GRIEF AND JOY IN THE WRITINGS OF RABBI SOLOVEITCHIK

PART III: HALAKHIC ASPECTS

The Gemara in *Mo’ed Katan*\(^1\) prohibits mourning on a festival. According to the Rav, there may be acts (*ma’asim*) of mourning and rejoicing on a festival, but those acts are not the essence of the commandments; rather, those acts serve to trigger or express the more fundamental ‘inner’ states of grief and joy. The *kiyyumim* of the commandments, their fulfillment, lies in the depths of a person’s grief or in the heights of his inner joy, and according to the Rav, these inner states of grief and joy are incompatible with one another and cannot coexist. And, as festive joy is a communal obligation, it takes precedence over and thereby cancels the individual commandment to mourn.

Part I of this essay explored psychological aspects of the Rav’s account of grief, mourning and rejoicing on a festival. Part II provided a philosophical analysis of the Rav’s *ma’aseh/kiyyum* distinction, which underlies the Rav’s account of grief and festival joy, and which is based on a certain conception of subjectivity and objectivity, and of the relationship between them. Yet any discussion of the Rav’s account of mourning on a festival is radically incomplete without a halakhic analysis, for it is clear that the Rav felt compelled by halakhic sources to arrive at his conceptual account. The pattern of the Rav’s halakhic lecture “The Essential Nature of Mourning,”\(^2\) which provides an extended treatment of why mourning is prohibited on a festival, is readily recognizable to those familiar with his thought. The Rav first raises a series of

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* I wish to thank Prof. David Shatz for his comments on Part III of this article.

\(^1\) *Mo’ed Katan* 10b.

questions, assembles many seemingly disconnected and arbitrary rulings, advances a conceptual breakthrough, and then utilizes the conceptual breakthrough to resolve the initial questions and to display the underlying unity, logic, and rationale of the seemingly disconnected halakhic rulings.

What follows is my reconstruction and analysis of “The Essential Nature of Mourning.” For the most part, the Rav’s halakhic arguments follow one of three patterns:

1) There is one mitsva, but there are many acts associated with that mitsva.
2) The mitsva can be present (that is, there is a kiyyum, or the mitsva can be fulfilled) without any corresponding acts.
3) The ma’asim can be present without any corresponding mitsva.3

Each of the patterns above, if located in halakhic sources, would provide strong evidence of a severance between act and fulfillment, between ma’aseh and kiyyum. In the treatment that follows, I hope to show that much of the Rav’s halakhic evidence is susceptible to an alternate account, one which does not commit us to a split between ma’aseh and kiyyum, or to the assumption that the kiyyumim of mourning and rejoicing are inner states.4

3 Of course these patterns in no way capture all of the Rav’s sources and proofs. See note 23.
4 The Rav asks rhetorically: “Could one imagine that the obligation to mourn had been fulfilled by a mourner who, though adhering diligently to all the prescribed practices...at the same time brought into his home and enjoyed, during the mourning period, all manner of pleasant diversions?” See Out of the Whirlwind, 70. But here, the Rav is not simply imagining a situation of lack of deep, inner grief, but of enjoyment and even frivolity, and someone who does an act in order not to fulfill the mitsva cannot be said to have fulfilled the mitsva. Rather, we can imagine another scenario: Suppose a son, having been abandoned by his father and having not seen him for many years, is called back to mourn the passing of his estranged father. The son is respectful and follows all the rituals of mourning, but he experiences no deep inner grief. Would the Rav say that he has not fulfilled the mitzvah of mourning? As Lawrence Kaplan has pointed out, the Rambam never even mentions “grief” in his laws of mourning. See Lawrence Kaplan, “The Unity of Maimonides’ Religious Thought: The Laws of Mourning as a Case Study,” in The Religious Philosophy of David Hartman, ed. Jonathan W. Malino (Hampshire: Ashgate Publishing Limited, 2004), 406. The Rav freely mixes the meaning of kiyyum with what is ideal. It may be ideal to experience deep inner grief, but is that the same as what is required for the kiyyum of a mitsva? See Part I for further exploration of this issue in Alex Sztuden, “Grief and Joy in the Writings of Rabbi Soloveitchik (Part I),” Tradition (Winter 2010), 37-56.
1) One Mitsva, Many Ma’asim

