

# Getting From Tisha b'Av to Yom Kippur

## *A drashah for Selihot*

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The season from Tisha b'Av to Yom Kippur is a between time. A time between times. A period of transition. We are moving from the dead heat of summer to the refreshing cool of fall. In Israel at this time the *sharav*—the hot desert wind that blows up from the south—has abated; and the rainy season, the season of growth and expectation is coming. It is a time of expectation and at the same time anxiety. In the agrarian society in which the rhythm of our traditional calendar is based, we are almost at the end of the planting season, and we await the rains which are beyond our control, but which will determine our fate for the coming year.

A trace of this anxiety is retained in the Hebrew name of the first summer month—Tammuz. This name is actually Babylonian, and in Babylonian mythology the god Tammuz would die every year and then, hopefully, be reborn. The period between death and rebirth would be one of intense anxiety followed by rejoicing.

In our yearly cycle, at the height of the summer heat, when the *sharav* is at its most intense, and the land of Israel at its most desolate, when the desert seems to be encroaching on the cities—we experience Tisha b'Av. Tisha b'Av is the low point on our calendar. It is a day of almost unredeemed grief, bereavement and depression. It is not until late in the afternoon that we are able to rise from the floor of our mourning and slowly grope our way towards each other and attempt to reestablish community. Among the other prohibitions of the fast day, Jews are enjoined from greeting each other on Tisha b'Av. In our aloneness we mirror the cosmic loneliness of the fallen city of Jerusalem. As the poet laments in Eikhah:

Alas! Lonely sits the city once great with people,  
She that was great among the nations is become like a widow.

The cause of our pain is twofold. On the one hand is the fear and anxiety that the destruction of the Temple marks the end of our relationship with God. This is a fear which returns with every tragedy that befalls the Jewish people, that the exile is not temporary but permanent—that God too is in a sense exiled. The eloquent *kinot* written after the great catastrophes of our history in exile give poignant voice to this fear.

This anxiety is articulated in a midrashic comment on this verse from Eikhah. The classic midrashim are texts written from the fourth to the tenth centuries C.E., in the form of verse by verse commentaries on all of Tanakh. Midrash is a way of reading Torah which slows down the reading process. Each verse is taken on its own, out of context and then it is read very carefully in the context of all of Tanakh, rather than just the narrative in which it is found. The following comment from *Eikhah Rabbah*—one of the oldest midrash collections—is a good example of this type of reading.

The midrash seizes on the phrase, “is become like a widow.” What might it mean to be *like* a widow. The midrash in full is as follows:

The Rabbis said:

It is like a king who became angry at his consort. He wrote her a bill of divorce (*get*) and gave it to her, but then he returned and grabbed it from her. Whenever she wished to marry someone else, the king said to her: Where is the bill of divorce with which I divorced you? And whenever she claimed support from him, he said to her: I have already divorced you.

Similarly, whenever Israel wishes to worship idolatry, the Holy One of blessing says to them: “Where is the bill of divorce of your mother whom I have dismissed? (Isaiah 50:1) And whenever they ask God to perform a miracle for them. God tells them: I have already cast you off, as it is written, “I cast her off and handed her a bill of divorce” (Jeremiah 3:8).<sup>1</sup>

The midrash seizes upon the ambiguity and the ambivalence of “like a widow”—and *not* a widow—in order to describe the state of exile. A state of total limbo. A state in which God is not seen as the solution but as part of the problem.

<sup>1</sup> ד"ה היתה כאלמנא . . .  
ורבנן אמרי משל למלך שכעס על מטרונה  
וכתב לה גיטה ונתן לה וחזר וחטפו ממנה  
כל זמן שהיא מבקשת להינשא לאחר אומר לה היכן גיטיך שגירשתיך

וכל זמן שהיא תובעת מזונותיה הוא אומר לה כבר גירשתיך  
כך כל זמן שישראל מבקשים לעבוד ע"ז אומר להם הקב"ה.  
אי זה ספר כריתות אמכם אשר שלחתי (ישעה נ א)  
וכל זמן שהם מבקשים שיעשה עמהם נם אומר להם כבר גרשתי אתכם.  
דכתיב: שלחתי ואתן ספר כריתות אליה (ירמיה ג ה)

The other cause of our pain is the frustration of having failed. Of having been given the opportunity of having a land and a state in the heart of which stood the Temple as a symbol of holiness and justice—and having thrown the opportunity away, by ignoring the pleas of the oppressed and the weak. This also raises the possibility that such a just society, a state grounded in the principles of justice and righteousness, is itself impossible. This fear too is made more poignant by the events of our more recent history.

