

# Laws & Customs: 17th of Tammuz & Three Weeks

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Based on Rabbi Shmuel Lescher's Halachah Sheets

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ר' ראובן בן הרב משה אליעזר הלוי ע"ה וחייה ברכה בת ר' נפתלי משה ע"ה רבינוביץ

ר' יוסף בן ר' אורי ע"ה ומלכה בת ר' יצחק צבי הלוי ע"ה פרינקל

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## THREE WEEKS

The laws of the three weeks begin on Wednesday evening, at sunset (8:29pm).

During the Three Weeks, the following activities are forbidden:

- Haircuts – even an Opshernish. (Other practices associated with an Opshernish – such as training the child to wear Tzitzit and recite Brachot and Shmah – should not be deferred.)
- Weddings.
- Eating new fruit, unless for health purposes. This prohibition applies even on Shabbat.
- Wearing new clothing, or buying new clothing that can be purchased later at the same price. (These restrictions do not apply to undergarments or socks.)
- Listening to live music.
- Listening to recorded music for enjoyment or festive purposes.

During the Three Weeks, the following activities should be avoided:

- Travelling for leisure. If travelling is necessary, it is appropriate to at least begin one's preparations (such as beginning to pack) beforehand.
- Non-urgent medical procedures.
- *Siyum Sefer Torah*.

The following activities are permitted:

- Engagement *parties* (without music or dancing).
- Cutting nails.
- A man may trim his moustache if it interferes with eating. Similarly, a woman may groom or wax her eyebrows etc.

During these days, it is appropriate to increase one's Torah studies, with special focus on the Halachot of the Three Weeks, as well as learning

about the Beit Hamikdash (e.g. chapters 40-48 of Yechezkel, tractates Middot and Tamid, and Hilchat Beit Habechira in the Rambam).

It is appropriate to give increased amounts of Tzedakah, especially towards the upkeep of a Mikdash Me'at (e.g. a Shul or Beit Midrash).

During each Shabbat of the Three Weeks, care is taken not to display any signs of mourning. In fact, one should be even more joyous than usual. Even so, the prohibitions of the Three Weeks apply even on Shabbat.

## SHIVAH ASSAR B'TAMMUZ

Five tragedies occurred on this day:

- The first set of the Luchot were broken.
- The daily Avodah was discontinued three weeks before the destruction of the Beit Hamikdash.
- The walls of Jerusalem were breached three weeks before the second Beit Hamikdash was destroyed.
- The Roman general Apostomus burned the Torah.
- A graven image was placed in the Beit Hamikdash.

## WHO MUST FAST?

All must fast, including a Chattan and Kallah during the week of Sheva Brachot, and Baalei Habrit (i.e. the Mohel, the Sendek, and the father of the baby).

If one mistakenly ate during the fast, he must immediately resume fasting.

Mothers who are pregnant or nursing, or have difficulty fasting while tending to their young children, should consult with a *Rav*. [One shouldn't be unduly strict in this

regard, so as not to harm the wellbeing of mother and baby.] The ill or elderly should consult a *Rav*.

A woman, within 30 days of giving birth does not fast.

Anyone below *Bar/Bat Mitzvah* need not fast. From the age of nine upwards, the custom is to train children to fast for several hours, as per the child's abilities.

An individual exempt from fasting should eat in private only, and avoid delicacies or excessive intake. Similarly, children who are old enough to understand the concept of a fast day should avoid delicacies. Brachot are made as normal, at beginning and ending of eating.

## EATING PRIOR TO THE FAST

One may eat and drink the entire evening until dawn (4:14am), provided that **either** of these conditions are met:

- One didn't go to sleep for the night. [Dozing off is not regarded as such.]
- One stipulated (preferably verbally) before going to sleep that he would eat upon awakening. In this case, one washes their hands and recites the morning *Brachot* before eating.

## LAWS OF FASTING

One shouldn't brush one's teeth or rinse one's mouth. [If this will cause great aggravation, there is room to be lenient, provided that one leans forward to prevent any liquid from flowing down one's throat; that one uses substances unfit for consumption (e.g. Listerine); and that one rinses with less than 86 ml.]

One may take non-chewable pills for medical purposes, without water. A *Rav* should be consulted regarding other medications.

One may shower, bathe and apply ointments and creams.

When a *Brit* occurs on a fast, the *Seudah* takes place on the night following the fast.

One may touch food and engage in its preparation.

One may not taste food to determine whether it requires salt/spices. However, when preparing food for a *Seudat Mitzvah* scheduled for the night immediately following the fast, one may taste the food, provided that **all** these conditions are met:

- One expels it without swallowing.
- One tastes only an absolute minimum.
- One does not taste more than 86 ml in total throughout the day.