The Rav identifies various ways in which the mitsvot of rejoicing and mourning may be expressed, or ‘realized’:

‘Rejoicing’ on a festival is accomplished through a variety of means:

a) In the Temple, through taking the lulav, sacrifices and/or songs
b) on Sukkot, through the taking of the *lulav*
c) on holidays more generally, through eating meat and drinking wine
d) for women, through ornaments and clothing
e) for children, through sweet items and nuts\(^5\)

For mourning:

a) Israelites manifest mourning through the eleven prohibitions
b) Kohanim, in addition to the eleven prohibitions, also must defile themselves with the corpses of their dead relatives\(^6\)

Accordingly, the Rav argues that the core of the concepts of rejoicing and mourning cannot be their various manifestations, but their inner, subjective states. “The techniques may vary, but the concept remains the same.”\(^7\)

In earlier sections, we offered several related objections to this argument. First, we noted that the halakha itself provides an account of at least two concepts of joy, that of muted Yom Kippur joy and that of excessive festival joy.\(^8\) For instance, on Yom Kippur, *hallel* is not recited because the nature of Yom Kippur joy is not the same as the nature of Sukkot joy. If there are different laws that arise from different understandings of the nature of joy, depending on the holiday, is the Rav still entitled to claim that there is only one concept of joy?\(^9\) Second, we sketched the artistic objection to the Rav’s breaking apart of concept from its expression,\(^10\) and third, we offered a philosophical critique of the Rav’s attempted

\(^{5}\) *Out of the Whirlwind*, 65-67. It seems that the latter two may be seen merely as means.

\(^{6}\) Ibid., 61.

\(^{7}\) *Out of the Whirlwind*, 67.

\(^{8}\) Alex Sztuden, “Grief and Joy in the Writings of Rabbi Soloveitchik (Part I),” *Tradition* (Winter 2010), 48-49.

\(^{9}\) *Out of the Whirlwind*, 65-67.

\(^{10}\) See Alex Sztuden, “Grief and Joy in the Writings of Rabbi Soloveitchik (Part II),” *Tradition* (Fall 2011), 14-18.
separation of joy from the activities that give rise to it. All of these objections are really variants of a single claim – that there is a much closer conceptual unity between certain mental states and their corresponding actions than the Rav’s position assumes. On Sukkot, taking the lulav is essential to rejoicing; on Pesah it is not. On the three festivals, meat consumption is essential to what joy means; on Yom Kippur it is not. The kiyyum, or essence, of rejoicing on a festival is just that particular activity or activities appropriate to the specific festival. The Rav’s error lies in thinking that a context-dependant act cannot be essential, but it can, and often is. As we elaborated on in Part II, it isn’t the case that there are many ways to realize joy but only one concept. Those many “ways” or practices, help to shape and form the subjective inner states out of which they arise.

If that is the case, then we need not accept the Rav’s argument that “while the techniques may vary,” the essence of joy is an inner, heartfelt state. So the Rav’s first argument form, which relies on pointing out the variety of acts which all manifest one concept, does not offer the kind of proof the Rav needs to conclude that the kiyyumim of mourning and rejoicing are inner states. The Rav also offered another form of proof, which relies on the apparent presence of kiyyumim, unaccompanied by any ma’asim.

