

גליון הלכתי - כושור לתן הפוסקים

מסודו של רשכבה"ג מן שר התורה הגר"ח קניבסקי זיע"א מרכז גבוה להוראה ודיינות לשכת הפוסקים

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לשכת הפוסקים

לזכרו המהור של פוסק הדור מרנא הגר"ש אלישיב זצוק"ל
מסודו של רשכבה"ג מן שר התורה הגר"ח קניבסקי זיע"א
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Halachos of the Three Weeks

The three weeks of mourning over the destruction of the Beis Hamikdash begin from the fast of the 17th of Tamuz and continue until the fast of Tisha B'Av. This period is called 'Bein Hamitzarim', which emanates from the pasuk "כל רודפיה"ה. הישיגוה בין המצרים". Aside from the halachic implications that will be discussed as it is a mourning period, the teachings have another explanation. This is a time when all who seek Hashem can reach Him, כל רודפיה, הישיגוה. This gives one the opportunity to use these days as a way to reconnect, rather than feeling distant.

There are five levels of mourning during these three weeks. 1. Beginning from the 17th of Tamuz until erev Rosh Chodesh Av (many are of the opinion, that the three weeks begin the night before the fast of the 17th of Tamuz although the fast only begins by day). 2. Rosh Chodesh Av until the 7th of Av (depending on whether it is part of the week Tisha B'Av falls out in). 3. Erev Tisha B'Av. 4. Tisha B'Av itself. 5. The day after Tisha B'Av (until chatzos).

✧ The Fast of 17th of Tamuz ✧

Chazal enacted six fast days during the year to remind the people to repent, remember their wrongdoing and the wrongs of their forefathers which brought upon all the troubles, and devote themselves to Hashem.

One of those days enacted is the fast of the 17th of Tamuz. Five occurrences happened on this day, which we memorialize with the fast. 1) the Lucho's were smashed upon Moshe Rabeinu's descent from Har Sinai. 2) the korban tamid was discontinued (during the period of the first Beis Hamikdash). 3) the city of Yerushalayim was encircled (in preparation for the capture and destruction of the second Beis Hamikdash). 4) Apostomus burned the Torah. 5) an idol was erected in the Heichal.

1. As with all mitzvos that apply by day, the fast begins at alos hashachar. If one wishes to eat before the fast, he must make a condition before going to sleep that he still wishes to eat before the fast. However, one may drink before the fast even without making the condition (if he usually drinks before shacharis).
2. One who wishes to eat more than the size of an egg (a kabeitza), must begin eating more than a half hour before the beginning of the fast.
3. One who is sick, but not prone to danger must fast. However, may take a little water to swallow pills (even if not sick), if taking the pills without water will be very difficult (and only if the pills don't have a taste).
4. When it comes to the halacha for pregnant women, there are three categories: A. Those who are healthy and experience no pain while fasting. B. Those who experience some pain while fasting. C. those who experience excruciating pain while fasting. Pregnant women who are in good health and have no issues fasting are not necessarily required to fast, but many are stringent and fast. Women who have difficulty fasting are exempt, but they are not prohibited from fasting if they choose to do so. However, women who struggle greatly with fasting are not allowed to fast.
5. A woman who has given birth within thirty days from the fast day is exempt from fasting regardless of whether or not they are fully nursing. After thirty days, their fasting requirements are the same as those of pregnant women. If fasting presents a significant challenge, they may not fast.
6. One who isn't fasting may eat from the beginning of the fast, yet should not eat in public, and should only consume what is necessary for their health.
7. One who mistakenly ate or drank must continue fasting until the end of the fast.

✧ The Three Weeks ✧

1. It is forbidden to have a wedding celebration within the three weeks.

Nevertheless, it is permissible to arrange an engagement party, a Bar Mitzvah celebration, and other seudos that serve a mitzvah purpose.

2. During this period, it is prohibited to dance or listen to music (according to many, this includes acapella music). Although live singing without music is not forbidden, it is advisable to avoid it unless it is for a Shabbos meal, seudas mitzvah, during davening, or to seek inspiration and dveikus.
3. If one is in a place that has music playing but is not there intending to listen to music (e.g., a doctor's office), one may remain in the room.
4. It is permitted to dance at a sheva brachos if no instruments are playing.
5. One who plays an instrument for livelihood, and plays for a non-Jewish audience, or wishes to practice so as not to lose his acquaintance and skill, may play during the three weeks. One who needs music to help him exercise, to help stay awake during a long drive, to calm down from extreme pressure, may listen to music in these instances.
6. We have the custom not to recite the bracha שהחיינו during the three weeks. Therefore, we refrain from acquiring new clothing or consuming fruits that will require the bracha.
7. As such, one may purchase clothing that is of lesser significance and value, such as shirts, shoes, and undergarments. However, clothing of higher value, such as a suit, coat, Shabbos clothing, or tallis gadol, should not be purchased during this period, even if one does not plan on wearing them until after the three weeks. This is because the act of buying clothing can bring happiness, even though a blessing is still not recited until the clothing is worn.
8. We customarily permit cutting nails until the nine days.
9. Getting a haircut or shaving facial hair or any hair during the three weeks is forbidden. However, one may be lenient to remove hair that causes difficulty eating. It is also forbidden to give a haircut to one's child (under Bar Mitzvah) during this period as well.
10. This prohibition is for both, men and women alike. However, in a scenario of disgust, married women or a girl of shidduchim age may be lenient to shave (e.g., legs, etc.).
11. A woman may also do electrolysis and waxing during the three weeks. One may be lenient in cutting hair in a place that would breach the standards of tznius.
12. If one will suffer monetary loss for letting his hair grow, getting a haircut or shaving is permitted. Therefore, if one is accustomed to shaving and will endure discomfort at work which may jeopardize his job stability, may shave accordingly (yet should try refraining from doing it more than he must do).
13. One must be careful during these days, not to put himself into dangerous situations. However, traveling by plane or normal ways of transportation is permitted.
14. On Shabbos of the three weeks, we read the haftoras of the דפרענותא. If one forgot the first week, they should read both the second week.
15. One should refrain as much as possible not to move into a new residence until after the three weeks.
16. Swimming is permitted during the three weeks as long as it is done in a safe setting.
17. It is advisable to avoid painting or furnishing one's home unless necessary.
18. If a surgery is not urgently required, it should be postponed until after the three weeks.