



### 1. Menachot 66a

גופא אמר אביי מצוה למימני יומי ומצוה למימני שבועי רבנן דבי רב אשי מנו יומי ומנו שבועי אממר מני יומי ולא מני שבועי אמר זכר למקדש הוא:

Abaye says that it is a commandment to count the days and a commandment to count the weeks [of the *Omer*]. The study hall of Rav Ashi counted days and weeks. Ameimar counted days, but not weeks, saying “it is a commemoration of the Temple.”

→ Are they arguing about whether this is a commemoration, or about the nature of the commemoration? Does being a commemoration change the law, or only the motivation?

### 2. Rabbeinu Nissim, Ran, Pesachim 28a (Ilfas)

רוב מפרשים מסכימים דספירת העומר עכשיו דליכא הבאה ולא קרבן אינה אלא מדרבנן בעלמא זכר למקדש כדאמר אממר התם

Most commentaries agree that counting the Omer nowadays, where there is no bringing or sacrificing of the Omer, is only rabbinic, a commemoration of the Temple as Ameimar had said...

### ❖ How do we commemorate the Mikdash?

#### Mourning

### 3. Bava Batra 60b

אין מסיידין ואין מכיירין ואין מפיידין בזמן הזה...תנו רבנן כשחרב הבית בשניה רבו פרושין בישראל שלא לאכול בשר ושלא לשתות יין נטפל להן ר' יהושע אמר להן בני מפני מה אי אתם אוכלין בשר ואין אתם שותין יין אמרו לו נאכל בשר שממנו מקריבין על גבי מזבח ועכשיו בטל נשתה יין שמנסכין על גבי המזבח ועכשיו בטל אמר להם א"כ לחם לא נאכל שכבר בטלו בכורים אפסר בפירות אחרים מים לא נשתה שכבר בטלו ניסוך המים שתקו אמר להן בני בואו ואומר לכם שלא להתאבל כל עיקר אי אפשר שכבר נגזרה גזרה ולהתאבל יותר מדאי אי אפשר שאין גוזרין גזירה על הצבור אא"כ רוב צבור יכולין לעמוד בה דכתיב (מלאכי ג, ט) במארה אתם נארים ואותי אתם קובעים הגוי כולו אלא כך אמרו חכמים סד אדם את ביתו בסיד ומשייר בו דבר מועט...

**One may not plaster, and one may not tile, and one may not paint [mefayyehin] images in the present, as a sign of mourning for the destruction of the Temple...The Sages taught in a baraita (Tosefta, Sota 15:11): When the Temple was destroyed a second time, there was an increase in the number of ascetics among the Jews, whose practice was to not eat meat and to not drink wine. Rabbi Yehoshua joined them to discuss their practice. He said to them: My children, for what reason do you not eat meat and do you not drink wine? They said to him: Shall we eat meat, from which offerings are sacrificed upon the altar, and now the altar has ceased to exist? Shall we drink wine, which is poured as a libation upon the altar, and now the altar has ceased to exist? Rabbi Yehoshua said to them: If so, we will not eat bread either, since the meal-offerings that were offered upon the altar have ceased. They replied: You are correct. It is possible to subsist with produce. He said to them: We will not eat produce either, since the bringing of the first fruits have ceased. They replied: You are correct. We will no longer eat the produce of the seven species from which the first fruits were brought, as it is possible to subsist with other produce. He said to them: If so, we will not drink water, since the water libation has ceased. They were silent, as they realized that they could not survive without water. Rabbi Yehoshua said to them: My children, come, and I will tell you how we should act. To not mourn at all is impossible, as the decree was already issued and the Temple has been destroyed. But to mourn excessively as you are doing is also impossible, as the Sages do not issue a decree upon the public unless a majority of the public is able to abide by it, as it is written: “You are cursed with the curse, yet you rob Me, even this whole nation” (Malachi 3:9), indicating that the prophet rebukes the people for neglecting observances only if they were accepted by the whole nation. Rabbi Yehoshua continues: Rather, this is what the Sages said: A person may plaster his house with plaster, but he must leave over a small amount in it without plaster to remember the destruction of the Temple.**

→ Is R. Yehoshua agreeing that we need to have constant mourning, but noting that we can't actually mourning fully? Or is he saying that we minimize the mourning, making it symbolic rather than total? (R. Uri Radman, <https://bit.ly/2H7dIP3>). This would add an optimistic spin to these laws.