On the Shabbat before Tisha b'Av, appropriately called the Shabbat of Vision, we read from Isaiah 1. Isaiah spells out both of these fears in a compelling and graphic manner:

Hear the word of the Lord you chieftains of Sodom;  
 Give ear to our God's instruction You folk of Gomorrah!  
 What need have I of all your sacrifices? says the Lord. . . .  
 That you come to appear before Me—who asked that of You? . . .  
 New moons and Sabbath . . . I cannot abide. . . .  
 They are become a burden to me, I cannot endure them.  
 And when you lift up your hands,  
 I will turn my eyes away from you . . .  
 Your hands are stained with blood—

. . .  
 Alas she has become a harlot,  
 the faithful city that was filled with justice,  
 where righteousness dwelt—but now murderers . . .  
 Your rulers are rogues and cronies of thieves  
 Every one avid for presents and greedy for gifts;  
 they do not judge the case of the orphan,  
 and the widow's cause never reaches them. . . .

This is where we have been. Looking forward, we are now at the beginning of the experience that will culminate at Yom Kippur.

Superficially, Tisha b'Av and Yom Kippur seem to share a lot. As holy days, as days bounded by ritual, they do have some practices in common. Both are 25-hour fast days. On both we are enjoined from wearing leather, listening to music, bathing, engaging in sexual activity. Yet here the similarity ends. Tisha b'Av is a day of mourning.

On the other hand, Yom Kippur is a true holiday. The Torah refers to Yom Kippur as Shabbat Shabbaton, the Sabbath of Sabbaths. The Mishnah—Judah the Prince's third century collection of Jewish law—says that Yom Kippur is one of the two most joyous days of the year. Yom Kippur is not a day of mourning but of communal prayer. Of introspection and forgiveness. Of transcendence. If, on Tisha b'Av we do not eat because we are experiencing the depths of hopelessness, the living death that is exile without redemption—on Yom Kippur we shun food in favor of spiritual life. How can one eat in the presence of God? Many scholars understand ritual as the acting out of a potential reality. On Tisha b'Av we perform the impossibility of redemption: we act out the radical possibility of the world continuing as it is with no

ability to change it for the better. On Yom Kippur we perform the possibility of repentance, being forgiven, and effecting change in our lives and the world.

Now, we might ask: how do we get from Tisha b'Av to Yom Kippur?

We will, as you might have suspected, take a slightly circuitous route by which to answer this question.

The central moment of the Selihot service—both dramatically and spiritually—is the recitation of the thirteen attributes of God from Exodus 34. The whole congregation will rise and chant with the cantor in a melody that is partially plea and partially demand:

The Lord! The Lord! a God compassionate and gracious, slow to anger, abounding in kindness and faithfulness, extending kindness to the thousandth generation, forgiving iniquity, transgression and sin . . .

This practice is grounded in an interesting midrash in the Babylonian Talmud (Tractate Rosh Hashanah 17b). The midrash, attributed to Rabbi Yohanan, a third-century Palestinian sage, is generated by two features of the verse and a half that directly precede the list of attributes. Verses 5 and 6 of chapter 34 read as follows:

The Lord came down in a cloud; He stood with him [Moses] there, and proclaimed the name Lord.

The Lord passed before him and proclaimed: The Lord! The Lord! . . .

The two salient features of the verses are first, the use of the verb “proclaimed” (in Hebrew ויקרא) rather than “said” (אמר) or “spoke” (דבר); both of which are far more common. Second, in verse 5 it is unclear who is proclaiming. The English translation here is preserving the ambiguity which also exists in the Hebrew text. “He stood with him [Moses] there, and proclaimed the name Lord.” It is these ambiguities which generate the midrashic reading attributed to R. Yohanan:

“ויעבור ה' על פניו ויקרא.”  
אמר רבי יוחנן. אלמלא מקרא כתוב אי אפשר לאומר.  
מלמד שנתעטף הקודש ברוך הוא כשליח צבור והראה לו למשה סדר תפילה.  
אמר לו. כל זמן שישראל חוטאין יעשו לפני כסדר הזה ואני מוחל להם.

“The Lord passed before him and proclaimed”

R. Yohanan said, If it was not an explicitly written verse, one could not say this,

It teaches that the Holy One of blessing wore a tallit as the leader of the congregation and showed Moses the prayer service.

