

A Review of the Laws of the Three Weeks*

July 21 – August 11, 2019



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*Please note that since this year the Ninth of Av occurs on a Shabbos and the fast is observed on the following day, the laws presented herein been adjusted accordingly and may be somewhat different than in other years.

This packet presents a general overview. For further clarity, or for unusual circumstances, please feel free to contact Rabbi Feldman or Rabbi Foxbrunner for further guidance.

The 17th of Tammuz

The 17th of Tammuz (observed Sunday, July 21) is a fast day commemorating the fall of Jerusalem, prior to the destruction of the Holy Temple. This also marks the beginning of a 3-week national period of mourning, leading up to Tisha B'Av.

The 17th of Tammuz is the first of four fast days mentioned in the prophets. Other fasts include the 10th of Tevet, Fast of Gedalya (3rd of Tishrei) and the 9th of Av. The purpose of a fast day is to awaken our sense of loss over the destroyed Temple – and the subsequent Jewish journey into exile.

Mourning these events is meant to help us atone for and repair those spiritual shortcomings which brought about these tragic events. Through the process of "Teshuva" – self-introspection and a commitment to improve – we have the power to transform tragedy into joy. In fact, the Talmud says that after the future redemption of Israel and the rebuilding of the Temple, these fast days will be re-dedicated as days of rejoicing and festivity. For as the prophet Zechariah says: the 17th of Tammuz will become a day of "joy to the House of Judah, and gladness and cheerful feasts."

The 17th of Tammuz in History

Five great catastrophes occurred in Jewish history on the 17th of Tammuz:

1. Moses broke the tablets at Mount Sinai in response to the sin of the Golden Calf.
2. The daily offerings in the First Temple were suspended during the siege of Jerusalem, after the Kohanim (Priests) could no longer obtain animals.
3. Jerusalem's walls were breached, prior to the destruction of the Second Temple in 70 CE.
4. Prior to the Great Revolt, the Roman general Apostamos burned a Torah scroll – setting a precedent for the horrifying burning of Jewish books throughout the centuries.
5. An idolatrous image was placed in the Sanctuary of the Holy Temple – a brazen act of blasphemy and desecration.

(Originally, the fast was observed on the Ninth of Tammuz since that was the day Jerusalem fell prior to the destruction of the First Temple in 586 BCE. However, after Jerusalem fell on the 17th of Tammuz – prior to the destruction of the Second Temple – the Sages decided upon a combined observance for both tragedies, the 17th of Tammuz.)

Overview of the Laws of the 17th of Tammuz

No eating or drinking is permitted from the break of dawn (5:29am), until nightfall (9:22pm).

1. Pregnant and nursing women – and others whose health would be adversely affected – are exempted from the fast.
2. Bathing, anointing, and wearing leather shoes are all permissible.
3. The "Aneinu" prayer is inserted into the Amidah/Shmoneh Esrei of Shacharis and Mincha by the chazan. Individuals insert it in Mincha only.
4. Slichos and "Avinu Malkeinu" are recited.
5. Exodus 32:11, in which the "13 Attributes of Mercy" are mentioned, is read at both the morning and afternoon services.
6. Isaiah 55:6 - 56:8, which discusses the renewal of the Temple service, is read as the Haftorah at the Mincha service.

Overview of the Laws of The Three Weeks

The "Three Weeks" between the 17th of Tammuz and Tisha B'Av (the 9th of Av) have historically been days of misfortune and calamity for the Jewish people. During this time, both the First and Second Temples were destroyed, amongst other terrible tragedies.

These days are referred to as the period "within the straits" (*bein hametzarim*), in accordance with the verse: "all her oppressors have overtaken her within the straits" (Lamentations 1:3).

On Shabbos during the Three Weeks, the Haftorahs are taken from chapters in Isaiah and Jeremiah dealing with the Temple's destruction and the exile of the Jewish people.