*Living a diminished ritual life – Ameimar*

#### 4. Rosh Hashanah 30a:16-24

מתני' בראשונה היה הלולב ניטל במקדש שבעה ובמדינה יום אחד משחרב בית המקדש התקין רבן יוחנן בן זכאי שיהא לולב ניטל במדינה שבעה זכר למקדש ושיהא יום הנף כולו אסור: גמ' ומגלן דעבדינן זכר למקדש דאמר קרא (ירמיהו ל, יז) כי אעלה ארוכה לך וממכותיך ארפאך נאם ה' כי נדחה קראו לך ציון היא דורש אין לה מכלל דבעיא דרישה: ושיהא יום הנף כולו אסור: מ"ט מהרה יבנה בית המקדש ויאמרו אשתקד מי לא אכלנו בהאיר מזרח עכשיו נמי ניכול

**MISHNA:** After the previous mishna mentioned Rabban Yoḥanan ben Zakkai's ordinance that applies to the sounding of the *shofar*, this mishna records other ordinances instituted by the same Sage: **At first**, during the Temple era, **the lulav was taken in the Temple all seven days of Sukkot, and in the rest of the country outside the Temple, it was taken only one day, on the first day of the Festival. After the Temple was destroyed, Rabban Yoḥanan ben Zakkai instituted that the lulav should be taken even in the rest of the country all seven days, in commemoration of the Temple. And** for similar reasons, Rabban Yoḥanan ben Zakkai instituted **that for the entire day of waving the omer offering, i.e., the sixteenth of Nisan, eating the grain of the new crop is prohibited.** By Torah law, when the Temple is standing the new grain may not be eaten until after the *omer* offering is brought on the sixteenth of Nisan, usually early in the morning. When the Temple is not standing it may be eaten from the time that the eastern horizon is illuminated at daybreak. However, Rabban Yoḥanan ben Zakkai instituted a prohibition against eating the new grain throughout the entire sixteenth of Nisan, until the seventeenth, to commemorate the Temple.

**GEMARA:** The Gemara asks: **And from where do we derive that one performs actions in commemoration of the Temple? As the verse states: "For I will restore health to you, and I will heal you of your wounds, said the Lord; because they have called you an outcast: She is Zion, there is none who care for her"** (Jeremiah 30:17). This verse teaches **by inference that Jerusalem requires caring** through acts of commemoration.

§ The mishna taught: Rabban Yoḥanan ben Zakkai also instituted **that for the entire day of waving the omer offering, eating the grain of the new crop is prohibited.** The Gemara asks: **What is the reason** for this ordinance? The reasoning is that **soon the Temple will be rebuilt and people will say: Last year, when the Temple was in ruins, didn't we eat from the new crop as soon as the eastern horizon was illuminated** on the morning of the sixteenth of Nisan, as the new crop was permitted immediately? **Now too, let us eat** the new grain at that time....

#### 5. Rosh Hashanah 29b

מתני' יום טוב של ר"ה שחל להיות בשבת במקדש היו תוקעין אבל לא במדינה משחרב בהמ"ק התקין רבן יוחנן בן זכאי שיהו תוקעין בכל מקום שיש בו ב"ד אמר רבי אלעזר לא התקין רבן יוחנן בן זכאי אלא ביבנה בלבד ...  
גמ פעם אחת חל ראש השנה להיות בשבת [והיו כל הערים מתכנסין] אמר להם רבן יוחנן בן זכאי לבני בתירה נתקע אמרו לו נדון אמר להם נתקע ואחר כך נדון לאחר שתקעו אמרו לו נדון אמר להם כבר נשמעה קרן ביבנה ואין משיבין לאחר מעשה:

**MISHNA:** With regard to the **Festival day of Rosh HaShana that occurs on Shabbat, in the Temple they would sound the shofar as usual. However, they would not sound it in the rest of the country outside the Temple. After the Temple was destroyed, Rabban Yoḥanan ben Zakkai instituted that the people should sound the shofar on Shabbat in every place where there is a court** of twenty-three judges. **Rabbi Elazar said: Rabban Yoḥanan ben Zakkai instituted this practice only in Yavne**, where the Great Sanhedrin of seventy-one judges resided in his time, but nowhere else....

