

# ONEG SHABBAS

## THE UNOFFICIAL PARASHAH SHEET FOR KIDDUSH CLUBS

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Oneg Shabbas explores drinking in the weekly Torah portion, along with timely essays on drinking in Jewish life.

### How About Them Fruit?

In Moses' retelling and contextualizing of the travels and travails of the Israelites at the outset of the book of Deuteronomy in this week's Torah portion, we read of an interesting abbreviation of the story of the scouts who returned with bountiful fruit (Numbers 13). In Moses' retelling (Deut. 1:25):

They took some of the fruit of the land in their hands and brought it down to us. And they gave us this report: "It is a good land that The LORD, our God, is giving to us."

Rather than specifying which fruits or even the most significant fruit of them all, Moses characterizes them as simply *fruit*. As we read in *parashas Shelakh*, the primary fruit was grapes, which was so bountiful, they needed to be carried on a pole. Moreover, as discussed in this space for that *parashah*, there are rabbinic midrashim that mention multiple poles and/or a more complicated carrying apparatus needed in order to transport this massive bunch of grapes ("The Bounty of Grapes"). As we know, grapes are the foundational aspect of wine, the privileged beverage of the Torah and our people.

Here, Moshe decided not only to not mention the grapes, specifically, but also mentions that they took the fruit in their hands. Definitely not the same description as carrying them on a pole, which seems to minimize their size. It's also pretty shocking, since they came back bringing the bounty of the fruits of the land of pomegranates, figs, and massive bunches of grapes, yet Moses downplays it. What's particularly striking, though, is the juxtaposition of saying it is a good land, yet bringing back such small fruits. In Numbers 13, they had massive fruits and while Caleb and Yehoshua provided positive reporting, the other ten provided pessimistic reporting. So what is going on here?

#### Midrashic Approach

On this verse, Rabbi Shimon, a leading second-century sage offered a sorrowful perspective on how the fruit was brought (*Sifrei Devarim* 23:1):

Rabbi Shimon said: "Shameful are these men who took in their hand: like a man who would take in his hand an *assarius*'s worth of figs or an *assarius*'s worth of grapes, thus they took in their hands."

א"ר שמעון: עלובים בני אדם שכן נטלו בידם, כאדם שנטול באיסר תאנים באיסר ענבים כך נטלו בידם



While an *assarius* does not mean much to you or me, it was the lowest valued coin regularly issued during the Roman Empire, weighing about 177 mg, so he is pointing out that Moses' description of their handling of these fruits in a way that seemed to downgrade their worth. For Rabbi Shimon, he is not bothered by Moshe contradicting the story as it was told in the book of Numbers, but rather characterizing the way in which these men handled these fruits as being degrading and, thus, reflecting back shamefully upon them (which is a bit of foreshadowing, since they spoke ill of their chances of conquering the land).



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### Wine Not: On the Custom of Not Drinking Wine Leading Up to Av 9th

In the aftermath of the destruction of the temple, there were some Jews who were looking to abstain entirely from wine-drinking in the late first century, as we see in the following text (t*Sotah* 15:10 & b*BB* 60b):

The Sages taught: When the Temple was destroyed the second time, there was an increase of ascetics amongst the Jews to not eat meat and to not drink wine. Rabbi Yehoshua approached them.

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?"

He said to them: "If so, we will not eat bread either, since the meal-offerings that were offered upon the altar have ceased."

"It is possible to subsist with fruits."

"We should not eat produce either, since the bringing of the first fruits have ceased."

"It is possible to subsist with other fruits."

"We will not drink water, since the water libation has ceased." They were silent.

He said to them: "My children, come, and I will tell you to not mourn at all is impossible, as the decree was already issued, but to mourn excessively is 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). 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', a person may prepare all that he needs for a meal, but he must leave out a small item, and a woman may engage in all of her cosmetic treatments, but she must leave out a small matter. And anyone who mourns for the destruction of Jerusalem will merit and see its joy, as it is stated: 'Rejoice with Jerusalem...' (Isaiah 66:10)."