God said to Moses, whenever Israel sins they should pray this service and I will forgive them.

In this reading, the thirteen attributes are almost a magical formula which if recited, automatically cleans one's slate. Forgiveness is guaranteed, and

there is no talk of repentance or human striving. Let us not lose sight of the strangeness of this idea of forgiveness (in light of all that we have ever learned or heard about the so-called *Jewish idea of repentance*) while we discuss one more aspect of it.

There is a subtle move which we can discern in this comment. If the power of forgiveness resides now in the saying of a certain formula, that power has shifted—ever so slightly—from God to people. This blurring of the hierarchical structure of the relationship between God and Israel is illustrated in a midrash quoted in the Palestinian Talmud (Tractate Rosh Hashanah) and attributed to R. Hoshayah.

What nation is like this nation?

It is the way of the world that if the ruling power says “the trial is today” and the criminal says “tomorrow”—to whom do we listen? Do we not follow the ruler?

But the Holy One of Blessing is not like this. If the Bet Din [which declares when the new month is] says “today is Rosh Hashanah, the Holy One of Blessing says to the angels: “Set up the platform, summon the prosecutors, summon the defendants for my children have declared that today is Rosh Hashanah.”

If Bet Din decides to declare a leap month and make Rosh Hashanah [which is the first day of Tishri] the next day, the Holy One of Blessing says to the angels: “Remove the platform, remove the prosecutors, remove the defendants, for my children have decided to put it off till tomorrow.”

What is the reason? “For it is a law for Israel, a ruling of the God of Jacob . . .” (Psalms 81:5) If it is not a law for Israel it is not a ruling of the God of Jacob.

An interesting wrench is thrown into the works of repentance and forgiveness when it is no longer clear who is making the rules.

This tectonic shift is developed more fully by the midrash in a series of comments centered on the list of the thirteen attributes in Numbers.

Whereas the list of the attributes in Exodus comes at the end of the story of the Golden Calf, at the point when God has already decided to forgive the people of Israel, the list in Numbers 14 is part of Moses’ plea to God to forgive Israel after the spies returned from Canaan with a less than glowing report about the land of Israel. Moses says:

Therefore, I pray, let my Lord’s power be great, as You have declared, saying:

The Lord, slow to anger and abounding in kindness; forgiving iniquity and transgression . . .

The midrash in the collection called *Pesikta d’Rav Kahana* (a collection that was probably edited around the fifth or sixth century) explores the ambiguity of the phrase “let my Lord’s power [כח] be great.” There are a series of comments which seem to move from what one might think of—anachronisti-

cally—as a traditionalist theology of reward, punishment and forgiveness, to a radically different type of understanding of God and the whole idea of reward, punishment, sin and forgiveness.

The first comment is attributed to either R. Yaacov b. Aha in the name of R. Yose b. R. Haninah; or alternatively to R. Yohanan:

May the forces of your mercy be strengthened.

Make the attribute of mercy more powerful than the attribute of justice. As it is said: Therefore, I pray, let my Lord's power be great . . .<sup>2</sup>

The midrash is describing a struggle within the Godhead, as it were; and the plea is for one part of God—God's mercy—to win, or to be the deciding factor.

Whether we take this literally or metaphorically, this picture of God is still well within the parameters of a traditionalist conception of God. It is up to God to forgive or not. We pray that the operative factor be mercy and not straight justice.

The next comment however is startling:

R. Azariah said in the name of R. Yudah b. R. Simon,

As long as the righteous do the will of the Holy One of blessing, they add strength to The Almighty,

as it is said: Therefore, I pray, let my Lord's power be great . . .

And if they don't [do the will of the Holy One of Blessing] it is as if: the rock that has borne you is weakened (Deuteronomy 32:18).<sup>3</sup>

This midrash is reading the phrase not as "Therefore let my Lord's power be great," but rather as, "and now *let* my Lord's power be great." The Hebrew *ועתה* does have both meanings. The statement is now understood as descriptive—the power or strength of God is dependent on the deeds of the righteous. And in the same manner, the righteous weaken God by not doing God's will. God in this understanding is not an all-powerful, transcendent Lord, ruling from on high. God's existence in the world is dependent on human action—the deeds of the righteous.

The next comment of the Midrash brings us in a sense full circle back to our opening concern—Tisha b'Av.