**GEMARA. Once Rosh HaShana occurred on Shabbat, and all the cities gathered** at the Great Sanhedrin in Yavne for the Festival prayers. **Rabban Yoḥanan ben Zakkai said to the sons of Beteira**, who were the leading halakhic authorities of the generation: **Let us sound the shofar**, as in the Temple. **They said to him: Let us discuss** whether or not this is permitted. **He said to them: First let us sound it, and afterward, when there is time, let us discuss** the matter. **After they sounded the shofar**, the sons of Beteira **said to Rabban Yoḥanan ben Zakkai: Let us now discuss** the issue. **He said to them: The horn has already been heard in Yavne, and one does not refute** a ruling **after action** has already been taken. There is no point in discussing the matter, as it would be inappropriate to say that the community acted erroneously after the fact.

#### 6. Talmud Yerushalmi Sukkah 3:4

הכל מודין ב"ט הראשון שהוא אומר על נטילת לולב מה פליגין בשאר כל הימים. ר' יוחנן אמר על נטילת לולב ריב"ל אמר על מצות זקני'  
All agree that on the first day, the blessing is "on taking the lulav". They argue about the other days. R. Yochanan says "on taking the lulav". R. Yehoshua b. Levi says "on the commandments of the sages."

## 7. Gittin 56b

אמר ליה מיזל אזילנא ואינש אחרינא משדרנא אלא בעי מינאי מידי דאתן לך אמר ליה תן לי יבנה וחכמיה ושושילתא דרבן גמליאל ואסוותא דמסיין ליה לרבי צדוק קרי עליה רב יוסף ואיתימא רבי עקיבא (ישעיהו מד, כה) משיב חכמים אחר ודעתם יסכל איבעי למימר ליה לשבקינהו הדא זימנא

Vespasian then **said to** Rabban Yoḥanan ben Zakkai: **I will be going** to Rome to accept my new position, **and I will send someone else** in my place to continue besieging the city and waging war against it. **But** before I leave, **ask something of me that I can give you**. Rabban Yoḥanan ben Zakkai **said to him: Give me Yavne and its Sages** and do not destroy it, **and spare the dynasty of Rabban Gamliel** and do not kill them as if they were rebels, **and** lastly give me **doctors to heal Rabbi Tzadok**. Rav Yosef read the following verse **about him, and some say** that it was **Rabbi Akiva** who applied the verse to Rabban Yoḥanan ben Zakkai: “I am the Lord...**Who turns wise men backward and makes their knowledge foolish**” (Isaiah 44:25), as **he should have said to him to leave** the Jews alone **this time**.

## 8. Makkot 24b

שוב פעם אחת היו עולין לירושלים כיון שהגיעו להר הצופים קרעו בגדיהם כיון שהגיעו להר הבית ראו שועל שיצא מבית קדשי הקדשים התחילו הן בוכין ור"ע מצחק אמרו לו מפני מה אתה מצחק אמר להם מפני מה אתם בוכים אמרו לו מקום שכתוב בו (במדבר א, נא) והזר הקרב יומת ועכשיו שועלים הלכו בו ולא נבכה אמר להן לכך אני מצחק דכתיב (ישעיהו ח, ב) ואעידה לי עדים נאמנים את אוריה הכהן ואת זכריה בן יברכיהו וכי מה ענין אוריה אצל זכריה אוריה במקדש ראשון וזכריה במקדש שני אלא תלה הכתוב נבואתו של זכריה בנבואתו של אוריה באוריה כתיב (מיכה ג, יב) לכן בגללכם ציון שדה תחרש [וגו'] בזכריה כתיב (זכריה ח, ד) עוד ישבו זקנים וזקנות ברחובות ירושלם עד שלא נתקיימה נבואתו של אוריה הייתי מתיירא שלא תתקיים נבואתו של זכריה עכשיו שנתקיימה נבואתו של אוריה בידוע שנבואתו של זכריה מתקיימת בלשון הזה אמרו לו עקיבא נחמתנו עקיבא נחמתנו:

The Gemara relates another incident involving those Sages. **On another occasion they were ascending to Jerusalem** after the destruction of the Temple. **When they arrived at Mount Scopus** and saw the site of the Temple, **they rent their garments** in mourning, in keeping with halakhic practice. **When they arrived at the Temple Mount, they saw a fox that emerged from the site of the Holy of Holies. They began weeping, and Rabbi Akiva was laughing. They said to him: For what reason are you laughing?** Rabbi Akiva **said to them: For what reason are you weeping? They said to him: This is the place concerning which it is written: “And the non-priest who approaches shall die”** (Numbers 1:51), **and now foxes walk in it; and shall we not weep?** Rabbi Akiva **said to them: That is why I am laughing, as it is written, when G-d revealed the future to the prophet Isaiah: “And I will take to Me faithful witnesses to attest: Uriah the priest, and Zechariah the son of Jeberechiah”** (Isaiah 8:2). **Now what is the connection between Uriah and Zechariah?** He clarifies the difficulty: **Uriah prophesied during the First Temple period, and Zechariah prophesied during the Second Temple period, as he was among those who returned to Zion from Babylonia. Rather, the verse established that fulfillment of the prophecy of Zechariah is dependent on fulfillment of the prophecy of Uriah. In the prophecy of Uriah it is written: “Therefore, for your sake Zion shall be plowed as a field, and Jerusalem shall become rubble, and the Temple Mount as the high places of a forest”** (Micah 3:12), where foxes are found. There is a rabbinic tradition that this was prophesied by Uriah. **In the prophecy of Zechariah it is written: “There shall yet be elderly men and elderly women sitting in the streets of Jerusalem”** (Zechariah 8:4). **Until the prophecy of Uriah with regard to the destruction of the city was fulfilled I was afraid that the prophecy of Zechariah would not be fulfilled, as the two prophecies are linked. Now that the prophecy of Uriah was fulfilled, it is evident that the prophecy of Zechariah remains valid.** The Gemara adds: The Sages **said to him, employing this formulation: Akiva, you have comforted us; Akiva, you have comforted us.**

## 9. Avot D' Rabbi Natan 4:5 (trans. <https://bit.ly/2EttGoM>)

על גמ"ח כיצד הרי הוא אומר (הושע ו) כי חסד חפצתי ולא זבח. העולם מתחלה לא נברא אלא בחסד שנאמר (תהלים פט) כי אמרתי עולם חסד יבנה שמים תכין אמונתך בהם. פעם אחת היה רבן יוחנן בן זכאי יוצא מירושלים והיה רבי יהושע הולך אחריו וראה בית המקדש חרב [אר"י אוי לנו על זה שהוא חרב] מקום שמכפרים בו עוונותיהם של ישראל. א"ל בני אל ירע לך יש לנו כפרה אחת שהיא כמותה ואיזה זה גמ"ח שנאמר כי חסד חפצתי ולא זבח שכן מצינו בדניאל איש חמודות שהיה מתעסק בגמ"ח ומה הן גמ"ח שהיה דניאל מתעסק בהם אם תאמר עולות וזבחים מקריב בבבל והלא כבר נאמר (דברים יב) השמר לך פן תעלה עולותיך בכל מקום אשר תראה כי אם במקום אשר יבחר ה' באחד שבטיך שם תעלה עולותיך. אלא מה הן גמ"ח שהיה מתעסק בהן היה מתקן את הכלה ומשמחה ומלווה את המת ונותן פרוטה לעני ומתפלל ג' פעמים בכל יום ותפלתו מתקבלת ברצון שנאמר (דניאל ו) ודניאל כדי ידע די רשים כתבא על לביתיה וכוין פתיחן ליה בעיליתיה נגד ירושלם וזימנין תלתה ביומא הוא ברך על ברכוהי ומצלא ומודא קדם אלקה כל קבל די הוא עבד מן קדמת דנה

On acts of loving-kindness—How is this so? Behold the verse says, “For I desire loving kindness, not sacrifice” (Hosea 6:6). The world originally was built only for the sake of loving-kindness, as it states: “For I have said, “The world is built by loving-kindness; Your faithfulness shall You establish in the very heavens” (Ps. 89:3).

One time, Rabban Yohanan ben Zakkai was leaving Jerusalem and he saw R. Yehoshua going after him, and he

saw the Temple destroyed. R. Yehoshua said: “Woe to us that this is destroyed! The place where the sins of Israel were atoned for!”

