

The Laws and Customs of The Three Weeks

*Following the rulings of Morenu Maran Ovadia Yosef zt"l
and other contemporary Sephardic poskim.*



HALACHA MOMENT

Transforming Your Day One Moment At A Time!

A PROJECT IN CONJUNCTION
WITH



CHAZAK

WRITTEN AND COMPILED
BY R' NETANEL AMINOV & MORDECHAI BUZAGLO

This Project Is Dedicated

By:

GOLD DEDICATION
ANONYMOUS
BEHAR FAMILY
JANET & ISAAC COHEN
YASMINA AND DAVID SOYONOV

SILVER DEDICATION
 Frieda and Abraham Sarway
 Danielle and Robert Haddad
 Mark V and Julie Sardar
 Nellie and David Haddad
 Marilyn Plitman
 Benjamin Selzer and Family
 In Honor Of Rosy & David Zeitoune By Their Daughter
 Gina
 Anonymous

HALACHA MOMENT
 Emanuel Zareh
 Gabby and Raquel Habert
 Selmar Family
 Senior Family
 Weiss Family
 Shelby Family
 Ezra And Rayna Cohen
 Tawil Family





HALACHA MOMENT

Transforming Your Day One Moment At A Time!

Table of Contents

1-2 Introduction

4 Avoiding Danger

4-6 Purchasing New Items (*Birkat Shehechyanu*)

6 Grooming (Haircuts, etc.)

7 Music & Dancing

8 Weddings & Parties

8-9 Showering (Showers, Swimming, Mikvah)

9-11 Eating Meat & Drinking Wine

11-12 Laundry

12-14 Erev *Tisha B'av*

14-17 *Tisha B'av*

17 When *Tisha B'Av* is on Shabbat or Sunday

Rabbi Yitzchak Berkovits
Hashalom Veba'achdut 6/27
Jerusalem, Israel 9770606
02-5813847

יצחק שמואל הלוי ברקוביץ
מבוא השלום והאחדות 6/27
סנהדרין המורחבת 113/27
ירושלים ת"ו

ד"ר ירושלם ת"ו כ' קט"ו תשפ"ד

Dear Friends,

The Halacha Moment broadcast and website is the work of my dear friend Rabbi Netanel Aminov, a musmach and member in good standing of our Kollel here in Yerushalaim with the intent of spreading accurate halacha in many areas to all who are interested.

Rabbi Aminov is well versed in all sugyot of halacha that he teaches and is careful to source each halacha.

I encourage you to make the time, sign up and develop a knowledge in the world of halacha like never before!

May Rabbi Aminov continue to serve Klal Yisrael with his wisdom and talent for many years to come.

דוד רובין,
מתן בקול

הרב יגאל חיימוף

ראש הישיבה אהל שמחה ניו יורק
דו"מץ לעדת הספרדים בעיר קווינס

י"א תמוז תש"פ

הובאו לפני דפי הלכה עלים לתרופה על הלכות בין המצרים שליקטו הני תרי צורבא מדרבנן נטע נאמן צנצנת המן בחורי חמד אשר חשק ליבם לחבר את הקונטרס הזה, ועברתי בין בתריו ומצאתי את הדברים ממש קילורין לעיניים דבר דבור על אופניו בטוב טעם ודעת, ויישר חיילים של נתנאל אמינוב וחברו מרדכי בוזגלו לאורייתא ויפוצו מעיינותיהם חוצה ויעלו מעלה מעלה במעלות התורה והיראה, ונזכה לראותם תלמידי חכמים גדולים בתורה ויראת שמיים יושבים באוהלה של תורה, ובטוחני שישמחו הלומדים בקונטרס הזה וימצאו בו מרגליות טובות בע"ה

הכו"ח לכבודה של תורה

הצב"י ע"ה יגאל חיימוף

ראש הישיבה אהל שמחה ניו יורק
דו"מץ לעדת הספרדים בעיר קווינס



המלצה Recommendation

יג-תמוז-תשע"פ

It has been brought in front of me the Kuntress of "The Laws and Customs of the Three Weeks", regarding the laws of the Bein Hametzarim. It is a work of craftsmen, the pious and God fearing Netanel Aminov and his friend Mordechai Buzaglo.

I reviewed as much of it as I was able, and saw they have summarized the Halachot in clear, concise language and brought the ruling of Maran Ovadia Yosef ztzl. May they continue to progress in Torah Learning.

May Hashem be please with their work and make it successful, and May their knowledge be spread far and wide so that the Torah will be enlarged and glorified. May they be blessed with health and light from above, and become very great, honored and established Talmideh Chachamim.

Amen.

Sincerely
Rabbi Rafael Yakubov




THE THREE WEEKS GUIDE

Written & Compiled By R' Netanel Aminov

	The Three Weeks	The Nine Days	Shavuah Shechal Bo: If <i>Tisha B'av</i> is pushed off to Sunday there is no Shavuah Shechal Bo.
Birkat Shehechyanu ¹	Forbidden	Forbidden	Forbidden
Music ²	Forbidden	Forbidden	Forbidden
Wine & Meat	Permitted ³	Forbidden (Permitted On ⁴ Rosh Chodesh)	Forbidden
Haircut & Shaving ⁵	Permitted	Permitted	Forbidden
Laundry ⁶	Permitted	Permitted	Forbidden
Wearing Laundered Clothing ⁷	Permitted	Permitted	Forbidden (One should wear the clothing before to "unlaunder them")
Showering With Hot Water ⁸	Permitted	Permitted	Forbidden

Following the rulings of Morenu Maran Ovadia Yosef zt"l and other contemporary Sephardic poskim.

