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INTERNET PARSHA SHEET ON DEVARIM / CHAZON / TISHA B'AV - 5786

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Chazon and Nachamu

Adapted from a Drasha from **Rabbi Nisson E. Shulman**
In memory of the Yahrteit this Shabbos of Rose Ruth **חנה רחל**
Shulman a"h the mother of yb"l Rabbi Nisson E. Shulman
Parshas Devarim is always read before Tisha B'Av, and Parshas Va'eschanan is always read afterward. The haftorah of Devarim begins Chazon Yeshayahu; the haftorah of Va'eschanan begins Nachamu, nachamu ami. Both prophecies were delivered by the same navi, Yeshayahu. This is significant. The message does not change; the people must change. When they do, chazon can become nachamu. The same navi who foretold destruction also foretold consolation, because the possibility of consolation was present even within the vision of destruction. Today we no longer have living nevi'im. Yet in another sense we possess the words of all of them, above all those of Moshe Rabbeinu, the adon hanevi'im. Their message reaches us through Torah and halachah, as taught and interpreted by the sages of every generation.
Certain countries may be characterized as lands of chazon, lands of destruction for the Jews who live within them, while others appear to be lands of nachamu, places of consolation in which Jewish life flourishes. Germany was surely a land of chazon, where the vision of

destruction became a terrible reality for one-third of our people. Immediately afterward, we witnessed the rebirth of the State of Israel, a land of nachamu for a people decimated and devastated by the Holocaust. There was also a time when we regarded the Soviet Union as a land of chazon. The Iron Curtain sealed off a large portion of our people and denied them the freedom to practice their religion, while America, Britain, Australia, South Africa, and the other countries of the free world seemed, by contrast, to be lands of nachamu.

But matters are not always as simple as they appear. When Russia's bonds were finally broken, many returned to the faith of their fathers, and even more returned to the land of their fathers. Yeshivos, summer camps, and Jewish day schools arose within the former Soviet Union, and some who remained rediscovered their heritage. But the fuller picture is more sobering. Decades of forced assimilation had done their work: many who came out of Russia, or who made aliyah under the Law of Return, turned out not to be halachically Jewish at all, the product of generations of intermarriage that Soviet suppression of religion had only accelerated. Of those who were Jewish, a great many remained, and remain, disconnected from Torah observance. The bonds were broken, but not all that had been lost within them was restored. Even so, something real did survive. Segments of authentic Jewish life took root, in the former Soviet Union, in Israel, and here, where none had been expected to survive at all. Whether that qualifies as the fulfillment of Nachamu, nachamu ami, or only a partial and still unfolding nechamah, is a question we may not yet be in a position to answer.

France offers one illustration of the same pattern, but it is far from alone. Britain, once assumed to be simply a land of nachamu, has seen its own Jewish community shaken by the same currents: antisemitic incidents at record highs, a mainstream political party investigated for institutional antisemitism, Jewish schools and shuls under police guard. Australia, long thought among the safer and more settled Diaspora communities, has in the past two years seen synagogues firebombed and Jewish neighborhoods targeted in ways that shocked a country unaccustomed to thinking of itself as unsafe for Jews. Across Western Europe more broadly, from Germany to the Netherlands to Scandinavia, communities that had rebuilt in the shadow of the Holocaust now report Jews concealing their identity in public, removing mezuzos from visible doorposts, hesitating before wearing a yarmulke on the street. In each case the same quiet response has followed: rising aliyah, and a Diaspora rethinking whether the lands it called home still deserve that name.

Is America necessarily a land of nachamu merely because it is a land of freedom? The Greek tale of the lotus-eaters describes a plant that lulled sailors into forgetfulness until their ships were dashed upon the rocks. The free world can likewise become a land of chazon: a place of spiritual disintegration and disappearance, a land of lotus-eaters. In recent years this has felt less like a cautionary tale and more like a description of the present. American Jews now weigh their safety on campuses, in cities, and even in shul in a way that would have seemed unthinkable a generation ago, while Eretz Yisrael, for all its wars and dangers, has come to feel for many the more secure home. It is a strange reversal: the land of exile beginning to resemble chazon, and the land of return increasingly the address of nachamu. Since Simchas Torah of 5784, we have seen this same intermingling of chazon and nachamu played out again and again, each time with

terrible speed. The massacre in the south of Israel was chazon in its starkest form. What followed revealed how much chazon had been lying dormant even in the freest of countries. On Yom Kippur 5786, a terrorist rammed his car into worshippers and stabbed them outside a synagogue in Manchester, killing two men who had come to pray on the holiest day of the year. That same Chanukah, gunmen opened fire on a thousand people gathered for a public menorah lighting at Bondi Beach in Sydney, murdering fifteen, among them a Holocaust survivor. Months earlier, two young Israeli Embassy staffers, on the verge of their own engagement, were shot dead leaving a Jewish museum in Washington. In France, the chief rabbi of Orléans was beaten in the street in front of his nine-year-old son on his way home from shul. Each of these was chazon in miniature. And each produced its own nachamu. Manchester's Jews carried their prayer books into the street and finished Yom Kippur services outside the cordon rather than stop davening. Sydney lit its Opera House with a menorah the very next night, and a city that had never thought of itself as unsafe for Jews turned out in the thousands to relight the candles the terrorists had tried to extinguish. Orléans answered with a silent march at the Bastille and, in time, plans for the city's first mikvah in centuries. And across the Diaspora these years have produced a surge in aliyah and an outpouring of achdus rarely seen in our lifetimes, Jews who had never set foot in a shul finding their way back. Once again, chazon and nachamu proved not to be opposites but two faces of the same moment, and it fell to us, as it always does, to determine which one would prevail.

Will we learn this lesson? Will we discover the true Jewish meaning of freedom, *charus al haluchos*, freedom engraved upon the tablets? Will we reverse the tide of assimilation within our own communities? At a time when Israel's security may depend on more than its own army, American Jewish support can no longer be measured mainly in dollars raised or trips taken. It is measured in whether the halls of Congress still stand with Israel when it counts. That support has always had its ebbs and flows; American backing for Israel has never been a fixed inheritance, and every generation has had to work to keep it. But there are signs today that it is eroding in ways that should concern us: voices once at the margins of American politics questioning the relationship openly, and a bipartisan consensus that once felt unshakeable now looking more fragile. If that erosion continues, it will not be tourism dollars that are missed but something far harder to rebuild. Should this continue, the beautiful and free land of America could itself become a land of chazon, a chazon that affects not only American Jewry but also the defenders and builders of our holy land.

For thousands of years we waited, prayed, and yearned for the nachamu of a reborn Eretz Yisrael. Now that it has come, and requires our involvement and support, can we stand silently and permit it to return to a condition of chazon? The land of the free can become either a land of chazon or a land of nachamu. Which it will be depends upon us.

As Tisha B'Av approaches, we confront the destruction of the Beis Hamikdash, the heart of our people. But the Jewish heart is itself a sanctuary of Hashem, and its spiritual desolation is expressed in the terrible prophecy of Moshe Rabbeinu: בניך ובנותיך נתונים לעם אחר, "Your sons and daughters will be given to another people." Our response to the destruction of the Beis Hamikdash must be teshuvah: a return to Hashem's commandments, a return to the integrity of

Jewish family life, a return to the Torah education of our children, and a return to Eretz Yisrael. Chazal are explicit about what teshuvah must correct. The Gemara in Yoma teaches that the first Beis Hamikdash fell because of the three cardinal sins, idolatry, immorality, and bloodshed, but the second, built at a time when the nation was scrupulous in mitzvot, fell because of *sinas chinam*, baseless hatred among Jews for one another. The account of Kamtza and Bar Kamtza that Chazal give as the proximate cause, a mistaken wedding invitation, a public humiliation, rabbis present who said nothing while a guest was thrown out of a feast in front of the whole community, is told not as an oddity of Roman-era social manners but as the hinge on which the churban turned. A single act of small-mindedness, left unanswered, brought down the Mikdash itself. If *sinas chinam* alone could accomplish that, *ahavas chinam*, baseless love that asks for no political or ideological agreement first, must be at least as powerful in the other direction.

There are moments in history when a turning point is reached. This is such a moment. Even at the moment of the churban itself, chazon carried nachamu within it. As Yerushalayim burned and the Beis Hamikdash lay in ruins, Rabban Yochanan ben Zakkai had himself smuggled out of the besieged city, and made a single request of the Roman general Vespasian: Yavneh v'chachameha, Yavneh and its sages. From that modest request, granted almost as an afterthought, grew the academy that preserved the Torah she'be'al peh, the oral tradition later set down as the Mishnah and the Gemara that we still learn today. The Mikdash was chazon in its most literal sense, stone toppled upon stone; Yavneh was the nachamu already taking root in its ashes, before the fires had even gone out. Every generation since has had its own Yavneh: some quiet request, made at the darkest possible moment, that turns out in time to have carried the future inside it.