During this time, various aspects of mourning are observed by the entire nation. We minimize joy and celebration. And, since the attribute of Divine judgement ("din") is acutely felt, we avoid potentially dangerous or risky endeavors.

1. No weddings are held. (However, engagement ceremonies are permitted.)
2. We do not listen to music (live or recorded).
3. We avoid all public celebrations – especially those which involve singing, dancing and musical accompaniment.
4. No haircuts or shaving. (Fingernails may be clipped except on Tisha B'av.)
5. We do not say the blessing *Shehechianu* on new food or clothes, except on Shabbos. We also do not purchase items over which a *Shehechianu* is said.

The Nine Days

The period commencing with Rosh Chodesh Av (Friday, August 2) is called the "Nine Days." During this time, a stricter level of mourning is observed, in accordance with the Talmudic dictum (Ta'anit 26): "When the month of Av begins, we reduce our joy."

1. We avoid purchasing any clothing or any additional items that bring great joy.
2. We suspend home improvements, or the planting of trees and flowers.
3. We avoid litigation with non-Jews, since fortune is inauspicious at this time.
4. We abstain from the consumption of meat (including poultry) and wine. These foods are symbolic of the Temple service, and are generally expressions of celebration and joy.
 - On Shabbos, meat and wine are permitted. This applies also to any other *seudus mitzvah* – for example, at a Bris Milah or at the completion of a tractate of Talmud.
 - Wine from Havdallah should be given to a child to drink. If there is no child present, an adult may drink the wine.
5. We refrain from wearing newly laundered garments, or laundering any clothes.
 - If the "freshness" has been taken out of a garment prior to the Nine Days, it may be worn.
 - Fresh clothes may be worn for Shabbos.
 - The clothing of small children, which gets soiled frequently, may be laundered during the Nine Days.
 - Clothes may not be laundered even if done in preparation for after Tisha B'Av, or even if done by a non-Jew.
6. We do not bathe for pleasure.
 - It is permitted to bathe in order to remove dirt or perspiration, or for medical reasons. This may be done only in lukewarm water.
 - Furthermore, the body should be washed in parts, rather than all at one time.
 - Bathing in warm water is permitted on Friday in honor of Shabbos.

Tisha B'Av in History

On Tisha B'Av, five national calamities occurred:

1. During the time of Moses, Jews in the desert accepted the slanderous report of the 10 Spies, and the decree was issued forbidding them from entering the Land of Israel. (1312 BCE)
2. The First Temple was destroyed by the Babylonians, led by Nebuchadnezzar. 100,000 Jews were slaughtered and millions more exiled. (586 BCE)

3. The Second Temple was destroyed by the Romans, led by Titus. Some two million Jews died, and another one million were exiled. (70 CE)
4. The Bar Kochba revolt was crushed by the Roman Emperor Hadrian. The city of Betar – the Jews' last stand against the Romans – was captured and liquidated. Over 100,000 Jews were slaughtered. (135 CE)
5. The Temple area and its surroundings were plowed under by the Roman general Turnus Rufus. Jerusalem was rebuilt as a pagan city – renamed Aelia Capitolina – and access was forbidden to Jews.

Other grave misfortunes throughout Jewish history occurred on the Ninth of Av, including:

1. The Spanish Inquisition culminated with the expulsion of Jews from Spain on Tisha B'Av in 1492.
2. World War I broke out on the eve of Tisha B'Av in 1914 when Germany declared war on Russia. German resentment from the war set the stage for the Holocaust.
3. On the eve of Tisha B'Av 1942, the mass deportation began of Jews from the Warsaw Ghetto, en route to Treblinka.

