

26 Sivan 5774  
June 24, 2014



Taanis Daf 13

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamah of

**Tzvi Gershon Ben Yoel (Harvey Felsen) o”h**

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

**ON A FAST DAY OR A MOURNER –  
WASHING WITH COLD WATER**

➤ [The Gemora discusses the prohibition against washing on a communal fast day.] Rafram bar Pappa said in the name of Rav Chisda that whenever one is forbidden to wash himself due to mourning (Tisha B’av or a mourner) he cannot use hot or cold water; however, regarding a public fast, where the prohibition against washing was because of pleasure, one would be permitted to use cold water to wash himself.

Rav Idi bar Avin said: We too have learned in a Mishna (that cold water may be used for washing on a public fast day): and they closed the bathhouses. [Only hot water was used there; it was closed as a precaution. The inference, however, is that washing with cold water would be permitted.]

Abaye said to him: If it were forbidden to bathe even in cold water, could it then have stated: and they close up the rivers? [How would that be possible?]

Rav Sheisha the son of Rav Idi replied: This was the difficulty which my father (Rav Idi) felt (when studying the Mishna). Let us see: the Mishna already States: it is prohibited to wash oneself (on a public fast day); why does it add: and they closed the bathhouses? Evidently from this is to be concluded

that bathing in hot water is forbidden, but permissible in cold water.

The Gemora cites a braisa to support Rav Chisda’s ruling that one may not wash himself with cold water on Tisha B’av. The braisa states that one, who is obligated to immerse himself in a mikvah, is permitted to immerse in a mikvah in the usual manner, whether on Yom Kippur and Tisha B’av (days when bathing is normally forbidden).

[The Gemora analyzes this braisa.] This must be referring to cold water, since hot water would invalidate a mikvah on account that the water has been drawn in a vessel to heat it. We can infer that only people who have compulsory immersions are permitted to use cold water, but others would not.

Rav Chana bar Katina rejects this proof and states that the braisa can be referring to the hot springs of Teveria (which is a valid mikvah even though the water is hot), and therefore it cannot be implied that others cannot wash with cold water.

The Gemora asks: If this is so how is the concluding statement to be understood? Rabbi Chanina, the Deputy Kohen Gadol said: Our House of God merits that a man should for its sake forego an immersion once a year (on Tisha b’Av – for the mourning of the

destruction of the Beis HaMikdash). Now should you say that washing in cold water is permissible, let him then wash in cold water!?

Rav Pappa replied: It refers to a place where cold water is not available.

The Gemora challenges Rav Chisda from the following braisa: When the Rabbis declared that working is prohibited (on a public fast day), this applies only to the day but not to the night (preceding it); and when they declared that wearing shoes is prohibited, this applies only within the city, but on the road it is permissible. How should a man act? When he sets out on a journey he puts his shoes on, but when he enters the city he removes them. And when they declared that washing oneself is prohibited, they meant the entire body, but he may wash his face, hands or feet. And so you will find that the same applies to one who is excommunicated and also to the mourner. Now does this last statement not imply that this applies to all the restrictions mentioned previously (and a mourner would be permitted to wash his face, hands and feet)? This being so, of what water does the braisa refer to? Shall we say hot water? Is it then permissible for a mourner to wash his face, hands or feet in hot water]? Didn't Rav Sheishes say: The mourner may not put even his finger into hot water? Therefore, it must be referencing cold water (and, nevertheless, it is only permitted to wash one's face, hands and feet with cold water, but not his entire body)!?

The Gemora answers: No; it refers indeed to hot water, and as for your difficulty in interpreting: And so you will find that the same applies to one who is

excommunicated and also to the mourner, you must understand this to refer only to the remaining restrictions (and not to washing).

The Gemora asks a question on Rav Chisda from the following braisa: Rabbi Abba the Kohen said in the name of Rabbi Yosi the Kohen that there was once an incident where the sons of Rabbi Yosi ben Rabbi Chanina died and Rabbi Yosi washed his entire body with cold water during the seven days of mourning. This is inconsistent with Rav Chisda's ruling that a mourner cannot use cold water either.