A permanent return to Eretz Yisrael may not presently be possible for everyone, though it is certainly desirable. Those who make aliyah deserve our admiration, but the many who do so do not absolve those who remain in the Diaspora of their responsibility to provide moral, emotional, and material support for their brothers and sisters in Israel. At the very least, we can visit often. Such a visit provides encouragement and strength. More than almost anything else, it demonstrates that Jews in Israel and Jews throughout the world share a common destiny and will confront the challenges of history together, as Jews, no matter where they live.

Then we will bring nechamah to Israel and its citizens, and all of us will be guided by the Almighty toward a better tomorrow. Instead of the words of Yeshayahu, בנים גדלתי ורוממתי והם פשעו בי, "I raised and exalted children, but they rebelled against Me," we will merit to hear נחמו נחמו עמי, "Comfort, comfort My people." Manchester, Sydney, Washington, Orléans: these losses stay losses. What we can still ask for, as Eicha itself asks after naming far greater ones, is only this: השיבנו ה' אליך ונשובה, חדש ימינו קדם, "Bring us back to You, Hashem, and we will return; renew our days as of old."

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Showering During the Nine Days *Translated and adapted from ימים טובים בהלכה by Rav Yissachar Frand*

Washing during the Nine Days for Ashkenazim, or during the week of Tisha B'Av for Sepharadim, is a common question today, as the heat of the summer causes great distress. Some rely on the

Acharonim who permitted washing to remove sweat, so long as it isn't done for pleasure. Others follow the Shulchan Aruch strictly and forbid it entirely. This article traces the sources of the prohibition and the key distinctions that shape how it applies: (i) the week of Tisha B'Av versus the period beginning Rosh Chodesh, (ii) washing the whole body versus just the face, hands, and feet, (iii) hot water versus cold, and (iv) when soap is permitted.

The Prohibition of Washing on Tisha B'Av Itself. The Mishnah and Gemara forbid washing only on Tisha B'Av itself. The Gemara in Pesachim 54b quotes Rav Elazar, who says a person may not so much as dip a finger in water on Tisha B'Av, just as on Yom Kippur. Regarding erev Tisha B'Av, a braisa in Taanis 30a discusses the seudah hamafsekes: any meal eaten because of Tisha B'Av forbids meat, wine, and washing, while a meal not eaten for that reason permits meat and wine but still forbids washing. Rabbi Yishmael b'Rebbi Yosi disagrees, quoting his father that whenever meat is permitted, washing is permitted as well. Despite disagreement among the Rishonim over the precise text, all agree that, strictly speaking, washing the entire body in hot water is permitted until Tisha B'Av itself, or at least until the seudah hamafsekes. A Mishnah in Taanis 26b reinforces this: it forbids only haircuts and washing clothes during the week of Tisha B'Av, implying that washing the body is technically permitted throughout that week.

The Custom to Forbid Washing Earlier. Jewish custom extends the prohibition beyond what the letter of the law requires, though poskim differ on when it begins. Some start it the week Tisha B'Av falls; others start it from Rosh Chodesh Av. The Rambam and the Ran describe the custom as beginning during the week of Tisha B'Av. The Rambam writes that Israel already has a custom not to eat meat that week, and not to enter the bathhouse until the fast has passed. The Ran adds that although washing is technically permitted, modest people refrain from washing their bodies for that entire week. The Raavya, the Mordechai, the Or Zarua, and the Tur, by contrast, hold that the custom is to forbid washing from Rosh Chodesh Av. The Shulchan Aruch cites both views. The Rema rules that the custom is to forbid washing from Rosh Chodesh.

Washing in Cold Water. The Terumas Hadeshen highlights a further disagreement: because the Rambam frames the prohibition around the bathhouse, it would seem to apply only to hot water, while the Mordechai implies it applies to cold water as well. The Terumas Hadeshen notes that people bathe in rivers from Rosh Chodesh without objection, though he adds that stringency in this area brings a bracha. The Rema rules strictly, following the Mordechai: the custom, he writes, is not to wash even in cold water from Rosh Chodesh onward, and even on erev Shabbos Chazon one may wash only the head, face, hands, and feet in cold water, with some lenient enough to permit washing the head in hot water for someone accustomed to doing so every Shabbos. The Mishnah Berurah clarifies that the prohibition on cold water applies only to washing the entire body; washing the face, hands, and feet in cold water remains permitted without qualification.

Washing for Cleanliness Rather Than Pleasure. The Rema permits washing for the sake of a mitzvah, such as a niddah's immersion, since this isn't done for pleasure. The Shulchan Aruch applies similar reasoning to anointing on Tisha B'Av, forbidding it only when done for pleasure and permitting it to treat scabs. The Aruch Hashulchan extends this logic to cleanliness generally, ruling that someone whose

body isn't clean may wash even in hot water in order to become clean. The Mishnah Berurah applies the same reasoning to Yom Kippur, permitting washing done solely to remove sweat, since this isn't for pleasure, though he adds that someone who isn't an *istanis* should be strict with himself. By this logic, washing for cleanliness during the Nine Days shouldn't be forbidden either, which raises the question of why the practice is nonetheless widely treated as forbidden today.

A related difficulty arises regarding washing the head on erev Shabbos: the Mishnah Berurah, citing the Magen Avraham, permits this in hot water but not with *zaif*, meaning soap. The reasoning here is not obvious, since soap serves cleanliness rather than pleasure, and the sources do not fully explain why it should be restricted in this context.

The Views of Contemporary Poskim. Rav Shlomo Zalman Auerbach resolves the matter strictly. Discomfort alone, he holds, even for an *istanis*, does not justify leniency, since the Sages instituted this custom specifically to cause discomfort and induce mourning for the Beis Hamikdash. He permits washing only in cold water, without soap, and only for someone suffering extremely, allowing soap solely when sweat cannot be removed without it. A footnote records that he was pained by the constant search for leniencies during the Nine Days, seeing in it a weakened connection to the churban and the galus, and he warned against letting the fine details of these customs eclipse the primary obligations of mourning, teshuvah, and anticipating the geulah.

Many contemporary poskim, by contrast, are lenient regarding washing to remove sweat. The Igros Moshe, asked by yeshiva students whether washing on a hot day is permitted from Rosh Chodesh Av until erev Tisha B'Av when the intent is only to remove sweat and not for pleasure, ruled that there is indeed room for leniency. (Rav Moshe did not specify hot or cold water, and his students disagreed over what he meant: Rabbi Aharon Felder maintained he permitted only cold water without soap, absent genuine necessity, while Rabbi Shmuel Fuerst and Rabbi Shlomo Gissinger testified that he permitted lukewarm water and soap under specific conditions: (i) washing only once a day, (ii) staying in the shower no longer than necessary, and (iii) using only enough lukewarm water to take off the chill.

The Emes L'Yaakov likewise rules that washing is forbidden only when done for pleasure, and permits it when someone is dirty, sweaty, or has an unpleasant odor. He prefers washing without soap, but holds that cold water with soap is preferable to hot water without it. His son, Rav Shmuel Kamenetsky, permits an *istanis* to wash in cold water with soap, explaining that the earlier poskim who forbade soap did so because it was then considered a luxury associated with pleasure; today, when soap serves cleanliness alone, that reasoning no longer applies. The Piskei Teshuvos summarizes these modern leniencies clearly: the washing that remains forbidden is specifically washing meant to cool off or for pleasure. Dirty workers may wash, even in hot water if necessary, and in hot and humid climates contemporary poskim allow further leniencies: (i) a person distressed by excessive sweating may shower, (ii) someone whose odor offends others may shower for the sake of human dignity, (iii) soap may be used if necessary, (iv) cold or lukewarm water should be used, avoiding any pleasure from the heat, (v) a sick person or an *istanis* may use warmer water, and (vi) showering should be done privately.

Finally, the sources disagree on the position of the Chazon Ish. Rav Chaim Kanievisky writes that the Chazon Ish forbade yeshiva students from showering, while the Rivevos Efraim claims that the Chazon Ish permitted bnei Torah to wash without soap when sweat interfered with their learning.

