

9 Days & Tisha B'Av Related



From www.HalachaForToday.com

Reader's Question:

Is one able to give an engagement ring to his kallah during the nine days? If halachically it's okay, is there still an inyan to wait till after?

Also, wondering, if it's ready right before the 9 days, is it better not to give right before, since she will have major enjoyment from it throughout the 9 days (it's new, she just got it)

Answer:

It is prohibited to buy or give expensive gifts during the nine days. This includes an engagement ring which brings tremendous joy.

It may be given immediately before the 9 days.

Reader's Question:

Is it dangerous to fly to Eretz Yisroel during the 9 days? and why?

Answer:

Flying, and any other dangerous activities should be avoided in the nine days, unless being done for a Mitzvah.

The three weeks, and especially the last 9 days, is a time that many tragedies befell Klal Yisroel R"L, and the rabbis say to avoid anything dangerous in that time period as the midas Hadin is strong then.

Unfortunately in this time of year we always hear of tragedies, car accidents with fatalities, etc. rachmana L'Tzlan.

The Halacha even says to avoid court-cases in this period, and not to start new business ventures.

Some Poskim say that if you are heading to Eretz Yisroel, that is a Mitzvah and thus permitted, and not included in the minhag not to fly.

Of course, each individual should consult their own Rav for guidance.

Reader's Question:

Does it specifically say in the Torah that during the 3 weeks and nine days there should be no parties? Is it really a sin to listen to music?

Answer:

It isn't a biblical prohibition; it was instituted by Chazal, the holy sages, after the destruction of the temple and it should be taken very seriously.

The Talmud (Bava Basra 60b) tells us "All who mourn the destruction of Jerusalem will merit and see her when she is joyful, and whoever does not mourn Jerusalem will not see her when she is joyful."

The prohibition isn't the party (even though, those should be avoided too in the 3 weeks), it's the music and the dancing that was forbidden in this time period due to it being a solemn period of mourning for the destruction of the temple. Even an engagement party or a Seudas Mitzvah may not have music during the three weeks, and surely not a birthday or other non-Mitzvah party. (See Mishna Berura Siman 551:16 based on the Magen Avraham).

Live music is surely prohibited, and even recorded music is prohibited. This applies to men and women and even to older children, as this is a national time of mourning. (Ruling of Rav Moshe Feinstein zatzal in Igros Moshe Orach Chaim Vol. 4 Siman 21:4. See also Orach Chaim Vol. 1 Siman 166 and Vol. 3 Siman 87. See also Minchas Yitzchok Vol. 1 Siman 111).

Many Poskim even prohibit ACapella style music, which is without instruments, rather with sounds made by mouth to mimic instruments. Some authorities are lenient with this kind of recording, but it is best to be stringent if possible. (See Shu"t Shevet Halevi Vol. 8 Siman 127:2, Shu"t Tzitz Eliezer Vol. 15 Siman 33:2. See also Sefer Ishei Yisroel page 765 where he quotes Rav Chaim Kanievsky Zatzal who is stringent. Rav Ovadia Yoseph Zatzal in Shu"t Yechave Da'as Vol. 3 Siman 30 is also stringent. Just because these kinds of recordings are sold in Judaica stores and advertised in "frum" publications as "permitted in the 3 weeks" does not mean Halacha concurs. Consult your Rav for Halacha L'Ma'aseh)

Keep in mind, that according to the Talmud, it is prohibited to listen to music for pleasure all year round! This is also the opinion of the Bais Yosef, Rambam, many other Rishonim as well as contemporary Poskim such as Rav Moshe Feinstein Zatzal. Though we are lenient all year round for various reasons, for these three weeks a year when all Poskim agree that we must be less happy than usual, there is no real heter for listening to music, much less attending a party with live music.

More importantly, The Pesukim (Tehilim 137:5 and 6) tell us “If I forget thee, O Jerusalem, let my right hand forget her cunning. Let my tongue cleave to the roof of my mouth, if I remember thee not; if I set not Jerusalem above my chiefest joy.”

As Yidden, we must never forget that we are in exile and although we are too weak to mourn properly all year round, these three weeks are important to at least follow the minimal guidelines of mourning instituted by our sages.

At a minimum, if we don't feel the pain of the Churban, we should at least feel pained that we don't feel pained!

May we merit the speedy arrival of Mashiach, and the rebuilding of the Bais HaMikdash real soon.

Reader's Question:

Is a woman who is in her 6th month of pregnancy supposed to fast on Tisha'B Av? I've heard of women who are further along fasting for Yom Kippur so are they usually exempt?

Answer:

As a general rule, otherwise healthy pregnant and nursing women must fast on Tisha B'Av (as well as on Yom Kippur) no matter how far along they are in their pregnancies.

There may be exceptions for certain situations, sickness etc. and a Rav must be consulted before any leniencies are relied upon.

Reader's Question:

Is it permitted to put on suntan lotion/ sunscreen on Tisha B'av?

Answer:

Is the suntan lotion for medical reasons? If so, it may be permitted. Otherwise, it is prohibited.

Even when applying it for medical reasons, it is probably best to use the spray and not the lotion.

Reader's Question:

Is it mutar to say Tehillim on Tisha B'av?

