

# Quick Review of Some Halachos for Tisha B'Av

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## SEUDAH HAMAFASEKES ON EREV TISHA B'AV

The final meal before the fast begins, is referred to as " Seudah Hamafsekes".

Only bread and one cooked dish should be eaten at this meal. (Shulchan Aruch Siman 552)

Many have the custom to eat bread and a hard-boiled egg, which is a food of mourners. (See Shulchan Aruch Siman 552:6)

The custom is to dip the bread into ashes as a symbol of mourning the Churban. (Shulchan Aruch ibid.)

Some have the mihag when eating the bread and ashes to pronounce ""This is the Tisha B'Av meal" when they eat this meal (Mishna Berura Siman 552 S"K 16)

2) After the Seudah Hamafsekes, it is still permissible to eat and drink until sunset, unless one explicitly accepted verbally [and according to some Poskim, even mentally] that he wants to begin his fast already. (See Shulchan Aruch and Rama Siman 553:1)

The Mishna Berura (Siman 553 S"K 2) suggests explicitly saying, or thinking, that he does not intend to begin fasting until sunset.

Three adult men should not eat together at the Seudas Hamafsekes, as to avoid being obligated in a zimun. However, If they did eat together they still do not recite the zimun at the conclusion of this meal, and each one should recite Brchas Hamazon on their own.. ( See Shulchan Aruch Siman 552:8 and Mishna Berura S"K 19)

## MAIN PROHIBITIONS ON TISHA B'AV

There are five main things that bring a person enjoyment, and are therefore prohibited on Tisha B'Av:

1. Eating /Drinking (this includes brushing teeth and rinsing the mouth with water, unlike other fasts where this is permitted)
2. Washing one's body [or hands or face] for pleasure, even in cold water (Washing the hands upon waking and after using the bathroom is permitted, but only the fingers, until the knuckles of the hands should be washed)
3. Smearing soap, oil, lotion, cream etc. for pleasure. (If necessary for medical or health reasons, it isn't prohibited. Likewise, deodorant may be used to prevent or eliminate odors, according to many Poskim. This is not the case on Yom Kippur, when deoderant is indeed prohibited)
4. Wearing leather shoes (Even if only part of the shoe is leather)

5. Marital relations (It is best to be stringent and avoid sharing a bed or even touching one's spouse on Tisha B'Av, as by Niddah. See Kitzur Shulchan Aruch 124:12 and Mishna Berura Siman 554 S"K 37)

## **TISHA B'AV SHOES**

Non leather shoes that are very comfortable (such as cozy slippers, air sneakers, crocs, etc.), although M'likar Hadin they may be worn on Tisha B'Av, there is valid Halachic room for stringency to avoid wearing them.

The Chazon Ish and other Gedolei Yisroel would not wear any shoes on Tisha B'Av and spent the day in socks or with very thin footwear so that they would "feel the floor". (See Halichos Shlomo Perek 15:4. Rav Nisim Karelitz Zatzal and YBL" T Rav Moshe Sternbuch shlita also rule that a Yerei Shomayim, a G-d fearing person, should avoid shoes that are worn all year round for comfort, even if they aren't leather)

Even those who are more lenient on Yom Kippur and wear comfortable non-leather shoes should be more stringent on Tisha B'Av as we try to minimize comforts on Tisha B'Av as much as possible. (Halichos Shlomo Perek 15 footnote 5 quoting the Sha'arei Teshuva Siman 554:11 and footnotes Orchos Halacha there 19-21)

For Halacha L'Ma'aseh, as always, a Rav must be consulted.

## **LEARNING TORAH ON TISHA B'AV**

On Tisha B'Av it is forbidden to learn Torah since learning Torah brings happiness, as the Posuk states Pekudei Hashem Yesharim, Mesamchei Lev (Tehilim 19) and on Tisha B'Av all Jews assume the status of mourners, and thus are prohibited from doing activities that bring happiness.