[*Conclusion.* The strict letter of the law forbids washing only on Tisha B'Av itself; everything earlier is a matter of custom, and customs, by their nature, admit of variation. That variation plays out along the axes surveyed above: how early the prohibition begins, whether it extends to cold water, and whether washing done purely for cleanliness, rather than pleasure, falls within it at all. Rav Shlomo Zalman Auerbach's position represents one pole, treating the discomfort itself as the point of the custom and permitting only cold water without soap for someone suffering greatly. The Igros Moshe, the Emes L'Yaakov, Rav Shmuel Kamenetsky, and the Piskei Teshuvos represent the other, reading the custom as directed at pleasure rather than at comfort as such, and so permitting washing, sometimes with soap, sometimes in lukewarm water, when the purpose is genuinely to remove sweat or odor rather than to cool off. A person facing this question in practice should recognize that both poles are grounded in serious halachic reasoning, and should follow the position their rav or community has adopted, applying it with the conditions the lenient poskim themselves attach: minimal water, minimal time, not hot, and no pleasure taken in the relief.]

Online Tisha B'Av Programming (partial list from cshulman)

- <https://www.tishabav.global/>
- <https://www.torahanytime.com/>
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From **Chaim Shulman** <cshulman@gmail.com>

The Destruction of the Second Beis Hamikdash

Based on various gemaras and midrashim, and R' Berel Wein, Echoes of Glory, R' Ken Spiro, Aish History Crash Course, R' Eliyahu Kitov, Sefer Hatodaah and R' Yosef Eisen, History of the Jewish People.

The final embrace. When the Romans entered the Second Beis Hamikdash, they found the images of the keruvim intertwined in an embrace (Yoma 54b). They dragged them into the marketplace and displayed them contemptuously, mocking the Jewish people for what they took to be an indecent image. Yet the keruvim represented the bond between Hashem and Israel: when the Jewish people fulfilled His will, the keruvim faced one another; when Israel turned away, they turned apart. At the very moment of the Churban, they were found embracing.

That fact holds the mystery of the Churban. The Beis Hamikdash was burning, Jerusalem was filled with death, and Jewish sovereignty was ending, yet the covenant between Hashem and the Jewish people had not

ended. The House could be destroyed; the relationship for which it had been built could not be.

To understand that final embrace, we must first understand how Jerusalem reached the flames. Rome destroyed the Second Beis Hamikdash in 70 CE, but the Churban did not begin when Titus arrived outside its walls. Its political, social, and spiritual foundations had been weakening for generations.

The decree and its instruments. History records rulers, armies, factions, and military decisions. Chazal teach us to look beneath them. Rome possessed the soldiers and the torches, but it could enter Jerusalem only because Hashem permitted it. The political history explains the means; Chazal reveal why the Divine protection of Jerusalem was withdrawn.

This did not make human choices unimportant. Florus chose cruelty, Bar Kamtza chose revenge, the guests at the banquet chose silence, and the armed factions chose to burn Jerusalem's provisions. That the Churban was decreed by Hashem did not excuse those who carried it out. Each person remained responsible for what he did.

The magnificent but fragile kingdom. Herod, הורדוס, the Roman-backed king of Yehudah, died in 4 BCE, leaving a contradictory legacy: he ruled through fear, eliminated rivals, and interfered with the Kehunah Gedolah, yet also rebuilt the Beis Hamikdash on a scale that made Jerusalem renowned throughout the ancient world. The splendor of the building concealed the fragility of the political order around it.

His son Archelaus proved so cruel and incapable that Rome removed him in 6 CE and placed the country under direct Roman administration. A succession of procurators followed, chiefly concerned with taxes, order, and their own wealth; some interfered little in Jewish religious life, others were corrupt and openly contemptuous of their Jewish subjects. The office of Kohen Gadol had also become entangled with politics, as Roman officials and the ruling aristocracy appointed and removed Kohanim Gedolim with alarming frequency, while wealthy priestly families competed for influence and the dignity of the office steadily diminished.

Jewish society was deeply divided as well. The פרושים, the Perushim or Pharisees, upheld Torah shebe'al peh and the authority of the Sages. The צדוקים, the Tzedukim or Sadducees, rejected many of those traditions and were closely tied to parts of the priestly aristocracy. The Gemara refers to the violent extremists who controlled Jerusalem during the siege as the בריונים, the biryonim.

The desire to escape Roman domination was understandable; Roman rule was often oppressive and humiliating. But among some groups, opposition to Rome gradually hardened into hostility toward any Jew who counseled patience or compromise. Political disagreement became treason. The Sicarii, named for the daggers concealed beneath their clothing, assassinated Jews they regarded as collaborators. Movements that claimed to defend the Jewish people began terrorizing the Jewish people. Long before Roman soldiers breached Jerusalem's walls, its social bonds were already breaking.

Jerusalem and Caesarea. Chazal viewed the conflict with Rome as more than a struggle for political control: קיסרי וירושלים אם יאמר לך אדם חרבו שתיהן אל תאמן ישבו שתיהן אל תאמן חרבה קיסרי וישבה ירושלים חרבה ירושלים וישבה קיסרי תאמן, "Caesarea and Jerusalem: if someone tells you that both are destroyed, do not believe him; if both are flourishing, do not believe him. But if Caesarea is destroyed and Jerusalem flourishes, or Jerusalem is destroyed and Caesarea flourishes, believe him" (Megillah 6a). Caesarea was the seat of the Roman authority that ruled Yehudah; Jerusalem was the center of Torah and the avodah. The coming conflict would be fought by armies, but its meaning reached far beyond the battlefield.

Forty years before the Churban, the Sanhedrin left the Lishkas Hagazis and moved to the chanuyos. From that moment, formal capital jurisdiction ceased, since dinei nefashos could be adjudicated only while the Great Sanhedrin sat in its designated place in the Beis Hamikdash. The Sanhedrin later moved elsewhere in Jerusalem and ultimately to Yavneh, where it remained a great center of Torah and communal authority but could no longer hear capital cases (Avodah Zarah 8b; Rosh Hashanah 31a). Long

before Rome surrounded Jerusalem, then, the supreme court of Israel had already retreated from its chamber, because Jewish society had become too violent for its highest judicial institution to function. Something fundamental had already been lost.

The signs of approaching destruction. During those same forty years, other signs of Divine favor disappeared from the Beis Hamikdash. The lot marked "For Hashem" no longer consistently arose in the Kohen Gadol's right hand, the crimson thread no longer turned white, the western lamp ceased to burn continuously, and the doors of the Heichal opened by themselves. Rabban Yochanan ben Zakkai rebuked the Heichal and quoted the prophecy, פתח לבנון דלתך ותאכל אש בארזיך, "Open your doors, O Lebanon, and let fire consume your cedars" (Yoma 39b). The Roman armies had not yet entered, but the signs of Hashem's protection were already disappearing. Chazal therefore did not explain the destruction of the Bayis Sheni merely by pointing to Roman power. They asked a far more disturbing question: אבל מקדש שני שהיו עוסקין בתורה ובמצות וגמילות חסדים מפני מה חרב מפני שהיתה בו שנאת חנם, "The people of the Second Beis Hamikdash studied Torah, observed mitzvos, and performed acts of kindness. Why, then, was it destroyed? Because there was sinas chinam among them" (Yoma 9b). The people were not irreligious; they could learn Torah, perform mitzvos, and give tzedakah, yet remain unable to tolerate one another. Their religious lives had not prevented political, social, and personal conflict from turning fellow Jews into enemies.

The banquet. Rabbi Yochanan condensed the moral tragedy of the Churban into the story of one banquet: אקמצא ובר קמצא חרוב ירושלים, "Because of Kamtza and Bar Kamtza, Jerusalem was destroyed" (Gittin 55b). A man in Jerusalem prepared a feast and told his servant to invite his friend Kamtza. The servant mistakenly invited Bar Kamtza, whom the host hated. Seeing him among the guests, the host demanded that he leave. Bar Kamtza pleaded to stay, offering first to pay for what he ate, then for half the banquet, then for the whole of it. The host refused every offer, seized him, and expelled him publicly. The humiliation was bad enough; the silence was worse. Sages and prominent people were present, yet no one intervened. Bar Kamtza concluded that their silence meant approval, and left determined to take revenge not only on the host but on the community that had watched. He went to the Roman authorities and claimed the Jews were rebelling, proposing that the emperor send an animal to be offered in the Beis Hamikdash. On the journey he inflicted a small blemish on the animal, invalid under Jewish law but unremarkable to Roman eyes.

The Sages recognized the danger. Some proposed offering the animal despite the blemish to preserve peace with Rome. Rabbi Zechariah ben Avkulas, רבי זכריה בן אבקולס, objected that people might conclude blemished animals could be offered on the mizbe'ach. They then considered killing Bar Kamtza so he could not report the rejection; Rabbi Zechariah objected again, fearing people would conclude that blemishing a korban carries a death penalty. Nothing was done. The offering was rejected, and the insult reached Rome. Rabbi Yochanan judged the episode severely: ענוותנותו של רבי זכריה בן אבקולס, "The excessive humility of Rabbi Zechariah ben Avkulas destroyed our House, burned our Sanctuary, and exiled us from our Land" (Gittin 56a). The criticism was not that Rabbi Zechariah cared too much about halachah, but that he could not assume responsibility in an emergency. He saw every possible misunderstanding but failed to confront the catastrophe certain to follow from doing nothing. The moment demanded the judgment to distinguish an ordinary case from an existential crisis.