Sources

- ¹ Mishnah Berurah 551:45; Or Letzion Vol. 3, 26:2. Similarly, one may eat a fruit that doesn't render the blessing of *Shehechyanu*. It's good to note, One only recites birkat Shehechyanu on fruits or vegetables which are in the market at specific seasons and are not available year-round. This is true even if one personally did not eat the fruit for many years (See *Chazon Ovadia, Tu Bishvat, Berachot*, Pg. 437; Sh"t *HaRishon Letzion*, Vol. 2, 28.)
- ² *Yechaveh Da'at* 6:34 & 1:45 see there that even during the year one should try to listen to music preferably through a device like radio etc. *Chazon Ovadia, Arba Taaniyot*, Pg. 151; *Or Letzion*, Vol. 3 25:2; *Igrot Moshe* O.C. 1:166, 4:21 see letter 4.
- ³ *Shulchan Aruch* 551:9; *Chazon Ovadia, Arba Taaniyot*, Pg. 169.
- ⁴ Maran HaChida writes in his *Sefer Morah Be'Etzbah* 233. See also *Moed Lekol Chai* 10:7; *Chazon Ovadia, Arba Taaniyot*, Pg.169.
- ⁵ *Rambam, Taaniyot* 5:6; *Shulchan Aruch* 551:3, 12-13; *Chazon Ovadia, Arba Taaniyot*, Pg.158; *Yalkut Yosef* 551:11.
- ⁶ *Shulchan Aruch* 551:3; *Chazon Ovadia, Arba Taaniyot*, Pg. 229.
- ⁷ See *Shulchan Aruch* 551:3; Sh"t *Yechaveh Da'at* 1:39; *Chazon Ovadia, Arba Taaniyot*, Pg. 229,231; *Or Letzion*, Vol. 3, 27:1.
- ⁸ *Chazon Ovadia, Arba Taaniyot*, Pg. 238; Sh"t *Yechaveh Da'at* 1:38; Sh"t *Yabia Omer* 5:41



HALACHA MOMENT



CHAZAK

HalachaMoment.Com

To Receive The Daily Halacha Moment WhatsApp 305-707-7259

The Laws and Customs of the Three Weeks

Introduction:

What are the three weeks?

The days between *Shiva Asar B'tamuz* and *Tisha B'av* are called *Bein Hametzarim*. As *Chazal*¹ say, these are the days that our enemies entered Jerusalem and caused destruction to Israel, until the day of *Tisha B'av*, where they ultimately destroyed our Holy *Beit Hamikdash*. As a result of this terrible tragedy, there are many customs of mourning that we practice during this sad time. We have prepared this guide to address some relevant Halachot and customs of these days of mourning.

B'ezrat Hashem, we should be *Zoche* for Mashiach to come before that, as *Chazal* say, 'these days will become days of happiness and rejoice!' Amen!

Words of Chizuk (inspiration) for this Sad Time Period:

Chazal tell us, 'anyone who mourns on Jerusalem will merit to see in its happiness' (i.e. Henceforth, teaching us we need to mourn about the destruction of *Beit Hamikdash*, because that will ultimately bring to its rebuilding.)

The Duvna Magid shares a beautiful *mashal* (parable) that enlightens us on how to feel during this conflicting time. He compares this matter of the destruction of the *Beit Hamikdash*, to a couple who had everything they needed, parnassa, health, shalom bayit etc., but they were lacking one thing; they had yet to have a child. Finally, one day after 22 years of being married, the wife was expecting and the couple was overjoyed! When the day came and she was due to give birth, unexpected complications arose. The doctor came to the husband and said, "Your wife and your baby are in a critical state. Only one will survive." (this is only a *Mashal* because the Halacha dictates that the woman lives in such a situation). The husband didn't know what to do, so he told the doctor he needed to speak to his wife. So, he went to her and explained to her the sad situation they were in, and she said, "Even though we lived together happily for so long and with our incredible shalom bayit, I'm willing to give up my life in order that our son that we waited for so long can live." Sure enough that's what happened. The doctor came out and said "Mazal Tov on your new born son and *Baruch Dayan HaEmet* on your wives *Petira*".

Fast forward 13 years, it came time for this boy's *Bar Mitzvah*, his father put so much effort into putting together a beautiful party. This day commemorates the boy's mother's 13th *Yahrzeit* and the first time her son will say kaddish for her, as a *Bar Chiyuva* (a person who's obligated). So at this bittersweet moment, the father told him it's time for you to pay back a little to your mother for letting you live, please say kaddish for her neshama to have an aliyah. When the boy heard this, he did as his father commanded to say the kaddish and finished saying the kaddish within a matter of seconds. His father was astounded. The son then turns to him and says "Abba i finished the kadish we can go home now", the father was astounded and was practically paralyzed in shock. Once he calmed down he told his son, "You're not embarrassed, how can you not show any emotion for this event?!" His son calmly replied, "My father, I don't know what

¹ See *Midrash Eicha* in the first Perek.

The Laws and Customs of the Three Weeks

you're referring to, I don't understand why there's all this *Tumult*." (noise and ruckus). Afterward, one of the guests came to speak to the boy and told him "I don't understand you, your mother gave up her life for you, She had a good life and she gave it all up so you can succeed, and now you have no emotion while you're saying kaddish for her". The boy answered him, "I never met my mother, when I was born she passed away, I never spoke to her, nor got to know her, you who knew her can feel emotional for everything that took place". After the boy's response, everyone burst into tears.

Comes the Duvna Magid and says, ``We never met this boy, but each one of us says to ourselves, that if we would have met him, we would say "How could you be so cruel!"

This boy, says the Maggid, is inside each one of us. The *Beit Hamikdash* was the Holy of Holies, Hashem's home, and the Goyim came and destroyed it mercilessly, as the *Chazal* say, by putting idols in the Temple, burning Sifrei Torah, etc. who is to blame for it?

WE are to blame for it, as we say in Tefilla "Because of our sins we have exiled from our land and the *Beit Hamikdash* has been destroyed". Really, we should have been destroyed, but because of Hashem's mercy, He gave up on his home in order to save us. So, Hashem is asking of us, says the Maggid, 'one time a year, say *Kaddish* for me, observe *Tisha B'av* in order to remember all I have done for you.' Therefore, we must mourn at least once a year the destruction of the *Beit Hamikdash* and feel the sadness of the *Shechina*, which does not have a place to dwell. This is what we need to feel and miss in all of our hearts.

The key to merit to *Mashiach* is to feel the destruction and yearn for the final salvation. With this in mind, we can motivate ourselves to work on the things we are lacking in order to help bring the *Geulah* (redemption). The Gemara (*Yoma* 9b) states that the Beit Hamikdash was destroyed because of baseless hatred, the Chafetz Chaim writes in his introduction to *Halachot Lashon Hara*, that the *Gemara* was referring to *Lashon Hara* as well, which is a by-product of hatred between one and other. So it is incumbent upon us to work on this terrible sin toward one another during these times because until we fix the sins that caused the destruction we won't merit the rebuilding. There are a few *Gemarot* that speak about the Churban at length, *B"ezrat Hashem* we will source them in the guide under the category of "Learning Torah on *Tisha B'av*". We pray to Hashem that with the actions we do to strive to become better and remember what we have lost. *B"ezrat Hashem* we should merit to see Mashiach speedily in our days!