The Gemora answers that there was a special leniency in this case since there were two successive periods of mourning. A braisa is cited which rules that when one period of mourning immediately follows another, one can cut his hair with a razor if it becomes too heavy and he is permitted to wash his clothes.

Rav Chisda concludes that the leniency of cutting one's hair is limited to a razor and not with a scissors, and the washing of one's clothes is limited to water and not with soil or sand.

Rava rules that a mourner is permitted to wash his entire body with cold water during the seven days of mourning. He equates washing to eating meat and drinking wine. Even though they provide enjoyment, they are still permitted, so too washing is permitted.

The Gemora challenges Rava from a braisa which states that an adult girl should not let herself appear ugly while she is mourning on the loss of her father. This is because she is at an eligible marriage age and



we do not want to chase her suitors away. It can be inferred from here that a girl who is younger than that (but over twelve years old) is subject to all the laws of mourning. The Gemora explains that this cannot be referring to hot water as even an adult girl cannot wash with hot water since the ruling is according to Rav Chisda that a mourner is not even allowed to dip their finger in hot water. It must be referring to cold water and it emerges that the braisa is ruling that a regular person cannot use cold water during the times of mourning. This is inconsistent with Rava's ruling.

The Gemora answers that the braisa when it makes the distinction between the two types of girls is not referring to the halachos of washing; rather it is referring to the halachos of wearing makeup and there would be no proof regarding the halachos of cold water.

The Gemora attempts to bring a proof to Rava that a mourner can use cold water from Rabbi Abba the Kohen who said in the name of Rabbi Yosi the Kohen that there was once an incident where the sons of Rabbi Yosi ben Rabbi Chanina died and Rabbi Yosi washed his entire body with cold water during the seven days of mourning.

The Gemora dismisses this proof and explains that there was a special leniency in this case since there were two successive periods of mourning and therefore he was allowed to use cold water.

The Gemora cites an alternative version of Rava's opinion. Rava maintains that a mourner is prohibited to use cold water to wash himself. Bathing is different

that eating meat or drinking wine since eating and drinking are permitted in order to decrease his worries and help him forget his sorrows.

The Gemora attempts to bring a proof to this version of Rava from a braisa which states that an adult girl should not let herself appear ugly while she is mourning on the loss of her father. This is because she is at an eligible marriage age and we do not want to chase her suitors away. It can be inferred from here that a girl who is younger than that (but over twelve years old) is subject to all the laws of mourning. The Gemora explains that this cannot be referring to hot water as even an adult girl cannot wash with hot water since the ruling is according to Rav Chisda that a mourner is not even allowed to dip their finger in hot water. It must be referring to cold water and it emerges that the braisa is ruling that a regular person cannot use cold water during the times of mourning. This is consistent with Rava's ruling.

The Gemora rejects the proof and states that the braisa when it makes the distinction between the two types of girls is not referring to the halachos of washing; rather it is referring to the halachos of wearing makeup and there would be no proof regarding the halachos of cold water.

Rav Chisda states that if wearing makeup is prohibited for a mourner, then washing clothes is also forbidden.

The Gemora concludes that the halachah is that a mourner is not allowed to wash his entire body with hot and cold water. He is permitted to wash his face,

hands and feet with cold water but not with hot water. He is not allowed to anoint himself at all except if it is for the purpose of removing sweat. (13a – 13b)

### TEFILLAH OF ANEINU

➤ The Gemora discusses where in Shemoneh Esrei an individual who is fasting will recite the tefillah of aneinu. Rabbi Yehudah maintains that it should be recited between the blessing of Geulah (Redemption) and Refuah (Healing). Rav Yitzchak disagreed and holds that an individual fast does not warrant its own brachah by itself; rather aneinu is recited in the blessing of Shomeah Tefillah (Hears our Prayers).

The Gemora asks on the latter opinion from a braisa which states that the difference between an individual fast and a communal fast is that an individual recites eighteen brachos in Shemoneh Esrei whereas the public has nineteen. The Gemora notes that obviously the intent of this braisa is not to differentiate between an individual fast and a communal fast since a communal fast warrants twenty-four brachos, not nineteen. The braisa is making a distinction between an individual who accepts upon himself a fast of an individual and an individual who accepts upon himself a communal fast. The Gemora therefore asks that according to this explanation, it would emerge as a proof that an individual who accepts upon himself a communal fast recites aneinu as an independent brachah and it is not included in the brachah of Shomeah Tefillah.