It is, however, permitted to learn certain sad topics that remind us of our bitter Galus ,e.g. Certain parts of Sefer Yirmiyahu, Midrash Eicha, the Agaddah in the fifth Perek of Gittin (Starting from 56b) or the Talmud Yerushalmi at the end of tractate Ta'anis that deals with the Churban etc. (See Shulchan Aruch Yoreh Deah Siman 384:4)

Even when learning these permitted topics, they should not be learned B'Iyun, with too much depth, rather just enough to understand and internalize what is being learned. (See Mishna Berura Siman 554:5)

The prohibition to learn begins on Erev Tisha B'Av after Chatzos. However, one may learn the permitted topics B'Iyun on Erev Tisha B'Av, as only on Tisha B'Av itself do we limit the depth allowed.

## **LIMITING COMFORT ON TISHA B'AV**

On Tisha B'Av it is customary to limit one's pleasures as much as possible. Some people have the custom to sleep with a stone under their pillow to make their sleep uncomfortable.

Many people simply sleep with one pillow less than they are accustomed to.

Each person can do whatever it is they feel would minimize their personal comfort, and thus satisfy the spirit of Aveilus. ( Shulchan Aruch and Rama Siman 551:2. See also Toras Moshe from the Chasam Sofer Bereishis 28:11 where he writes that the day that Yaakov Avinu slept on the stone(s) was Tisha B'Av)

From nightfall of Tisha B'Av until Chatzos (Halachic midday)we do not sit on chairs that are higher than 3 Tefachim (between 9 and 12 inches depending on whose measurements you follow, though the Chazon Ish and the Steipler were not stringent with the exact measurement in this case, and just sat on a low stool).

Some have the custom to sit on the floor; they should place something, like a towel, between themselves and the floor. (See Shulchan Aruch Siman 559:3 and Mishna Berura S"K 10 and Sha'arei Teshuva Os 2)

Though sitting on regular chairs is permitted after Chatzos, the other prohibitions of Tisha B'Av (eating, washing etc.) are prohibited all day until the emergence of three stars on Motzaei Tisha B'Av.

## **SMOKING ON TISHA B'AV**

Smoking cigarettes/Cigars is prohibited on Tisha B'Av. Some authorities allow it after Chatzos (Halachic midday) if done privately. (Many contemporary Poskim prohibit smoking altogether, even the rest of the year. (See below regarding the Halachic status of smoking all year round)

## **TISHA B'AV AFTERNOON**

After the conclusion of Shacharis and Kinos on Tisha B'Av morning it is customary to visit a Jewish cemetery and stand at least four Amos away from the actual graves and recite prayers and request that Hashem have mercy on us in the merit of the Neshamos, souls, of the deceased.(Rama Siman 559:10 and Mishna Berura S"K 41)

If no Jewish cemetery is nearby, standing outside of a non-Jewish cemetery also suffices, as it reminds us that we are "lifeless" in our mourning. (Mishna Berura ibid.)

This visit to the cemetery should be alone or with one more person, but not with a group, as that will be considered a "trip" which is forbidden lest it lead to levity and lightheadedness and our minds forgetting about the Churban Bais HaMikdash. (Mishna Berura ibid. based on Shulchan Aruch Siman 554:21)

If this visit to the cemetery will necessitate wearing leather shoes, it is best to forgo the visit.(Mishna Berura ibid.)

No preparations should be made for the post Tisha B'Av meal until after Chatzos (Halachic midday) on Tisha B'Av day. (Shulchan Aruch Siman 559:10)

The house should not be cleaned up nor should the beds be made up before Chatzos on Tisha B'Av day.(See Aruch HaShulchan Siman 554:21)

## **MINCHA ON TISHA B'AV**

Tefillin is not donned at Shacharis on Tisha B'Av, rather they are worn at Mincha. (See Shulchan Aruch Siman 551:1)

The special Bracha of "Nacheim" which asks Hashem to comfort us from our state of mourning, is inserted into the Bracha of "V'LiRushalayimIrcha" in the Shemona Esrei of Mincha. It should be said with deep Kavanah(concentration) (Shulchan Aruch Siman 557:1)

## **KIDDUSH LEVANA ON MOTZI TISHA B'AV**

Kiddush Levana is recited after Ma'ariv on Motzaei TishaB'Av, but should only be recited after breaking the fast and changing into regular shoes.