Sincerely,

R' Netanel Aminov & Mordechai Buzaglo

For questions, comments or to receive the *Daily Halacha Moment*.

Website: halachamoment.com

WhatsApp: 305-707-7259

Email: info@halachamoment.com

To Donate: Zelle info@halachamoment.com or halachamoment.com/donate

The Laws and Customs of the Three Weeks

About Halacha Moment:

With thousands of people tuning in to receive The Daily Halacha Moment, we have started to become one of the fastest-growing Broadcasts on WhatsApp. Our journey began as a small group with just a couple of people for the Refuah Shelemah of Efrat bat Aushra and it has now become something that we dedicate every day to her memory. Our main goal is to provide clear and practical Halachot to enhance your day with more Torah learning. The diversity of our Halachot allows our readers to reflect and apply them daily. Our WhatsApp broadcast is not only filled with Daily Halachot but also inspirational messages and Chizuk! Our videos, by our Founder, Netanel Aminov, enlighten and provide meaning to people's everyday lives. We launched our website Halachamoment.com which now enables anyone to browse any of our previous Halachot, watch powerful inspirational videos, and get inspired.

About The Author:

Rabbi Netanel Aminov:

Born in New York, and raised in Miami Beach, Florida, Netanel Aminov is growing to become a successful leader in the Jewish community. Netanel started the *Halacha Moment* at the age of seventeen and with his incredible talent and drive it has grown tremendously, enlightening thousands of Jews throughout the world. He attended Yeshiva Chofetz Chaim in Eretz Yisrael then transitioned to Yeshiva Chofetz Chaim in Queens, New York, before getting married and moving to Israel. Netanel is currently learning in Israel and is a close talmid of Harav Yitzchak Berkovitz Shlita and received Semicha (rabbinical ordination) from him.

About The Co-Author:

Rabbi Mordechai Buzaglo:

Born and raised in Aventura, Florida. Mordechai Buzaglo attended Yeshiva Toras Chaim then transitioned to Yeshiva Chofetz Chaim in Queens, New York where he is pursuing his Rabbinical Semicha. Ever since Mordechai moved to Queens, he has been a tremendously positive influence on the community. Since his marriage, he has been in a rabbinate position servicing the community. While being a matmid in Yeshiva Mordechai Buzaglo is passionate about spreading Torah in Klal Yisrael. He pursues any opportunity at hand to marbitz Torah by giving shiurim on a weekly basis. His goal in the future is to have his own Kehilla and influence as many lives as possible.

The Laws and Customs of the Three Weeks

Avoiding Danger:

Our sages warn us to be extra cautious during the days of *Bein Hametzarim*. (see footnote 2)

1. One should try not to walk alone from the beginning of the fourth hour of the day (Halachic day) starting from *Netz* until the end of the ninth hour.²
2. During the 9 days, one should avoid having a court case with a non-jew, one should try to push it off after *Tisha B'av*.³
3. During the three weeks one should refrain from going to dangerous places, one should be even more careful during the nine days.⁴
4. Some have the custom to avoid unnecessary travel by plane during the nine days.⁵
5. It is preferable for one to push off a non-life threatening surgery after *Tisha B'av* if feasible.⁶

Birkat Shehechyanu & Purchasing new items:

1. During the 3 weeks, one should refrain from wearing a new garment or eat a new fruit, since it requires the *beracha* of *Shehechyanu* which is unable to be blessed during these days due to the time of mourning and sadness.⁷ One may, however, wear new items that don't require the *Beracha* of *Shehechyanu* such as socks, undergarments, shoes, and pajamas.⁸

² *Shulchan Aruch* 551:18; *Chazon Ovadia, Arba Taaniyot*, Pg. 126 which states, one should be extra cautious because of the *Shedim* (demons) that are more powerful during these days.

However, see the footnote, in which Maran cites the Eshel Avraham §18, which states that since nowadays there are people around outside, there is no concern to walk alone. See also *Gemara, Pesachim* 111b.

³ *Shulchan Aruch* 551:1; *Ben Ish Chai, Devarim* 1:1; *Chazon Ovadia, Arba Taaniyot*, Pg. 164.

⁴ *Piskei Teshuvot* 551:1, 46.

⁵ *Halichot Shlomo, Ben HaMetzarim* 14:21.

⁶ *Halichot Olam*, Vol. 2, Pg. 134; *Chazon Ovadia, Arba Taaniyot*, Pg. 128.

⁷ *Shulchan Aruch* 551:17; *Mishnah Berurah* 551:45; *Sefer Chasidim*, Siman 840; *Chazon Ovadia, Arba Taaniyot*, pg. 129; *Kaf Hachaim* 551:103; *Or Letzion* Vol. 3, 26:2.

⁸ *Mishnah Berurah* 551:45; *Or Letzion* Vol. 3, 26:2. Similarly, one may eat a fruit that doesn't render the blessing of *Shehechyanu*. It's good to note, One only recites birkat *Shehechyanu* on fruits or vegetables which are in the market at **specific seasons** and are not available year-round. This is true even if one

The Laws and Customs of the Three Weeks

2. On the **Shabbatot** of the three weeks, one is allowed to wear new clothing and recite the *Beracha* of *Shehecheyanu* (*This does not include Shabbat Chazon*).⁹
3. During the 9 days, the custom is to refrain from purchasing and wearing new clothing (This includes *Shabbat* as well).¹⁰
4. If one forgot to buy the proper shoes for *Tisha B'av* one may buy them during the nine days, it is preferable for one to wear them before Erev *Tisha B'av*.¹¹
5. Knitting is prohibited during the nine days. However, one may fix an article of clothing that was ripped.¹²
6. One may purchase a new pair of *Tefillin* or a *Tallit* during this time, since these are needed for *Mitzvot*.¹³
7. Similarly, *Sefarim* may be purchased even if it will make one happy, being that an item for a mitzvah is permitted to be purchased. Furthermore, one may purchase a new bookshelf for the *Sefarim*.¹⁴
8. If items are on sale during this time and will not be on sale after *Tisha B'av*, one may purchase them to avoid a financial loss, provided that one wears and or uses the item bought **after** *Tisha B'av*.¹⁵

personally did not eat the fruit for many years (See *Chazon Ovadia, Tu Bishvat, Berachot, Pg. 437; Sh"t HaRishon Letzion, Vol. 2, 28.*)

