

Guide to *Bein Ham'tzarim*

The Three Weeks Between Shiva Asar
B'Tammuz and Tisha B'Av

Congregation Beth Abraham-Jacob

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Chazal tell us in the Talmud, Taanit 30b:

כל המתאבל על ירושלים - זוכה ורואה בשמחתה. ושאינו מתאבל על ירושלים - אינו רואה בשמחתה.

“Whoever mourns for Jerusalem merits to see its joy, and whoever does not mourn Jerusalem, will not see its joy.”

The destruction of the holy city of Jerusalem and our holy Temple was, according to Chazal, the beginning and root of all the calamities that befell the Jewish people throughout our long exile.

We mourn not just the loss of the physical building, but also the loss of the meeting place with HaShem in this world. The mourning that is observed during the period of Bein HaM'tzarim (lit. “Between the Straits”), the time between Shiva Asar B'Tammuz and Tisha B'Av, is incumbent upon all of us until the Beit HaMikdash is rebuilt, may it be speedily within our days.

The following is meant to serve as a guide. Please contact Rabbi Kean at rabbi@cbaj.org with any questions.

I. Introduction

There are four different parts of *Bein HaM'tzarim*, each with different laws:

1. The Fast of *Shiva Asar B'Tammuz* (this year Thursday, July 6, from 4:12 AM to 9:14 PM).
2. “The Three Weeks” – the days *Shiva Asar B'Tammuz* and *Tisha B'Av*, when some of customs of mourning begin.
3. “The Nine Days” or “The Week of *Tisha B'Av*” – Beginning of Rosh Chodesh Av (this year, July 18 at night) more intense customs of mourning are observed. For Sefardim, many of these customs are only observed during the week in which *Tisha B'Av* takes place (beginning Saturday night, July 23 until the conclusion of *Tisha B'Av*).
4. The Fast of *Tisha B'Av* (this year, July 26-27). Some observances begin before the onset of the fast on the 17th and some mourning continues the day after, July 28.

II. The Fast of *Shiva Asar B'Tammuz* (July 6)

❖ According to the Mishnah, five tragedies befell the Jewish people on *Shiva Asar B'Tammuz*:

1. Moshe Rabbeinu broke the first set of *Luchot* upon seeing the sin of the Golden Calf.
2. The *Korban Tamid* (the daily sacrifice) was stopped because the Jews ran out of animals to offer during the Roman siege (which lasted three years).
3. The city walls were breached by Romans – this is the main tragedy commemorated (during the Babylonian siege of Jerusalem, the city walls were also breached in the month of Tammuz).
4. Apostomos the Roman general burned a Torah scroll.
5. An idol was placed in the Temple (either during the Babylonian siege, or the Roman siege, according to two different accounts in the Jerusalem Talmud).

❖ The fast begins at *alot hashachar* (4:12 AM) and ends at *tzeit hakoachavim* (9:14 PM).

❖ Only eating and drinking are prohibited. Other activities that are prohibited on *Tisha B'Av* and on *Yom Kippur* are permitted on *Shiva Asar B'Tammuz*.

❖ Those who are ill or women who are pregnant or nursing may be exempt from fasting. Please reach out to me for more details.

❖ While strictly speaking, it is permissible to bathe in hot water, many avoid it. Lukewarm water may certainly be used.

- ❖ On Shiva Assar B'Tammuz, one should not get a haircut, make purchases that bring happiness, listen to music, or engage in other activities prohibited during the Nine Days or the Week of *Tisha B'Av* (see below).

III. The Three Weeks

The following activities are **prohibited** during the Three Weeks to demonstrate our mourning for the destruction of the *Beit Hamikdash*:

- ❖ **Dancing, or performing and listening to music.** Many contemporary *poskim* are lenient about recorded music, especially that is sad (or not joyous) in tone. This may be relied on to listen to music for concentration during routine activities, like studying or exercising. Concerts should still be avoided, even if sad music is performed. Exceptions can be made for professional Jewish musicians to perform at events for non-Jews who rely on the income that they would receive for their livelihood until Rosh Chodesh Av or for music teachers and their students until the week that *Tisha B'Av* falls in. In the latter case, many are stringent to only teach sad music, or to take their break from teaching during this time.
- ❖ **Hosting or attending festive gatherings or parties.** The only gatherings that should take place are educational gatherings, minimal business dealings, gatherings to address communal needs, and other necessities.
- ❖ **Having a wedding** (both getting married and attending a wedding).
- ❖ **Wearing new clothes or eating a “new food” so that one does not recite the bracha of “shehechyanu.”**
- ❖ **Getting a haircut.** Some Sefardim allow haircuts until the week of Tisha B'Av. Classically, shaving is also prohibited, and while many rabbis continue to prohibit shaving, many allow men to shave (either daily or every Friday before Shabbat) because this is not considered an activity that brings joy but is rather part of basic grooming. **The more lenient position may be relied upon without hesitation.** Even according to those who are strict, the following exceptions apply: Women may still remove hair from the face or the body; A man may trim his mustache if it interferes with eating or drinking; Before Rosh Chodesh Av for business purposes.