2) One Kiyyum, No Ma’asim

The Rav provides three cases where there seems to be a kiyyum of rejoicing or mourning without any associated acts. If there are no associated actions, then the mitsvah cannot be identified with an action and its essence must therefore be an inner state. Two of the three cases are examined below:

a) If a dead relative is a criminal, one cannot practice the mourning rituals, yet, nevertheless, one certainly mourns, for, as the Mishna states, “Grief lies only in the heart.” In other words, the kiyyum of mourning is the heart’s inner grief, not the outer acts, which are not present here.

b) According to many authorities, Rosh Hashana and Yom Kippur are considered days of joy, but there are no associated acts of joy [especially on Yom Kippur]. Joy must therefore be an inner state.

11 Ibid., 18-22.
12 Not all states, only certain states, and my focus is on sincere religious states.
13 Alex Sztuden, “Grief and Joy in the Writings of Rabbi Soloveitchik (Part II),” Tradition (Fall 2011) 9-32.
a) “Grief lies only in the heart”

Here is the Rav’s argument:

There is, in fact, a mishnah to this effect: “[The relatives of an executed transgressor] would not mourn [lo hayu mit’abbelin] but, instead, would grieve [onenin], for grief lies only in the heart” (Mishnah Sanhedrin 6:6 at 46b). That is, they are exempt from active mourning practices, but they mourn their loss inwardly, for the kiyyum of mourning is inward. (The term “aninut” [here rendered “grief”] refers… to the kiyyum of mourning. It is referred to as “aninut” because it is inward, in contrast to the term aveilut…)\(^{15}\)

The Rav takes the Mishna to be equating ‘aninut,’ inner grief, with the kiyyum of mourning. This proves that the kiyyum of mourning is an inner state.

But the Mishna never equates aninut with the kiyyum of mourning. The plain meaning of the Mishna is that, while relatives of the deceased cannot effectuate a kiyyum of mourning because the kiyyum of mourning is bound up with its actions and prohibitions, they can nevertheless feel inner grief, even if such grief doesn’t rise to the level of aveilut. The Mishna clearly distinguishes between aninut, an inner grief, and aveilut, its effectuation in practice, as the Rav notes. Why then, does the Rav equate “aninut” with the kiyyum of aveilut? The Mishna makes no such equation. The Mishna’s language actually seems to offer a refutation of the Rav’s position, that precisely because there are no actions, there is no aveilut; nonetheless, the ‘mourners’ can and should at least feel inner grief, aninut, which is the first stage of aveilut and therefore offers some consolation to the mourner who cannot really fulfill the mitsva.

b) Yom Kippur and Mourning

One of the Rav’s strongest proofs is based on the position of many authorities who hold that Rosh Hashana and Yom Kippur are regarded as festivals of joy as well, and mourning is prohibited on those days. The Rav points out that particularly on Yom Kippur, there are no acts of joy, so joy

\(^{15}\) Out of the Whirlwind, 70.
must necessarily be identified with an inner state. However, R. Aharon Lichtenstein has provided an alternative account which does not rely on seeing joy as an internal state:

It would appear that the mitzva of simchat Yom Tov involves two different halakhot. The first is the mitzva required because of the festival and exists within its framework, similar to taking the lulav and eating matza. On the other hand, this obligation is not merely an isolated act performed within the confines of the festival, but rather an activity that occurs on the Yom Tov and is meant to leave its impression on it, to cast certain qualities upon it, and to deepen its character as a Yom Tov...

It seems clear that these two perspectives may differ in their form and parameters; the level and time of their fulfillment need not be identical. As for the form of simcha, it certainly stands to reason that the first halakha will make more precise and stringent demands than the second. Fulfilling a specific mitzva will likely entail clearly defined details, whereas to lend a general character to the day a broader requirement, through which a certain seal is stamped onto the festival, would suffice. We may thus establish - as opposed to the theory posited by my father-in-law zt"l - that to fulfill the specific mitzva of simcha, one requires “shalmei simcha” or at least meat, wine and the like. Establishing the character of the festival, however, can be achieved through other means, even without eating or drinking at all, such as on Yom Kippur. Regarding their parameters, we may find certain festivals in which the mitzva of simcha as an independent halakha does not apply, while they still require simcha as shaping the essential quality of Yom Tov.

