

HALOCHOSCOPE



This week's question:

May one participate in a chess tournament or play golf on Tisha b'Av afternoon? Alternatively, may one travel back from a vacation?

The issues:

A) *Masiach daas min ha'availus*, distraction from the mourning theme

B) Traveling on *Tishab'Av*

C) Recreation on *Tisha b'Av*

A) *Masiach daas min ha'availus*

On *Tisha Bav* one should try to stay in the mood of the day. One who fasts with no thoughts of why he is fasting has almost wasted the purpose of the fast day. This does not mean that one may limit his observance to the other practices. It means that without the accompanying introspection the fast will not have the desired effect.

The most obvious practice on *Tisha Bav* to ensure that keeps his attention focused on the mourning is refraining from going about one's business. [Not all commentaries give this reason for the practice.] This practice originates with the practices of communal fasts for rain. These were imposed in increasing levels of stringency to encourage more and more introspection. In addition, a regular mourner may not engage in his business activities during his *shiva* period, seven days of mourning. This is based on a Scriptural reference linking mourning to a *chag*. Thus, many poskim maintain that ideally he is forbidden to work all seven days. There are exceptions, based on various Talmudic passages, for the poor and for those who need their work done in emergencies.

The Talmud says that on *Tisha Bav*, this practice depended on the custom of each individual community. The poskim seem to indicate that in our communities the original practice was to refrain at least until *halachic* midday. In some communities the practice was to refrain all day. One may not act in a more lenient manner than the local practice. A Torah scholar should always refrain all day. Anyone may consider himself a Torah scholar for these purposes. However, due to the pressures of earning a livelihood, it has become acceptable, according to some poskim, to refrain only until after the end of the *shacharis* services. This includes the extended *kinos* recited for a few hours, and this ensures that one will still minimize his preoccupation with business.

Refraining from *melacha*, the *halachic* term for work in this context, includes activities that are usually restricted on *Chol Hamoed*. However, the poskim permit minor activities that take up little time. In accordance with keeping focused on the mourning, one should not engage in preparations for after the fast. Nonetheless, it is common practice to prepare the meal for breaking the fast, after midday, even for those who follow the custom to refrain from work. In addition, there is a *kabalistic* custom for women to clean the

house after midday. After midday is a time for consolation. It is considered the time that *Moshiach* could arrive, and one should be ready to welcome him.

In keeping with this idea, one may not engage in idle leisure activities on *Tisha Bav*. However, it is clear from the poskim that travel between towns was a given. Allowances are made for wearing shoes on the road, for both *availim* and those observing *Tisha Bav*. Accordingly, travel to attend to a family matter must be permitted. It does not distract from the mourning. Travel for work would depend on the local practice. Travel for leisure should be restricted. [See Taanis 12b 13a 29b-30a, Moed Katan 15b 20a 21b Psachim 54b, Poskim. Tur Sh. Ar. OC 554:14 17 21-25 559:5 10, commentaries.]

B) Traveling on Tish b'Av (or any time during the Nine Days)

The basis for refraining from travel during this period is that it is an ominous time. According to a Midrashic reference, one must avoid being out alone in the open during the early afternoon hours during the Three Weeks, or at least, during the Nine Days. This seems to refer to putting oneself in harm's way, or in a dangerous situation. At a time of 'punishment' the adversarial forces in Heaven can indict people more easily. One does not want to invite further punishment. Accordingly, people have adopted a practice to avoid the kind of travel after which one usually recites the *brocha hagomel*. This thanksgiving blessing is recited by those who have been saved from danger. The basic four obligants include: one recovering from grave illness, one released from captivity or jail, and those traveling by sea or across a desert and arrive safely. Other travelers recite it according to their custom. Some recite it on any inter-city travel. Most only recite it on air travel across an ocean. The reason is that it may be recited by anyone who experienced a life-threatening danger and was saved. If one is in the air over water, he has little chance to land safely. Therefore, he feels the same thanksgiving as those who travel by sea. Accordingly, one would not wish to place himself in this situation at a time of 'punishment'. Nonetheless, it is common to travel with others, especially for a *mitzvah* or for a livelihood, even during this period. [See Sh Ar OC 551:18, commentaries.]

C) Golfing and playing chess on Tisha b'Av

The person is playing golf purely for recreation. The chess player is competing in a tournament that began a few weeks prior to *Tisha b'Av*. Missing this game will eliminate him from further participation. Thus, his participation is really part of a larger event. He is not doing it specifically to use up time on *Tisha b'Av* in an entertaining fashion. Both questioners are asking about doing their activity after midday, the time of consolation. We allow sitting on a regular chair, and as mentioned, some people go to work.