He said to him: “My son, do not be distraught. We have an atonement that is similar to this. And what is it? It is acts of loving-kindness, as it says, “For I desire loving-kindness, not sacrifice” (Hosea 6:6). And so we find regarding Daniel, that he was involved in loving-kindness. And what loving-kindness was he involved in? If you say he was offering burnt-offerings and sacrifices in Babylon, [that cannot be, since] the verse states “Guard yourself lest you offer your burnt-offerings in any place that you see, save the place that the Lord will choose from one of your tribes, there you shall offer your burntofferings” (Deut. 12:13-14). But rather what loving-kindness did he perform? He would prepare the bride and cause her to rejoice, and accompany the dead, and give a coin to the poor, and pray three times a day, and his prayer was received with desire, as it states: “Now when Daniel learned that the writing was signed, he went into his house; his windows were open in his chamber toward Jerusalem, and he kneeled upon his knees three times a day, and prayed, and gave thanks before his G-d, as he had done previously.” (Daniel 6:11)

### 10. Berakhot 8a:18-19

והיינו דאמר ר' חייא בר אמי משמיה דעולא מיום שחרב בית המקדש אין לו להקב"ה בעולמו אלא ארבע אמות של הלכה בלבד. ואמר אביי מריש הוה גריסנא בגו ביתא ומצלינא בבי כנישתא כיון דשמענא להא דאמר רבי חייא בר אמי משמיה דעולא מיום שחרב בית המקדש אין לו להקב"ה בעולמו אלא ארבע אמות של הלכה בלבד לא הוה מצלינא אלא היכא דגריסנא.

**And this** concept, that *halakha* is the most sublime pursuit, is expressed in that which **Rabbi Ḥiyya bar Ami said in the name of Ulla: Since the day the Temple, where the Divine Presence rested in this world, was destroyed, the Holy One, Blessed be He, has only one place in His world** where he reveals His presence exclusively; **only the four cubits** where the study of *halakha* is undertaken. This statement has practical ramifications. **Abaye said: At first I studied in the house and prayed in the synagogue. Once I heard what Rabbi Ḥiyya bar Ami said in the name of Ulla: Since the day the Temple was destroyed, the Holy One, Blessed be He, has only one place in His world, only the four cubits of halakha alone,** from which I understood the significance of the four cubits of *halakha*, and **I pray only where I study.**

### 11. Megillah 29a

ואהי להם למקדש מעט אמר רבי יצחק אלו בתי כנסיות ובתי מדרשות שבבבל ורבי אלעזר אמר זה בית רבינו שבבבל  
The verse states: “**Yet I have been to them as a little sanctuary** in the countries where they have come” (Ezekiel 11:16). **Rabbi Yitzḥak said: This** is referring to **the synagogues and study halls in Babylonia. And Rabbi Elazar said: This** is referring to **the house of our master, i.e., Rav, in Babylonia,** from which Torah issues forth to the entire world.

#### ❖ What is the nature of the *Omer*?

**12. Rav Soloveitchik's Gems on Sefirat Haomer, Rabbi Chaim Jachter** <https://bit.ly/2qdUcai>  
Rav Soloveitchik explains that there are two types of remembering the Beit Hamikdash. One is to remember the glory days of the Beit Hamikdash and the other is to remember the destruction of the Beit Hamikdash. Our eating the Korech (Pesachim 116) and taking the Lulav the last six days of Sukkot (Rosh Hashanah 30a) recall the grandeur of the Mikdash. The obligation to leave a small portion of our house unpainted (Bava Batra 60) and limiting our enjoyment of music (Gittin 7) are examples of remembrances of the destruction of the Beit Hamikdash. We classify Sefirat Haomer in the latter category. It is for this reason that after we have counted the Omer, we request of Hashem to rebuild the Beit Hamikdash (see Tosafot Megillah 20b s.v. V'Chol). In addition, says Rav Soloveitchik, this is why it is appropriate for us to mourn during the period of Sefirat Haomer for the loss of Rabi Akiva's students, since in our times there is an element of sadness involved in Sefirat Haomer.

→ Others, such as Shmuel Safrai, have argued that R. Yochanan b. Zakai was trying to create a religious experience that could exist not in the Beit HaMikdash.