⁹ *Mishnah Berurah* 551:98; *Sh"t Yechaveh Da'at* 1:37; *Yalkut Yosef, Moadim, Pg. 555:8.*

¹⁰ *Rama* 551:7; See *Bet Yosef* 551 which implies that it's proper to refrain from *Rosh Chodesh*. See also *Chazon Ovadia, Arba Taaniyot, Pg. 167; Mishnah Berurah* 551:49 and *Kaf Hachayim* 551:103 which add that one may not even buy clothing that he will start wearing after *Tisha B'Av*. See also *Yechaveh Da'at* 1:37 which writes that one should not make a *Beracha* of *Shehecheyanu* on *Shabbat Chazon*.

¹¹ *Yalkut Yosef, Moadim, Pg. 556:21; Igrot Moshe O.C. 3:80.*

¹² *Chazon Ovadia, Arba Taaniyot, Pg. 207, Yalkut Yosef, Moadim Pg. 556; Igrot Moshe O.C. 3:79.*

¹³ *Chazon Ovadia, Arba Taaniyot, Pg. 168; Igrot Moshe O.C. 3:80.* One does not recite *Shehecheyanu* upon wearing *Tefillin* even upon wearing them for the first time (See *Yalkut Yosef* 37(3):6-7).

¹⁴ *Chazon Ovadia, Arba Taaniyot Pg. 168.*

¹⁵ *Ben Ish Chai, Devarim* 1:2; *Chazon Ovadia, Arba Taaniyot, Pg.167; Or Letzion, Vol. 3, 26:2; Torat Hamoadim, Ben Hametzarim, Pg. 147.*

The Laws and Customs of the Three Weeks

9. One should not purchase a car during this time. However, if one needs the car for business or if the car is on sale one may purchase it. ¹⁶
10. One may go to a store to check items that one wants to buy **after** *Tisha B'av*. ¹⁷

**The week which *Tisha B'av* falls out on is known as *Shavuah Shechal Bo*.
If *Tisha B'av* falls out on Shabbat and is pushed off until Sunday, according to Sefardim
the practices of the week before *Tisha B'av* do not apply that year. ¹⁸**

Haircuts and Shaving:

1. One may get a haircut and shave during the 3 weeks up until the week of *Tisha B'av*. ¹⁹
On a year when *Tisha B'av* falls out on Shabbat, one may take haircuts and shave throughout the nine days.
2. One may not take a haircut or shave on the week which *Tisha B'av* falls out on. ²⁰
3. A *Sefardic* bachur in an *Ashkenaz* Yeshiva may also cut his hair up to the week of *Tisha B'av*. ²¹
4. It is permitted for one to comb and style one's hair during the three weeks and 9 days. ²²

Cutting Nails:

1. One may cut one's nails throughout the three weeks. ²³

¹⁶ *Chazon Ovadia, Arba Taaniyot*, Pg. 167; *Igrot Moshe* O.C. 3:80.

¹⁷ *Igrot Moshe*, E.H. Vol. 4, 48:1.

¹⁸ *Shulchan Aruch* 551:4. See also *Chazon Ovadia, Arba Taaniyot*, Pg. 223.

¹⁹ *Rambam, Taaniyot* 5:6; *Shulchan Aruch* 551:3, 12-13; *Chazon Ovadia, Arba Taaniyot*, Pg.158; *Yalkut Yosef* 551:11.

²⁰ *Shulchan Aruch* 551:12-13; *Chazon Ovadia, Arba Taaniyot*, Pg. 218.

²¹ *Sh"t Yechaveh Da'at* 4:36, 3:39, *Sh"t Yabia Omer* 3:31:5, *Yalkut Yosef* 551(2):11; *Chazon Ovadia, Arba Taaniyot*, Pg. 159.

²² *Sh"t Yechaveh Da'at* 6:35; *Kaf Hachayim* 551:46.

²³ *Halichot Olam*, Vol. 2, Pg. 144; *Chazon Ovadia, Arba Taaniyot*, Pg. 227.

The Laws and Customs of the Three Weeks

Listening to Music & Dancing:

1. It is forbidden for one to listen to live or recorded music during the three weeks.²⁴
2. One is forbidden to dance during these times since it makes one happy.²⁵
3. If one is driving and is scared of falling asleep, he may listen to music in order to prevent himself from falling asleep.²⁶
4. One is permitted to listen to music during a *Seudat Mitzvah* such as a *Wedding, Brit Milah, Siyum Masechet, and Bar Mitzvah*.²⁷
5. One is permitted to listen to acapella music (music created through human sounds) during the three weeks.²⁸
6. Someone whose profession is to play music before non-Jews or to teach music (and he would lose money if he does not) may continue to play and teach for them up until the week of *Tisha B'av*. However, if possible one should try to be stringent beginning *Rosh Chodesh*.²⁹
7. Some say that one is permitted to listen to music while exercising, provided that one is doing so to help him exercise and not for enjoyment. However, to satisfy all opinions one should listen to acapella instead.³⁰

²⁴ Sh"t *Yechaveh Da'at* 6:34 & 1:45 see there that even during the year one should try to listen to music preferably through a device like a radio etc. *Chazon Ovadia, Arba Taaniyot*, Pg. 151; *Or Letzion*, Vol. 3 25:2; *Igrot Moshe* O.C. 1:166, 4:21 see letter 4.

²⁵ *Magen Avraham* 551:10; *Mishnah Berurah* 551:16; *Moed Lekol Chai, Tamuz*, 18; *Chazon Ovadia, Arba Taaniyot*, Pg. 149.

²⁶ *Or Letzion*, Vol. 3, 25:2.

²⁷ Sh"t *Yechaveh Da'at* 1:45, 6:34; *Yalkut Yosef, Sova Semachot* Vol. 2 Pg. 333.

²⁸ Sh"t *Yechaveh Da'at* 6:34 which states acapella music which praises Hashem is permitted. See also *Igrot Moshe* Y.D. 2:137.