R. Yudah b. R. Simon in the name of R. Levi b. Parta,

As long as the righteous do the will of the Holy One, they add strength to The Almighty,

as it is said: In God we will create strength<sup>4</sup> . . . (Psalms 60:14)

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ר' יעקב בר אחא בשם ר' יוסה בר' חנינה. ורבנין אמרין בשם ר' יוחנן.  
כיתקף חיילהון דרחמך—הגבר מידת רחמים על מידת הדין  
כמה דאת אומ' ועתה יגדל נא כוח יי' (שם)

3

ר' עזריה בשם ר' יודה בר' סימן  
כל זמן שהצדיקים עושין רצונו של הקב"ה הן מוספין כח בגורה  
כמה דאת אומ' ועתה יגדל נא כח וג'  
ואם לאו כביכול צור ילדך תשי (דברים לב יח)

<sup>4</sup> *Tanakh: The New JPS Translation According to the Traditional Hebrew Text* (Philadelphia: Jewish Publication Society, 1985): With God we shall triumph.

And if they don't [do the will of the Holy One] it is as if:  
 "and they walked without strength [כח] [i.e. God] before the pursuer" (Lamentations 1:6).<sup>5</sup>

Taking the previous midrash one step further, this comment makes the radical suggestion that if the righteous don't do the will of God, they walk without God; i.e. for all intents and purposes God no longer exists. It is significant that the prooftext here is from the book of Eikhah, written after the destruction of the First Temple, but understood by the Sages to refer also to the destruction of the Second Temple. It is the fact of exile which is, as it were, the empirical proof of God's no longer acting in the world; for all intents and purposes no longer existing . . .

But this again is Tisha b'Av. How do we get from here to Yom Kippur? Well, let us listen in on a conversation between R. Akiba—the Palestinian sage of the second century who was known as a fervent Messianist and supporter of Bar Kokhba in his rebellion against Rome in 135—and Turnus Rufus whose name (which only appears twice in the Talmud) suggests a Roman origin but about whom we know very little. This conversation was recorded many centuries after both of the participants died, and therefore provides us with little historical information about the turbulent times immediately after the Destruction in 70 C.E. It reflects, rather, the considered opinion of sages of the fifth or sixth century.

This question was actually put by Turnus Rufus to R. Akiba:

If your God loves the poor, why does he not support them?

He replied: So that through them we may be saved from the punishment of Gehinnom.

He said to him: On the contrary, it is this which condemns you to Gehinnom.

I will illustrate by a parable.

Suppose an earthly king was angry with his servant  
 and put him in prison  
 and ordered that he should be given no food or drink,  
 and a man went and gave him food and drink.

If the king heard, would he not be angry with him?

And you are called *servants*, as it is written:

*For it is to me that the Israelites are servants: [they are My servants, whom I freed from the land of Egypt, I the Lord your God]* (Leviticus 25:55).

R. Akiba said to him:

I will illustrate by a parable.

Suppose an earthly king was angry with his son,  
 and put him in prison  
 and ordered that no food or drink should be given to him,  
 and someone went and gave him food and drink.

If the king heard of it, would he not send him a present?

And we are called *sons*, as it is written:

*You are sons of the Lord your God* (Deuteronomy 14:1)

He said to him:

You are called both sons and servants.

When you carry out the desires of the Omnipresent,

you are called *sons*,

and when you do not carry out the desires of the Omnipresent,

you are called *servants*.

At the present time you are not carrying out the desires of the Omnipresent.

He said to him:

Even so He (Scripture) says:

*It is to share your bread with the hungry.*

*And to take the wretched poor into your home;*

*[When you see the naked, to clothe him,*

*And not ignore your own kin.]* (Isaiah 58:7)

When is *And to take the wretched poor into your home* [applicable]?

Now.

And it says: *It is to share your bread with the hungry.*

The starting point of the polemic between Akiba and Turnus Rufus is the reality of the Exile. In Turnus Rufus' words: "and when you do not carry out the desires of the Omnipresent, you are called *servants*. At the present time you are not carrying out the desires of the Omnipresent." Akiba doesn't dispute this fact that is so clear to them both. The dispute is about what this fact might mean in the world.

Turnus Rufus argues that in the world of exile nothing can be done. The state of the world is, as it were, a result of Divine decree—God is obviously not acting in the world and this precludes human action. Akiba refuses to buckle under to this static picture of the world. Despite the origin or the cause of the injustice, poverty, and pain in the world, it is the fact of its existence which is the operative factor. As Akiba answers:

Even so Scripture says:

*It is to share your bread with the hungry.*

*And to take the wretched poor into your home;*

*[When you see the naked, to clothe him,*

*And not ignore your own kin.]* (Isaiah 58:7)

When is *And to take the wretched poor into your home* [applicable]?