The story begins with hatred and humiliation, moves through communal silence and revenge, and ends with leadership unable to act. Chazal were not writing conventional military history; they were revealing the moral condition through which a political crisis became a national catastrophe. *Jewish revolt against Rome.* Gessius Florus, Roman procurator of Yehudah from roughly 64 to 66 CE, was corrupt, greedy, and cruel. Tensions had already erupted between the Jewish and non-Jewish populations of Caesarea, the seat of Roman government, and Florus repeatedly failed to protect the

Jews or offer peaceful redress. He seized money from the treasury of the Beis Hamikdash and answered protest with violence; Roman soldiers looted Jerusalem and killed thousands, and prominent Jews, some with Roman citizenship, were publicly whipped and crucified. Moderate leaders still tried to prevent open war. Agrippa II warned that rebellion against one corrupt governor would become a war against the entire empire, and at first many seemed prepared to restore order. But trust had collapsed, and the more extreme elements steadily gained ground. The daily offering brought on behalf of the Roman emperor was discontinued, an act Yosef ben Mattisyahu Hakohen, יוסף בן מתתיהו הכהן, later Flavius Josephus, regarded as the formal start of the revolt. Josephus had commanded Jewish forces and became the war's principal contemporary historian; his account, written under Roman patronage, must be read with some caution, but remains indispensable. Roman authority within Jerusalem collapsed, the remaining troops were defeated, and the revolt spread.

The fatal triumph. Rome sent Cestius Gallus, governor of Syria, to restore order, advancing on Jerusalem with the Twelfth Legion. Under circumstances that remain uncertain, Gallus withdrew, and Jewish fighters attacked the retreating army near Beis Choron, inflicting a devastating defeat. Thousands of Roman soldiers were killed, and their weapons fell into Jewish hands.

The victory electrified the country. The seemingly invincible Roman army had been beaten; weapons were distributed, defenses begun, and many who had opposed rebellion now concluded that Rome could be overcome. Before Beis Choron, moderates could warn that rebellion was hopeless; afterward, that warning appeared disproved, and revolutionaries could point to the victory as vindication.

Yet it was a fatal triumph. The Jews had defeated one Roman army; they had not defeated Rome. The empire could not permit a province to destroy a legion and claim independence, or other subject nations might follow. The victory that seemed to save Jerusalem ensured that Rome would now bring its full power against it.

Nero and Vespasian. Nero, נירון קיסר, emperor from 54 to 68 CE, appointed Vespasian, ואספסיינוס, one of Rome's most experienced generals, to suppress the revolt.

The Gemara preserves a striking aggadah about Neron Caesar. Approaching Jerusalem, he shot arrows in different directions, and each fell toward the city. He asked a Jewish child to recite the verse learned that day, and the child answered: ונתתי את נקמתי באדום ביד עמי ישראל, "I shall place My vengeance upon Edom through My people Israel." Neron understood that Hashem intended to punish Israel through Rome, and afterward punish Rome for its cruelty. He fled and converted, and, the aggadah relates, Rabbi Meir descended from him (Gittin 56a). The story does not exonerate Rome as a mere instrument of Divine judgment; it teaches the opposite: even an agent used to fulfill a decree remains accountable for its own choices.

Vespasian began his campaign in the Galil in 67 CE. City after city fell before the disciplined legions. Yosef ben Mattisyahu, commanding the Jewish forces there, surrendered after the fall of Yodfat and later joined the Roman camp. By the end of 68 CE, most organized resistance outside Jerusalem had been crushed. Then Nero died, Rome fell into civil war, and Vespasian suspended the campaign while rival generals fought for the throne. In 69 CE he became emperor and departed for Rome, passing command of the war to his son Titus.

Jerusalem had been given time. It used that time to destroy itself.

Three armies within Jerusalem. By the time the Roman army returned, three Jewish factions were fighting for control of the city: Yochanan of Gush Chalav commanded one force, Shimon bar Giora another, Elazar ben Shimon a third. Each claimed to defend Jerusalem while treating the others as enemies, fighting in the streets and even within the Beis Hamikdash itself. Moderate leaders were threatened, removed, or killed; homes were looted; anyone suspected of favoring negotiation risked being branded a traitor. Josephus describes Jerusalem as a wild animal consuming its own flesh. The

defenders had not yet faced the full Roman assault, and were already turning their weapons on one another.

The Romans were outside the city; civil war was inside it. The Perushim, the Sages and their followers, urged that Jerusalem seek peace with Rome. The biryonim, the armed extremists who controlled the gates, insisted on battle and would not permit residents to leave. The term biryonim need not be identified with any one faction Josephus names; it is Chazal's description of the violent men who prevented negotiation and forced the population to keep fighting (Gittin 56a).

A city prepared to endure. Jerusalem was not an exposed or defenseless city. It was protected by successive walls and formidable fortifications, with a dependable water supply and enormous food stores, though its population had swollen with refugees and Jews who had come for Pesach. The tragedy was not that Rome surrounded a helpless city; Jerusalem had the physical means to resist for a long time, but its internal divisions deprived it of those means.

The food that could have saved Jerusalem. Chazal relate that three of Jerusalem's wealthiest residents, Nakdimon ben Gurion, בן גוריון, Ben Kalba Savua, בן כלבא שבו, and Ben Tzitzis Hakeset, בן ציצית הכסת, undertook to provision the city, one with wheat and barley, one with wine, salt, and oil, one with wood for cooking and heating. Rav Chisda emphasized the wood: grain cannot sustain a city if there is no fuel with which to bake it. Their warehouses, the Gemara says, held enough to sustain Jerusalem for twenty-one years (Gittin 56a). The number may simply express the enormous quantity stored, but the message is clear: Jerusalem was not doomed to immediate starvation.

The Sages urged that Jerusalem seek peace; the biryonim insisted on battle, and when the Sages refused to endorse them, the biryonim burned the warehouses so the population would have no alternative but to fight (Gittin 56a). Josephus likewise records that rival factions burned houses containing large stores of grain, directly producing the famine that followed. A well-fortified city with food and water enough to withstand a long siege was crippled from within. The extremists did not merely choose war for themselves; they eliminated every other choice for everyone else, preferring a starving Jerusalem forced to fight under their control to a well-provisioned Jerusalem whose leaders might negotiate. Rome would tighten the siege, but Jews had already manufactured the famine.

The last meal of Marta bat Baitos. The Gemara brings the catastrophe down from armies and leaders to one woman. Marta bat Baitos, מרתא בת ביתוס, among the wealthiest women in Jerusalem, belonged to a prominent priestly family and had lived in extraordinary luxury. As food disappeared, she sent her servant to buy fine flour; none remained. She asked for ordinary flour, then coarse flour; each was gone by the time he reached the market. At last she went out herself, a woman the Gemara describes as so delicate that she had scarcely let the sole of her foot touch the ground, now walking streets filled with refuse, hunger, and death. Unable to bear what she saw, she died, casting away her gold and crying that it had become worthless (Gittin 56a). The story describes more than hunger; it depicts the collapse of an entire social order. Wealth that once purchased anything could no longer purchase bread. Gold remained gold. It simply could no longer save anyone.

"Perhaps something can still be saved." Rabban Yochanan ben Zakkai, רבן זכאי, the leading Tanna of that generation, walked through Jerusalem's marketplace and saw people boiling straw and drinking its water. He understood that a people reduced to this could not withstand the Roman legions. But the gates were controlled by the biryonim, who would not let residents leave, fearing that anyone reaching the Roman lines might negotiate or surrender.

Abba Sikra ben Batiach, leader of the biryonim, was Rabban Yochanan's nephew. Rabban Yochanan summoned him secretly and asked how long he would keep starving everyone. Abba Sikra answered that he could no longer control his own men: if he spoke against them, they would kill him. Rabban Yochanan replied: חזי לי תקנתא דאיפוק אפשר דהוי הצלה פורתא, "Find a way for me to leave. Perhaps there can still be a small salvation" (Gittin 56a). He no

longer believed he could save everything; he asked only whether anything could still be saved.

Word spread that Rabban Yochanan was ill. A foul-smelling substance was placed beside him, so visitors concluded he had died, and his students, Rabbi Eliezer and Rabbi Yehoshua, carried him toward the gates in a coffin. The guards wanted to pierce the body to confirm death; Abba Sikra warned that Rome would say Jews had stabbed their own great Sage. They then wanted to shake the coffin; Abba Sikra warned that Rome would say Jews had treated their Sage's body with contempt. The gates opened, and the coffin passed through.

