

Praying for Rain: in Eress Yisrael and in Galuth

Question:

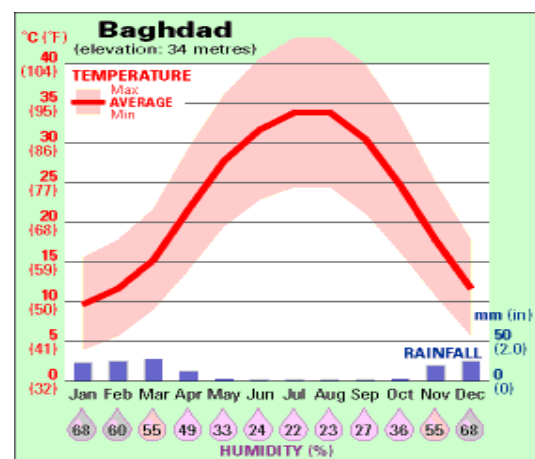
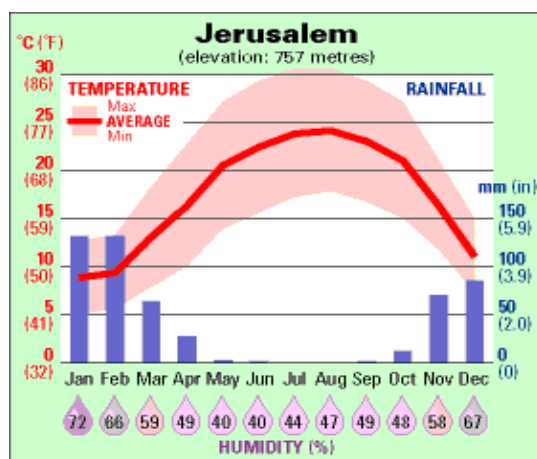
I just returned from Eretz Yisrael. In the galut we are still saying Ve'tayn Bracha, while in Eretz Yisrael everyone is already saying Ve'tayn tal umatar livracha. The halachic authorities seem to be unanimous that a Jew coming from galut during this period and who plans to return to galut should continue to say ve'tayn bracha in his private tfillah. However, it just felt wrong on a gut level to do so, particularly during the heavy rains we had last week.

Answer:

1. We need to begin at the beginning. The Mishna (Ta'anith 1:1) states that we make mention (Mazkirim) of HASHEM's great powers which cause the rain to fall from the first day of Sukoth onwards (according to R. Eliezer), or from the last day of Sukoth (according to R. Y'hoshua). Both mean starting with 'Arvith of said day. The Halakha is according R. Y'hoshua.
2. The next Halakha (Mishna 1:2) states that *"Praying for rain (Sho'alim) begins just prior to the rainy season."* (In point of fact, this clause is the conclusion of Halakha 1. The intention is to clarify that as opposed to 'Mazkirim', 'Shoal'im' begins later and constitutes a separate discussion which is taken up in Halakha 3. Halakha 2 is a later interpolation which informs us that we do not begin Mazkirim at 'Arvith of the Eighth Day as per R. Y'hoshua, but rather from Musaph of that day in accordance with the view of R. Y'hudha.)
3. The wording *"just prior to the rainy season"* is deliberately vague and lends itself to three interpretations: a) immediately upon the termination of Sukoth (Mossa'e Sh'mini Assereth) when there is no Miqdash and no 'Olle R'ghalim (TY Ta'aniyoth 1:2 and TB Ta'anith 4b), b) the 3rd of MarHeshwan (R. Meir), or c) the 7th (R. Gamliel). The latter two opinions refer to a period when the Miqdash stands and are intended to give the 'Olle R'ghalim time to return to their homes outside the Land before the rains begin. *(It would seem that this consideration is no longer relevant. When the Miqdash stands again people will not be travelling on foot, donkey or cart on dirt roads. It follows that even when the Jewish nation finally reconstitutes and reasserts itself and rebuilds the Miqdash, we will Mazkir starting from Mossa'e Sh'mini Assereth, as I believe we should be doing today based on both Talmudhim.)*
4. Rambam points out in his Mishna commentary that *"All this applies to Eress Yisrael and countries like it. Similarly, all that follows regarding declaring fast days [when the expected rain did not fall by a certain date] applies only to EY and those countries with similar weather patterns. However, in other countries, praying for rain (Sho'alim) begins based on the rainy*

season of that area... because there are countries where the rainy season does not begin till Nisan, and there are countries where summer is in MarHeshwan and rain at that time is no blessing at all but in fact would cause destruction and loss. How could people living in those locales pray for rain in MarHeshwan? Would it not be disingenuous? This should be obvious.”

5. Rambam’s view is supported by explicit statements of Hazal. Hananya, the nephew of R. Y’hoshua, stated that *“In the Diaspora [Bavel] their practice is different; they wait till the 60th day after the equinox”* (often erroneously taken to mean, based on the Julian calendar, December 5th, but in fact November 22nd or 23rd) (TY Ta’aniyoth 1:1; TB Ta’anith 10a). The Amora Sh’muel states that this is the Halakha. The TY (ad loc) quotes a B’raytha that *“These dates refer to Eress Yisrael. Outside the Land, it goes by the country and its requirements”*. The same statement appears in the TB (14b) in the name of R. Y’hudha.
6. The Jews of Bavel differed in their Halakhic practice from their brethren in EY because of the different weather patterns of Bavel and its attendant agricultural cycle. *Climate and Agriculture in Bavel*: the harvest in Bavel continues until late November (well into the rainy season in EY, see TB Ta’anith 4b), whereas in EY the harvest is over by Sukoth (September-October). Roughly 90% of the annual rainfall in Bavel (which is meager) occurs between November and April, most of it in the winter months from December through March (see http://en.wikipedia.org/wiki/Geography_of_Iraq).