Thus, if we consider the possibility of simcha on Rosh Hashanah and Yom Kippur, we may arrive at a very simple answer. The first halakha, of an independent mitzva that applies on a given festival, do not apply on these holidays, as it is instituted only with regard to the three regalim: the verses explicitly introduce this mitzva in the context of Shavuot and Sukkot, and we derive from there the obligation of simcha on Pesach, as explained by the Yereim. The second halakha, however, of establishing the character of the day as a festival, relates to all festivals.

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16 Out of the Whirlwind, 67-68.
For R. Lichtenstein then, there is not one concept or one mitsva of joy which is simply manifested in various ways. Rather, the kiyyum of the commandment to rejoice on a festival is two-fold: 1) for the three festivals, the kiyyum would be the particular activities appropriate to those festivals; and 2) for all festivals, including Yom Kippur, ‘rejoicing’ involves another not-as-well-defined halakha whereby the activities on that day must impress upon the day the quality of joy. No reference is made to the kiyyum being an inner state, even on Yom Kippur. On R. Lichtenstein’s alternative account, the kiyyum of joy on Yom Kippur is not essentially an inner state. Rather, the kiyyum of joy on Yom Kippur is realized by general, not-precisely-defined activities which lend to the day the quality of ‘joyfulness.’ Of course, inner states may be involved, but they are not isolated as the essence of the mitsva.18

So the Rav’s proofs which depend on showing the presence of a kiyyum without any corresponding ma’asim seem to be susceptible to alternative accounts.19 The Rav also establishes the ma’asch/kiyyum split by pointing out cases where there seem to be ma’asim, but with no corresponding kiyyumim.

3) Ma’asim with no Kiyyum

The Rav cites the position of the Tosafists with respect to mourning on a festival to buttress his claim that the kiyyumim of mourning and rejoicing

18 Alternatively, we can point out that the Rav is assuming that festival joy doesn’t come in different forms. But that isn’t so, for each holiday has its own unique joy. For instance, on Yom Kippur, habalet is not recited because the joy of repentance is different from the joy of Sukkot. If this is the case, that joy comes in different forms, then we cannot extrapolate from Yom Kippur joy to Sukkot joy. That is, maybe the essence of Yom Kippur joy is internal (as no particular activities are required), but Sukkot joy is not (since particular activities are required.)

19 The third case of a kiyyum without ma’asim arises from a seemingly inconsistent set of rulings by the Rambam. According to the Rambam, 1) mourners cannot send shelamim sacrifices throughout the seven-day shiva period. This is a biblical prohibition. And, 2) contrary to what is implied by ruling 1, mourning is biblically ordained only on the first day. Why then, can’t the mourner bring sacrifices on the last six days, when he is not a biblical mourner? The Rav uses this to prove that for the Rambam, there is a biblical kiyyum of mourning for the full seven days, and it is that inner kiyyum which generates the prohibition of sending a sacrifice. The Rambam’s ruling that mourning is rabbinic for the last six days applies only to mourning rituals, not to its inner kiyyum. See Out of the Whirlwind, 70-71. This interpretation of the Rambam implies that there is a biblical kiyyum of mourning during the last six days without its corresponding ma’asim.
are internal. The Rav is calling attention to a position which assumes that there may be required acts, but those acts don’t rise to the level of a mitsva. If that is the case, then the essence of that mitsva cannot be those acts. Rather, the essence must be an inner state.