²⁹ *Chazon Ovadia, Arba Taaniyot*, Pg.156; *Igrot Moshe* O.C. 3:87.

³⁰ See *Talmud Bavli, Sota* 48a. See also *Kovetz Halachot, Sefirat HaOmer*, p. 109 written in the name Rav Shmuel Kaminetzky.

The Laws and Customs of the Three Weeks

8. One may stay on a phone call, news radio, and bus even if there is background music, being that his intention is not to listen to the music. Similarly, one does not need to change his ringtone during the three weeks.³¹

Weddings, Engagements and Parties:

1. Beginning Rosh Chodesh Av, one should refrain from making parties (as it leads to happiness).³²
2. The *Sefardic* custom is that one may get married during the three weeks up until *Rosh Chodesh Av*.³³ The Syrian custom is to refrain from doing so throughout the three weeks.
3. One is permitted to get engaged throughout the three weeks including the nine days. However, during the 9 days, one should refrain from making an engagement party with a meal, music and dancing.³⁴
4. One may not purchase an engagement ring from *Rosh Chodesh Av* since it brings happiness.³⁵

Showering and Bathing:

1. One may take a hot shower from *Rosh Chodesh Av* (including erev *Shabbat Chazon*) until the week of *Tisha B'av*.³⁶
On a year when *Tisha B'av* falls out on Shabbat, one may take hot showers throughout the nine days.

³¹ *Ashrei Halsh*, O.C., Vol. 3 68:8; *Nechamat Yisrael*, Ch. 2, 38; *Shevet HaLevi* 6:69; See also *Kovetz Halachot*, *Ben HaMetzarim* 4:12 which says since the ringtone is not intended for one to dance.

³² *Shulchan Aruch* 551:1; *Aruch HaShulchan* 551:8.

³³ *Shulchan Aruch* 551:2, based on *Gemara Yevamot* 43b; *Chazon Ovadia*, *Arba Taaniyot*, Pg.140; *Sh"t Yabia Omer* 6:43; *Sh"t Yechaveh Da'at* 1:36; *Or Letzion*, Vol. 3, 25:1.

³⁴ *Shulchan Aruch* 551:2; *Mishnah Berurah* 551:16; *Kaf HaChayim* §38, 39, & 44; *Chazon Ovadia*, *Arba Taaniyot*, Pg. 140.

³⁵ *Chazon Ovadia*, *Arba Taaniyot*, Pg. 168; *Igrot Moshe*, E.H. 4:84.

³⁶ *Chazon Ovadia*, *Arba Taaniyot*, Pg. 238; *Sh"t Yechaveh Da'at* 1:38; *Sh"t Yabia Omer* 5:41

The Laws and Customs of the Three Weeks

2. During the week of *Tisha B'av* one may only take a **cold** shower.³⁷ On a year when *Tisha B'av* falls out on *Shabbat*, one may take a shower with hot water throughout the nine days.
3. One is permitted to dip in the Mikvah during the three weeks.³⁸
4. One is permitted to go to the beach (provided that it is a separate one) and swim during the three weeks. However, one should be extra cautious when doing so.³⁹
5. One may take a hot shower even during the week of *Tisha B'av* if it is for medical purposes.⁴⁰

Eating Meat:

1. The custom is to refrain from eating meat and chicken starting from the month of *Av*⁴¹ (not including *Rosh Chodesh*).⁴²
2. If one accidentally recited a *Beracha* on meat after *Rosh Chodesh Av*, he should taste a little of the meat to avoid a *Beracha Levatalah*.⁴³
3. One may taste meat or chicken dishes prepared for *Shabbat* on *Erev Shabbat* to make sure that it tastes good.⁴⁴
4. One may eat meat on *Shabbat Chazon* and it is prohibited for one to refrain from eating meat because of the mourning.⁴⁵

³⁷ *Chazon Ovadia, Arba Taaniyot*, Pg. 238; *Sh"t Yechaveh Da'at* 1:38; *Sh"t Yabia Omer* 5:41; *Halichot Olam*, Vol. 2, Pg. 146.

³⁸ *Chazon Ovadia, Arba Taaniyot*, Pg. 244.

³⁹ *Sh"t Yechaveh Da'at* 1:38; *Chazon Ovadia, Arba Taaniyot*, Pg. 238; *Sh"t Yabia Omer* 5:41; *Ohr Letzion*, Vol. 3, 25:5, in footnote. However, some say to be stringent and refrain from such activities due to the time of danger, see *Yalkut Yosef* 551:14.

⁴⁰ *Chazon Ovadia, Arba Taaniyot*, Pg. 246-247; *Yalkut Yosef* 551:16.

⁴¹ *Shulchan Aruch* 551:9; *Chazon Ovadia, Arba Taaniyot*, Pg. 169.

⁴² Maran *HaChida* writes in his *Sefer Morah Be'Etzbah* 233. See also *Moed Lekol Chai* 10:7; *Chazon Ovadia, Arba Taaniyot*, Pg.169.

⁴³ *Chazon Ovadia, Arba Taaniyot*, Pg. 188.

⁴⁴ *Chazon Ovadia, Arba Taaniyot*, Pg. 175.

⁴⁵ *Shulchan Aruch* 552:10; *Mishnah Berurah* 552:23; *Yalkut Yosef* 551:4.

The Laws and Customs of the Three Weeks

5. One who eats the leftover food from shabbat has on what to rely on especially if one eats it for *Melaveh Malka*.⁴⁶ One should preferably eat it for *Melaveh Malka*.
6. One who is pregnant, ill, or nursing and needs to eat meat may do so.⁴⁷
7. One who is under the age of Bar/Bat Mitzvah may eat meat. **However**, one should refrain from doing so a year before they turn Bar/Bat Mitzvah.⁴⁸
8. One who attends a *Seudat Mitzvah* such as a *Brit Milah* or *Pidyon Haben* may eat meat. However, if one is going to the seudah just to eat meat is doing a "*Mitzvah Ba Be'Averah*".⁴⁹
9. The *Mohel*, *Sandak*, and father of the baby may eat meat throughout the whole day of the *Brit Milah*, since the day is considered a *Yom Tov* for them.⁵⁰
10. One may eat meat at a *Siyum Masechet* even if he did not partake in learning the *Masechet*, being that a siyum is considered a *Seudat Mitzvah*.⁵¹

Drinking Wine:

1. Strictly speaking, one may drink wine during the nine days. However, there are various customs on the matter (some refrain), one should follow the custom of his place.⁵²

⁴⁶ Sh"t *Yabia Omer*, Vol. 10, O.C. 40, "*He'arot al Rav Pealim*" 45:6; *Halichot Olam*, Vol. 2, Pg. 146; *Chazon Ovadia, Arba Taaniyot*, Pg. 177; *Birkei Yosef* 551:6. However, one may not intentionally make extra food with the intention to have it throughout the week.