IV. The Nine Days and the Week of *Tisha B'Av* (*Shavua She-Chal Bo Tisha B'Av*)

In addition to those activities prohibited during the Three Weeks, additional activities are prohibited during the nine days leading up to *Tisha B'Av*, starting on Rosh Chodesh Av (July 18 in the evening) as a sign of more intense mourning. Many *Sefardim* observe some of these prohibitions for all the Nine Days, but delay starting some of the customs of mourning to the Sunday before *Tisha B'Av*. Everyone should follow their family's custom, if known.

- ❖ **It is forbidden to purchase objects for pleasure that will be available after *Tisha B'Av*.** This applies to *Sefardim* beginning on **Rosh Chodesh Av**.
- ❖ **It is forbidden to build or decorate the home for pleasure.** Emergency repairs, such as fixing a leak or an air conditioner, are permitted. This applies to *Sefardim* beginning on **Rosh Chodesh Av**.
- ❖ **It is forbidden to eat meat or drink wine or grape juice** because these foods bring increased joy and pleasure. For *Sefardim*, this only applies to the **week of *Tisha B'Av***. Eating meat and drinking wine is permitted on Shabbat, or at a meal to celebrate a specific *mitzvah*, like a *siyyum*

on a tractate of *Gemara*. The custom is to use beer or tea instead of wine or grape juice for *Havdalah*, though strictly speaking, wine or grape juice may be used and consumed by the adult (grape juice is preferred over wine). If beer or tea are used, the *bracha* for grape juice, *borei p'ri hagafen*, is replaced with the *bracha* for other beverages, *shehakol niyeh bidvaro*. Foods cooked with meat may not be eaten because they taste like meat, but foods cooked with wine or wine vinegar may be consumed because they generally do not have a strong wine flavor. Meat and wine may be consumed if it is necessary for medical purposes. A woman who recently gave birth or a person with an extremely limited diet (like someone who cannot eat dairy) may be allowed to eat meat, or at least chicken. Please contact Rabbi Kean if one of these situations applies to you.

- ❖ **Freshly laundered outer garments are not worn, and laundry is not done.** For *Sefardim*, this only applies to the **week of Tisha B'Av**. This prohibition applies to towels and tablecloths as well. Garments like undershirts, undergarments, and socks may be worn even if they are freshly laundered, but they should still be laundered before the Nine Days, not during the Nine Days. Freshly laundered outer garments that one wishes to wear during the Nine Days should be worn for a short period of time before Rosh Chodesh Av. Some allow freshly laundered garments to be worn during the Nine Days if they are soiled by placing them on a floor that is at least a little dirty before wearing them. Freshly laundered outer garments are worn on Shabbat. Garments are not given to a non-Jewish cleaner during this time.
- ❖ **Bathing and swimming for pleasure is not done.** Though classically all bathing was prohibited, because the prohibition is about avoiding *pleasure*, not *basic hygiene*, showering is allowed during the Nine Days in our era where regular showering is a part of basic hygiene. Some shower a little bit less frequently than they are accustomed to (i.e. every other day instead of every day), or use cooler water than what they are accustomed to, or shorten the length of their shower.

V. Introduction to Tisha B'Av

- ❖ Tisha B'Av is observed for a full 25 hours, the entire calendar day, from *Shkia* until *Tzeit HaKochavim* of the following day. This year, it begins at on Wednesday, July 26 at 8:22 PM and ends Thursday, July 27 at 8:57 PM.
- ❖ According to the Mishnah in Masechet Ta'anit, Tisha B'Av commemorates five tragedies in Jewish history which occurred on the Ninth of Av:
 1. The decree that the generation that left Egypt would not enter the land of Israel because the Spies and the rest of the nation sinned by rejecting the gift of Israel and rebelling against G-d and Moshe.
 2. The destruction of the first Beit HaMikdash by King Nebuchadnezzar of Babylon. Following the Babylonian conquest, most Jews were exiled to Babylonia.
 3. The destruction of the second Beit HaMikdash by the Romans.
 4. The fall of Beitar, one of the last Jewish strongholds to resist the Romans, and the massacre of its inhabitants.
 5. The city of Jerusalem was plowed over by the Romans to send the message that Jerusalem would never be rebuilt.