The Tosafists (Mo‘ed Katan 23b, s.v. man de-amar), ask: “Why does the Sabbath count as one of seven days of mourning, whereas the festival does not?” This is a problem for most of the medieval authorities, who hold that mourners must observe the mourning rituals in private even on the festival; yet these days do not count as part of the seven days of mourning. In what way is the festival different from the Sabbath?... The approach presented above [viewing the kiyum of rejoicing and mourning as inner states] allows this problem to be solved without any difficulty. Two different halakhic rules are involved. (1) The festival abrogates the kiyum of mourning, and therefore the festival days are not counted toward the seven days of mourning, because the seven days cannot be completed without the kiyum of mourning. (2) The Sabbath cancels some of the mourning behavior, but does not abrogate the kiyum of mourning entirely, and therefore it may counted as one of the seven days. The justification for this position is that it is the kiyum of the commandment of inner rejoicing which prevents the kiyum of the commandment of inner mourning. But the laws curtailing mourning on the Sabbath stem from the obligation to honor and enjoy the Sabbath...Therefore [the commandment of] inner mourning can be realized on the Sabbath, because there is no commandment of rejoicing on that day.

It would seem that, for the Tosafists, we can have ma‘asim (private mourning practices) without any kiyum (the festival day does not count as part of the shiva period.) So the ma‘asim cannot be the essence of the mitsva of mourning (for if they were, the festival day should count as part of the shiva period, but it does not). And on the Sabbath, since there is no commandment to rejoice, inner grief is allowed, and since inner grief is the essence of the commandment to mourn, the Sabbath counts towards the seven-day mourning period.

As an initial question, we may ask why the Tosafists call for (private) ma‘asim without any kiyum on a festival. If ma‘asim are conceived by the Rav as a “means” or “technique” of fulfillment, and on a festival there

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is expressly no fulfillment, the *ma’asim* seem to be techniques that are not supposed to effectuate any inner state. It would seem that we have here a ruling which calls for “means” without an “end,” a position which is difficult to conceptualize. Moreover, these *ma’asim* are not the external expression of an inner correlate, since on a festival there is no inner correlate. They seem to stand on their own. And that is just what the Rav says: “They [the Tosafists] reach their conclusion by following the view of *Sefer Mitzvot Katan* that the prohibitions associated with mourning exist independently of its kiyum…”

So on the one hand, the *ma’asim* of aveilut are either the means for producing an inner state or are the expression of that inner state as the Rav has been maintaining all along; and yet on the other, as shown in the above passage, they seem to stand on their own, with no need for any relationship to an inner state. Mourning practices, at least on a festival, are self-sufficient, arousing no inner states, and having no inner correlates. It is certainly a surprising interpretation of the Tosafists. Intuitively, the Tosafists were sanctioning private mourning practices precisely because they recognized the inevitability of inner grief by a mourner on a festival, and wanted to provide an outlet for that grief, without ruining the joyous nature of the festival day. This suggestion points to an alternative conceptualization of the Tosafist’s position, as sketched below. But before sketching this alternative, it is worth briefly recalling the main strands of the argument.

**Grief, Joy and Heroism**

This essay is largely motivated by three central intuitions: First, that the split between *ma’aseh* and *kiyyum* is dependent on a particularly problematic

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21 *Out of the Whirlwind*, 72.

22 As the Rav notes, the Rambam disagrees with the Tosafists and prohibits all mourning practices on a festival, so the Rav’s proof is not available if we follow the position of the Rambam. See *Out of the Whirlwind*, 56-57.