⁴⁷ *Chazon Ovadia, Arba Taaniyot*, Pg. 193.

⁴⁸ *Chazon Ovadia, Arba Taaniyot*, Pg. 190; Sh"t *Yabia Omer* 9:50; *Ohr Letzion*, Vol. 1, 38.

⁴⁹ *Rama* 551:10; *Mishnah Berurah* 551:76–77; *Kaf HaChaim* 551:163–165; *Chazon Ovadia, Arba Taaniyot*, Pg. 196.

⁵⁰ *Chazon Ovadia, Arba Taaniyot*, Pg. 198.

⁵¹ *Rama* 551:10; *Mishnah Berurah* 551:73; *Chayei Adam* 133:16; Sh"t *Yabia Omer* 1:26:7; *Chazon Ovadia, Arba Taaniyot*, Pg. 198.

⁵² *Chazon Ovadia, Arba Taaniyot*, Pg. 174, which says that the custom in Yerushalayim is that one is permitted to drink wine during this time. See also *Yalkut Yosef, Moadim*, Pg. 574, 34; *Or Letzion*, Vol. 3, 26:8

The Laws and Customs of the Three Weeks

2. Those who have the custom to refrain from drinking wine are permitted to drink other alcoholic beverages, such as beer, arak, whisky, vodka and alike. ⁵³
3. Similarly, those who refrain from drinking wine may cook with wine, provided that one doesn't taste the wine in the food. ⁵⁴
4. One is permitted to drink wine on *Shabbat* and during a *Seudat Mitzvah*. ⁵⁵
5. According to all *Sefardic* customs one may make *Havdalah* on wine. However, regarding *Birkat Hamazon*, since we aren't careful throughout the year to do *Birkat Hamazon* on wine, those who refrain from drinking wine during this period of time should refrain from doing so. ⁵⁶

Laundry:

1. One is prohibited from laundering clothing beginning the week of *Tisha B'av*. ⁵⁷
On a year when *Tisha B'av* falls out on *Shabbat*, one may continue doing laundry and wear freshly laundered clothing during the nine days.
2. Even clothing that was laundered prior to the week of *Tisha B'av* may not be worn during the week of *Tisha B'av*. One should prepare clothing the week before by wearing each garment for around a half hour, one may also wear more than one garment at a time. (This doesn't include undergarments see Halacha 5) ⁵⁸
3. One who did not prepare clothing before *Shabbat*, may not intentionally prepare clothes on *Shabbat* for the weekdays, since it is prohibited to prepare from *Shabbat* for the weekdays. **However**, one can be lenient to change one's clothing several times over the course of *Shabbat* as long as one's intention is not solely for the weekdays. Meaning one will wear them also one *Shabbat*. ⁵⁹

⁵³ *Yalkut Yosef, Moadim*, Pg. 574, 34; *Or Letzion*, Vol. 3, 26:8

⁵⁴ *Chazon Ovadia, Arba Taaniyot*, Pg. 174.

⁵⁵ *Rama* 551:10; *Mishnah Berurah* 551: 69 & 72; *Kaf Hachaim* 551:152; *Chazon Ovadia, Arba Taaniyot*, Pg. 196.

⁵⁶ *Shulchan Aruch* 551:10; *Chazon Ovadia, Arba Taaniyot*, Pg. 176; *Yalkut Yosef, Moadim*, Pg. 574.

⁵⁷ *Shulchan Aruch* 551:3; *Chazon Ovadia, Arba Taaniyot*, Pg. 229.

⁵⁸ *Shulchan Aruch* 551:3; *Sh"t Yechaveh Da'at* 1:39; *Chazon Ovadia, Arba Taaniyot*, Pg. 229,231; *Or Letzion*, Vol. 3, 27:1.

⁵⁹ *Sh"t Yechaveh Da'at* 1:39; *Chazon Ovadia, Arba Taaniyot*, Pg. 229; *Or Letzion*, Vol. 3, 27:1.

The Laws and Customs of the Three Weeks

4. One may not launder clothing during the week of *Tisha B'av* for after *Tisha B'av*.⁶⁰
5. Garments which are intended to absorb sweat, such as undergarments (i.e. underwear, undershirts, and socks), do not retain the same law as other garments and they may be worn during this week although they are freshly-laundered. However, it is preferable that they are pre worn as well.⁶¹
6. One may not have a non-jew launder his clothing during this time period.⁶²
7. One is permitted to iron one's clothing during this period of time provided that one has already worn it (See Halacha 2).⁶³
8. One may shine one's shoes for the honor of Shabbat even during the week of *Tisha B'av*.⁶⁴

EREV TISHA B'AV

Learning Torah:

1. One is permitted to learn any Torah on **Erev Tisha B'av** until *Ben Hashmashot* (twilight).⁶⁵

Mincha Erev Tisha B'av:

1. Tachanun is omitted during the Mincha of Erev *Tisha B'av*.⁶⁶

⁶⁰ *Shulchan Aruch* 551:3; *Sh"t Yechaveh Da'at* 1:39; *Chazon Ovadia, Arba Taaniyot*, Pg. 229.

⁶¹ *Chazon Ovadia, Arba Taaniyot*, Pg. 229.

⁶² *Rama* 551:3; *Chazon Ovadia, Arba Taaniyot*, Pg. 237.

⁶³ *Mishnah Berurah* 541:9; *Kaf Hachaim* 541:12; *Chazon Ovadia, Arba Taaniyot*, Pg. 238.

⁶⁴ *Sh"t Yabia Omer* 3:31; *Igrot Moshe* 3:80.

⁶⁵ *Chazon Ovadia, Arba Taaniyot*, Pg. 248. See also *Halichot Olam*, Vol. 2, Pg.150 which states that one can learn after *Chatzot* if one has sadness from not learning his usual learning.