The Gemora reverts back to its original thinking that it is referring to a communal fast. The Gemora had

asked that there should be twenty-four brachos and not nineteen; the Gemora explains that the braisa is referring to the first series of fasts where the extra six brachos are not recited. (13b)

### TWENTY-FOUR BRACHOS

➤ The Gemora had reverted back to its original thinking that it is referring to a communal fast. The Gemora had asked that there should be twenty-four brachos and not nineteen; the Gemora explains that the braisa is referring to the first series of fasts where the extra six brachos are not recited.

The Gemora asks on this explanation from a braisa which states that the only difference between the first series of fasts and the second series is regarding the prohibition against working. It can be implied that in regards to the twenty-four brachos, both series of fasts are the same and even the first series of fasts have twenty-four brachos.

The Gemora answers that the braisa is only referring to prohibitions and not to the tefillos.

Alternatively, the Gemora answers that the second series of fasts did not have Shemoneh Esrei with twenty-four brachos either.

The Gemora cites a braisa where it can be inferred that the second series of fasts are identical to the last seven fasts that they have twenty-four brachos.

Rav Ashi states that it is implicit from our Mishna that the only differences between the second series of fasts and the last seven is that by last seven, they would cry out and close the stores but there is no



difference in the tefillah. This proves that twenty-four brachos were recited by the second series of fasts. (13b – 14a)

## INSIGHTS TO THE DAF

We asked Rabbi Doniel Neustadt as to the practical halachos regarding washing on Tisha B'av. Here is his response.

**Washing any part of the body on Tishah B'av is forbidden. Washing is permitted in the case of...**

- Dirty or soiled hands or other parts of the body. Any substance or discharge (e.g., a glutinous gel in the eye) may be rinsed off<sup>1</sup>. [If soap is needed, it may be used.<sup>2</sup>]
- Awakening in the morning. One may wash *netilas yadayim* three times on each hand<sup>3</sup>, but the water should reach only until the knuckles<sup>4</sup>. After the hands are wiped but remain slightly damp, they may be passed over the face or the eyes<sup>5</sup>.
- After using the bathroom and/or after touching a part of the body that is normally covered, but the water should reach only until the knuckles<sup>6</sup>.
- Rinsing the mouth, but only in case of great discomfort<sup>7</sup>. Care must be taken not to swallow

the water. Mouthwash should not be used<sup>8</sup>.

- Preparing food<sup>9</sup>. If warm water is necessary, it may be used<sup>10</sup>.
- Medical needs<sup>11</sup>. Hot water may be used when needed<sup>12</sup>.
- Preparation for davening<sup>13</sup>. Some say that only the tips of the fingers [until the first joint<sup>14</sup>] should be washed<sup>15</sup>.
- Washing dishes [after midday], if leaving them unwashed will attract insects<sup>16</sup>, etc. It is proper not to use warm water.
- Eating bread, for those who are allowed to eat on *Tishah b'Av*. The hands should be washed to the wrists in the usual manner<sup>17</sup>. Several *poskim* mention that one may also wash with *mayim acharonim* if he is always particular to do so<sup>18</sup>.
- A baby who is bathed daily<sup>19</sup>.
- A bride, who is allowed to wash her face up to 30 days after her wedding<sup>20</sup>.

### 18 or 19?

➤ Our Gemora mentioned that on a regular day, there are eighteen brachos in Shemoneh Esrei. We know that we now have nineteen brachos because of the brachah of v'lamalshinim. Rashi asks as to the

<sup>1</sup>O.C. 554:9, 11.

<sup>2</sup>Nitei Gavriel, pg. 82.

<sup>3</sup>Those who usually wash four times (see *Mishnah Berurah* 4:10) may do so on *Tishah b'Av* also; *Kitzur Hilchos Moadim*, pg. 109.