In addition to these five tragedies enumerated by the Mishnah, a number of other tragedies occurred later in Jewish history on or near 9 Av, including: the official start of the First Crusade, in which many Jews were massacred, in 1096; the expulsion of the Jews from England (1290), France (1306), and Spain (1492); Germany entered World War I; the Final Solution was announced in 1941; the beginning of mass deportations from the Warsaw Ghetto in 1942; the bombing of the AMIA Jewish community center in Buenos Aires in 1994.

- ❖ Below is an overview of the laws and customs of Erev Tisha B'Av, the *Chameshet Inuyim* (five prohibited types of physical enjoyment), the other prohibitions of mourning observed on Tisha B'Av, adjustments to *tefilah* for Tisha B'Av, the laws of the day after Tisha B'Av.

VI. Erev Tisha B'Av and the *Se'udat Mafseket*

At the least meal before Tisha B'Av, there are several rules and customs to commence mourning for the *Beit HaMikdash*:

- ❖ A *Se'udat Mafseket*, the last meal before the fast, is eaten after *Chatzot* (midday) or 1:02 PM.
- ❖ Meat or wine may not be consumed, even by someone who is sick or has a limited diet who may be allowed to consume meat or wine during the Nine Days.
- ❖ Only one cooked food may be eaten. Two or more cooked foods may not be consumed. This rule does not apply if one's last meal is before *Chatzot*. Similarly, one may continue eating normally past *Chatzot*, provided one has a final *Se'udat Mafseket* in which the number of dishes is limited to one. A dish with multiple types of food in it is considered to be two different foods. For example, one may not have a stew with two different kinds of vegetables in it; only one vegetable may be eaten. Seasonings or minor ingredients frequently added to other dishes for flavoring (i.e. onions in rice) are not problematic in this regard. Dishes prepared especially for mourners may be consumed, even if made of multiple ingredients.
- ❖ There is no limit to raw foods eaten at the *Se'udat Mafseket*. Pasteurized dairy is not considered cooked, but rather raw.
- ❖ Many avoid chocolate, candy, or other foods eaten not for nourishment but rather pleasure.
- ❖ Many avoid fish because it is considered a delicacy. Others only avoid cooked fish, but not raw or cured fish.
- ❖ Some avoid beverages that involve cooking in their production, like beer, tea, or coffee.
- ❖ Some have the custom to only eat bread, salt, and water. Others will eat eggs or lentils as the cooked dish because these are considered mourners' foods. Some eat their bread with ashes, which may be produced by burning a piece of bread.
- ❖ The *Se'udat Mafseket* should be eaten on the floor (for those who do not have difficulty doing so), and alone, without making a *zimmun* with others.
- ❖ Eating and drinking is still permitted after the *Se'udat Mafseket* until *Shkiah*.

VII. *Chameshet Ha-Inuyim* (Five Abstentions)

The following five actions are prohibited on Tisha B'Av (as well as Yom Kippur) for the entirety of the day:

1. **Eating and drinking.** The prohibition applies to any amount of food or beverages. Pregnant and nursing women are generally obligated to fast on Tisha B'Av, but someone who is sick or concerned about health risks should consult with Rabbi Kean to determine if it is appropriate to fast or not. Tisha B'Av is more lenient than Yom Kippur.