23 In addition to the arguments above, in the last section of his lecture, the Rav discusses his definitions of mourning and rejoicing as the distancing from and standing in the presence of God, respectively, and utilizes those definitions (which are seemingly dependant on seeing the *kiyyumim* as inner states) to explain the underlying unity of several seemingly unrelated halakhic positions. Much of his argument depends on connections between the high priest on all days and the Israelite on a festival. However, it appears to me that we do not need to isolate inner grief as that which in mourning causes a distancing from God. We can just as well isolate death and the mourner’s nexus to the death through his mourning practices as that which distances the mourner from God. Read in this way, it seems to me that the last section of the Rav’s lecture does not support the identification of the *kiyyum* of mourning with inner grief.
and stark version of dualism; second, that such a split does not do justice to the autonomy and integrity of religious acts and somewhat devalues those acts by referring to them as means or techniques; and third, that the halakha could not have been requiring the complete forsaking of inner grief on a festival, which seems both psychologically impossible and morally problematic. I have attempted to flesh out these intuitions, resulting in the arguments presented in this essay. Nevertheless, despite the arguments presented in Parts I, II and III, which attempt to undermine the priority of the subjective, there seems to be something inescapably valid regarding the Rav’s intuition that emotions can sometimes be more fundamental than acts. In Part II, I pointed out the similarity between the Rav’s expressive account of mitsvot and the Romantic expressive account of art, and used the Romantic understanding of art to show that the external object, i.e. the work of art or the mitsva-act, is higher than the internal state out of which it arises. But that is not the whole doctrine of the Romantics. As Charles Taylor writes:

This concept of an inexhaustible inner domain is the correlative of the power of expressive self-articulation. The sense of depth of inner space is bound up with the sense that we can move into it and bring things to the fore... The inescapable feeling of depth comes from the realization that whatever we bring up, there is always more down there. Depth lies in there being always, inescapably, something beyond our articulative power. This notion of inner depths is therefore intrinsically linked to our understanding of ourselves as expressive...

So no matter how much we ‘bring up to the fore’, no matter how much we ‘express’ in our actions or words, our subjective emotions outstrip our capacity to objectify them in words or by other external means. We have a sense that there is always something more, and it is that ‘something more,’ those inexhaustible inner depths, which the Rav labels subjectivity and which the Rav at times prioritizes. So despite all the arguments provided in this essay intended to undermine the centrality of subjectivity, the Rav’s claim appeals to strong intuitions about ourselves as having inexhaustible inner depths, which can never be fully expressed or articulated.

24 See Alex Sztuden, “Grief and Joy in the Writings of Rabbi Solovetichik (Part II),” Tradition (Fall 2011), 14-25.
26 I thank Prof. David Shatz for this formulation.
And if we wish to preserve the basic position of the Rav and to do justice to this intuition regarding our inner depths, I suggest a modified account under which we would abandon the first two intuitions, while continuing to do justice to the third. For if we were to maintain the priority of subjectivity, it nevertheless cannot be the case that the mourner is called upon to abandon his grief on a festival. Such an act is psychologically impossible and morally problematic.27

So in the following modified account of the Rav’s position, it is still the case that the incompatibility of mourning and rejoicing is to be located in inner states. But the incompatibility is not between inner grief *per se* and inner joy. We have seen that the substantial inner grief of repentance is fully compatible with the joy of Yom Kippur, so it is not inner grief as such that can’t co-exist with joy, but a particular kind of inner grief. Under this view, the Tosafists were not completely abrogating inner grief on festivals, only a particular kind of inner grief. I suggest that the particular kind of inner grief that is incompatible with joy is the inner grief of mourning which *cuts the self off from the community*. It is this specific kind of inner grief that, while sanctioned on the Sabbath, needs to be abandoned on a festival, for the commandment to rejoice is a ‘communal’ commandment, demanding that the mourner not cut himself off from his community.

The Rav writes that:

> It further appears that the force by which festival rejoicing can displace other conditions is its status as a community commandment… In other words, attaining the kiyyum of festival joy requires that the individual not only rejoice on their own but also cause one another to be joyful as well.28

In his *Mishne Torah*, the Rambam elaborates on the communal nature of the commandment to rejoice:

> While one eats and drinks [in celebration of a festival], it is his duty to feed the stranger, the orphan, the widow, and other poor and unfortunate people. For he who locks the gates of his courtyard and eats and drinks with his wife and children, without giving anything to eat and