### 🌀 CONDUCT ON A FAST DAY

One should learn *Torah* connected to the topic of the fast.

The Lubavitcher *Rebbe* instructed that one learn the passages of *Nevi'im* which are associated with the fast of the 17<sup>th</sup> of *Tammuz*. These can be found in *Melachim II* 25:3-8, *Yirmiyahu* 39:2-7 and *Zecharya* 8:18-19.

One should give increased *Tzedakah*, especially before *davening*. It is proper to give the value of the forgone meals – especially if one is exempt from fasting.

The purpose of fasting is to make a *Cheshbon Hanefesh* (reckoning of one's deeds) and arouse one to do *Teshuvah*. Idling away one's time, or partaking in joyous or entertaining activities, is not in the spirit of the fast.

One should be especially careful not to become angered.

### 🌀 CHAZZAN'S ANEINU

During *Shacharit*, only the *Chazzan* recites *Aneinu*. Therefore, one who is

not fasting (or who anticipates that he won't be able to finish the fast) shouldn't serve as *Chazzan*.

[In the unlikely event that the *Chazzan* is not fasting, or less than three congregants are fasting: Instead of reciting *Aneinu* between *Goal Yisrael* and *R'faeinu*, the *Chazzan* includes *Aneinu* in the *Brachah* of *Sh'mah Koleinu*, and concludes the *Brachah* regularly; i.e. *Shomea Tefillah*.]

A *Chazan* who forgot to recite *Aneinu*:

- if he remembered before reciting *Hashem's* name at the end of the *Brachah* of *R'faeinu*, he recites *Aneinu* immediately, and then repeats the *Brachah* of *R'faeinu*;
- if he already concluded the *Brachah* of *R'faeinu*, he recites *Aneinu* in the *Brachah* of *Sh'ma Koleinu*, and concludes the *Brachah* with a double conclusion; i.e. *Ha'one B'eit Tzara V'shomea Tefillah*;
- if he already concluded the *Brachah* of *Sh'ma Koleinu*, he recites *Aneinu* as a separate *Brachah* immediately after the *Brachah* of *Sim Shalom*.

### 🌀 SELICHOT & AVINU MALKEINU

One who is not fasting must still recite *Selichot* and *Avinu Malkeinu*.

One who *davens* without a *Minyan* omits the *Yud-Gimel Middot-Harachamim*.

If *Tachnun* is not recited (e.g. when a *Chattan* or one of the *Baalei Habrit* are present), *Selichot* is still recited, whereas *Avinu Malkeinu* is not recited.

### 🌀 TORAH READING

The passage of *Vayechal* is read, provided that at least three congregants are fasting.

A non-fasting individual must still hear *Kriat Hatorah* of *Vayechal*, but should not be called up for an *Aliya*. [If he is the only *Kohen* or *Levi*, he should absent himself.] If he is called up, and refusing the *Aliya* will cause him embarrassment and minimize the

honour of the *Torah*, he may accept the *Aliya*.

A non-fasting individual shouldn't serve as the *Ba'al Koreh*, unless there is no one else who can.

When the congregation recites the verses aloud, the *Ba'al Koreh* waits for silence before resuming. The one receiving the *Aliya* begins reciting these verses with the congregation but concludes with the *Ba'al Koreh*.

### 🌀 MINCHA

*Mincha* is longer than usual (due to *Kriat Hatorah* and *Haftorah*); care should be taken to conclude before sunset (7:52pm).

Ideally, *Kriat Hatorah* should not begin prior to *Mincha Gedolah* (1:19pm). *The Amidah* may not begin before then.

After *Haftorah*, most communities return the *Torah* to the *Aron Kodesh* and then say *Kaddish*. The *Chabad* custom is that the *Chazzan* slowly recites *Kaddish* while the *Torah* is returned to the *Aron Kodesh*, similar to *Mincha* on *Shabbat*.

If an individual forgot to recite *Aneinu* in the *Brachah* of *Sh'ma Koleinu*, he may recite it in the passage *Elokai N'tzor*, before the second *Yih'yu L'ratzon*. If one didn't remember until he concluded *The Amidah*, he does not repeat it. [A non-fasting individual does not recite *Aneinu*.]

The *Chazzan* recites *Aneinu* between *Goal Yisrael* and *R'faeinu*, and also recites *Birchat Kohanim* toward the end of *The Amidah*.

The Lubavitcher *Rebbe* encouraged the custom of *Rabbanim* addressing their congregation, after *Mincha* to arouse them with feeling of *Teshuvah*.

The fast concludes at 8:18pm.