Before Vespasian. Brought before Vespasian, Rabban Yochanan greeted him: שלמה עלך מלכא שלמה עלך מלכא, "Peace to you, king. Peace to you, king." Vespasian objected that he was not king, and asked why, if Rabban Yochanan believed him one, he had waited so long to come. Rabban Yochanan answered that Jerusalem could fall only to a king, and that the biryonim had prevented him from leaving sooner. Then a messenger arrived from Rome: the emperor had died, and Vespasian had been chosen to succeed him. Vespasian offered Rabban Yochanan a request.

He answered: תן לי יבנה והכמיה, "Give me Yavneh and its Sages." He also asked that the family of Rabban Gamliel be spared, to preserve leadership, and that physicians be sent for Rabbi Tzadok, who had fasted forty years praying that Jerusalem not be destroyed (Gittin 56a-b).

The Gemara does not present this decision as beyond question. Rav Yosef, or in another version Rabbi Akiva, faulted him for not asking that Jerusalem itself be spared, citing the verse in Yeshayahu, משיב חכמים אהור ודעתם יסכל, "He turns wise men backward and makes their knowledge foolish" (Hashem sometimes hides the proper path even from the gedolim, in order to bring about a decreed punishment, as arguably happened before the Holocaust, when the coming destruction was hidden from Europe's leading gedolim). But Rabban Yochanan feared that a demand to save the entire city would simply be refused, leaving him with nothing. This is not a story of a leader certain he had made the perfect choice; it is a story of leadership when every available choice was inadequate. Unable to rescue everything, he chose the institution from which the Jewish people might be rebuilt.

Yavneh could not replace Jerusalem, and Torah study could not replace the avodah. But if Torah and its Sages survived, the Jewish people could survive to mourn Jerusalem, remember it, and one day return.

Rabbi Tzadok. Rabbi Tzadok embodies another kind of resistance. For forty years, Chazal relate, he fasted so that Jerusalem would not be destroyed, until he was so emaciated that food could be seen passing through his throat; when he finally emerged, his health had to be restored gradually, beginning with water in which bran had been soaked (Gittin 56a-b). Roman generals measured strength in soldiers and weapons. Chazal also measured it in tefillah and spiritual merit. The tragedy was not that Jews prepared armies, for a city under attack must defend itself; the tragedy was that military strength came to imagine itself independent of spiritual strength, moral judgment, and Divine assistance.

The siege. In the spring of 70 CE, Titus, טיטוס, approached Jerusalem with a vast army. The city was crowded with those who had come for Pesach. Titus surrounded it, cutting off food, aid, and escape. The rival factions finally suspended some of their fighting, but too late: provisions were gone, leadership shattered, and much of the population terrorized.

The Romans breached one wall, then another, and Titus built a wall around the city to tighten the blockade. Famine spread; people searched refuse heaps, sewers, and the homes of the dead for scraps of food, and the dead accumulated faster than they could be buried. Those who tried to escape were sometimes killed by the factions within; those who reached the Roman lines risked crucifixion outside it. Josephus describes thousands of captives crucified around Jerusalem, until there was scarcely room, or crosses enough, for the victims. Jerusalem was being crushed by Roman power, famine, disease, and civil violence at once.

The walls are breached. Chazal mark Shiva Asar B'Tammuz as the day the walls of Jerusalem were breached in the Second Churban: והובקעה העיר, "the

city was broken open" (Ta'anis 26b; 28b). The fast that begins the Three Weeks commemorates the moment the siege became an invasion. The remaining defenses fell gradually until, three weeks later, the Beis Hamikdash was set aflame.

The final song. As the end approached, the Levi'im stood on their platform and sang: וישב עליהם את אונם וברעתם יצמיתם, "He brought their own iniquity upon them, and through their wickedness He will destroy them." Before they could finish the final words, יצמיתם השם אלוֹקֵינוּ, "Hashem our God will destroy them," the enemy entered and seized them. The Gemara teaches this happened at the destruction of both Batei Mikdash (Ta'anis 29a). The avodah continued while the institution of avodah collapsed around it. Even at the end, there was song.

The burning of the Beis Hamikdash. The Roman army captured the Antonia fortress and fought its way toward the Beis Hamikdash. Josephus writes that a soldier threw a burning object into a chamber adjoining the Sanctuary, and portrays Titus as trying to stop the fire, though Josephus wrote under the patronage of Vespasian and Titus, and his effort to absolve them must be read cautiously. Chazal preserve no such favorable portrait. The Gemara describes Titus entering the Kodesh Hakodashim, spreading out a Sefer Torah in an act of desecration, and slashing the paroches with his sword; blood miraculously appeared, and Titus imagined he had defeated the God of Israel (Gittin 56b). Chazal's Titus is the embodiment of imperial arrogance, a man who mistook Divine restraint for helplessness.

The school of Rabbi Yishmael read the verse מי כמוכה באלים השם, "Who is like You among the mighty, Hashem?" as though it were מי כמוכה באלמים, "Who is like You among the silent?" Hashem heard Titus's blasphemies and remained silent (Gittin 56b), a silence that was not weakness: Rome had been given permission to destroy the building, not to defeat Hashem. Chazal continue that the man who believed he had conquered Heaven was later tormented by a gnat that entered his head; the ruler before whom nations trembled could not overcome one insignificant creature (Gittin 56b–57a). What is certain is that the Roman army burned the Beis Hamikdash, slaughtered those who remained around it, looted its treasures, and carried its sacred vessels to Rome, amid fire, plunder, slaughter, and cries echoing across the city.

The ninth and tenth of Av. The fire began late on the ninth of Av and continued through the tenth. Rabbi Yochanan said that had he lived then, he would have set the principal fast on the tenth, since most of the Beis Hamikdash burned that day; nevertheless, the Sages fixed the mourning on the ninth, because the beginning of the destruction is decisive (Ta'anis 29a). The two days together preserve a truth: catastrophe does not occur only when the flames consume the building. It begins when the fire is first set, and often much earlier, when the conditions that made the fire possible are allowed to develop.

Rome proclaims its victory. Rome did not merely destroy Jerusalem; it celebrated the destruction throughout the empire. Under Vespasian, Judaea Capta coins depicted Yehudah as a defeated woman seated beneath a palm tree, a captive and Roman arms beside her. The sacred vessels were paraded through Rome, and the Arch of Titus depicted the menorah carried in triumph. Rome believed it had defeated not only a rebellious province but the people and faith for which Jerusalem stood. Yet the people Rome declared vanquished continued to transmit Torah, mourn Jerusalem, and await its rebuilding.

The Romans find the keruvim. When the Romans entered the Sanctuary and found the keruvim intertwined, they dragged them into the marketplace to mock the Jewish people: "Israel, whose blessing is truly a blessing and whose curse is truly a curse, look at what they occupy themselves with" (Yoma 54b). The Romans saw an object to ridicule. Chazal saw a final revelation of love.

The keruvim had turned away from one another whenever Israel failed to fulfill Hashem's will; at the moment of the Churban itself, they were found embracing. Some explain that their exposure was itself part of Israel's humiliation, the most intimate bond between Hashem and Israel dragged into

the marketplace and misunderstood by the nations. Others explain that once the decree had been carried out and Hashem's anger poured out upon the building, the underlying love between Hashem and Israel was revealed again. The Churban punished Israel. It did not terminate the covenant.

Why did Asaf sing? Tehillim 79 opens: מזמור לאסף אלקים באו גוים בנהלתך טמאו, "A song of Asaf: Hashem, nations have entered Your inheritance, defiled Your holy Sanctuary, and turned Jerusalem into ruins." Why is this called a mizmor, a song, rather than a lament? The Midrash answers with a parable: a king built and decorated a wedding canopy for his son, and when the son acted wickedly, the king tore it down. The son's teacher took one of its broken poles and began to play music. Asked how he could sing while the king had destroyed the canopy, he answered that the king had poured his anger upon the canopy and not upon his son. So too Asaf sang, because Hashem poured His anger upon the wood and stones and not upon Israel: ושלף הקדוש ברוך הוא חמתו על העצים ועל האבנים ולא שפך חמתו על ישראל (Midrash Tehillim 79; Eichah Rabbah 4:14). This plainly does not mean the Jews did not suffer; Jerusalem endured slaughter, starvation, slavery, and exile. It means the destruction did not end the covenant or eliminate the Jewish people. The House was destroyed. The son remained. That may be why the keruvim were embracing: the visible home of the relationship had been burned, but the relationship itself remained indestructible.

