

HALOCHOSCOPE

This week's question:

May an adult accompany a child to watch a spectator sporting event on Shiv'a Asar Betamuz?

The issues:

- A) The fast of Shiva Asar Betamuz and the 'three weeks'
- B) Spectator sporting events and entertainment
- C) Appropriate or inappropriate conduct on a fast or during the three weeks
- D) Chinuch, training children in these practices

A) Shiva Asar Betamuz and the three weeks

The three week period from the Seventeenth of *Tamuz* to the Ninth of *Av* is observed as a period of mourning for the destruction of both of the temples in *Yerushalayim*. It is commonly referred to as *bain hametzarim*, between the straits (the two fast days commemorating the Romans' breaching the walls, and *Tisha b'Av*, when the *Bais Hamikdash* was actually destroyed) after the verse in *Eicha* saying that the Jews' pursuers caught up with them between these straits, with nowhere to escape to. Historically, the Seventeenth of *Tamuz* commemorates the day the Jewish people worshiped the golden calf. *Tisha b'Av* was the day the spies returned from their tour of *Eretz Yisroel*, brought back their evil reports, and 'that night ordained for future trouble', the Jews wept, thus denying faith in the promise about the Land. More unfortunate events took place on these days in subsequent times, right up to our own times.

While *Tisha b'Av* is observed with full mourning practices, there is a gradual build up. On *Tisha b'Av*, apart from fasting and sitting on the ground, other mourning practices include refraining from wearing leather shoes and from washing any part of the body. Torah study, which causes joy, is limited to sad passages. On *Erev Tisha b'Av*, when eating the last meal before the fast, one may not eat more than one cooked food, or eat meat or drink wine, and one eats alone. During the week of *Tisha b'Av* it is forbidden to wash clothing, to wear freshly washed clothing and to take a haircut. From *Rosh Chodesh Av* and on (nine days) joy is minimized. Weddings are not held and fancy building and tree-planting is forbidden. The Talmud refers to a custom (though apparently this was not forbidden outright) to refrain from weaving. Court cases with gentiles should not be scheduled during this ominous period. These are the restrictions mentioned by the Talmud.

Throughout the generations Jewish communities adopted more restrictions, or extended these restrictions backwards, some of them to the Seventeenth of *Tamuz*. These have the status of *minhagim* that are binding on members of those communities. The most universal restrictions include refraining from celebrating weddings, taking haircuts and laundering. They are restricted for varying parts of this period, based on communal practices. In addition, other practices have become accepted. The practices that concern

us here are to refrain from enjoying musical entertainment. This 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, a regular *ava'il* 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 other festive gatherings. As such, musical entertainment could be part of the restriction on *simcha*, joy. For a discussion on music in general for a mourner, and as it applies to the communal mourning periods of *sefirah* and the three weeks, please refer to Halochooscope X:42. [See Taanis 29b-30a, Yerushalmi Psachim 4:1, Poskim. Tur Sh. Ar. OC 551, commentaries.]

B) Spectator sports

Are other forms of entertainment restricted for a mourner, during the three weeks 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. 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 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 allowed 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, 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 *ava'il*? Relieving his depression 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!*] [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.]

C) Conduct on fast days and the three weeks

The Scripturally mandated fast of *Yom Kippur* is associated with prayer and repentance, accomplished through a measure of *inuy*, self-denial. Other fasts instituted to commemorate the destruction of the Temples are modeled on *Yom Kippur* in varying degrees. Public fasts can be imposed by Rabbinic authorities at times of hardship. Individuals can adopt fasts for personal or communal reasons. All fasts involve repentance along with the

self-denial. An act of self-denial with no accompanying repentance is meaningless.

The main self-denial is food and drink. On *Yom Kippur* and *Tisha b'Av* additional forms of self-denial are practiced. Ideally, these should apply to all fasts. It was considered too harsh to impose universally. Exceptional individuals still practice them. The opposite of *inyu* is *taanug*, enjoyment. This is restricted, formally in the manner mentioned, and informally by refraining from activity done for its enjoyment. In addition, one should not distract himself from the theme of the fast with trivial or frivolous pursuits. Those who use the fast as an opportunity for socializing or strolling have seized the secondary aspect, the fasting, and neglected the primary aspect, repentance. Accordingly, it is inappropriate to attend a sporting event on a fast. [See Tur Sh Ar 550, commentaries.]

D) Chinuch for these matters

For a discussion on *chinuch* as it pertains to *availus*, and specifically the communal *availus* of the three weeks, please refer to *Halochoscope* XI:42. Minors do not observe the main fasting practices. As they approach majority, they are trained to fast for part of the day, gradually building up to a full fast. Those who do not fast for health reasons, such as a nursing mother, should not indulge in fancy foods, nor eat more than the minimum necessary for their health (and, in the case of pregnant or nursing women, the health of the baby). Thus they share in the pain of the community. Based on this, the poskim say that children should be fed very plain foods. Thus, they are also trained in the fasting. A minority view includes in this very young children who do not appreciate mourning.

Our question could be answered depending on the child, the event, and the reason for seeking this form of entertainment. If the child is old enough for *chinuch*, it would appear that one should not take him to attend a spectator sporting event on a fast day. The age for this would be when he can understand the fast and its purpose. Younger children who do not appreciate the fast also do not appreciate the sporting event. If it is being provided as a treat, some would say they should not be taken. This is probably good policy, but not required. If it is needed as a form of occupying them outdoors, they may be taken to this event. To avoid the distractive element for the adults, they could choose a sporting event that annoys, upsets or bores them. [See Yuma 78b 82a, Poskim. Tur Sh Ar OC 549:Kaf Hachaim 8, 550:1, MA 2, KH 9, 554:5, 616, commentaries.]

On the Parsha ... But the sons of Korach did not die ... [26:11] They were part of the plot. They repented in their hearts, and were saved. [See Rashi] The children of Dasan and Aviram died with them, for the evil of Dasan and Aviram was worse than that of Korach. [See Ibn Ezra] What was worse about Dasan and Aviram, that their children did not think of repentance? Perhaps the answer lies in the terminology used by the Torah [v. 9] that they incited a fight! Korach was not one to fight physically, so his children were turned off by the fighting. Dasan and Aviram were physical fighters, as we have learned in Shemos. Their children learned from their parents to keep fighting, and not to repent. - Fighting and repentance do not go together!

♣ In honor of my mother, Yitelo bas R. Shimon a'h, Henrette Silver.

Sponsored by Alan Goodkind in memory of Yitzchok ben Yaakov, Isadore Gelman, z'l,

whose *yahrzeit* is on the 15th of Tammuz. ♣

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