Now.

And it says: *It is to share your bread with the hungry.*

The only applicable question is: Are there wretched poor to take into your home? If the answer is yes, then we must share our bread with the hungry—even if doing this seems to be taking on immovable forces; even if doing this goes against the will of God.

The textual starting point of the story is the midrashic reading of the verse in Isaiah 58.

It is to share your bread with the hungry.  
 And to take the wretched<sup>6</sup> poor into your home;  
 [When you see the naked, to clothe him,  
 And not ignore your own kin.] (Isaiah 58:7)

The phrase that we have translated (according to the NJPS translation): “And to take the wretched poor into your home” is far more complicated in the original Hebrew. The word translated as “wretched” (מְרוּדִים) can also mean screaming. This is the way Akiba reads the verse. “You must share your bread with the hungry, when the poor are screaming for a home.” This, for Akiba, is an absolute command. The fact of oppression and injustice must act as the catalyst for action in the world, rather than an excuse for despair and inaction.

For Akiba, exile is not the inability to change the world. Exile rather places the obligation to change the world squarely on our shoulders. It is the special relationship of parent and child that we find in Tanakh that is gone. We can no longer count on God to change the world for the better, to punish the evildoers and reward the righteous. When we move from Isaiah 1 to Akiba’s understanding of Isaiah 58, we are moving from Tisha b’Av to Yom Kippur.

This chapter of Isaiah is read as the haftarah of the day of Yom Kippur. It deals with the essential question of Yom Kippur—what do we accomplish by fasting. Let’s read some of this chapter together. Isaiah is speaking the word of God:

Cry with full throat, without restraint;  
 Raise your voice like a ram’s horn!  
 Declare to My people their transgression,  
 To the House of Jacob their sin.

...  
 They ask Me for the right way, They are eager for the nearness of  
 God. “Why, when we fasted, did You not see? When we starved our  
 bodies, did you pay no heed?”

Because on your fast you see to your business and oppress all your  
 laborers. Because you fast in strife and contention, and you strike with  
 a wicked fist! Your fasting today is not such as to make your voice  
 heard on high.

Is such the fast I desire, a day for men to starve their bodies?  
 Is it bowing the head like bulrush and lying in sackcloth and ashes? Do  
 you call that a fast, a day when the Lord is favorable?  
 No this is the fast I desire: to unlock fetters of wickedness, and untie

<sup>6</sup> The Septuagint translates *astegous*, meaning homeless. This translation would claim the root *r-w-d*. This suggestion also has the advantage of slipping easily into the context of the verse—those who are homeless need to be brought home. Rashi interprets the word—both in our *sugya* (9a) and in Isaiah 58—as screaming, crying. He quotes the verse in Psalms 55:3 as proof of his interpretation. BDB translates restlessness, straying, and the Isaiah verse as “wandering (homeless) poor.” Even Shoshan in his Concordance translates bitter or oppressed (מְרוּדִים), possibly ‘depressed’), and equates the word with Lamentations 3:19 (*merudi*). Mandelkern also lists the words together as plurals of מְרוּדִים.

the cords of the yoke, to let the oppressed go free; to break off every yoke.

It is to share your bread with the hungry, and to take the wretched poor into your home; when you see the naked, to clothe him, and not to ignore your own kin.

As previously noted, ritual practice is the acting out of a potential reality. On Yom Kippur we act out the potential of being righteous and holy. Ritual, however, is not the work of righteousness. That work must be done before we can attempt to place ourselves in the presence of God. Isaiah is railing at the conceit that derives from going to the synagogue on Yom Kippur to fast and pray, and not seeing the homeless poor on the road. Not seeing the downtrodden in our community, the perpetrators and victims of violence amongst our neighbors. The way to get from Tisha b'Av to Yom Kippur is by sharing your bread with the hungry, giving shelter to the homeless, taking the side of the weak and the oppressed both locally and globally. Being cognizant of the ramifications of our power and our actions.

Then we might come to Yom Kippur and stand in the presence of God. That *is* the presence of God. Then, as Isaiah concludes, shall your light burst through like the dawn and your healing spring up quickly; Your Vindicator shall march before you, the presence of the Lord shall be your rear guard.