Yavneh. Rome saw the destruction of Jerusalem as the end of Jewish national existence, and in political and military terms, the Jewish commonwealth centered on Jerusalem had ended. But while Titus entered Jerusalem, Rabban Yochanan ben Zakkai entered Yavneh. Yavneh could not replace the Beis Hamikdash, but it became a center from which the Sages preserved Torah, confronted the halachic and communal consequences of the Churban, and began rebuilding Jewish religious life. The revolutionaries believed that if sovereignty were lost, nothing meaningful could remain. Rabban Yochanan understood that if Torah survived, sovereignty might one day return, and that if Torah were lost, even political victory would be empty. Those who fought for immediate independence lost Jerusalem; Rabban Yochanan, unable to save Jerusalem, preserved the people who would continue to pray for its rebuilding.

The fox. Years later, Rabban Gamliel, Rabbi Elazar ben Azaryah, Rabbi Yehoshua, and Rabbi Akiva approached the ruins of Jerusalem. At Har Hatzofim, seeing the site of the Beis Hamikdash, they tore their garments. On the Temple Mount, they saw a fox emerging from the place of the Kodesh Hakodashim. The Sages wept; Rabbi Akiva laughed. Asked why, he said in turn why they were crying. They answered that the place of which the Torah said a stranger who approaches shall die now had foxes walking through it. Rabbi Akiva explained that the prophecy of destruction was linked to the prophecy of restoration: זיון שדה תחרש, "Zion will be plowed like a field," and Zechariah foretold עוד ישובו זקנים ונקיות, "Elderly men and women will once again sit in the streets of Jerusalem." Until he saw Uriyah's prophecy fulfilled, he feared Zechariah's might not be; now that the first had come true, he knew the second would as well. The Sages answered: עקיבא ניהמננו עקיבא ניהמננו, "Akiva, you have comforted us" (Makkos 24b). Rabbi Akiva did not laugh because the destruction was less terrible than the others believed. He laughed because the ruins themselves proved Hashem's words true, and if the prophecy of destruction had been fulfilled, the promise of restoration was equally certain. The fox did not have the final word.

What destroyed Jerusalem? The Second Beis Hamikdash did not fall from one cause. Rome was brutal and overwhelmingly powerful; its governors humiliated and exploited the population, and its army destroyed cities, crucified prisoners, burned the Beis Hamikdash, and enslaved survivors. But Chazal insist that we must also look within. The Churban began when a man could publicly humiliate another Jew and no one would stop him. It advanced when personal revenge was turned against an entire nation. It deepened when leaders could name every possible objection but could not accept responsibility for action. It reached its terrible conclusion when

Jewish factions burned the food of their own city, preferring collective starvation to compromise. Rome was outside the walls, but Jerusalem had already become a city where one Jew could not tolerate the existence of another.

Tisha B'Av is therefore not only a day to remember what Rome did to us. It is a day to ask why Hashem permitted Rome to do it, and what within the Jewish people needed repair. If sinas chinam helped destroy the Beis Hamikdash, mourning cannot consist only of remembering the flames; it must lead us to repair the relationships whose breakdown made the flames possible, to preserve respect, responsibility, and love among Jews even amid profound disagreement. The response to sinas chinam is not indifference to principle, but an ahavas chinam that refuses to make another Jew's dignity expendable.

Yet the story does not end with Titus. It ends, and continues, with Yavneh, with the keruvim embracing, and with Rabbi Akiva laughing among the ruins. The House was burned, but the covenant remained. Jerusalem was emptied, but the promise of return remained. Rome carried the menorah through its streets and stamped Judaea Capta upon its coins, but it could not carry away the Torah.

The Jewish commonwealth ended. The Jewish people did not.

From: Chaim Shulman <cshulman@gmail.com>

The Laws of Tisha B'Av

Adapted from the Mishnah Berurah, Rav Shimon D. Eider, and Rav Eliyahu Kitov

Erev Tisha B'Av. One should enter Tisha B'Av in a serious frame of mind and avoid conduct that leads to levity. Ordinary Torah learning is restricted from chatzos, since Torah gladdens the heart; one may still learn topics connected to mourning and the Churban, such as Eichah, Iyov, the sad portions of Yirmiyahu, the laws of mourning, and the sugyos of the Churban. Minchah is generally davened earlier than usual to allow time for the final meal, and Tachanun is omitted, since Tisha B'Av is called a mo'ed.

Seudah hamafsekes. Toward the end of the day, one eats the seudah hamafsekes, the final meal before the fast. At this meal one should not eat two cooked foods. The custom is to eat a boiled egg or lentils as a sign of mourning, and many eat bread dipped in ashes. One sits on the floor or on a low stool, though shoes need not be removed before the meal. Three men should not eat this meal together in a way that would require a zimun. If one finished the meal before sunset without having accepted the fast, he may continue eating or drinking until sunset; it is proper to state, or at least have in mind, that the fast is not being accepted until then.

Fast in NY metro area starts Wednesday, July 22 at 8:21 PM, Chatzos 1:01PM, and ends around 9:03 PM (depending on your minhag).

Tisha B'Av prohibitions. Five things are prohibited on Tisha B'Av: eating and drinking, washing, anointing, wearing leather shoes, and marital relations. These apply from sunset at the start of Tisha B'Av until the fast ends, with no distinction between night and day.

Eating and drinking. Healthy adults must fast. A sick person, a woman after childbirth, or anyone for whom fasting may be dangerous should consult a rav. One who must eat should eat only what is necessary. If Tisha B'Av falls on Sunday and a sick person must eat, he should first make Havdalah before eating.

Washing. Washing for pleasure is prohibited, whether with warm or cold water. In the morning, and after using the bathroom, one washes only until the knuckles. If one's hands are dirty, he may wash the dirty area; if one's eyes are dirty, they may be rinsed. One may wash

food while preparing it, since the purpose there is not washing one's hands. One should not rinse the mouth until the fast ends.

Anointing and leather shoes. Anointing for pleasure is prohibited, though medical ointments are permitted when needed. Leather shoes may not be worn, even if only the uppers or soles are leather, and non-leather shoes are worn instead. In cases of danger, great need, or unusual embarrassment, a rav should be consulted.

Torah learning. Ordinary Torah learning is prohibited, since Torah gladdens the heart. One may learn sad or otherwise relevant topics, including Eichah, Iyov, the laws of mourning, the third perek of Moed Katan, the Churban sections of Yirmiyahu, and aggados about the Churban. One should avoid sections of consolation. One should avoid engaging in distracting recreation. See online sites listed above.

Sitting, sleeping, work, and greetings. From the night of Tisha B'Av until chatzos, one sits on the floor or on a low stool. Some have the custom not to sleep normally, such as by reducing pillows or sleeping on a mattress on the floor. One should not greet others or say "good morning"; if greeted, he may answer softly, so as not to hurt the other person. Sending gifts is prohibited, and work and business should be avoided, especially at night and until chatzos, along with unnecessary errands or activities that distract from mourning.

When one may sit on a chair. From the night of Tisha B'Av until chatzos on Tisha B'Av day, one should sit on the floor or on a low stool. After chatzos, one may sit on a regular chair.

Maariv and Eichah. At night, Maariv is recited, followed by Eichah and Kinos. Many communities dim the lights, and Tiskabel is omitted from Kaddish until Minchah. In most communities, Eichah is read from a printed book without a berachah; some communities, following the Vilna Gaon, read it from a parchment scroll and recite "Al Mikra Megillah" before the nighttime reading. The final verse, "Hashiveinu," is repeated so that Eichah does not end on a note of punishment.

Shacharis and Kinos. Tallis and tefillin are generally not worn at Shacharis, apart from the tallis katan, according to one's usual practice. Kinos are recited after Shacharis, and Tachanun is omitted. Some omit "She'asah li kol tzarki" in the morning berachos. The Torah reading is from Va'eschanan, beginning "Ki solid banim," and the haftarah is from Yirmiyahu, speaking of the Churban.

Kinos — long or short. The essential practice is to say Kinos and focus on mourning for the Churban. It is better to say fewer Kinos with understanding and seriousness than to rush through many without attention. Communities differ widely: some say a longer Kinos service, while others shorten or explain selected Kinos. One should follow his shul's minhag, but the goal is not speed; it is to experience the aveilus of the day.

Pregnant and nursing women. Pregnant and nursing women generally fast on Tisha B'Av. However, one who is ill, weak in a medically significant way, dehydrated, high-risk, or concerned about harm to herself or the baby should consult a doctor and rav; where there is real concern, she should eat or drink as needed. One who is permitted to eat should eat simply and only as necessary.