Women do not say Kiddush Levana (ever, for kabalistic reasons).

It is proper to say Kiddush Levana with a large Minyan(B'Rov Am Hadras Melech), but B'Dieved it may be recited with just another person there or even alone if no one is around.

## **WHEN ARE PROHIBITIONS OF NINE DAYS OVER?**

All the Halachos of the nine days (meat, wine, music, cutting hair etc.) are in effect until after midday of the tenth of Av. One who abstains from the above for the entire day (even past midday) is blessed. (Shulchan Aruch and Rama Siman 558:1 and Sha'arei Teshuva Os 2)

When Tisha B'Av falls out on Thursday, as it does this year, it is permitted to do laundry immediately after the fast is over, and no need to wait until after Chatzos on Friday. Haircuts, too, are permissible if it will be difficult to wait until Friday. Eating meat, wine, listening to music, however, is still prohibited until after Chatzos on Erev Shabbos. (Mishna Berura Siman 558 S"K 3)]

It is proper to refrain from marital relations on the night of the tenth of Av, unless that is the night of Tevilah. (Mishna berura Siman 558 S"K 2)

## **GENERAL HALACHOS OF SMOKING (ALL YEAR ROUND)**

Although many Gedolim of the past generations (including Rav Moshe Feinstein Zatzal in igros Moshe Choshen Mishpat Vol. 2 Siman 76, in a Teshuva written over 30 years ago) have permitted smoking, due to the new awareness of the dangers of smoking and its addictiveness and the fact that it has been proven to shorten a person's lifespan (as well as those around him that inhale his second hand smoke) that has been proven over the past few decades, a majority of Poskim and Gedolei

Yisroel indeed now rule that smoking is prohibited and is a violation of the Torah's mandate to watch over our health.

Rav Shlomo Zalmen Auerbach Zatzal, who originally ruled that there was no prohibition, later on in Shu"t Minchas Shlomo Vol. 2 Siman 58:6 maintained that nowadays there is no room for leniency.

HaRav Ovadia Yoseph Zatzal, who also ruled many years ago that there was no prohibition, later reversed his ruling and prohibits it.

Rav Moshe Zatzal, in the above referenced teshuva writes that " only a small percentage of people die directly due to smoking and thus we can rely on "Shomer Pesaim Hashem". However, Rav Moshe himself writes that were it to be a more pronounced danger (which today everyone agrees that it is) we cannot rely on that and it would be prohibited. This is indeed how Rav Moshe's Talmid Rav Ephraim Greenblatt ruled in Shu"t Rivevos Ephraim Vol. 8 Siman 586, saying that one who smokes is committing suicide and there is no Heter for it at all.

Although there is no halachic basis to allow someone to begin smoking, some Poskim allow some leeway for those that are already addicted and are trying to quit. (See shu"t Teshuvos V'Hanhagos Vol. 3 Siman 354 and Shu"t Shevet Haleivi Vol. 16 Siman 295)

However, Rav Ahron Leib Shteinman Zatzal and other Gedolim take a more hardened approach and rule that being that there are many medical methods available today to help people quit smoking, anyone that doesn't avail themselves of these methods is considered to "not want to quit" and thus in violation of the Torah.

Maran Rav Chaim Kanievsky shlita when asked if smoking is permitted on Yom Tov, responded "It is biblically prohibited on Yom Tov as well as on any other day of the year for a Jew to smoke"

Rav Ovadia Yoseph Zatzal , based on the Gemara Brachos 32b where one who relied on a miracle is referred to as a "Reika, empty one", writes that one who smokes and remains unharmed is using up many merits which will not be available for him and his family at a later date when they may be needed to be saved from other hardships.

For Halacha L'Ma'aseh each individual must seek the guidance and follow the ruling of their own Rav.

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**Questions on any of the above can be addressed to [Ben@Halachafortoday.com](mailto:Ben@Halachafortoday.com).  
For Psak Halacha L'ma'aseh please consult your Rav.**