2. **Washing and bathing (*rechitzah*).** This applies to any part of the body. There are some exceptions in which it is proper to wash one's hands:
 - ❖ Every morning upon waking up, *netilat yadayim* should be done three times on each hand, alternating. On Tisha B'Av, only the fingers should be washed, up to the knuckles. Other handwashing done for *halachic* purposes should likewise be limited to the fingers up to the knuckles.
 - ❖ Washing may be done in order to remove dirt, filth, or sweat.
 - ❖ One may wash a child or baby that is dirty, or prepare food or wash dishes, even though that may involve getting one's hands wet.
 - ❖ Handwashing done for hygienic purposes, such as after relieving oneself, should be done as normal, with soap or hand sanitizer.
3. **Applying ointments or creams for pleasure (*sichah*).** One should not apply oil, creams, ointments, perfumes, etc. to the body for pleasure. This does not apply to creams or ointments needed for medicinal purposes, lip balm for dry lips, insect repellent, nor soap or hand sanitizer used for standard, necessary hygienic purposes.
4. **Wearing leather shoes (*ne'ilat hasandal*).** Non-leather shoes are permitted, however some are stringent not to wear shoes which provide complete protection and support, like sneakers, even when they are made of non-leather materials. This prohibition does not apply to someone in a situation where it might be dangerous not to wear proper shoes.
5. **Marital relations.** Intimacy between a husband and wife is forbidden.

VIII. Other Prohibitions of Mourning

In addition to the observances of a fast day, the customs of mourning which are observed during *Shiva* upon the loss of a close relative (parent, sibling, child, spouse) are practiced on Tisha B'Av. As such, the following actions are prohibited:

- ❖ **Torah study.** Torah study distracts from the mourning one should engage in and brings joy to a person's heart. However, it is appropriate (and according to some an obligation) to study those Torah subjects that *do not* bring joy, but deal with the *Churban*, or other sad topics. Anything related to *nechama*, comfort, should be skipped.
 - The following texts and subjects are appropriate learning for Tisha B'Av: the portions of *Nevi'im* which speak about the destruction of the *Beit Hamikdash*, which are in *Melachim*, *Divrei HaYamim*, *Yeshayahu*, *Yirmiyahu*, *Yechezkel*, *Trei Asar*; the Book of *Eichah* and its Midrash; the Book of *Iyov* (except for the ending); the Torah's rebukes of the Jewish people in *Bechukotai*, *Ki Tavo*, *Ha'azinu*; the discussions of the *Churban* in *Masechet Gittin* (55b-58a); the third chapter of *Masechet Mo'ed Katan* which discusses the laws of mourning; the discussions at the end of *Masechet Ta'anit* which discuss the laws of Tisha B'Av; any other work about the laws of Tisha B'Av and *Bein HaM'tzarim* (the Three Weeks and Nine Days); and the laws of mourning. *Kinot* are of course appropriate as well, and many also study *Mussar* because it inspires people to do *teshuvah*, which is the purpose of fast days.
 - Commentaries may be used to achieve a basic understanding, but one should not study in great depth, as that would be overly intellectually stimulating and distracting from mourning the destruction of the *Beit HaMikdash*.

- Pressing *halachic* questions may be asked and addressed without elaboration on the reasoning and explanation of the answer.
 - Other reading that does not focus on mourning the *Beit HaMikdash* (newspapers, novels, other books, etc.) should be avoided if possible. Some recommend books about the history of the destruction of the *Beit HaMikdash* or the suffering that the Jewish people have endured throughout our exile.
 - Today, there are many online resources and programs for learning about Tisha B'Av, including for children. Utilizing these resources to deepen one's sense of the meaning of Tisha B'Av is encouraged.
- ❖ **Greetings (*She'eilat Shalom*).** All greetings should be avoided. If someone does not know the *halacha* and extends a greeting, the correct thing to do is to respond in a quiet, despondent manner, preferably without using the word "*shalom*." (The main prohibition is specifically greeting someone with the word "*shalom*" because, as people mourning the destruction of the *Beit HaMikdash*, we are not at peace.) Handshakes and gifts are also prohibited, though giving charity is, of course, encouraged. One may wish "*mazal tov*" to someone newly married or who had a baby or the like, as this is not a greeting.
 - ❖ **Sitting and lying on the ground.** On Tisha B'Av, this is a *minhag* and not an obligation, strictly speaking. As such, this custom is not observed the entire day. Ashkenazim observe it until *Chatzot* (Midday), and Sefardim keep it until Minchah. One should sleep in a way that is less comfortable (i.e., remove one pillow, place the mattress on the floor, place a rock underneath either the pillow or the mattress, etc.). It is best to sit on the floor, though a low cushion, stool, or mat may be used, ideally no higher than about one foot tall. Those who have back problems, older individuals, or pregnant women may sit in regular chairs if it is difficult or painful for them to sit so low may sit on a normal chair.
 - ❖ **Working on Tisha B'Av.** Ideally one should not work on Tisha B'Av because it distracts from mourning the *Beit HaMikdash*, and Chazal tell us that no *bracha* will come from work done on Tisha B'Av. Work is not defined as it is on Shabbat, but rather as it is on Chol HaMoed. As such, simple tasks that do not require thought or serious effort, like turning on lights, driving, tying knots, etc. are all allowed. However, working at one's profession or more engrossing forms of work, such as writing, laundry, sewing, repairing clothes or household appliances, etc. should not be done. If there is a very pressing need, work may be done after *Chatzot*. Work may be done to avoid substantial monetary loss. Cooking for after the fast may begin at *Chatzot*. Doctors or those selling food may work.
 - ❖ One should not go on trips, meet with friends, or do other happy activities. Visiting the Kotel, however, is meritorious because it strengthens feeling of mourning for the *Beit HaMikdash*.