Minchah. At Minchah, tallis and tefillin are worn. The Torah reading is Vayechal, with the haftarah Dirshu Hashem. Nachem is added in Boneh Yerushalayim, and Aneinu in Shome'a Tefillah. If one forgot Nachem or Aneinu, he does not repeat Shemoneh Esreh.

Bris on Tisha B'Av. If a bris takes place on Tisha B'Av, it is performed after Kinot, and the wine is given to a child or to the mother. If Tisha B'Av is postponed to Sunday, then after midday the father, mohel, and sandak may change clothing and may also eat; the larger festive meal is held at night.

Motzaei Tisha B'Av. After the fast, one washes the hands fully, since in the morning one had washed only until the knuckles. If Havdalah was postponed because Tisha B'Av fell on Sunday, it is recited after the fast over wine, but only Borei Pri Hagafen and Hamavdil are said; besamim and fire are not included, since fire was already recited on Motzaei Shabbos. Kiddush Levanah is usually recited after Maariv following the fast, though some do not wait that long if there is concern about missing it.

The tenth of Av. Since most of the Beis Hamikdash burned on the tenth of Av, one refrains from meat, wine, bathing, laundering, and haircuts until chatzos on the tenth. If Tisha B'Av falls on Thursday and the tenth is Friday, one may wash and take a haircut in the morning for kavod Shabbos. If Tisha B'Av falls on Shabbos and is postponed to Sunday, then after the fast one may wash, shave, and take a haircut that night; meat, wine, and Shehecheyanu, however, are still avoided until the next morning.

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Devarim and the Nine Days: the Meraglim, the Crisis of Contemporary Discourse, and the Roots of Exile
Rabbi Daniel Z. Feldman

Parashat Devarim is always read on the Shabbat before Tisha B'Av, a fixed feature of the calendar so significant that it impacted why the Diaspora took so long after Shavuot to realign with the reading schedule in Israel. The most familiar connection is the word "eichah" itself; the verse "Eichah esa levadi" is chanted in the melody of Megillat Eichah, an audible foreshadowing of the day to come. But the connections run far deeper, and they are concentrated with particular intensity in Moses' extended recounting of the episode of the meraglim, the spies. This is, after all, when everything began to fall apart.

The Talmud (Ta'anit 29a) teaches that when the people wept upon hearing the spies' report, God declared: "You have cried a 'bechayah shel chinam', a crying for nothing; I will establish for you a 'bechayah ledorot', a crying for generations." Tisha B'Av became a 'yom muad lepuranivot', a day designated for calamity, because of that night. When one attends carefully to the language of the verses, what emerges is not merely a historical account but a diagnosis, one that speaks with haunting precision to the state of our public discourse today.

A Sin From the Start

The account opens: "Vatikrevun elai kulchem," you all approached me together. Rashi, drawing on the Sifrei, notes that the approach was 'be'irbuviya', in a disordered mob: the young pushing ahead of the old, the elders pushing ahead of the leaders, a scene devoid of any derech eretz. The Netziv observes that one might have imagined the plan to send spies was sound in itself and only went wrong in execution; the Torah's description of the manner of the request tells us otherwise. A proposal born in chaos was never on the right path. The Alter of Kelm, and R. Yaakov Kamenetsky (Emet LeYaakov), identify in this detail the roots of the downfall: 'behilut' and 'pezizut',

a frantic anxiety, a loss of composure, a collective abandonment of deliberation. The Kli Yakar writes that the sin began in 'chipazon', in heedless haste, and that having begun on that path, the people were carried along it, in the manner of the Rabbinic maxim that 'one is led along the road one chooses to start down'. The Kli Yakar then adds a sentence that should alarm the modern reader: we have not yet been cleansed of this trait. It destroyed both Temples, and God watches us for it "ad hayom hazeh," to this very day.

The tone of present day is addressed by R. Eliyahu Schlesinger (Areshet Sefateinu). People today announce that they wish to repair society, and they set about it by generating 'behalah', by upending everything, by speaking in relentlessly critical and disrespectful tones that reveal the enterprise is not really about repair at all. The style betrays the substance. This is precisely the trait of the generation of the spies, and it is on vivid display in contemporary discourse, where urgency is mistaken for seriousness and outrage for moral clarity.

Diversity as Strength, or as Disaster

Rav Kook (Ein Ayah to Bikkurim 3:33) addresses the specific breakdown of hierarchy in that disordered approach. The young considered themselves as entitled as those older, wiser, and more experienced. Universal love of the kind Rav Kook championed does not mean the flattening of all distinctions; a society that loves everyone equally must still honor wisdom and experience, or it loses the very structure that makes collective judgment possible. R. Avraham Heschel Ryzman (Iyunim BaParashah) develops this at length: the root of the sin was that everyone thought he knew best, that leadership and accumulated wisdom had no claim on him.

The Shem MiShmuel offers an unexpected insight about the verse of "Eichah esa levadi" ("How can I alone bear you," 1:12) itself. Moses' rhetorical question describes a people of many opinions, and the Rabbis (see Bamidbar Rabbah 21:2; Berachot 58a) understood that multiplicity as a mark of the nation's greatness, a necessary resource toward reaching the truth (see Kiddushin 39b). Why then do we read it in the mournful melody of Eichah?

Perhaps, he suggests, that is exactly the tragedy. Diversity of thought should be a strength; genuine discourse among differing perspectives is the engine of wisdom. What we mourn on Tisha B'Av is that we took what should have been a healthy pluralism and converted it into a source of hatred, division, and mutual contempt. The problem was never that we disagreed; it is what we allowed disagreement to become. Could there be a more precise description of the current condition of public conversation?

Orientation Overwhelms Observation

The people's request continues: "veyachperu lanu et ha'aretz," let them search out the land. The Talmud (Sotah 34b) hears in "veyachperu" a language of disgrace; the mission was already oriented toward finding fault, toward embarrassing the land. The Maggid of Vilkomir (quoted in Pardes Yosef HaChodosh) adds a significant nuance: the spies were meant to be agents of Moses, as God had framed the mission, and instead the People of Israel made them their own agents, carrying their mentality rather than his. The difference between "veyachperu" and the Torah's own "veyaturu" is the difference between a mission tainted by suspicion and one open to discovery. The conclusion was written before the investigation began; the report merely supplied pretext for a verdict already rendered.

Rashi records that among the questions the spies were to answer was what language the inhabitants spoke, a detail that puzzled many later commentators (see for example Panim Yafot). The Maharal, in Gur Aryeh, explains that every language belongs to a particular nation and reveals something essential about it. How a people speaks tells you who they are. The observation cuts in both directions: our own speech, refined or degraded, careful or careless, is a mirror of our character, and the coarsening of a society's language is never merely cosmetic.

The Churban of Bias

"Velo avitem la'alot, vatamru et pi Hashem Elokeichem," you refused to ascend and you defied the word of God. R. Yissachar Shlomo Teichtal (Mishneh Sachir) reads the sequence psychologically: "velo avitem," you had already decided, your bias was fixed before the facts arrived; and therefore "vatamru," from the language of temurah, exchange. The very same encounter with the Land that could have been the great mitzvah of its settlement became, through the alchemy of predisposition, the sin of its defamation. Bias does not merely distort perception; it inverts moral valence, transforming opportunity into transgression while leaving the actor convinced of his own rightness.

Projection: The Lens of Lashon Hara

The next verse reads: "vateragnu be'ohaleichem," you murmured in your tents. Rashi, citing the verse in Proverbs (18:8), identifies "vateragnu" as a language of lashon hara, and goes on to use the phrase "motzi dibah." The terminology is itself instructive. Maimonides and the Chafetz Chaim distinguish between lashon hara, disparaging truth, and motzi shem ra, falsehood; yet in the language of the Rabbis the terms blur into one another, a reminder that the momentum of negative speech does not respect the boundary between true and false for long. (R. Samson Raphael Hirsch, for his part, understands "vateragnu" as a language of incitement, which only sharpens the contemporary resonance.)

The content of their complaint is particularly shocking: "Besinat Hashem otanu hotzianu me'ereitz Mitzrayim," because God hates us He took us out of Egypt, to deliver us into the hand of the Emori to destroy us. The claim is, on its face, absurd, and R. Aharon Leib Shteinman notes that this is itself the point: a person in the grip of sin loses the capacity for coherence.

Rashi, citing the Sifrei, identifies the underlying catalyst: "He loved you, but you hated Him"; what a person carries within, he projects outward onto others. Projection is at the core of the lashon hara transgression, and of why we sit on the floor on Tisha B'Av. We attribute to others the hostility that originates in ourselves, and then respond to our own invention as though it were their crime.

The Lubavitcher Rebbe, in his comments on this Rashi, finds embedded in the diagnosis its own cure. If perception can project negativity backward onto reality, it can equally project truth and goodness; the same faculty that manufactured "God hates us" can recognize "God loves us," and in that reversal lies the promise of redemption, contained within the very text that describes its own distortion.