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27 See Alex Sztuden, “Grief and Joy in the Writings of Rabbi Solovetichik (Part I),” *Tradition* (Winter 2010), 51-54.
28 *Out of the Whirlwind*, 80.
drink to the poor and bitter in spirit, his meal is not a rejoicing in a Divine commandment… (Hilkhot Yom Tov 6:18)\textsuperscript{29}

The Rav cites this Rambam, but in his gloss on the passage, he makes a surprising claim: “We thus find that a precondition to the kiyum of festival joy is bringing about the rejoicing of others.”\textsuperscript{30} For the Rav, the requirement to share one’s meals with others is not part of the kiyum of the mitsva of rejoicing, nor is it even part of its ma’asim. Rather, it is a third category: it is a pre-condition to the mitsva. It is unclear why the Rav did not associate the communal, or “ethicized” nature of joy with at least one of joy’s ma’asim. But it seems to me that a straightforward reading of the Rambam leads to the conclusion that sharing one’s meals is an essential part of the commandment to rejoice. It doesn’t seem to be just a pre-condition. It is, after all, the “community” commandment to rejoice that outweighs the “individual” commandment to mourn. I suggest then, that it is this communal aspect of rejoicing that is incompatible with the grief of mourning. In a lecture on mourning, R. Moshe Taragin writes that:

An avel must also actively display his PERSONAL SENSE of aveilut primarily by distinguishing and distancing himself from the rest of society. This is accomplished to some degree by his ‘code of silence’. The texture of aveilut is not limited to refraining from delightful or pleasurable practices. Indeed, it includes active displays of mourning to highlight the unique condition of the avel and to ‘segregate’ him.\textsuperscript{31}

As the passage above indicates, the mourner shuts himself off from his community, and it is this shutting off which precludes him from participating in the commandment to rejoice.\textsuperscript{32}

Imagine a mourner who, desolate and broken in spirit, desiring nothing more than to shut himself up in his house, nevertheless, mustering up all his remaining strength, opens his door and heads for the synagogue.

\textsuperscript{29} Ibid., 81.
\textsuperscript{30} Ibid., 81.
\textsuperscript{32} See also R. Yehiel’s student as cited by the Rav, for why the menudeh cannot participate in the commandment to rejoice on a festival: because he is isolated from the community, “he is forbidden to enter the camp and rejoice with the group.” Out of the Whirlwind, 80-81.
during Sukkot, *lulav* in hand, to join his community, and during the prescribed time, shakes the *lulav* with strength and devotion and, pushing past his inner desolation in a heroic act of will, recites the words of *hallel* with the same intensity and fervent concentration that R. Elija Pruzna displayed when putting on *tefillin* amidst his intense grief as his beloved daughter lay on her deathbed; and, after prayers, wishing only to run back to his household and lock himself up in his loneliness, instead, recalling the Rambam’s admonition, the mourner throws open his gates to the widow, the orphan and the stranger, and feeds his neighbors with meat and wine; is such a man not the real hero? Can we honestly believe that he has not fulfilled the commandment to rejoice on a festival, as the Rav’s unmodified position implies? The halakha does not demand and cannot demand that a mourner forsake his grief; that is why the Tosafists allow private mourning practices on a festival, to provide an outlet for the intensity of a mourner’s sorrow. What the halakha demands is that on a festival, the desolation of the heart not close up the self and shut the mourner off from his community. The individual commandment to mourn is annulled by the positive commandment of the community to rejoice. Mourning is incompatible with joy because in the fullness of mourning, the self is closed in on itself, and emotionally, if not physically, becomes cut off from the community. What the halakha demands of the mourner on a festival is not to forsake his grief, but that *despite* such grief and in the midst of his broken heart, he must somehow still find the courage and the will to open himself up to his neighbors, his community, and his God. The mourner capable of such a feat has no doubt fulfilled the commandment to rejoice on a festival. The joy of a mourner on a festival is a joy pierced with grief. And in this state of ‘joy and sorrow mingled’ together - lies the real heroism.