupant from testifying. The reason is not necessarily due to the activity itself, as much as the preoccupation with it. The Talmud deals with various negative sides to this, including delusions, deceit and time-wasting.

Playing ball was a pastime practiced by the inhabitants of a certain city. They would play on *Shabbos* when they had 'spare' time. That city was destroyed, since they should have been studying Torah instead. Some derive from here that it is permitted at times when one would not be studying. *Halachically*, ball-playing, marbles and billiards are discussed in terms of carrying and *muktzeh* on *Shabbos*. Hunting as a sport was the preoccupation of *Lemech*, *Nimrod* and *Eisav*, underscoring its negativity. It involves the additional issue of *bal tashchis*, wasting resources for no purposeful use. Even if the hunter or trapper makes his living from it, it raises the issues of putting one's life in danger.

Apart from the cruelty associated with them, preoccupation with the forerunners of modern spectator sports, stadiums where gladiators 'performed', is considered *moshav laitzim*. Spectator sports nowadays rarely involve danger, even for the competitor. Provisions are made to prevent danger. The spectator's excitement, however, also comes from identifying with the thrill and risk involved. In rough sports, identifying with the participants breeds an undesirable roughness in the spectators themselves. Participating raises the issue of *chovel bachavairo*, striking another person, a financial and religious liability. The Talmud discusses whether a person would be liable for damages if his fellow al-

lowed himself to be struck. Glorifying this as a spectator is undesirable at the very least.

In the defense of great personalities' occupation with games, some poskim invoke the need for healthy distractions. The idea of avoiding depression, or curing it after it has set in, is raised. Other poskim disagree, condemning them.

Assuming the sporting event in question involves no violence or physical contact, such as a race, most of the above considerations would not apply to children. It would be considered within the realm of child's play. The competitiveness should be played down. One would not wish to ingrain in children the idea that satisfying one's senses for its own sake is part of life. However, most of the time they can be counted on to see the occasional spectator event as play. They should be able to grow out of it.

Assuming that adults are permitted to attend spectator sports on occasion, would they be permissible for an *avail*? Relieving his sadness does not seem to be permitted with regard to music or other *simcha*. Accordingly, to rely on this to permit his attendance at sport events would not seem viable. Many mourning practices during the three weeks are based on *minhag*, communally accepted norms. Attending sporting events would then depend on the communally accepted practice. [Incidentally, the reference to destruction of *Tur Malka* or *Tur Shimon* due to ball playing, is part of an extensive discussion about the *churban*!]

In addition, there is a social side to attending sport events. Thus the *avail* is restricted from such gatherings for a different reason. If his attendance is as a part of a group, this consideration would appear to be sufficient to restrict it. For everyone else, during the Nine Days, the restrictions on greetings do not apply, except on *Tisha b'Av* itself. Therefore, such gatherings are not forbidden on that basis alone. If it involves festivities, such as a final victory, this would be another reason to consider. [See Beitza 12a, Baba Kama 91b, Avoda Zara 18b, Sanhedrin 24b, Yerushalmi Taanis 4:5, Poskim. Tur Sh Ar OC 307:16 308:45 338:5, YD 115-116, CM 421:5 427:10, commentaries.]

In conclusion, there is no specific reference to restricting following modern day spectator sports, whether for a mourner, during communal mourning periods, or even at any other time. Attendance involves entertainment and distraction, and sometimes, festivity. These should be considered when deciding whether to attend an event during the Nine Days. One should follow the accepted norms in the community in which he lives.

On the parsha .. Di Zahav ... [1:1] “Enough gold.” A reference to the golden calf. Because they had an abundance of gold, they made idols! [Rashi]. We are taught that they actually made the golden calf to substitute for Hashem. By adopting a new religion, they thought they could lead permissive lives without conscience. Permissiveness is consistent with the comforts of materialism, that can also drive people to competitive strife and violence – the 'games' of immoral and murderous activity. Thus, the causes for both destructions: idolatry, adultery, bloodshed and strife, were all present on the fateful 17th of *Tamuz*! Care should be taken during this period so that heavy involvement in competition sports should not lead to *sinas chinam*.

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whose *yahrzeit* is the 5th of Av. ם

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