Preface The Final Meal Before the Fast

Day 31

Our Sages taught (*Ta'anit* 26b): On the day before Tish'a Be'Av, one may not eat two cooked foods, nor may he eat meat or drink wine. the *Levush* explained that having more than one cooked food at a meal reflects one's wealth and honor. The *Mishna Berura* (551) explained that the reason for these restrictions is so that we act as mourners over the destruction of the *Bet Hamikdash*.

The Talmud teaches (ibid. 30b): "Rejoice with Yerushalayim and make merry, all those who love her. Celebrate her happiness, all those who mourn over her" (*Yeshayahu* 66:10). Whoever mourns over Yerushalayim will merit to see her joy. Whoever does not mourn over Yerushalayim will not see her joy. The *baraita* teaches: Whoever eats meat or drinks wine during the final meal before the fast of Tish'a Be'Av, is denounced by the verse (*Yehezkel* 32:27), "Their sins will cleave onto their bones."

The Maharsha explained that this last statement means that even after one's body has decomposed and there is nothing left but the skeleton, this sin will continue to stain those bones. The Ritba explained that this means that this person will not be resurrected to see the *Bet Hamikdash* rebuilt, whereas all the others who died while waiting and yearning for the *Bet Hamikdash* to be built will be resurrected so they may see it. The verse says regarding them (*Daniyel* 12:12), "Fortunate is the one who waits; he will reach the [awaited] days." There will be two instances of resurrection. One will take place when the Mashi'ah arrives and builds the *Bet Hamikdash*. All those who mourned in earnest over Yerushalayim will arise to see its renewed glory. The second resurrection will be after the time of the Mashi'ah when God will bring all human beings to judgment. Even someone who did not mourn over Yerushalayim may possibly have the merit to experience this second resurrection.

Some commentators explained that this is the meaning of the traditional blessing given to mourners, "May you be consoled among the mourners of Tziyon and Yerushalayim." It is a prayer that the departed relative should merit to be resurrected with the first group at the time that the *Bet Hamikdash* will be rebuilt. Then, they will be consoled along with all those who mourned over Tziyon and Yerushalayim.

The Talmud states (*Ta'anit* 30a): "On the afternoon before Tish'a Be'Av, a piece of dry bread and salt would be given to Ribbi Yehuda bar Ilay. He would go and sit in an unkempt part of the house and eat the bread together with a small pitcher of water. His demeanor was as one whose immediate relative has just passed away and has not yet been buried." The Rambam (*Hilkhot Ta'aniyot* 5:9) states as follows: "The pious men of earlier generations acted in this manner. On the afternoon before Tish'a Be'Av, each person would be given dry bread and salt. He would sit by himself in an unkempt corner of the house and dip his bread into water and eat it, quenching his thirst with a pitcher of water. He would weep and mourn while eating as if his immediate relative had just passed away. This procedure or something similar is the proper behavior for those who are wise. We personally have never eaten any cooked food, even a lentil stew, for the final meal before the fast unless it was Shabbat."

The *Arba'a Turim* and the *Shulhan Arukh* (522:6) both wrote that whoever is capable of it should follow this stringency, emulating Ribbi Yehuda bar Ilay. It is clear that this is ideally how everyone should conduct the final meal before the fast, but apparently we are not all capable of such noble behavior and therefore we do not attempt it. Interestingly, Rabbenu Shimshon bar Tzemah wrote in *Zohar Haraki'a* (unit of our Sages' institutions, day 26): "One must be stringent and refrain from eating anything other than dry bread." He did not stipulate that this is for those who are capable of it only. On the other hand, in the *sefer Haminhagim* of Tirana it is written, "a God-fearing person will conduct himself in this manner." See below in halakha 24 and in the footnote there.

See also the *sefer Yosef Ometz* Yuzpa (#875) where the custom in his community is described. They announced the number of years it has been since the destruction of the *Bet Hamikdash* immediately after eating the final meal before the fast began. This is cited in *Hazon Ovadya* (footnote on page 356).

דיני סעודה מפסקת

איסור אכילת בשר בסעודה מפסקת

ד. ערב תשעה באב אחר חצות היום אסור לאכול בשר ולשתות יין בסעודה המפסקת. [ראה לקמן הלכה כ״ד אימתי הוא דין סעודה מפסקת]. ובשר מלוח, ובשר עוף [ויין מגיתו] בכלל האיסור. וכל האוכל בשר ושותה יין בסעודה המפסקת ערב תשעה באב עליו נאמר [יחזקאל לב, כז], ותהי עונותם על עצמותם. [תענית ל ע״ב ורש״י שם]. [חזו״ע עמ׳ רנב]

ה. נקניק שהוא פרווה [הנעשה מגרעיני סויה], אבל דומה הוא במראהו לנקניק של בשר, אין לאסור לאכול ממנו בסעודה המפסקת, משום מראית העין, מכיון שהמוצר הזה נפוץ ומפורסם הוא מאד לא יבאו לחשדו. וכל כיוצא בזה אין לחוש למראית העין. [חזו״ע עמ׳ רנו]

The Final Meal Before the Fast

Meat during the final meal

No meat or wine

4) On 8 Av, it is forbidden to eat meat or to drink wine during the final meal before the fast, if it is eaten in the afternoon. Preserved meats, chicken and grape juice are forbidden as well.[149] If someone does eat meat or drink wine during the final meal, our Sages pronounced on him the curse of "Their sins will cleave onto their bones" (*Yehezkel* 32:27).