<sup>4</sup>O.C. 554:10. One need not be exact (*Orchos Rabbeinu* 2:207, quoting Chazon Ish).

<sup>5</sup>*Mishnah Berurah* 554:22.

<sup>6</sup>O.C. 613:3 and *Mishnah Berurah* 4,5,6. See also *Aruch ha-Shulchan* 6. [See *Kaf ha-Chayim* 554:73 who quotes *Ben Ish Chai* that one who touches shoes, even non-leather ones, should wash his hands.]

<sup>7</sup>*Mishnah Berurah* 567:11; *Minchas Yitzchak* 4:109. *Aruch ha-Shulchan* 567:3 is more stringent.

<sup>8</sup>Because of the prohibition of washing (Harav M. Feinstein, oral ruling quoted in *Halachos of the Three Weeks*, pg. 19).

<sup>9</sup>*Mishnah Berurah* 554:19.

<sup>10</sup>*Kaf ha-Chayim* 554:46.

<sup>11</sup>*Mishnah Berurah* 554:26. A woman who has given birth may wash herself as much as needed (*Aruch*

*ha-Shulchan* 613:9).

<sup>12</sup>*Kaf ha-Chayim* 554:63.

<sup>13</sup>*Mishnah Berurah* 554:21.

<sup>14</sup>Harav M. Feinstein (oral ruling quoted in *Moadei Yeshurun*, pg. 140).

<sup>15</sup>*Sha'arei Teshuvah* 554:9. See also *Aruch ha-Shulchan* 554:10.

<sup>16</sup>The *poskim* debate whether it is permissible to wash dishes on *Tishah b'Av*. Clearly, though, if the dirty dishes will attract insects, one may be lenient; see *Pischei Teshuvah* 554:22; *Machazeh Eliyahu* 87; *Moadei Yeshurun*, pg. 140; *Nitei Gavriel*, pg. 83.

<sup>17</sup>*She'arim Metzuyanim b'Halachah* 133:16 quoting *Levushei Mordechai Y.D.* 2:11; *Kaf ha-Chayim* 554:53 quoting, *Tosfos Chayim* 155:10; Harav S.Z. Auerbach (*Shemiras Shabbos K'hilchasah* 39, note 101); *Shevet ha-Levi* 8:139.

<sup>18</sup>*Taharas ha-Shulchan* 557. See, however, *Moadei Yeshurun*, pg. 141.

<sup>19</sup>*Chanoch l'Na'ar*, pg. 57.

<sup>20</sup>*Mishnah Berurah* 554:29.

reason that our Gemora neglected to mention that brachah. Rashi answers that when the Gemora states eighteen, it is referring to the original amount of brachos and not the one that was added later. Kollel Iyun Hadaf elaborates on this discussion.

### 1) THE SHEMONEH ESREH: 18 OR 19 BLESSINGS?

**OPINIONS:** The Gemara quotes a Beraisa which says that the only difference between the Shemoneh Esreh recited on a Ta'anis by an individual and the Shemoneh Esreh recited by the Shali'ach Tzibur is that the individual's Shemoneh Esreh contains 18 blessings and the Shali'ach Tzibur's Shemoneh Esreh contains 19 (because of the additional blessing of "Aneinu").

**RASHI** asks why the Gemara refers to the ordinary Shemoneh Esreh of an individual as having only 18 blessings when it actually has 19 blessings (even without the blessing of "Aneinu").

(a) **RASHI** answers that the title of the prayer, "Shemoneh Esreh," refers to the 18 blessings which it contained when it was originally composed. The blessing of "v'la'Malshinim" was instituted later by the sages in Yavneh (Berachos 28b).