The Exaggeration Problem

There was so much so bad about what the Meraglim said on that original 9th of Av that disheartened the Jewish people, and established that date as one that will represent tragedy and mourning for generations. And yet, when the Talmud (Arachin 15a) highlights

their offense, connecting it to the fatal flaw of lashon hara, some commentaries (see R. Gershom) choose a surprising example of their speech: "am gadol varam mimenu, arim gedolot uvetzurot bashamayim," "We saw there ... large cities with walls sky-high" (Deut. 1:28).

This is described elsewhere in the Talmud (Chulin 90b) as a language of exaggeration, for sure; but how is it reflective of the defamatory speech associated with lashon hara? (See Pardes Yosef HaChadash).

It seems that this verse is actually quite foundational in understanding the mindset of true lashon hara, and the particular harm it can create. It is true that it is not inherently negative, and in fact, not all negative speech is actually lashon hara.

Still, the danger is already apparent: an attitude of exaggeration, of disproportion, is what creates the context for the damage that lashon hara can do.

Rashi, following the Talmud, calls this 'lashon havai', hyperbole, and comments there that this is the manner of those who are not careful in their speech; they end up saying false things not because they set out to lie but because precision was never a priority.

The seemingly innocuous exaggeration is the tell. When one is already oriented negatively, imprecision is not a neutral stylistic failing; it becomes the vehicle by which confirmation bias carries him to statements that are simply false. He is no longer reporting; he is escalating.

To be sure, hyperbole is not inherently defamatory; the Talmud there teaches that the Torah itself speaks in exaggerated language, and this very phrase, "cities fortified to the heavens," is its example. In fact, this may be the message: all

depends on who is doing the exaggerating, and from what orientation. Hyperbole deployed by the Torah, or by a careful and honest speaker, is a vivid instrument of truth, understood as emphasis; hyperbole in the mouth of a biased reporter is an accelerant, converting predisposition into asserted fact. Anyone who has spent an hour on social media has watched the process in real time: the initial grievance, the amplifying restatement, the "fortress reaching to the heavens", or, in this case, drifting farther away.

"Because of You": The Long Shadow of the Spies

As the recounting draws toward its close, Moses adds a statement that has long troubled the commentators (1:37): "Gam bi hitanaf Hashem biglalchem leimor, gam atah lo tavo sham," God was angry with me also, because of you, saying: you too shall not enter. The difficulty is twofold: Moses' exclusion resulted from the sin of Mei Merivah, not of the meraglim; and how can he say "biglalchem," because of you?

The Chizkuni explains that Moses means the people provoked him to anger, and in that anger he erred. This is a difficult interpretation, for the Torah demands that we govern our anger precisely when others provoke it; "you made me angry" is not ordinarily a defense. The Tur HaArukh offers a simpler causal chain: had it not been for the sin of the spies, the people would have entered the land long before, and Mei Merivah would never have occurred.

Nachmanides reads the verse as part of a roster: Moses is enumerating all those excluded from the land, and his own exclusion traces to the people in a deeper sense, because the sin of Mei Merivah was a failure of kiddush Hashem, of the public sanctification of God's name, before them; had the moment not been

public, had it not implicated the people's already fragile faith, forgiveness would have been possible.

The Daat Zekenim MiBaalei HaTosafot sharpen this: it was the people's lack of faith that led them to suspect Moses struck the rock out of his own doubt, and that suspicion is what made the act so grave. The Kli Yakar similarly notes that the meraglim episode exposed the nation's deficient faith, raising the stakes of Moses' conduct at the rock; the Netziv adds that the spies represented a demand to proceed through natural means rather than under direct Divine providence, which made Moses' role in demonstrating God's unmediated leadership all the more essential, and its compromise all the more consequential. The Or HaChaim, uneasy with the abrupt shift of subject, proposes among other things that Mei Merivah was the opportunity to repair what the spies had broken, and that opportunity was lost. (See also Chavatzelet HaSharon.)

Beyond the specific mechanics, an additional reading suggests itself, one that continues the same theme. The sin of the spies activated a trait, a disposition to see everything in a negative, distorted, uncharitable light, and once activated, that disposition raised the volume on everything that followed. Later failures played out more destructively because the interpretive climate had been distorted. This is how a poisoned culture of discourse operates: no single statement destroys, but the accumulated atmosphere ensures that every subsequent event is read in the worst possible way, and the damage compounds.

There is an additional irony; if Moses was faulted for anger, how can he describe God as "hitana'af," as having become angry? The HaKetav VeHaKabbalah explains that the language describes not a divine loss of temper but the human experience of the consequence. He compares it to a judge whose sentence, imposed dispassionately, is nonetheless carried out by officers with a severity that the one punished experiences as wrath. This, too, frames the kinot we recite: we speak of divine anger because that is how the objective unfolding of consequence is felt from within it, and feeling it that way is part of what moves us to change course.

We Are All Judges

Moses' account is placed within a noteworthy context. The opening of Parashat Devarim is occupied with the laws of judges: "lo takiru fanim bamishpat," "shamoa bein acheichem," the prohibition of even structural partiality and the necessity to hear both parties together. Significantly, these are not laws about bribery and overt corruption. They address something subtler: the small distortions of perspective: the ex parte hearing, the minor tilt of attention, that quietly skew judgment long before anyone intends injustice. It is directly out of these rules that the Torah proceeds to the spies, the catastrophic case study of what happens when judgment is corrupted not necessarily by malice but by haste, bias, exaggeration, and predisposition.

There is particular resonance in the message of "shamoa bein acheichem" (1:16), "judge righteously between every man and his brother", delineating the context in which every judicial claim must be heard, with all parties present. Certainly, the judge is compromised if he hears one side without the other; and this is an impact that occurs subconsciously, thus forbidding even listening at all, regardless of the judge's belief in his ability to maintain impartiality.

Notably, the Chafetz Chaim felt such a standard should be extended to hearing lashon hara as well. Others disagreed, assuming the

objectivity of a judge demands a unique standard; perhaps the Chafetz Chaim understood the space between the two roles to be less than it seems.

It is also clear that the presence of the other litigant affects the presentation of his opponent, who will guard himself against making claims that can easily be dismantled by one who knows the truth. More aspirationally, though, the litigants will actually be required to hear each other; and this, with the right degree of receptivity, can be transformative.

Stephen R. Covey listed as the fifth of his "Seven Habits of Highly Effective People" to "Seek First to Understand, Then to be Understood". So often we do not reach even the beginning of that: we tell the other what we believe their opinion is, all the better to attack it.

Crucially, the verse uses the language, "between every man and his brother". The essence of 'sinat chinam' is allowing difference of opinion to become hatred of the one opining; the Torah reminds us that even in the heat of unresolved litigation, the two sides remain brothers.

Few of us sit on a bench. All of us judge, constantly: we judge people, institutions, communities, situations, and we do so now in a public square that rewards precisely the vices this narrative catalogues. Behilut over deliberation; the flattening of expertise and experience; missions of "veyachperu" undertaken to confirm what we already believe; projection of our own hostilities onto our opponents; hyperbole that hardens into falsehood because no one is checking. Baseless hatred is rarely experienced as baseless by those who harbor it; it always feels justified, and it feels justified because we have not done the careful, deliberate work of judging fairly. That is the trait the Kli Yakar warned we have never purged, the one for which we are watched "ad hayom hazeh." Our discourse is not merely unpleasant; in the Torah's own account, it is the mechanism of exile. Speaking to Ourselves

Perhaps this suggests a distinction between the year's two great fasts. Yom Kippur is a day of speaking to God; Tisha B'Av is, in large measure, a day of speaking to ourselves, of sitting low enough and quietly enough to audit our own perceptions, to ask where our judgments have been hasty, our characterizations exaggerated, our hostilities projected, our discourse a contribution to the very destruction we lament. This is reflected in the liturgy: while Yom Kippur is a day devoted to prayer, Tisha B'Av is a day to stop all other activities and ask 'Eichah', how could it happen?

The Shabbat of Devarim arrives this year with the month of Av already underway and the Nine Days upon us, and its reading does not ask us to relive an ancient failure so much as to recognize a current one. A public square governed by haste, by contempt for experience and expertise, by investigations launched to confirm their conclusions, by projection dressed up as analysis, and by exaggeration mistaken for passion is not a new phenomenon; it is the oldest one we have, and we know precisely what it has cost us.

The crying for generations began with words. If it is to end, it must end the same way: with speech that is thoughtful, fairer, more precise, and more honest about its own motives, in our institutions, in our communities, and in the judgments each of us renders every day.