Soya products

5) It is permissible to eat frankfurters made from soya protein without any meat during the final meal before the fast. Although their appearance is exactly like frankfurters made of meat, eating them does not infringe on the prohibition of *mar'it ayin* since this is a common product and no onlooker would assume that this person is eating meat during his final meal. In any similar situation there is no issue of *mar'it ayin*.

149. The Avi Ha'ezri (page 666) ruled that if meat has been salted and aged for two days and one night, it may be eaten during the final meal. He permitted fowl as well. This is cited by the *Arba'a Turim* (*Siman* 522). The *Bet Yosef* cited the *Or Zaru'a* (Vol. II, #415), however, who wrote that even though these meats are technically permitted, "our fathers have always refrained from eating any of these meats. For us they are forbidden since it is a sin to forsake the customs of one's ancestors. God forbid that anyone who possesses the fear of Heaven should eat chicken or preserved meat or that he should drink grape juice during the final meal before the fast." This is the ruling of the *Shulhan Arukh* (522:2) as well.

ו. נהגו להחמיר שלא לאכול דגים בסעודה המפסקת. [חזו"ע עמ' רנב] אולם דג מלוח יבש מותר באכילה בסעודה המפסקת. [חזו"ע עמ' רנד בהערה] וכן דגים קטנים שאינם עולים על שלחן מלכים, יש מקום להקל בהם. ולכן סרדינים של דגים קטנים, העוברים בישול דרך הקיטור, מותר לסעוד בהם סעודה המפסקת. [חזו"ע עמ' רנד] וראה לקמן סעיף ט"ו אם מותר לאוכלם עם תבשיל אחר.

Fish for the final meal

6) The custom is to refrain from eating fish during the final meal before Tish'a Be'Av.[150] Nevertheless, it is permissible to eat dried salted fish during this meal. Likewise, it is permissible to eat small fish like sardines, which are steamed in the can, during this meal. Such fish are not generally served at banquet meals, and therefore there is a basis to permit them.[151] See below, halakha 15, for the rule of eating another cooked food along with the sardines.

150. The truth is that a number of *Rishonim* (Rabbenu Menahem Hame'iri, the *Orhot Hayim* [*Hilkhot Tish'a Be'Av* #6] and the *Kol Bo* #62) ruled that it is permissible to eat fish during the final meal before the fast. Despite this, the *Shulhan Arukh* (552:2) wrote that the custom is to refrain from eating fish. The *sefer Nahalat Tzevi* claimed that we have a mistaken text in this halakha and that instead of *dagim*, fish, the correct word is *gediyim*, goat kids. Indeed, this is the text that appears in the original *Shulhan Arukh* published in Venice. The *Magen Avraham*, however, upheld the version reading fish as we have it, explaining that this custom is based on the fact that in many places the word meat means the flesh of any animal, including fish. See the *Shulhan Arukh* (*Y.D.* 217:8). Besides, fish is considered a food fit to be served at a banquet meal and it adds to a festive atmosphere.

Maran the Rishon Letziyon (*Hazon Ovadya* page 253) cited the *Bet Yosef* in the name of the *Or Zaru'a* (Vol. II, #415) that the custom is to refrain from eating fish during this final meal. Likewise, Harav HIDA (*Mahazik Berakha* 552:4) wrote that although it is technically permissible to eat fish, following the ruling of Rabbenu Asher (responsa *Haze Hatenufa* #59), nevertheless the custom is to refrain from eating fish as the *Shulhan Arukh* testified. This is likewise the ruling of *Ma'amar Mordekhai* (552:2), the *Ateret Zekenim* and *Mo'ed Lekhol Hai* Palachi (#10:30).

151. Maran the Rishon Letziyon (*Hazon Ovadya*, footnote on page 253) cited the *Magen Avraham* (522:4) who ruled that it is forbidden to eat fish fried with eggs for the final meal before the fast since this is considered to be two separate cooked foods. The *Aharonim* pointed out, however, that even if the two were considered one cooked food it is forbidden since the custom is not to eat fish at this meal. The responsa *Radad* (Harav David Dov Meisels, page 41b) suggested that the custom is to forbid only large fish that are fit to be served at a banquet meal, whereas the *Magen Avraham* was referring to someone who fried small fish with eggs and the fish by themselves are permitted. Maran commented that this explanation can be applied to the *Bet Yosef* as well, who discussed the issue of eating fish that are dipped in egg albumen and fried. Although the custom is to refrain from eating fish, we can assume that his discussion here is regarding small fish that are not forbidden by the custom.

Later in that footnote, Maran wrote specifically that it is permissible to eat canned sardines during the final meal before the fast. It is clear that Maran relied on this explanation and set down the practical halakha according to it. **(Rabbi Y.B.)**