⁶⁶ *Shulchan Aruch* 552:12; *Chazon Ovadia, Arba Taaniyot*, Pg. 252.

The Laws and Customs of the Three Weeks

2. If Tisha B'av falls out on Motzei Shabbat "*Tzidkadcha*" is omitted. ⁶⁷

Seudat HaMafseket (Meal Before the Fast):

1. On Erev *Tisha B'av* after *Chatzot* (Midday) we eat the *Seudat HaMafseket*, in this meal we don't eat meat, drink wine nor eat two dishes. ⁶⁸
2. One is permitted to eat a dish that is accustomed to be eaten as a mixture (E.g. rice and peas). ⁶⁹
3. One is permitted to eat as many fruits and vegetables as one desires, being that it is not considered a dish. ⁷⁰
4. One may not drink beer or any alcoholic beverages during the *Seduat HaMafseket*. However, one who is accustomed to drink alcoholic beverages to help his appetite during every meal may do so during the *Seudat HaMafseket*. One who is weak may drink as well. ⁷¹
5. The custom is to eat a dish of lentils or a hard boiled egg (not both together) as a sign of mourning for the *Churban* (destruction of the *Beit HaMikdash*). ⁷²
6. The custom is to eat the *Seudat HaMafseket* while sitting on the floor, provided there is a separation such as a pillow or cloth. ⁷³
7. Three men should not eat together in order to avoid being obligated in a *Zimun*. However, if they did eat together they should recite the *Zimun*. ⁷⁴

⁶⁷ *Shulchan Aruch* 559:1; *Rama* 552:12; *Chazon Ovadia, Arba Taaniyot*, Pg. 252; *Yalkut Yosef* 556:3.

⁶⁸ *Shulchan Aruch* 552:1; *Chazon Ovadia, Arba Taaniyot*, Pg. 252.

⁶⁹ *Shulchan Aruch* 552:3; *Chazon Ovadia, Arba Taaniyot*, Pg. 258.

⁷⁰ *Shulchan Aruch* 552:3; *Chazon Ovadia, Arba Taaniyot*, Pg. 258; *Ben Ish Chai, Devarim*, 1:19 which adds that one should limit his indulging and enjoyment during this meal.

⁷¹ *Mishnah Berurah* 552:4; *Chazon Ovadia, Arba Taaniyot*, Pg. 267.

⁷² *Shulchan Aruch* 552:5; *Chazon Ovadia, Arba Taaniyot*, Pg. 260.

⁷³ *Shulchan Aruch* 552:7; *Moed Lekol Chai*, 10:35 which adds in the name of the *Erech Lechem* that if one is unable to sit on the floor he at least should change the place he regularly eats; *Chazon Ovadia, Arba Taaniyot*, Pg. 273.

⁷⁴ *Kaf Hachaim* 552:43; *Chazon Ovadia, Arba Taaniyot*, Pg. 274.

The Laws and Customs of the Three Weeks

Who is Obligated to Fast:

1. Men and women over the age of Bar/Bat Mitzvah are obligated to fast. ⁷⁵
2. One who is sick, even if there is no danger of dying and is advised by a Doctor, is exempt from fasting and shouldn't fast. ⁷⁶
3. A pregnant or nursing woman is obligated to fast on **Tisha B'av**. Unless instructed otherwise by a Doctor. ⁷⁷
4. A woman who gave birth is exempt from fasting for the first 30 days. ⁷⁸

TISHA B'AV

Why do we fast on *Tisha B'av*:

The fast of *Tisha B'av* known as the saddest day to the Jewish nation is to commemorate five tragedies which occurred to us:

1. It was decreed that the Jews of the desert would die in the *Midbar* and not be able to enter *Eretz Yisrael* following the sin of the spies.
2. The first *Beit HaMikdash* was destroyed.
3. The second *Beit HaMikdash* was destroyed.
4. *Beitar*, a city filled with over 10,000 Jews was captured and destroyed by the Romans during the *Bar Kochva* rebellion.
5. *Turnus Rufus* destroyed the area of the *heichal*.

Sitting on the floor:

1. During the evening of *Tisha B'Av* and the morning until chatzot (midday) one may not sit on a bench or chair that is three tefachim or higher. ⁷⁹

⁷⁵ *Rambam, Hilchot Taanit 1:4; Shulchan Aruch 550:1; Mishnah Berurah 550:1; Aruch Hashulchan 459:5; Chayei Adam 133:6, Sh"t Yabia Omer 1:33; Chazon Ovadia, Arba Taaniyot, Pg. 43.*

⁷⁶ *Mishnah Berurah 550:4; Sh"t Yechaveh Da'at 1:35; Chazon Ovadia, Arba Taaniyot, Pg. 280.*

⁷⁷ See *Pesachim 54b; Sh"t Yechaveh Da'at 1:35.*

⁷⁸ *Chazon Ovadia, Arba Taaniyot, Pg. 280, which says the first 7 she may not fast. Nonetheless, the first 30 days she is exempt.*

⁷⁹ *Shulchan Aruch 559:3; Chazon Ovadia, Arba Taaniyot, Pg. 373; Or Letzion, Vol. 3, 29:19.*

The Laws and Customs of the Three Weeks

2. The custom is to minimize pleasure during this day. Therefore, if one is able to put one's mattress on the floor for sleeping one should do so. However, if one is unable to do so, one should minimize in a different way (E.g. sleeping with one pillow instead of two). A weak person may sleep like he regularly does.⁸⁰

Greeting People:

1. As part of the mourning of *Tisha B'av*, one should refrain from saying "Shalom" to others on *Tisha B'av*. However, if someone else says "Shalom" to you, you may respond, but should do so with a lower voice and your head bent downward.⁸¹
2. Strictly speaking, one is allowed to say "Good Morning", but should refrain from doing so.⁸²

Brushing Teeth:

1. One should refrain from Brushing one's teeth on *Tisha B'Av*.

However, those who are extremely finicky or have really bad breath may act lenient, provided that the following two conditions **must** be met:

- 1) Less than 2.7 oz. Of water in the mouth.
- 2) One should keep his head tilted down the whole time to make sure he doesn't swallow anything.⁸³

Taking Medications:

1. One should preferably take medication without water. However, if one cannot, one may take it with a minimal amount of water.⁸⁴

Washing & Bathing:

1. One may not wash one's hands on *Tisha B'av*. However, one may wash off dirt from one's hands.⁸⁵
2. When washing *Netilat Yadayim* and for using the restroom, one should wash ones until one's knuckles.⁸⁶

⁸⁰ *Shulchan Aruch* 555:2; *Mishnah Berurah* 555:6; *Or Letzion*, Vol. 3, 29:19.