תנו רבנן: כשחורב הבית בשניה, רבו פרושין בישראל שלא לאכול בשר ושלא לשתות יין. נטפל להן רבי יהושע, אמר להם: בני, מפני מה אי אתם אוכלין בשר ואין אתם שותין יין? אמרו לו: נאכל בשר - שממנו מקריבין על גבי מזבח, ועכשיו בטל? יין - שממסכין על גבי המזבח, ועכשיו בטל? אמר להם: אם כן, לחם לא נאכל - שכבר בטלו מנחות! אפשר בפירות. פירות לא נאכל - שכבר בטלו בכורים! אפשר בפירות אחרים. מים לא נשתה - שכבר בטל ניסוך המים! שתקו. אמר להן: בני, בואו ואומר לכם: שלא להתאבל כל עיקר אי אפשר - שכבר נגזרה גזירה, ולהתאבל יותר מדאי אי אפשר - שאין גזרין גזירה על הצבור, אלא אם כן רוב צבור יכולין לעמוד בה - דכתיב: 'במארה אתם נארים, ואני אתם קובעים' הגוי כלו! אלא כך אמרו חכמים: סד אדם את ביתו בסיד, ומשיר בו דבר מועט עושה, אדם כל צרכי סעודה, ומשיר דבר מועט עושה, אשה כל תכשיטיה, ומשיר דבר מועט וכל המתאבל על ירושלים - זוכה ורואה בשמחתה, שנאמר: 'שמחו את ירושלים וגו'."

Thus, while there is a sense that one would avoid wine (and meat) to mourn the destruction of the Second Temple, it is not reasonable, as Rabbi Yehoshua pointed out, to abstain from them for the entire year.

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little coins? This is certainly possible, since it would be hard to imagine Rabbi Shimon is seeking to point to the figs as being handled lightly like little coins? This is certainly possible, since it would be hard to imagine the pomegranates as being handled lightly like little coins. However, perhaps there is yet another possibility: the handling of the individual grapes as little coins(!). In this way, it can certainly seem to be disrespectful to the bounty of the land. Thus, leading him to condemn their behavior, since the word עלובים implies not just pitiful behavior, but a kind of moral or spiritual poverty. He laments how people are capable of reducing something grand and sacred — God's promise and bounty — to something trivial and small.

### A Simple Approach

A simple, straightforward approach to the word "בִּידֵם (in their hands)" - was articulated by the 11<sup>th</sup> century scholar, Rabbi Toviah ben Eliezer, who wrote (לקח טוב דברים א' כ"ה):

With their permission, but not in their actual possession, as it says: "And all the good of his master was in his hand" (Genesis 24:10).

In so writing, he points out that there seems to imply a distinction between having authority or permission over something versus having direct ownership or physical possession of it. Rabbi Toviah's reference here is describing Eliezer, Abraham's servant, who had permission to use his master's wealth, but it was not truly his own. Seemingly, this is pointing out that they had this fruit in their hands because it was requested of them to bring back.

### Displaying Proudly

A proud approach to considering this description was composed by Rabbi Yitzhak ben Yehudah Abarbanel (1437-1508), who wrote (אברבנאל) (דברים א' כ"ה):

And [Scripture] recalls that they took in their hand from the fruit of the land in order to show the nations and the leaders its richness. And they gave their report publicly before all of Israel, just as they had requested at the outset. This is [the meaning of] "they brought them back word and said, 'The land is good,' etc." Now, in saying "The land is good," they were referring only to it being a land flowing with milk and honey. Therefore, when showing the fruit, they said "the land is good" specifically in regard to the fruits and all the produce. And the strength of this statement is what is said there: "We came to the land to which you sent us, and indeed it flows with milk and honey — and this is its fruit." For this is the goodness that they confirmed was present in the land. And therefore, this

For Rabbi Shimon, it seems to him that these men were handling them quite lightly. As there are other fruits mentioned in *parashas Shelakh* - pomegranates and figs (Num. 13:23) - maybe Rabbi Shimon is seeking to point to the figs as being handled lightly like



statement is fitting for all the spies, for they only intended by "good" to refer to the richness of the land and its pleasures.

אל כל המרגלים כי לא כוונו בטובה כי אם דשנות הארץ ותענוגיה

In Rabbi Abarbanel's commentary, the display of the fruits by the spies is framed as a deliberate act of public demonstration meant to showcase the land's physical bounty, certainly different than Rabbi Shimon's perspective on their shameful display of the fruits.

### An 18th Century Inquiry

Clearly, the aspect of this verse that stands out the most is the word "בִּידֵם (in their hands)" - why is this word used? Rabbi Hayyim ben Moshe ibn Attar (1696-1743) (popularly known as the Ohr haHayyim) questioned (אור החיים על דברים א' כ"ה, ד"ה ויקחו בידם וגו'):

It is necessary to know Why did the Torah have to add the words בִּידֵם, "in their hands?" It would have sufficed for the Torah to write that the spies brought with them some of the fruit, etc.