7. *Climate and Agriculture in Eress Yisrael*: the rainy season extends from October to early May, and rainfall peaks in December through February (<http://www.science.co.il/Israel-Climate.asp>). As opposed to Bavel where agriculture is sustained by irrigation canals from the Tigris and Euphrates rivers, in EY there are no great rivers and rainfall is crucial for agriculture. This fact is specifically noted in the Tora (D’varim 11:10-12): *“For the land which you are about to enter and possess is not as the land of Egypt, from where you came, where you would sow your seed and water it with your foot, like a herb garden. But the land which you are about to enter and possess is a land of hills and valleys which drinks the water that rains down from heaven.”*
8. For the last 1500 years the practice in almost all Galuth communities has been according to the Babylonian custom which, as we have seen, was based on local Babylonian conditions, and so it remains to this day. Some Rishonim simply noted that “we follow Bavel” without explaining why this should be so. Essentially this is a result of two factors: a) the hegemony of the Babylonian

Tora centre over the entire Jewish world, a reality that evolved during the 6th-10th centuries due to the decline of the Tora centre of Eress Yisrael, and *b*) the concomitant fossilization of Halakha (which is, on many levels, a result of the rise of the Babylonian centre).

9. Other Rishonim found it strange that Jews living in Western Europe should act as if they resided in Baghdad. The view of Rambam has been mentioned above. Rosh takes an essentially identical position in his famous responsum (T'shuvoth HaRosh 4:10, which was cosigned by several other leading rabbis in Spain), and this is the view of the Tur (OH 117) and Ran as well. Rosh mentions that the practice that he witnessed in Provence (where the Jews did not follow minhag Bavel but rather began saying w'Then Tal uMatar on MarHeshwan 7th) was very correct in his eyes (Ta'anith 1:4).
10. It follows, based on the foregoing, that Jews everywhere should be praying for rain based on local conditions. Jews in Northern Hemisphere countries with climates and seasons similar to EY should act in accordance with the stipulations of the Mishna and Talmudhim. In Northern Hemisphere countries with weather patterns significantly different from those of EY, adjustments need to be made accordingly in both directions (beginning, and ceasing, to pray for rain). Jews in the Southern Hemisphere should pray for rain during their winter. (Off hand, I cannot think of any country today with a significant Jewish population with a climate and seasons similar to Bavel.)
11. The Jewish community of North America should begin to ask (Sho'alim) for rain starting with 'Arvith at the conclusion of Simhath Tora, or at the latest starting MarHeshwan 7th (see 2 & 8 above), as is done in EY. The issue you raise is thus obviated.
12. Regarding the question of a Jew travelling from one country to another: one should continue to pray for the country of one's normal residence. (*See Mishnath R. Eliezer 3, p.50 where it states that a Jew, wherever he or she may be, must always pray for rain in his/her real home, i.e. EY, and consider his/her current residence to be akin to staying in a hotel. This statement contradicts all the sources quoted above and cannot therefore be admitted. Nevertheless we learn from it that one prays according to one's home. Today it is widely recognized that Mishnath R. Eliezer is not from Hazal, and in fact was written during the G'onic period.*) In the case of emigration, one of course adopts the local practice in one's new home.
13. There exists a separate but related issue. Regarding the view of R. Y'hudha that we begin to mention rain from Musaph of Sh'mini 'Assereth, the TY (ad loc) asks "Why does he (the Sh'liah Ssibbur) not begin mentioning rain in the evening?" (From this it is clear that the practice in EY was for the Sh'liah Ssibbur to repeat 'Arvith just as is done for Shaharith and Minha; when the Sh'liah Ssibbur switched from Tal to Geshem, the community followed suit.) The TY replies that "not all people come" to the synagogue at night. Rosh, (based on Ra'avya Vol. 3, p. 583), explains that this would result in some being Mazkir rain and others not, an undesirable situation of internal division within the community ("aghudoth aghudoth"). From this one might conclude that it is better to do as the community at large does even if mistaken. Rosh himself addresses this issue in his responsum (loc. cit.) and states that it would have been permissible for him to act differently from the rest of the community because *a*) he was right and they were acting

incorrectly, and *b*) rain is a communal need. Nevertheless, Rosh chose not to act differently in the same synagogue (implying that outside said synagogue he did act differently in accordance with the Halakha).

14. I recommend acting in accordance with Rosh when praying with the community. Otherwise, I recommend praying in accordance with the view of Rambam, Rosh, Ran, Tur etc. whose view is based all authoritative Halakhic sources of Hazal.
15. The problem of acting in an irrational and anti-Halakhic manner which portrays Tora Judaism as anachronistic and paralyzed (which is, tragically, an accurate portrayal of Halakhic Standard Operating Procedure as widely practiced today) should concern all thinking Jews and cause us to mend our ways.

Rabbi David Bar-Hayim