(b) The **TOSFOS RID** disagrees with Rashi. He explains that the reason why the Beraisa says that the ordinary Shemoneh Esreh contains 18 blessings is because the Beraisa maintains that there indeed are only 18 blessings in the Shemoneh Esreh. He cites a Tosefta in Berachos (end of chapter 3) which states that the 18 blessings include the blessing of "v'la'Malshinim" (which mentions the downfall of the Minim and the Posh'im). The blessing of "Boneh Yerushalayim" (which mentions the rebuilding of Yerushalayim) and the blessing of "Es Tzemach David" (which mentions the restoration of the

dynasty of David ha'Melech) are merged into a single blessing. The Tosefta concludes that if one recites two separate blessings, one in which he mentions David ha'Melech and the other in which he mentions the rebuilding of Yerushalayim, he fulfills his obligation to recite Shemoneh Esreh. This implies that the Tosefta maintains that l'Chatchilah one should include "Boneh Yerushalayim" and "Es Tzemach David" in a single blessing, and thus, according to the Tosefta, the Shemoneh Esreh indeed contains only 18 blessings even after the addition of the blessing of "v'la'Malshinim."

The view of the Tosefta is reflected in the Piyutim, the additional prayers composed for the Shali'ach Tzibur to recite during each blessing of Shemoneh Esreh on festivals and fasts, and which reflect the theme of each blessing. There are consistently only 18 of these additional prayers; the Piyut which mentions the rebuilding of Yerushalayim is always the same as the one which mentions the restoration of the dynasty of David ha'Melech.

The Tosfos Rid points out that this opinion was also the practice of the Yerushalmi (Berachos 4:5, Rosh Hashanah 4:6). The Yerushalmi mentions that the Chasimah (closing blessing) of one of the blessings of Shemoneh Esreh is "Baruch Atah Hash-m Elokei David u'Voneh Yerushalayim" -- it includes David ha'Melech and Binyan Yerushalayim in one blessing. This is what the Beraisa means when it says that the ordinary Shemoneh Esreh contains only 18 blessings.

The Bavli, however, clearly counts "Boneh Yerushalayim" and "Es Tzemach David" as two separate blessings (Megilah 17b). In addition, the Gemara in Sanhedrin (107a) relates that David ha'Melech asked Hash-m that a mention of "Elokei David" be included in the Shemoneh Esreh, like

"Elokei Avraham." The Gemara says that Hash-m did not acquiesce to David's request. Accordingly, the Bavli is consistent with its view that the blessing of Boneh Yerushalayim does not include the words "Elokei David," and instead a separate blessing of "Es Tzemach David" is recited. (The Tosefta itself says that if one recites separate blessings for David ha'Melech and Yerushalayim he does not need to repeat the Shemoneh Esreh, and this apparently was the practice adopted l'Chatchilah in Bavel.)

The practice today follows the view of the Bavli. Rabbi Elazar ha'Kalir and the other authors of the Piyutim lived in Eretz Yisrael and followed the practice of the Yerushalmi, and thus they wrote Piyutim for only 18 blessings and merged the prayer for Yerushalayim and the prayer for David ha'Melech into a single blessing.

Although no Jewish community today follows the practice to combine the prayer for Binyan Yerushalayim with the prayer for David ha'Melech. Even in contemporary Sidurim remnants of the early practice can be found. In the end of the blessing of Boneh Yerushalayim, the words "v'Chisei David..." are said. This phrase is probably a remnant of the original practice to conclude the blessing with the words, "Elokei David u'Voneh Yerushalayim," since the end of the blessing (before the Chasimah) must reflect the words recited in the Chasimah.

**RAV YEHUDAH LANDY** adds that this also explains why the blessing of Boneh Yerushalayim begins with a Vav - "\*v\*li'Yerushalayim Ircha..." -- the Vav ("and") indicates that this blessing was added to the Shemoneh Esreh when the single blessing for Yerushalayim and Malchus Beis David were separated into two. (Perhaps "v'la'Malshinim" begins with a Vav for a similar reason. The Vav indicates that

it was added later and was not part of the original Shemoneh Esreh.)

The Tosfos Rid implies that the original practice, before the addition of the blessing of "v'la'Malshinim," was to recite only 17 blessings in the Shemoneh Esreh. When the additional blessing of "v'la'Malshinim" was instituted in Yavneh it brought the total to 18, and not 19, blessings. Indeed, the Midrash states this explicitly (Bamidbar Rabah 18:21, and Tanchuma, end of Parshas Korach; see also Midrash Tehilim 17:4). The Midrash says that the number of blessings in the Shemoneh Esreh is equal to the Gematriya of the word "Tov" (17). Even though our Shemoneh Esreh contains 19 blessings, the original Shemoneh Esreh contained only 17 blessings because "v'la'Malshinim" and "Es Tzemach David" (or "v'li'Yerushalayim") were later additions. According to the Midrash, the blessing of "Es Tzemach" was added even later than "v'la'Malshinim."