Answer:

It is best, for men, not to say Tehilim on Tisha B'Av (unless it's being recited for a sick person)

If one says a chapter daily, he should say an extra one either the day before or the day after Tisha B'Av to make up for the one skipped on Tisha B'Av. (See Mogen Avrohom Siman 554:6 and Shu"t Rivevos Ephraim Vol. 3 Siman 433 quoting Rav Moshe Feinstein Zatzal)

Rav Chaim Kanievsky Zatzal said in the name of the Chazon Ish Zatzal, that women may recite Tehilim on Tisha B'Av.

Hopefully, Mashiach will be here before this Tisha B'Av and then we will all be able to say Tehilim, learn Torah and be joyous on that day - together with Dovid Malka Mashicha!

Reader's Question:

Does a pregnant woman have to sit on the floor on Tisha B'Av if it is difficult for her?

Answer:

Pregnant women, as well as elderly and infirm individuals who find it extremely difficult or almost impossible to sit on the floor or on low, uncomfortable chairs, may sit on regular chairs, as they are not doing this for pleasure purposes. (See Nit'ei Gavriel, Bein Hametzorim, page 391)

Reader's Question:

Must children also wear non leather shoes on Tisha B'Av?

Answer:

Yes, if they are above the age of Chinuch, they should be taught to wear non leather shoes on Tisha B'Av. (See Chochmas Adam 152:17. see also Igros Moshe Yoreh Deah Vol. 1 Siman 224 and Moadim U'Zmanim Vol. 7 Siman 251)

In many circles, it is common practice to have even small children, below the age of chinuch, wear non leather shoes on Tisha B'Av.

Reader's Question:

May women wear make-up on Tisha B'Av?

Answer:

Applying make-up on Tisha B'Av is forbidden.

Reader's Question:

One who has the custom to don Rabbeinu Tam Tefilin each day, does he do so on Tisha B'Av at Mincha as well??

Answer:

Yes, those who have the minhag to wear Rabbeinu Tam Tefilin, should maintain this minhag on Tisha B'Av as well, at mincha time when the regular Tefillin are donned.

See Shu"t Yechave Da'as Vol. 2 Siman 16 and Vol. 6 Siman 2

Reader's Question:

I know that on Tisha B'Av we don't wash our hands past our knuckles. My question is, may we wash more than once after using the restroom, or is only one time permitted?

Answer:

Halachically, according to most Poskim it is not necessary to wash more than once after using the restroom. (See Mishna Berura Siman 4 S"K 39)

However, if one has the custom to be stringent and always wash 2 or 3 times after using the restroom, as some people do, he may do so on Tisha B'Av as well, as long as each of the 2 or 3 washings are only until the knuckles. (See Halichos Shlomo; Bein Hametzorim Perek 15:3)

Reader's Question:

I was wondering, what is the source that one should treat their spouse as a Niddah (for the purposes of touching) on Tisha'a B'av? I have just never heard of this idea.

Answer:

See Kitzur Shulchan Aruch 124:12 and Mishna Berura Siman 554 S"K 37. The Mishna Berura rules that there is room for leniency during the daytime. Some Poskim are lenient for passing objects to one another, while others are more stringent.

Reader's Question:

At a Bris on Tisha B'Av may we wish the father of the baby "Mazel Tov"? What about wishing an ill person "Refuah Shelaima" on Tisha B'Av?

Answer:

We do not greet people on Tisha B'Av, or say good morning or the like. (Mishnah Berura Siman 554 S"K 41)

Rav Shlomo Zalmen Auerbach Zatzal ruled that Mazel Tov for a Simcha may be said on Tisha B'Av since it is considered a blessing and not a greeting (See Halichos Shlomo; Bein HaMetzorim Perek 15 Orchos Halacha 30).

Rav Moshe Feinstein Zatzal, however ruled that Mazel Tov for a Bris should only be said after Chatzos (cited in Mishna Berura Dirshu edition)

It is permissible to wish an Avel Refuah Shelaima, and thus would be permissible to wish a Choleh on Tisha B'Av a Refuah Shelaima, as it isn't a greeting, it is a Tefilah or a Bracha. (See Gesher HaChaim 21:67:7)

Reader's Question:

Why should one wait to say kiddush levana on Motzei Tisha B'Av until after eating – is this halachic or out of concern for the fasters?

Answer:

This is brought down in the Poskim as Halacha. (See Mishna Berura Siman 426:11)

The main reason for this halacha, is that Kiddush Levana needs to be recited with Simcha.

One who is on an empty stomach for 24+ hours and still in the Tisha B'Av mode cannot be doing it with Simcha, until after he has eaten and gets into the post Tisha B'Av mode of Geulah.

Also it should not be recited without shoes on, and thus is best to change out of "Tisha B'Av shoes" before reciting it.

May it be the will of Hashem that we not need to review these Halachos ever again, and instead may we all learn, from our teacher, Mashiach Tzidkeinu, the "practical" Halachos of how to build the Bais Hamikdash and how to bring Karbanos and how to celebrate the Yom Tov of Tisha B'Av, very soon!

**אני מאמין באמונה שלימה בביאת המשיח ואף על פי שיתמהמה עם
כל זה אחכה לו בכל יום שיבוא**

לשנה הבאה בירושלים הבנויה

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