⁸¹ *Shulchan Aruch* 554:20; *Chazon Ovadia, Arba Taaniyot*, Pg. 330.

⁸² *Chazon Ovadia, Arba Taaniyot*, Pg. 330.

⁸³ *Mishnah Berurah* 567:11; *Chazon Ovadia, Arba Taaniyot*, Pg. 28; *Sh"t Minchat Yitzchak* 4:109; *Yalkut Yosef, Moadim* Pg. 534:13.

⁸⁴ *Chazon Ovadia, Arba Taaniyot*, Pg. 279.

⁸⁵ *Shulchan Aruch* 554:7,9; *Chazon Ovadia, Arba Taaniyot*, Pg. 290.

⁸⁶ *Shulchan Aruch* 554:10; *Chazon Ovadia, Arba Taaniyot*, Pg. 290.

The Laws and Customs of the Three Weeks

3. One may not take a shower even with cold water.⁸⁷
4. Similarly, one may not dip in the *Mikvah* on *Tisha B'av*.⁸⁸

Anointing:

1. One is prohibited to anoint oneself for pleasure on *Tisha B'av* (one may do so for medical reasons).⁸⁹
2. One is permitted to spray deodorant or cologne.⁹⁰

Wearing Leather:

1. One is prohibited to wear leather shoes on *Tisha B'av*.⁹¹
2. Leather belts are permitted to be worn during *Tisha B'av*.⁹²

Marital Relations:

1. It is prohibited to have marital relations on *Tisha B'av*.⁹³

Smoking:

1. One should not smoke on *Tisha B'av*. However, if one really needs to and it will cause him great pain then one is permitted to smoke privately and not in public.⁹⁴

Tefillin:

1. There are various customs regarding when one puts on *Tefillin*, one should follow his custom.⁹⁵

Learning Torah on *Tisha B'av*:

1. One may not learn *Torah* on *Tisha B'av* whether it's *Tanach*, *Midrash*, *Mishna*, *Gemara* or *Halacha* since it brings happiness to a person.⁹⁶ However, the obligation to learn

⁸⁷ *Shulchan Aruch* 554:7.

⁸⁸ *Shulchan Aruch* 554:8. See *Ibid* which says that since the custom is not to dip today.

⁸⁹ *Shulchan Aruch* 554:15; *Chazon Ovadia, Arba Taaniyot*, Pg. 294.

⁹⁰ *Chazon Ovadia, Arba Taaniyot*, Pg. 295; *Halichot Shlomo, Orchot Halacha*, Pg. 432.

⁹¹ *Shulchan Aruch* 554:16; *Chazon Ovadia, Arba Taaniyot*, Pg. 295

⁹² Based on *Chazon Ovadia, Arba Taaniyot*, Pg. 301 note 3.

⁹³ *Shulchan Aruch* 554:1.

⁹⁴ *Sh"t Yabia Omer* 1:31; *Sh"t Yechaveh Da'at* 5:39.

⁹⁵ See *Shulchan Aruch* 555:1; *Chazon Ovadia, Arba Taaniyot*, Pg. 366.

⁹⁶ *Shulchan Aruch* 554:1; *Chazon Ovadia, Arba Taaniyot*, Pg. 308.

The Laws and Customs of the Three Weeks

everyday still applies.⁹⁷ That being said, one should learn any topic which speaks about the *Churban* (See footnote).⁹⁸

2. One may learn books of *Mussar* on *Tisha B'av*, such as *Shaarei Teshuva*, *Pele Yoetz* etc.⁹⁹

When *Tisha B'Av* is on Shabbat or Sunday

- 1) When *Tisha B'Av* is on Sunday, *Tzidkatecha* is not recited during Mincha of *Shabbat*.¹⁰⁰
- 2) When *Tisha B'Av* is on *Shabbat* or Sunday, one may continue to eat meat, drink wine, and eat as much as he usually would on *Shabbat*, even if it is his last meal before the fast begins. In fact, one is not even allowed to refrain from eating what he normally would on *Shabbat* because of mourning.¹⁰¹ However, one needs to finish the meat and wine a few minutes before sunset.¹⁰²
- 3) One may recite *zemirot* on *Shabbat Chazon* as he would on any other *Shabbat*, even if it is the ninth of Av.¹⁰³
- 4) During *seudah shelishit*, one may eat together with friends and recite a zimmun.¹⁰⁴

⁹⁷ *Yalkut Yosef, Moadim*, Pg. 580.

⁹⁸ *Shulchan Aruch* 554:1; *Sh"t Yabia Omer* Y.D. 8:35. One should learn *Iyov*, the sad parts of *Yirmiyahu*, *Midrash Eicha*, *Tur Shulchan Aruch*, Laws of Avelut, also the *Gemarot* in the third perek of *Moed Katan*, *Gittin* 55b-57a, and the *Gemara* in *Sanhedrin* which deals with the destruction of the *Beit Hamikdash*.

⁹⁹ *Meiri* in *Moed Katan* 21a adds that it is proper to learn books of *Mussar*. See also *Sh"t Yabia Omer* 2: Y.D. 26:10; *Chazon Ovadia, Arba Taaniyot*, Pg. 316.

¹⁰⁰ *Shulchan Aruch*, 552:12 & 553:1.

¹⁰¹ *Shulchan Aruch*, 552:10; *Mishnah Berurah* 552:23. See also *Chazon Ovadia, Arba Taaniyot*, Pg. 263 and *Torat HaMoadim, Ben HaMetzarim*, p. 211.

¹⁰² *Shulchan Aruch*, 552:10. The *Rama* adds, however, that one must stop eating a few minutes before *shkiyah*.

¹⁰³ See *Igrot Moshe*, vol. 4, O.C. 112; *Chazon Ovadia, Arba Taaniyot*, Pg. 266, in the footnotes; and *Torat HaMoadim, Ben HaMetzarim*, p. 211.

¹⁰⁴ *Birkei Yosef* 553:4. In regards to zimmun, see *Chazon Ovadia, Arba Taaniyot*, Pg. 266, in the footnote.