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ב"ה

LAWS OF THE THREE WEEKS 5778

BY RABBI BRAHM WEINBERG

We find ourselves approaching the time of "*beyn hameitzarim*" which is the period of the three weeks between the 17th of *Tammuz* (Observed this year on Sunday July 1st) and *Tisha B'Av* (Observed this year on Sunday July 22nd). The words "*beyn hameitzarim*" literally mean "between the straits" and are taken from a verse in *Megillat Eicha* which we will read on *Tisha B'av*: "*kol rodfeha hisiguha beyn hamtezarim*" "all her enemies [of Jerusalem/Jewish people] overtook her in the narrow straits" (1:3). As the name connotes, this is a period of reflection and mourning over the many enemies who did pursue, overtake, and harm us over the ages. Most significantly, this period commemorates the sequence of events that began with the breaching of the walls of Yerushalayim and concluded with the destruction of the first and second *Beit Hamikdash*. It is a period when we contemplate the loss of our spiritual center and of the distance that emerged in our relationship to Hashem. The emotion and memory of this time are concretized in our behavior and practice over the course of this period of the year. The details of those practices are outlined below.

As much as this is a period of destruction, it is also a period of hope and consolation. As much as it is tragic, we also believe that this is the time-period in which the *Mashiach* will be born: The time-period that will lead to our redemption. It is a period in which we pray, fast, introspect, and try to work on ourselves, the improvement of our world, and our relationship with Hashem. It is a time when we can be optimistic about the bright future that awaits us. We have seen many aspects of the slow process of redemption unfold in our own times and we hope it shall continue.

It is always important to review some of the laws of this period from year to year. There are three distinct periods of mourning which, according to Rabbi Soloveitchik, inversely parallel the three stages experienced by an individual mourner. The observances of the Three Weeks are similar to those of *Yud Bet Chodesh* (Year-long mourning for parents), those of the Nine Days are like the practices of *Shloshim* (30 Days) and the day of *Tisha B'Av* in many ways mimics the days of *Shiva*.

What follows is a brief outline of Halachot for each period of time. Always feel free to contact me with any specific questions you might have.

Sincerely,

Rabbi Brahm Weinberg



PERIOD #1: SHIVA ASAR B'TAMMUZ UNTIL ROSH CHODESH AV

During the initial period of the three weeks from 17th of *Tammuz* (Saturday Night June 30th) until *Rosh Chodesh Av* (Thursday night July 12th) there are four main restrictions for Ashkenazim (Sefardim have a different set of rules and dates – see me for more details):

- Haircuts
- Attending festive gatherings, parties, and weddings
- Listening to music (live or recorded)
- Reciting the blessing of *Shehechyanu* (which mainly manifests itself in refraining from buying new clothes and eating new fruits)

I would like to elaborate upon the issue of haircuts. This restriction applies to both men and women. For men, however, there is an additional aspect to the restriction which is daily shaving of the face (women are allowed to shave or wax until the week of *Tisha B'Av* if need be).

Many men refrain from shaving during this period in keeping with the basic understanding of the restriction as stated in *Shulchan Aruch*. However, there are varying customs regarding that and each one has a basis in *halacha*.

Rabbi Soloveitchik advanced the idea that since this period of national mourning parallels the period of year-long mourning for parents, many of the same *halachot* apply. Just like a man in the year-long mourning period for a parent can shave (after *shloshim*) when he is deemed to be unkempt by those around him, the same applies during this time. Usually after a day or so a man who shaves daily would look unkempt. Consequently, according to this logic he would be permitted to shave during this time-period. Others choose to shave only on Erev Shabbat during this time. Since the restriction of shaving is only a custom whereas preparing for and honoring Shabbat is a mitzvah, the mitzvah would override the custom of not shaving. Others choose not to shave at all. If you do not have a pre-existing custom regarding this feel free to speak to me about it further.

PERIOD #2: THE NINE DAYS

The Talmud (Ta'anit 26b) instructs that as the month of Av begins, we are to mute our sense of joy, as this month contains the day on which both *Batei Mikdash* were destroyed. During the period from *Rosh Chodesh Av* (Thursday night July 12th) until *Tisha B'Av*, called the Nine Days, many forms of rejoicing are suspended in addition to the avoidance of haircuts, parties, music, and *shehechyanu* which existed in the earlier period of the Three Weeks.

- **Meat and Wine:** Meat and wine/grape juice are avoided during this time. In Jewish tradition meat and wine have always been associated with celebrations and, therefore, are avoided. Additionally, the avoidance of meat and wine bring to mind the *korbanot* which were once offered in the *Mikdash* but ceased post *Churban*. Shabbat and festive meals associated with a mitzvah (*Brit Milah*, *siyum*, etc.) are exempt from this



restriction; meat and wine are permissible. The permissibility of meat and wine on Shabbat applies even to *kiddush* being made when Shabbat is accepted early, and even to *havdala* after Shabbat. However, the custom is to give the wine from *havdala* to a child who is not yet old enough to appreciate mourning, but old enough to understand a *bracha* on the wine. If no child is present, then the person making *havdalah* should drink the wine, since the use of wine is preferable to some other beverage.

