



5 facts about *Tisha B'Av*

At time of writing, this week's Torah portion falls on the Sabbath (Saturday) immediately prior to a major Jewish fast day called *Tisha Be-Av*. *Tisha Be-Av* commemorates the destruction of the First Temple by the Babylonians (586 BCE) and the destruction of the Second Temple by the Romans (70 CE). A few brief facts follow. If you have Jewish friends, ask them about *Tisha B'Av*.

1. Date

Tisha Be-Av is Hebrew for: 9th day of Av. Av is one of the months of the biblical (lunar) calendar.

When the 9th day of Av coincides with a Sabbath, the *Tisha Be-Av* fast is delayed so as not to conflict with the joyous nature of the Sabbath.

2. Remembrance

As well as mourning the destroyed Temples, other catastrophes in Jewish history are recalled on *Tisha Be-Av*; e.g., the expulsion of Jews from England (1290) and Spain (1492).

3. Synagogue

The Book of Lamentations and a series of liturgical poems are chanted

in a dimly lit synagogue service held on the eve of *Tisha Be-Av*.

4. Observance

Mourning practices include abstinence from eating, drinking, bathing, sexual relations, anointing with oil, wearing leather shoes. Even Torah study is restricted on *Tisha Be-Av* as it is considered a joyous activity.

5. Torah

The Midrash associates *Tisha Be-Av* with the story of the Spies (Num.13-14), a tragic incident which led to the Israelites' entry to the Promised Land being delayed by forty years.

Light of Torah

Ancient texts, through fresh eyes, alive for today.

Why reflect on Torah?

As this *Light of Torah* series unfolds, parishioners are invited to become acquainted with the Hebrew Scriptures, the commentators of the Jewish tradition, the lectionary and festivals of Judaism. In doing so, we engage in a practical response to the teaching of Vatican II that calls us to respect the irreplaceable Jewish presence and witness in the great mystery of faith.

This week we open Deuteronomy. The Hebrew title of this book is *Devarim*: 'Words'. Its English title 'Deuteronomy' comes from the Greek translation of a Hebrew phrase referring to a 'second' or 'repeated' law. This book consists of a series of speeches in the voice of Moses as he retells Israel's history for a new generation about to enter the Promised Land. As we noted in a previous year's reflection on the opening chapters of Deuteronomy, Moses' retelling of events is not exactly the same as those events told in the Book of Numbers. A certain re-interpretation is involved. Perhaps you noticed this in your reading. Join us this week as the sages continue to teach us to be prayerfully attuned to the details of the sacred text.



Deuteronomy 1:1—3:22

Devarim: 'words'



Light of Torah
www.lightoftorah.net

Text: Teresa Pirola
Design: Sarann Ryan
© Light of Torah, 2012

Light of Torah is a ministry arising from the Catholic community. In the spirit of Vatican II's call to Jewish-Christian reconciliation, Light of Torah encourages Torah reflection in homes and parishes, drawing on the insights of Jewish interpretative traditions. Reproduction permitted for non-commercial pastoral use.



Torah Portion

From the Jewish calendar of Torah readings:

Deuteronomy 1:1—3:22

As the Israelites stand ready to enter the promised land, Moses re-tells the story of their wilderness journey and urges them to remember and live by important principles.

Part of the story (1:6-18) includes how he appointed and instructed a number of judges to assist in the leadership of the people. From this passage, generations of Jewish commentators have derived detailed reflections on the regulations of judicial procedure which help to create a just society.

Tasting Torah

*“Now I commanded your judges at the time, saying: **hear-out** (what is) **between** your brothers, judge with equity **between** each-man and his brothers or a sojourner”* (Deut. 1:16).

[Note: here we are using Everett Fox’s translation which seeks to echo the sound-structure of the original Hebrew. Compare the translation with that of your bible.]

The sages ask, what is the point of telling the judges that they must ‘hear’ the case at hand? Surely that is obvious... that’s what judges do! And why the repeated use of ‘between’? These ‘clues’ or ‘irritations’ in the text signal a place to dig deeply into the Word of God... What insights emerge?

Touching Torah

The sages note the unusual form taken by the Hebrew verb ‘hear’: *shamo’a*. Rashi¹ takes it as a verb of continuous action in the present, i.e., ‘*be listening*’, give the case your continual, undivided attention.

The author of *Or Ha-hayyim*² concurs, saying that the Torah is implying “*that the judges must be patient and hear them out. If one of the litigants wishes to bring more evidence or arguments, the judges should not cut him short but they must ‘hear’ continuously*” and without intermission or delay, even if the case is tedious. “*The Torah thus prohibits the injustice of protracted legal proceedings and demands swift justice.*”

Depthing Torah

And what of the repetition of ‘between’? In the Talmud we read:

“Said Rabbi Hanina: this constitutes an admonition to the court not to hear the words of one litigant before his opponent has arrived” (Sanhedrin, 7b).

The hearing of one party without the other present may undermine the impartiality required for good judgment, and the Torah specifically warns against this:

“You are not to (specially) recognize a face in judgment, as the small, so the great, you are to hear-them-out” (Deut. 1:17).

The *Or Ha Hayyim* interprets the word ‘between’ in a similar fashion:

“The judge must not serenely look at one and avert his gaze from the other, but his hearing must be ‘between’, equally balanced.”

Thus the Torah can be seen to highlight the importance of intense listening and impartiality in judicial procedure. What other insights do you glean from the text?

Doing Torah

In Deut. 1:9-15 Moses recalls how he first appointed judges to help him govern the people. But his recollection in Deuteronomy differs from the story as told in Exodus 18:13-27, completely ignoring the fact that the appointment was Jethro’s idea! Compare the two stories. What other absences, additions or embellishments do you notice, and how do they contribute to your grasp and enjoyment of the sacred text?



Faith & Life

“You are not to be-in-fear of any man, for judgment—it is God’s!”

Deuteronomy 1:17;

(see also 2 Chronicles 19:6-7)

The administering of justice is a serious duty and privilege entrusted to human beings by God. It is not only for courtrooms. Settling disputes and upholding a just order are part of life in homes, parishes, schools... Drawing upon your life experience and with reference to the text, share your own insights into what it means to bring justice to bear on a situation.

1. Rashi: 11th c. scholar.

2. Or Ha-hayyim: 18th c. Torah commentary.

Bibliography: Fox, *The Five Books of Moses* (NY, 1995); Herczeg, ed., *RASHI. Commentary on the Torah* Vol. 5 (NY, 2001); Leibowitz, *Studies in Devarim* (NY: Lambda).