צריך לדעת למה הוצרך לומר ויקחו בידם שלא היה צריך לומר אלא ויורידו אלינו מפרי הארץ

He then goes on to provide an answer: Indeed, the intent is that there were two levels among the spies: one negative, which was the response of the ten spies, and one positive, which was the response of Joshua and Caleb. In his words here, he mentions both responses. Corresponding to what the ten wicked men responded negatively, it says, "And they took... and brought us back word" — meaning, Moses, peace be upon him, did not wish to repeat the negative things they said so as not to arouse judgment against those who had already died. Therefore, he stated the matter in general terms—that they brought back a report.

אכן הכוונה היא לפי שהיו במרגלים שתי הדרגות, אחת רעה היא תשובת עשרה מרגלים, ואחת טובה היא תשובת יהושע וכלב, ובדבריו כאן אמר שתי התשובות, כנגד מה שהשיבו עשרה האנשים הרשעים לרעה אמר ויקחו וגו' וישיבו אותנו דבר פיוש לא רצה משה ע"ה לחזור הדברים הרעים שלא לעורר הדין על שכבר מתו ואמר הענין סתם שהשיבו דבר,

To hint that it refers to the ten spies, it says, "And they took in their hand", which alludes to what our Sages said (*Sotah* 34a): eight spies took a cluster of grapes, one took a fig, and one took a pomegranate. But Joshua and Caleb took nothing, as is stated in the words of our Sages. That is what is implied in the phrase "And they took in their hand" — to indicate that these were the ten who took from the fruit of the land.

ולהעירך שעל עשרה מרגלים הוא אומר אמר ויקחו בידם, פי' על דרך אומרים ז"ל (סוטה ל"ד, ח') מרגלים נטלו אשכול, אחד נטל תאנה, וא' נטל רימון, אבל יהושע וכלב לא נטלו כלום כאמור בדבריהם ז"ל, והוא מה שדקדק במאמר ויקחו בידם לומר שהם העשרה שלקחו בידם מפרי הארץ....

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## Rabbinic Origins

However, we do read that the rabbinic leadership established the avoidance of wine (and meat) not only on the anniversary of the Temple's destruction, which is the 9<sup>th</sup> day of the month of Av, but even the day before (mTa'anit 4:7):

A person should neither eat two cooked dishes nor eat meat, nor drink **wine** on the eve of the 9<sup>th</sup> day of Av. ערב תשעה באב לא יאכל אדם שני תבשילין, לא יאכל בשר ולא ישתה יין

Although a reasonable read of this text would suggest that one would not only refrain from such consumption on the 9<sup>th</sup> day of Av, as well as the 8<sup>th</sup> day of Av in its entirety, there are a pair of early rabbinic texts that feature second century sages minimizing the amount of time on the 8<sup>th</sup> day from which one should refrain from such consumption (Ta'anit 30a):

It was taught like the initial language: תניא כלישנא קמא: ערב תשעה באב לא יאכל אדם שני תבשילין, לא יאכל בשר ולא ישתה יין.

Rabban Shimon ben Gamliel says: "He should make a change." רבן שמעון בן גמליאל אומר: ישנה.

Rabbi Yehudah said: "How does he make a change? If he was accustomed to eating two cooked dishes, he should eat only one kind. If he was accustomed to dining with ten people, he should dine with five. If he was accustomed to drinking ten cups [of **wine**], he should drink five cups." אמר רבי יהודה: כיצד משנה? אם היה רגיל לאכול שני תבשילין – יאכל מין אחד, ואם היה רגיל לטעוד בעשרה בני אדם – סועד בחמשה, היה רגיל לשתות עשרה כוסות – שותה חמשה כוסות.

When do these words apply? From the sixth hour [midday] and onwards. But from the sixth hour and earlier, it is permitted. בקמה דברים אמורים משש שעות ולמעלה, אבל משש שעות ולמטה – מותר.

It was taught in another way: "On the eve of the Ninth of Av, a person should not eat two cooked dishes, should not eat meat, and should not drink **wine**," these are the words of Rabbi Meir. תניא אידך: ערב תשעה באב לא יאכל אדם שני תבשילין, לא יאכל בשר ולא ישתה יין, דברי רבי מאיר.