Shabbos, Erev Tisha B'av

This year, since the Ninth of Av occurs on Shabbos, there are a few important ramifications:

1. Marital relations are restricted. Pirkei Avos are not recited.
2. The customs and restrictions of the *Seuda Hamafsekes* do not apply. Rather, one can and should eat a full Shalosh Seudos, while being careful to stop eating and drinking by sunset (8:29pm). One may recite *Birkas Hamazon* afterwards and continue to sit on a regular chair and wear normal shoes until nightfall (9:05pm).
3. No preparations for Tisha B'av may be made until nightfall. Therefore one should not bring “Tisha B'av shoes” to shul until after Shabbos. Alternatively, one can bring shoes to shul before Shabbos.
4. Havdalah is not recited until Sunday night. Customarily, the blessing *Borei Me'orei HaEish* is recited in shul on Motzei Shabbos before the reading of Eicha.
5. Those who are not fasting, or those who need to break their fast due to illness, should recite Havdalah before eating. Since wine and grape juice are not to be drunk, one can make a *Shehakol* on beer or coffee, or use wine or grape juice and have a child (aged 6-9) drink it.

Overview of the Laws of Tisha B'Av (Sunday, August 11)

The laws of Tisha B'Av commence at sundown on Motzai Shabos and consist of the following expressions of mourning:

Fasting:

1. No eating or drinking until nightfall Sunday evening (9:04pm).
2. This year, the rules for fasting are more lenient in the following cases: For pregnant or nursing women, for the elderly and for the weak or unwell. One should consult a rabbi for guidance.
3. A woman within 30 days after birth need not fast.
4. Medicine may be taken on Tisha B'Av, preferably without water.

Other prohibitions include:

1. Any bathing or washing, except for removing specific dirt, e.g. gook in the eyes. (Upon rising in the morning, before prayers, or after using the bathroom, one washes only the fingers.)
2. Anointing oneself for pleasure. This includes the use of ointments and creams.
3. Marital relations.
4. Wearing leather shoes. (Leather belts may be worn.)
5. Studying Torah, since this is a joyful activity. It is permitted to study texts relevant to Tisha B'Av and mourning, e.g. the Book of Lamentations, Book of Job, parts of Tractate Moed Katan, Gittin 56-58, Sanhedrin 104, Yerushalmi end of Ta'anis, and the Laws of Mourning. In-depth study should be avoided.

Other mourning practices include:

1. Sitting on the floor or on a low chair (preferably below 12 inches). After midday on Sunday (1:42 pm), one may sit on a regular chair.
2. One should not extend a greeting to another. Giving a gift is another form of greeting that shouldn't be done on Tisha B'av.
3. The custom is not to engage in any distracting labor before midday (1:43pm), unless it will result in a substantial loss. Strictly speaking, business matters are permitted after midday (1:42pm), however it is recommended to refrain from prolonged distraction.
4. One should avoid pleasurable activities that distract from the proper mood of the day.

Following Tisha B'Av, all normal activities may be resumed (yes, including laundry) except for eating meat, drinking wine (except for Havdalah), and listening to music, which should be delayed until morning.

Tisha B'Av in Prayers and the Synagogue

1. Lights in the synagogue are dimmed, candles are lit, and the curtain is removed from the Ark. Prayers are offered in a low, mournful voice. This reminds us of the Divine Presence which departed from the Holy Temple.
2. The Book of Eicha (Lamentations), Jeremiah's poetic lament over the destruction of Jerusalem and the First Temple, is read both at night and during the day.
3. Following both the night and day service, special "Kinos" (elegies) are recited.
4. In the morning, the Torah portion of Deuteronomy 4:25-40 is read, containing the prophecy regarding Israel's future iniquity and exile. This is followed by the Haftorah from Jeremiah (8:13, 9:1-23) describing the desolation of Zion.
5. In the afternoon, Exodus 32:11-14 is read. This is followed by the Haftorah from Isaiah 55-56.
6. Since Tallis and Tefillin represent glory and decoration, they are not worn at Shacharit. Rather, they are worn at Mincha, as certain mourning restrictions are lifted.
7. Prayers for comforting Zion and "Aneinu" are inserted into the Amidah prayer at Mincha.
8. It is customary to recite Kiddush Lavana (*blessings to sanctify the new moon*) on Motzei Tisha B'av.