IX. *Tefilah* on Tisha B'Av.

- ❖ **Reading *Eicha*.** After Maariv on the night of Tisha B'Av, *Eicha* is read in *shul*, and the lights are turned off or dimmed.
- ❖ **Adjustments to *Shmoneh Esreh*.** When reciting *Shmoneh Esreh*, one should remember the insertion of "*aneinu*" and "*nachem*." Sefardim recite these insertions in all prayers of Tisha B'Av, while Ashkenazim only do so at Mincha. One should consult his/her *siddur*.

- ❖ **Tachanun** is not recited on Tisha B'Av or at Mincha the day before because *Eicha* uses the term “*mo'ed*” to describe Tisha B'Av, hinting to the fact that one day the fast of Tisha B'Av will be turned into a *mo'ed*, a festival.
- ❖ **Melodies** are not used by the Chazan.
- ❖ **Removing tallit, tefillin, and the parochet.** The *parochet* is removed from the *shul* before Maariv, and only returned at Mincha. Similarly, Ashkenazim and many Sefardim have the *minhag* to wear *tallit* and *tefillin* at Mincha and *not* at Shacharit, although some communities have different practices in this regard. Because *Kriyat Shema* should ideally be done while wearing *tefillin*, some repeat *Kriyat Shema* while wearing *tefillin* at Mincha, while some briefly don *tefillin* in the morning to recite *Kriyat Shema*.
- ❖ Many Sefardim refrain from reciting the blessing of “*she-asah li kol tzarki*” in *Birchat HaShachar*. One should follow his/her custom.
- ❖ Torah study of certain passages was fixed as part of the daily prayer services, and most people recite those passages on Tisha B'Av as well, even though Torah is not studied on Tisha B'Av.

X. Children on Tisha B'Av

- ❖ **Fasting:** Children should not fast on Tisha B'Av. Some have the custom that older children practice fasting for a few hours. Simple foods should be given to children.
- ❖ **Other Restrictions:** From the around the age of six (or whenever they are old enough to be given an education in Torah and *mitzvot*), children should not wear leather shoes, wash or bathe for pleasure, or apply creams or ointments for pleasure.
- ❖ **Torah:** Children should only study or be taught Torah that is appropriate for adults.

XI. The Day After Tisha B'Av

The ninth of Av is observed as the day of commemorating the destruction of the *Beit HaMikdash* because that is the day that the Babylonians started the fire to burn down the *Beit HaMikdash*. However, most of the burning took place on the tenth of Av, so some practices of mourning apply to the day after the fast of *Tisha B'Av*.

- ❖ **Meat and wine are not be consumed.** For Ashkenazim this applies to *chatzot* (midday), which is 1:02 PM in Albany, while for Sefardim it applies the entire day.
- ❖ **Laundry, wearing laundered clothes, cutting one's hair, showering for pleasure, listening to joyous music, and doing activities which require the blessing of *Shehechyanu* should also be avoided.** For the details of these restrictions, see above. Some are lenient about these restrictions, and only restrict consumption of meat and wine, however it is preferable to be stringent except in cases of great need. These restrictions are only in force until *chatzot* (midday), though some keep them the entire day.

Please note: Because this year the day after Tisha B'Av is a Friday, laundry, hair cutting, and showering may be done as needed to prepare for Shabbat.

Thus say the LORD of hosts: The fast of the fourth month, and the fast of the fifth, and the fast of the seventh, and the fast of the tenth, shall be to the house of Judah joy and gladness, and cheerful seasons; therefore love truth and peace.

May the Beit HaMikdash be rebuilt speedily and may our fasts be transformed into festivals.

Rabbi Ben & Miriam Kean