- **Swimming/Bathing:** The *Shulchan Aruch* records that bathing is prohibited during the Nine Days. Since showering in our time is done for hygiene and cleanliness purposes, some *poskim* permit taking a shower during this time for those who are very uncomfortable. However, some caveats still apply: One should take a shorter shower just to get clean (rather than a long relaxing shower), one should try to shower slightly less often than normal, and try to shower in lukewarm water to make it clear that it is just to get off the dirt and not for enjoyment. Swimming should be avoided during these nine days unless it is done for medical reasons.
- **Laundering/Ironing:** Freshly laundered garments should not be worn during the nine days **nor** may one launder clothes even if they are to be worn after *Tisha B'Av*. One may wash clothes of very young children who constantly get dirty. One can and should wear laundered clothes for Shabbat.
- **Construction/Decorating:** In keeping with the theme of increased mourning, the *Shulchan Aruch* prohibits building and planting for pleasure during the nine days. This is understood today to refer to decorating (painting, wallpapering, etc.) and landscaping. However, necessary house repairs and lawn maintenance (weeding, watering, mowing etc...) are permitted.

PERIOD #3: EREV TISHA B'AV

The day before Tisha B'Av is like a bridge between the Nine Days and Tisha B'Av itself. Some of the laws of mourning intensify and the spirit and feeling of Tisha B'Av is already captured in the characteristics of Erev Tisha B'Av. This year that will not be the case.

This year Tisha B'Av falls on Shabbat July 21st and is pushed off until Sunday July 22nd since fasting and mourning are not permitted on Shabbat. For all intents and purposes, Shabbat will be "Erev Tisha B'Av." However, Shabbat should be treated as any other Shabbat of the year and one should not minimize their joy, singing, or curtail their meals in any way.

The transition from Shabbat to Tisha B'Av is somewhat complex this year so I will review what should be done:

- Mincha will be earlier in the afternoon (6:00pm) to allow people to come to shul for Mincha and then return home to eat.



- One should eat a normal meal at home for Seudah Shlishit and finish the meal before 8:29pm when the fast begins. This meal can include meat and any other delicacies and may be recited with a zimmun. One should probably not invite guests unless that is their normal practice every Shabbat.
- Although the fast begins at 8:29pm, Shabbat is not over until 9:16pm and so no other public displays of Tisha B'Av mourning may begin until 9:16pm (ie Shoes, low chairs etc...).
- As soon as Shabbat is over you should say "baruch hamavdil beyn kodesh lechol" in order to officially end Shabbat and then you may prepare for Tisha B'Av by changing your shoes and driving to shul for Maariv and Eicha.
- Since we are davening Maariv somewhat after Shabbat is over there is no need to bring shoes to shul before Shabbat and change in to them after Barchu as is done in some places.
- We will daven Maariv at 9:45pm followed by an abridged Havdallah (only "borey meorei h'aeish" is said) and the reading of Eicha. If you are not coming to shul for Eicha you may recite this bracha at home. (Other parts of Havdallah - "borey pri hagafen" and "hamavdil"- are recited after the fast is over on Sunday night at 9:07pm (7.12degrees). WTG Eicha recitation for women will be at 10:45pm.

PERIOD #4: TISHA B'AV

Our mourning reaches its depths on *Tisha B'Av* which is a day of much meaning and reflection. It is a day of much sadness, but also a day of great hope for the future of the Jewish people: If we strive to properly understand where we have come from as a people and the strength that it took our people to get to the present time, then we will certainly be fortified to build for a wonderful future.

Eating and Drinking

- All eating and drinking is forbidden. This includes rinsing the mouth & brushing teeth.
- Swallowing pills is permitted if needed.
- There are many cases of ill or elderly people as well as pregnant and nursing women who may not be required to fast on *Tisha B'Av*. **Please consult your doctors and Rabbi Weinberg for guidance about whether or not you should 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.



Bathing and Washing

- Generally, all bathing of any part of the body in hot or cold water is prohibited.
- Ritual washing of hands upon waking, after using the bathroom, touching covered parts of the body, or before davening 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). If necessary one may use soap or warm water to remove this dirt.
- Washing for cooking or for medical reasons is permitted.

Anointing

- Generally, anointing one's body is prohibited including oil, 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.
- 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 Neviim that deal with tragedy or destruction, the third chapter of Moed Katan (which deals with mourning), the story of the destruction (in Gittin 56b-58a, Sanhedrin 104, and in Josephus or other history books), and the *halachot* of *Tisha B'Av* and of mourning.

Additional Restrictions

- One should deprive him/herself 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.
- Married couples should refrain from having relations and separate their beds.
- Sitting on a normal chair is forbidden until midday (1:14 pm). Instead, one may sit on a low bench or chair, or on a cushion on the floor.
- We refrain from greeting someone with "good morning" and the like. One who is greeted should answer softly and, if possible without making the other person feel uncomfortable, inform the person of the practice.
- One should not give a gift except to *tzedaka*
- Things that divert us from mourning are prohibited. The custom is to refrain until midday from any time-consuming work that diverts you from mourning.



Tefila

- Ashkenazic men do not wear *tefillin* at *Shacharit*, nor is a *bracha* made on *tzitzit*. At *Mincha*, *tefillin* are worn and those who wear a *tallit gadol* make the *bracha* upon it at that point. (Some Sefaradim wear the *tallit* and *tefillin* at *Shacharit* as usual.)
- At *Mincha*, the prayers of *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/she need not repeat the prayer.
- The custom is to recite *Kiddush Levana* the night after *Tisha B'Av*, preferably after having eaten something.

THE DAY AFTER TISHA B'AV

Normally the restrictions of the 'Nine Days' remain in place until midday of the day following *Tisha B'Av*. However, because *Tisha B'Av* actually falls out on *Shabbat* this year, and is observed on Sunday (the 10th of *Av*), all restrictions are lifted immediately at the conclusion of the fast on Sunday evening (9:07pm) except eating meat, drinking wine (aside from *havdallah* wine), and listening to music which shouldn't be done until Monday morning.

May we all have an easy and meaningful fast and may we see a time of peace in Israel and the world with the coming of the redemption very soon in our days.