But the Sages say: "He should make a change, and he should reduce his consumption of meat and **wine**." והכמים אומרים: ישנה. וממעט בבשר ובין.

How does he reduce it? If he was accustomed to eating a *litra* of meat, he should eat half a *litra*. If he was accustomed to drinking a *log* of **wine**, he should drink half a *log* of **wine**. And if he is not accustomed [to consuming these daily] at all, it is entirely forbidden. כיצד ממעט? אם היה רגיל לאכול ליטרא בשר – יאכל חצי ליטרא, היה רגיל לשתות לוג יין – ישתה חצי לוג יין, ואם אינו רגיל כל עיקר – אסור.

Rabban Shimon ben Gamliel says: "If he was accustomed to eating a radish or salted food after his meal, he has permission to do so [as usual]." רבן שמעון בן גמליאל אומר: אם היה רגיל לאכול צנון או מליח אחר סעודתו – הרשות בידו.

Following the establishment of this enactment in the Tannaitic era, we read of a notable mid-third century sage who ratified these lenient aspects conditions (Ta'anit 30a):

Rav Yehudah said: "They only taught [this restriction] from the sixth hour [midday] and onwards; but from the sixth hour and earlier, it is permitted." אמר רב יהודה: לא שנו אלא משש שעות ולמעלה, אבל משש שעות ולמטה – מותר. And Rav Yehudah said: "They only taught [this restriction] regarding the final meal before the fast, but regarding a meal that is not the final meal before the fast, it is permitted." ואמר רב יהודה: לא שנו אלא בסעודה המפסיק בה, אבל בסעודה שאינו מפסיק בה – מותר.

Following the establishment of this enactment in the Tannaitic era, subsequent Talmudic sages, both amoraic and stammaic, ratified the limitation of the avoidance of wine and meat to only the day before Av 9<sup>th</sup>. Moreover, so, too, did even further subsequent generations of rabbis, both Saboraim, as well as Geonim.

# Drinking During The 9 Days



With "The 9 Days" currently taking place, you can check out the episode on drinking during this time of *The Jewish Drinking Show*.



The episode is available on YouTube and wherever you prefer listening to podcasts, as well as at [JewishDrinking.com/drinking9days](http://JewishDrinking.com/drinking9days)

## Medieval Ashkenazic Expansion

However, in the medieval period, Ashkenazi rabbis sought to extend this period of time of abstaining from wine. We already read by the turn of the 14th century, as Rabbi Ya'akov ben Asher (1270–1340) wrote the *Tur* או"ח (תקנ"א):

The Ashkenazic custom is that individuals refrain from meat and wine from the 17<sup>th</sup> of Tammuz onward, and from Rosh Chodesh (Av) onward, everyone refrains from meat and wine, except on Shabbat, when they eat and drink as is done the entire year.

ומנהג אשכנז היחידים נמנעים מבשר ויין מ"ז בתמוז ואילך ומראש חודש ואילך נמנעים כולם מבשר ויין זולת שבת שאוכלין ושותין כדרך כל השנה כולה

While the notion of not having wine from the first day of Av is a huge abstention from wine, at least that custom of refraining from the 17<sup>th</sup> of Tammuz is not still common today, thank God.

## More Than Just Wine???

Another move was to forbid all alcoholic beverages, as Rabbi Moses Isserles (1530-1572) notes (דרכי משה, אורח חיים תקנ"א:ט'): ...And further wrote Rabbi Alexander

Süsslein HaKohen (d. 1349) in his Sefer Agudah that "we are accustomed to not drink beer", but the custom is not like his words, that we even drink mead. ...

This is something that he ratifies in his commentary to Rabbi Yosef Karo's *Set Table* (רמ"א או"ח תקנ"א:י"א).

## Occasions for Leniencies

Since the abstention from wine is a custom that is a stringency, there are also mechanics to enable leniency, as Rabbi Isserles writes about situations in which wine, as well as meat, may be consumed (רמ"א לאו"ח):

At a Mitzvah Meal like a circumcision, redemption of the first-born male, a Siyum (concluding of a) Tractate, or an Engagement Meal, we eat meat and drink wine, all those who are relevant to the meal, but there is to minimize that one should not to add on.

ובסעודת מצוה כגון מילה ופדיון הבן וסיום מסכת וסעודת אירוסין ואוכלין בשר ושותין יין כל השייכים לסעודה אבל יש לצמצם שלא להוסיף

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L'chaim 

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