

## *HILCHOS BAIN HAMITZARIM – Laws Of The 3 Weeks*

During the three weeks between the 17<sup>th</sup> of Tammuz until after Tisha B'Av, the custom is to observe some aspects of mourning over the destruction of the Holy Temple. The observance intensifies as Tisha B'Av approaches.

### *Curtailling Rejoicing*

- Weddings should not be performed during this period.
- Dancing and playing or listening to music is prohibited. A musician who earns his living by playing for non-Jews may do so until the 1<sup>st</sup> of Av.
- The custom is to refrain from reciting the blessing "sh'hecheyanu" on new garments or fruit, except on Shabbos.

### *Haircuts, Shaving, Cutting Nails*

- The custom is to refrain from taking a haircut, including the beard. An adult may not even give a haircut to a child. Shaving is prohibited unless one's livelihood is threatened.
- Cutting the nails is permitted until the Friday before Tisha B'Av. Even then it is permitted for a woman before going to the mikvah, or for a man as well, in honor of the Shabbos (for example if Tisha B'Av is on Shabbos and postponed to Sunday, or if it is on Sunday itself).

## **THE NINE DAYS –ROSH CHODESH AV**

In addition to the restrictions that apply to the entire three-week period, during the **nine days** the following restrictions on pleasure and joy also take effect:

### *Activities of Pleasure and Joy*

- One should not purchase an object of joy that will be available after Tisha B'Av for the same price.
- Building for beauty or pleasure not required for dwelling should be suspended.
- Painting, wallpapering and general home decoration should not be done. Similarly, one should not plant for pleasure.

### *Eating Meat and Drinking Wine*

- The custom is to refrain from eating meat and poultry or drinking wine and grape juice during the nine days. This also pertains to children.
- The prohibition of meat includes foods cooked with meat or meat fat. However, foods cooked in a clean vessel used for meat may be eaten.
- Eating meat and drinking wine is permitted for Shabbos. Even one who has ushered in the Shabbos on Friday afternoon before sunset, or extends the third meal of Shabbos into Saturday night may also eat meat and drink wine at those times.
- Similarly, one may drink the wine of Havdallah. Some have the custom to give the wine to a child of 6-9 years old, or to use beer for Havdallah.

### *Laundering*

- Laundering is prohibited even for use after Tisha B'Av. One may not even give clothing to a non-Jewish cleaner. (Although one may give it to him before the 1st of Av, even though he'll wash during the nine days.)
- The prohibition of laundering includes linens, tablecloths, and towels.
- A person who has no clean clothes may wash what he needs until the Shabbos before Tisha B'Av.
- Children's diapers and clothing that constantly get dirty may be washed by need even during the week of Tisha B'Av, in private.
- Laundering for the purpose of a mitzvah is permitted.
- One may polish shoes with liquid or wax polish, but should avoid shining shoes.

### *Wearing Freshly Laundered Clothing*

- It is forbidden to wear freshly laundered clothing during the nine days. This includes all clothing except that which is worn to absorb perspiration. Therefore, one must prepare before the nine days by wearing freshly laundered suits, pants, shirts, dresses, blouses and the like for a short time so that they may be worn during the nine days. Socks, undershirts and underwear need not be prepared.
- Here too, the prohibition of using freshly laundered items applies to linens, tablecloths, and towels.
- One may wear freshly laundered Shabbos clothing, as well as use clean tablecloths and towels. Changing bed linen though is prohibited.
- Since one may wear freshly laundered garments on Shabbos, if one forgot or was unable to prepare enough garments before the nine days, he may change for Friday night and then change again on Shabbos morning. These garments may then be worn during the week.
- This will apply only to clothing that is suitable to wear on Shabbos, since wearing a garment on Shabbos for the sole purpose of wearing it during the week is forbidden.

### *Wearing, Buying and Making New Clothes, Repairing Garments*

- While wearing new clothing that doesn't require the blessing "sh'hecheyanu" is permitted until the 1st of Av, during the nine days it is prohibited even on Shabbos.
- One may not buy new clothes or shoes even for use after Tisha B'Av, except in a case of great necessity, for example for one's wedding.
- If one forgot or was unable to buy special shoes needed for Tisha B'Av, he or she may do so during the nine days.
- Making new garments or shoes for a Jew is permitted until the Sunday before Tisha B'Av. Afterwards it is permitted only for a non-Jew.
- Repairing torn garments or shoes is permitted.

### *Bathing and Swimming*

- The custom is not to bathe for pleasure even in cold water.
- Bathing in cold water for medical reasons or to remove dirt or perspiration is permitted. (Where cold water is required, hot water may be added to cold water as long as the mixture is not comfortably warm.)

- Soaping or shampooing and washing with hot or warm water are prohibited - unless it is required for medical reasons or to remove the dirt and perspiration.
- Swimming is prohibited except for medical reasons. Similarly, one may take a quick dip in a pool to remove dirt or sweat.
- Bathing for a mitzvah is permitted; therefore a woman who needs to bathe for her immersion may do so.
- One who bathes every Friday in honor of Shabbos with hot water, soap and shampoo may do so on the Friday before Tisha B'Av.

## ***EREV TISHA B'AV***

- If a bris or redemption of the first-born occurs on the day before Tisha B'Av, if meat is being served the meal must be held before noon.
- Since the heart rejoices in the study of Torah, from noon some people refrain from learning topics other than what is relevant to Tisha B'Av or mourning. However, many people learn all topics of Torah until sunset.
- Since Tisha B'Av is called a *moed* (holiday or appointed day, Lamentations 1:15), no *tachanun* is said at mincha in the afternoon before Tisha B'Av (nor on Tisha B'Av itself).
- The custom is to eat a final meal after mincha and before sunset, consisting of bread, cold hard-boiled eggs and water. The Seudah Hamafsek meal is eaten while seated on the ground, a portion of the bread should be dipped in ashes and eaten, and no *mezumen* is said in the blessing after the meal.
- After the meal, one may sit normally until sunset. Shoes may be worn all day until sunset.

