

**Laws of Tisha B'Av 5778**<sup>1</sup>  
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**Introduction**

Tisha B'Av has a dual character. It is also a day of aveilut, mourning, to be discussed below. It is equally a day of fasting, including restrictions on wearing leather shoes, marital intimacy, washing for pleasure, and anointing oneself with lotions or cosmetics of a non-medical nature. The fast, observed this year on 10 Av, begins at 8:22 PM at sunset of Shabbat, July 21st and concludes at 9:03 PM on Sunday, July 22nd .

**Fasting and Medical Conditions**

Women who have given birth within thirty days are not obligated to fast on Tisha B'Av<sup>2</sup>. Pregnant and nursing women are generally included in the fast of Tisha B'Av<sup>3</sup>, though both a medical professional and a rabbi should be consulted to ensure there are no underlying complications which might render fasting inappropriate. **However, as Tisha B'Av is pushed off this year due to Shabbat, pregnant and nursing women are categorically exempted from the fast.** While some poskim encourage pregnant and nursing women to try to fast until halakhic midday (1:02 PM), if they are able to do so, they are not obligated to do so.

The law of chinuch, educating children under bar/bat mitzvah, only applies to the fast of Yom Kippur, as there is, generally speaking, no law of chinuch for laws of aveilut. As such, halakhic minors have no obligation to fast on Tisha B'Av. While there are certain communities with a custom of children fasting for three fasts prior to their Bar Mitzvah, this is not obligatory. Likewise, while certain authorities<sup>4</sup> recommend that children old enough to understand the mourning have their food intake be limited to plain foods, this is not obligatory.

As goes without saying, anyone with a serious medical condition must consult with both a physician and rabbinic authority before determining that he or she is fasting.

As a general rule, those who are ill or infirm, even when there is no threat to life, are nonetheless *exempt* from fasting on Tisha B'Av.

Medications should likewise not be discontinued, as taking medication does not constitute eating. For those who cannot take medication without water, please be in direct touch with me for further guidance.

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<sup>1</sup> As Tisha B'Av falls out on Shabbat, and the fast is observed on the 10th of Av, there are numerous changes to our practices before, after, and during the fast. May 5778 be the final year the fast of Av is observed.

<sup>2</sup> See Rema OC 554:7 who permits their fasting. Aruch Ha-Shulchan (554:8) strongly discourages this practice.

<sup>3</sup> As opposed to 10 Tevet, Tzom Gedaliah, 17 Tammuz, and Ta'anit Esther where there is no fundamental requirement for pregnant and nursing women to fast, but only a minhag to do so.

<sup>4</sup> See Mishnah Berurah Orach Chaim 150:5.

Those who are not fasting should endeavor to honor the spirit of the day by giving tzedakah and reading books/watch films that relate to the historical suffering of the Jewish people.

### **Fast Preparation**

**As Tisha B'Av is delayed on account of Shabbat, there is no Seudat Mafseket this year.**

While the matter of abstaining from meat or wine during Seudah Shlishit is discussed in the halakhic literature, one is permitted to eat as one pleases until the beginning of the fast at 8:22 PM, the time of sunset on Shabbat.

**Non leather shoes should be brought to shul on Friday, prior to Shabbat. They should not be brought to shul on Shabbat for after Shabbat, as this constitutes preparation. They should not be worn on Shabbat.**

**While havdalah is delayed until Sunday, those coming to shul for the reading of Eichah should recite “baruch hamavdil bein kodesh l'chol” before doing any melachah.**

### **Washing**

Washing to remove dirt is permissible. Washing one's hands in the morning should be done up until the knuckles.

### **Brushing Teeth**

Brushing teeth is permissible on Tisha B'Av. Care should be taken not to swallow even small amounts of water.

### **Torah Study**

Tisha B'Av is a day of Aveilut. As such, Torah study is not permitted throughout the entire day, unless it is concerning a section of Tanach regarding tragic events, such as Sefer Iyov or sections of Sefer Yirmiyahu which concern the impending destruction of the Jewish people, as well as the laws of mourning, on the basis of the notion that Torah study is a joyous activity, פקודי ה' ישרים משמחי לב. In this sense, it is parallel to the fact that an Avel cannot study Torah during the period of shiva.

### **Greetings**

As is the case during the period of shiva, greetings should not be extended during Tisha B'Av. In the event that someone unfamiliar with this practice does greet you, one should respond, albeit in a muted fashion, so as to avoid embarrassing the other person. In such cases, it is important to remember that the Talmud attributed the destruction of the second Temple to fraternal hatred, שנאת חנם. It is therefore of paramount importance to avoid anything on Tisha B'Av that might stoke fraternal discord.

## **Sleeping and Sitting**

Many have the custom of sleeping on the floor on Tisha B'Av. For those who do not have this practice, it is appropriate to reduce one's comfort, such as by reducing from two pillows to one, or by lowering one's mattress to the floor. Such customs are not advisable for those who are in frail condition. Likewise, it is the practice to lower ourselves to the ground on Tisha B'Av, rather than sitting in comfortable chairs, whether at home or in the synagogue. Once again, this custom is not advisable for those in frail condition. After halakhic midday (*chatzot*) on Tisha B'Av, (1:02 PM) the character of the day changes subtly. While the fast with all of its restrictions continues, as does the restriction on Torah study, this aspect of our mourning is lifted, and one may sit in a normal chair, or rest at home in a normal bed.

## **Working**

Tisha B'Av is a day upon which our entire attention is meant to be focused on the historical tragedies suffered by the Jewish people. As such, it is optimal to avoid working on Tisha B'Av altogether. For those for whom this presents an undue financial burden, it is best to avoid working until after *chatzot*, or at minimum, until after *kinnot* have been recited. For those doing external home construction, it is advisable to ask one's contractor not to work on the fast itself<sup>5</sup>.

## **Davening**

### **I. Tachanun and Selichot**

Ironically, tachanun is not recited on Tisha B'Av, as it is referred to in Megillat Eichah as a Moed, a festival. Indeed, the prophet Zechariah noted that, upon our future redemption, Tisha B'Av will be marked as a holiday once again. For this very reason, selichot are not recited on Tisha B'Av, unlike any other fast day.

### **II. Tefillin and Tzitzit**

As is the case with the first day of mourning, Tefillin are not worn on the morning of Tisha B'Av. Likewise, a tallit is not worn, though the tallit kattan is worn without a bracha. Tallit and Tefillin are worn during mincha.

### **III. Nachem**

Nachem, a prayer for the full restoration of Jerusalem, is added to the Amidah during mincha, when the character of the day shifts.

## **The 10th of Av**

According to the testimony of the prophet Yirmiyahu, the Beit HaMikdash was actually burned on the 10th of Av. The Talmud reconciles our practice of fasting on the 9th by noting that the fire was set on the 9th, close to sunset, while the majority of the burning took place on the 10th. While some rabbinic figures of Talmudic times actually had the practice of fasting on both the

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<sup>5</sup> While this is generally true during the nine days altogether, there are grounds for leniency during the nine days when the job had been contracted prior to the nine days, and when substantial financial loss may be sustained as a result of delaying the construction for nine days.

9th and the 10th, given that we observe the fast on the 10th of Av this year, the only restrictions in place following the fast on the 10th of Av are on eating meat and drinking wine.

**Havdalah**

Havdalah, without a flame or spices, should be made prior to eating following the fast at 9:03 PM. Wine may be used for havdalah for those who have the practice of typically using wine, or grape juice for those who use grape juice.