(The Midrash seems to disagree with the Gemara in Berachos (28b) which states that the blessing added in Yavneh was the *nineteenth* blessing. It seems that the original enactment of Shemoneh Esreh included only 17 obligatory blessings as well as an *option* to split "Boneh Yerushalayim" and "Es Tzemach" into two blessings (as the Tosefta clearly permits). Consequently, both the Midrash and the Gemara are correct: In Yavneh the *eighteenth* blessing was added, but that blessing could be viewed as the *nineteenth* because a person was entitled to divide "Boneh Yerushalayim" and "Es Tzemach" into two blessings. It is interesting to note that according to a common Girsah in the Yerushalmi's version of how "v'la'Malshinim" was added in Yavneh (Berachos 4:3 and Ta'anis 2:2), the Yerushalmi cites the story to

explain why there are 18 -- and not just 17 -- blessings.)

The Bavli, which says that the words "Elokei David" are not recited in the Shemoneh Esreh, implies that it was never the practice to mention "Elokei David." Apparently, before the blessings of "Boneh Yerushalayim" and "Es Tzemach" were split, the Chasimah was "\*Magen\* David vi'Yerushalayim," and not "Elokei David u'Voneh Yerushalayim." When the people of Bavel divided the blessing into two, the people of Eretz Yisrael correspondingly gave the single blessing a double ending, thereby granting David ha'Melech special status by mentioning him separately in the Chasimah. The people of Bavel did not accept this practice for two reasons. First, the Gemara says that "Elokei David" should not be said in the Shemoneh Esreh. Second, the Gemara (Berachos 49a) says that two subjects should not be included in the Chasimah of a single blessing.

**RAV DAVID COHEN** shlit'a (in a special section at the end of **OHEL DAVID**, vol. 2) uses this approach to explain the words of **TOSFOS** in Megilah (17b, DH v'David). Tosfos implies that Rashi had a tradition to count chapters 9 and 10 of Tehilim as one chapter. (Indeed, there is a strong contextual connection between the two chapters, which implies that they should be connected: In chapter 9, every other verse starts with a consecutive letter of the Hebrew alphabet, but reaches only until the letter Kaf. The first verse in chapter 10 starts with the letter Lamed, and the final alternating verses of the chapter begin with the letters Kuf, Reish, Shin, and Taf.) Why, then, in contemporary books of Tehilim are they divided into two separate chapters?

Rav David Cohen explains that they originally were one chapter and later the Chachamim divided them into two chapters. The Gemara in Berachos (9b) says that, originally, chapters 1 and 2 were one chapter.

## DAILY MASHAL

The **MAHARSHA** there explains that the first 18 blessings of Shemoneh Esreh were instituted to correspond to the first 18 chapters of Tehilim. The Shemoneh Esreh concludes with the verse from Tehilim, "Yiheyu l'Ratzon Imrei Fi..." When the Chachamim added a new blessing in the Shemoneh Esreh (bringing the total to 19 blessings), they decided to add a new chapter number in Tehilim so that the verse of "Yehiyu l'Ratzon" would appear after 19 chapters, and therefore they divided the first chapter into two.

Similarly, chapters 9 and 10 were originally one chapter. However, after the Chachamim added the blessing of "Es Tzemach David" to the Shemoneh Esreh, they wanted to add a new chapter so that "Yiheyu l'Ratzon" would still appear in Tehilim after the corresponding number of blessings in the Shemoneh Esreh, and therefore they split another chapter of Tehilim into two. (He points out that the contents of Psalms 2 and 10 correspond to the contents of these two blessings. The content of Psalm 2 corresponds to "Es Tzemach," while the content of Psalm 10 corresponds to "v'la'Malshinim.")