## ***TISHA B'AV***

### *Eating and Drinking*

- All eating and drinking is forbidden. This includes rinsing the mouth and brushing teeth, except in a case of great distress. Rinsing with mouthwash or brushing teeth without water is questionable.
- Swallowing capsules or bitter tablets or liquid medicine without water is permitted.
- The ill or elderly, as well as pregnant and nursing women, are required to fast even if it is difficult, unless a doctor says that fasting may injure health, in which case please consult Rabbi Spivak.
- A woman within seven days of childbirth may not fast, and within thirty days should not fast.
- Boys up to twelve years old and girls up to eleven are not required to fast the entire day. There are various opinions as to whether they should fast part of the day.
- Those not required to fast should eat only what is needed to preserve their health.
- **When Tisha B'Av is observed on Sunday, one who must eat recites Havdallah over beer, coffee or tea.**

### *Bathing and Washing*

- All bathing for *pleasure* is prohibited even in cold water including the hands, face and feet.

- Ritual washing upon waking, after using the bathroom, touching covered parts of the body or before praying is permitted, but only up to the knuckles.
- One may wash dirty or sullied portions of the body (including cleaning the eyes of glutinous material), and if necessary may use soap or warm water to remove the dirt or odor.
- Washing for cooking or for medical reasons is permitted.

#### *Mikvah and Tisha B'av*

- A woman may not immerse on Tisha B'Av since relations are prohibited. Washing to commence the clean days is permitted.
- Since marital relations are prohibited, a husband and wife should not come in contact during the night of Tisha B'Av.

#### *Anointing*

- Anointing for *pleasure* is prohibited including oil, soap, alcohol, cream, ointment, perfume, etc.
- Anointing for medical reasons is permitted, as well as using deodorant to remove bad odor.

#### *Wearing Leather Shoes*

- Even shoes made partially of leather are prohibited. Shoes made of cloth, rubber or plastic are permitted.
- One need not incur the ridicule of non-Jews because of this prohibition. Therefore, if a permitted substitute not were found, one may wear leather shoes. He should deprive himself of comfort by placing sand in the shoes and must remove them when they are no longer needed.
- Wearing leather shoes is permitted for medical reasons.

#### *Learning Torah*

- Since the heart rejoices in the study of Torah, it is prohibited to learn topics other than those relevant to Tisha B'Av or mourning.
- One may learn: Eicha with its *midrash* and commentaries, portions of the Prophets that deal with tragedy or destruction, the third chapter of Moed Katan (which deals with mourning), the story of the destruction (in Gittin 55b-58a, Sanhedrin 104, and in Josephus), and the halachot of Tisha B'Av and mourning.

#### *Additional Restrictions*

- One should deprive himself of some comfort in sleep. Some reduce the number of pillows, some sleep on the floor. Pregnant women, the elderly and the ill are exempt.
- Sitting on a normal chair is forbidden until midday, one may sit on a low bench or chair, or on a cushion on the floor.
- Greeting someone with "good morning" and the like is prohibited. One who is greeted should answer softly and, if possible, inform the person of the prohibition.
- One should not give a gift except to the needy.
- Things that divert one from mourning are prohibited.

The custom is to refrain until midday from any time-consuming work that diverts one from mourning.

- Ashkenazim do not wear *tefillin* at *Shacharis*, nor is a bracha made on *tzitzis*. At *Mincha*, *tefillin* is worn and those who wear a *tallis gadol* make the bracha then.
- Sepharadim wear the *tallis* and *tefillin* at *Shacharis* as usual.
- At *Mincha*, the prayers *Nacheim* and *Aneinu* are added to the Shmonah Esrei during the blessing "*Veliyerushalayim*" and "*Shma Koleinu*" respectively. "*Sim Shalom*" is said in place of "*Shalom Rav*." If one forgot them and completed that *bracha*, he need not repeat the prayer.
- The custom is to sanctify the new moon the night after Tisha B'Av, preferably after having eaten something.

### ***THE DAY AFTER TISHA B'AV***

- The limitations of the "Three Weeks" and the "Nine Days" continue until midday of the 10<sup>th</sup> of Av. This includes the prohibition of music, haircuts, meat and wine, laundering and bathing.
- **When Tisha B'Av was observed on Sunday, Havdallah is recited over a cup of wine (or grape juice) or beer but no spices are used.**
- When this Sunday was the 10<sup>th</sup> of Av (for example the 9<sup>th</sup> was Shabbat and observance of Tisha B'Av was postponed to Sunday the 10<sup>th</sup>), haircuts, laundering and bathing are permitted Sunday night, the 11<sup>th</sup> of Av. However, meat and wine are prohibited until Monday morning.
- When Tisha B'Av is on Thursday so that the 10<sup>th</sup> of Av is on Friday, in honor of Shabbat laundering may be permitted Thursday night; haircuts and bathing Friday morning; and music in the afternoon.
- **The custom is to sanctify the new moon the night after Tisha B'Av, preferably after having eaten something. When Tisha B'Av is on Thursday, the custom is to wait until Saturday night when the service can be said with greater joy.**

***In the merit of mourning properly over Yerushalayim, may we be rewarded to rejoice in its rebuilding!***

By Rabbi Yirmiyahu Ullman

*Based on "A Summary of Halachos of the Three Weeks" by Rabbi Shimon D. Eider*