Mishenichnas Av memaatin besimcha, from the beginning of *Av*, one must reduce joy. This includes weddings and the accompanying joy. Social activity is restricted for a mourner and during public mourning for the loss of the *Bais Hamikdash*. This includes greeting. On *Tisha b'Av* one may not even greet his fellow. The poskim suggest that one should not even go about in the street or marketplace on *Tisha b'Av*. It will lead to greeting and socializing. Musical entertainment is restricted for mourners and during the periods of communal mourning for the *Churban*. It is an extension of the restrictions on weddings, the main venue for musical entertainment in the past. 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 sports 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*. When betting is also involved, it can disqualify the player from serving as a valid witness. The bet can involve a form of taking money dishonestly.

Playing ball was a pastime practiced by the inhabitants of *Tur Malka* 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. [Incidentally, the reference to destruction of *Tur Malka* or *Tur Shimon* due to ball playing, is part of an extensive discussion about the *churban*!]

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 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, such as chess and golf, 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.

One form of joy forbidden on *Tisha b'Av* is Torah study. The verse testifies that it gladdens the heart. The laws of mourning and *Tisha b'Av* may be studied, but not in such detail as to exercise the mind and bring satisfaction and contentment. One may study the parts of Tanach and Agadah that deal with the *Churban*. Group study is also minimized, but some people attend inspiring talks on *mussar* subjects. Others maintain that such inspirational collective study is not necessarily in the spirit of the day. Thus, to varying degrees, it is still possible to occupy oneself gainfully in some form of Torah study.

Nonetheless, since it is a time when Torah study *per se* is restricted, one could not be held liable for *bitul Torah* on this day in the same way that it applies on a day when the *mitzvah* to study applies. Accordingly, it is common for people to occupy themselves

with other pursuits on this day. The question is whether this counts as *masiach daas min ha'availus*. Some visit a graveyard. Some people go for recreational walks in the parks and countryside. This it is a recommended form of therapy for those who are depressed and downcast. Therefore, although one should indeed feel this way on *Tisha b'Av*, it is sometimes overwhelming. To relieve the stress, one may do something tame like a walk.

Those who find themselves unwittingly delving into their studies when they learn any form of Torah face a dilemma on *Tisha b'Av*. To avoid concentrating, they need to either distract themselves with petty activities, which are usually out of character, or read non-Torah material. Some developed the habit to play chess. This exercises the mind, but does not involve the joy of Torah study. It brings satisfaction, but does not qualify as joy. Our questioner will be competing in a tournament, a form of entertainment in its own right. As we have pointed out, this will be part of a larger event that involves the preceding, and possibly the following weeks as well. This would appear to be permitted, based on the various factors we have mentioned.

Golfing is considered by many to be the ultimate recreational pastime. It is not performed for exercise. For those who spend their entire lives sitting and indoors, it is 'healthy'. Many people don't even walk the course, but drive in a cart! For one overwhelmed with the foreboding mood of *Tisha b'Av*, there is a therapeutic side to it. It is being done after midday. *Masiach daas min ha'availus* is diminished after midday. Assuming our questioner is a healthy outdoors type person, why does he wish to golf on *Tisha b'Av* with no partner? He wishes to do something somewhat gainful when he cannot study Torah, work, or travel back from his vacation. He is golfing for a more productive purpose than to 'kill time' or 'have fun'. The question is whether one may do something so distracting from the *availus*. In balance, it is better than traveling. [See Beitza 12a Taanis 29b-30a Baba Kama 91b Avoda Zara 18b Sanhedrin 24b Yerushalmi Taanis 4:5, Poskim. Tur Sh Ar OC 307:16 308:45 338:5 554:1-3 20-22 559:10, YD 115-116, CM 421:5 427:10, commentaries.]

In conclusion, there is room to permit both activities after midday when they are not done in frivolity. Travel should be avoided until after the fast is over.

On the parsha ... [Moshe] sent .. to Sichon words of peace .. [2:26] Elsewhere it says Israel sent, and does not mention peace [see Rashi Chukas.] Moshe sent a letter offering peace, and Israel sent a letter declaring war. Or, they sent one letter. Moshe wrote about peace at the top, and Israel wrote about war at the bottom. [Daas Zekainim here.] How could one discuss peace and war at the same time, in the same letter? Usually, one greets another in peace, for if one does not like the other, he does not try to meet him. However, in war, one is compelled to meet the other. The meeting does not mean that there is friendship. In a similar way, when one meets to compete in a sport, they might shake hands. However, it is not really a friendly social meeting but has an oppositional and combative side to it. While in mourning, meeting another for a competition is not really considered socializing.

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