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"חוקי חיים"

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לעשות רצונך
בלבב שלם



שע"י "חדר הזדאה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halochoh compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker



Halochoh of Nine Days

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ליקוטי ופסקי הלכות "חוקי חיים"

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לעשות רצונך
בלבב שלם



שע"י "חדר הוראה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

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Halachos of the Nine Days

Devarim – Chazon 5780

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Minimizing Joy

1. When Av arrives, we decrease our level of joy (ש"י"ע תקנ"א ס"א). Some say this means we do not rejoice at all (מ"ב סק"א); others say we just rejoice less than usual (שעה"צ סק"א).
2. We minimize joy until after Tishah B'Av. Some say that the halachah to avoid litigation with non-Jews in the month of Av only applies until after Tishah B'Av; others say it applies until Rosh Chodesh Elul (מ"ב סק"ב).

Construction, Renovations

3. During the Nine Days, one may not build a structure which brings joy, e.g. a building for a child's wedding or for decoration. The same is true of any building that is for luxury as opposed to necessary residence (מ"ב סק"ב). One should not begin unnecessary construction after Rosh Chodesh Av, but if he started before, he may continue. However, one must stop painting his house during the Nine Days even if he started before Rosh Chodesh (בא"ח דברים אות ג').
4. If a building's plaster deteriorated due to moisture, mold, or the like, one may replaster it even during the week of Tishah B'Av since it is not done for luxury (קובץ מבית לוי ח"ג עמ' כ"ג).
5. If a non-Jewish contractor began the construction before Rosh Chodesh, he may continue with everything since he is doing it for himself (מ"ב שם), unless he can be paid a bit to postpone it.
6. **Moving.** Strictly speaking, one may move to a new house during the Nine Days if he must since Chazal only forbade building a house (ש"י"ע לבוש מרדכי ח"א ס"י ק"א). However, since we don't say Shehecheyanu during these days, it should be avoided. If one is moving with his wife and children though, the brochah is not Shehecheyanu; it is Hatov Vehameitiv (ביאה"ל ס"י רכ"ג ס"ג), which can be said during these days (ש"י"ע ס"י תקנ"א, ש"י"ע אג"מ ח"ג ס"י פ').

Laundry

7. The issur of the Mishnah to do laundry is only during the week of Tishah B'Av. Most of Eidot Mizrach follow this. The Ashkenazi minhag is not to launder or iron clothes starting from Rosh Chodesh even if they will not be worn before Tishah B'Av.
8. One may not even give clothes to a non-Jew to wash. However, one may give clothes to a non-Jew before laundry is forbidden, even if the non-Jew will do it when it is forbidden (רמ"א ס"ג).
9. One may not iron clothes during the Nine Days, even if they will not be worn until afterward (ש"י"ע ס"ג).
10. One may spot-clean a stain, as that is not considered a form laundry that preoccupies a person to the extent that he loses focus on the aveilus (הגרש"א, קובץ מבקשי תורה קובץ כ"ז עמ' ת"ל).
11. **Children's clothes.** During the Nine Days, one may wash clothes worn by a child who completely soils them [until about 3 or 4]. The minhag is to wash clothes worn by older children too [until about 6 or 7] (רמ"א שם סי"ד). Lechatchilah, one should only launder a small amount at a time, but nowadays that we use washing machines, one may put a lot of clothes [children's clothes only] into the load.
12. **Hanging laundry outside.** It is not a problem of maris ayin to hang children's clothes out to dry. However, in a case where one may launder a regular garment [e.g., he has no other clothes], he should not hang it outside to dry due to maris ayin. Also, one should not hang towels, bedsheets, and the like out to dry.
13. **Sheitel.** A sheitel is no different than a garment with respect to the issur to do laundry. Thus, one may not wash a sheitel during the Nine Days, even if it is only needed after Tishah B'Av (הגר"ש וואזנר, קובץ מבית לוי בין המצרים עמ' י"ד).

14. **Cleaning shoes.** One may remove accumulated dirt from a shoe (הגר"ש וואזנר, קובץ מבית לוי עמ' כ"ט ס"י). One may also blacken faded shoes, but one may not shine them (ש"י"ע אג"מ או"ח ח"ג ס"י פ'), unless he is doing so in honor of Shabbos.
15. **Laundry as Rosh Chodesh enters.** Lechatchilah, one should finish laundering his clothes before Rosh Chodesh Av. I.e., starting from Rosh Chodesh night, the washing machine should not be in use. Laundry should not be started before the night if it will not finish until the night due to maris ayin (ע"פ ש"י"ע סק"ז). However, if one already started the machine or just needs to put already-washed clothes in the dryer, it would seem he may do so (מור"ד בשול"ת שבט הקהתי ח"א ס"י קע"א).
16. **Car wash.** Only clothes may not be washed; one may wash a car during the Nine Days. However, doing so is improper and not in the spirit of the aveilus.

Preparing Clean Clothes before the Nine Days

17. Ashkenazim may not wear laundered clothes during the Nine Days, even if they were laundered prior, unless they were worn for some time before the Nine Days. The Rama (י"ד ס"י שפ"ט ס"א) writes "one hour," but this is not literal; they just have to be worn for some time (ש"י"ע שם סק"ד). The poskim say half an hour is enough.
18. Rosh Chodesh Av [this year – 5780/2020 on Wednesday] has the status of the Nine Days. A wise person will use foresight to prepare his clothes beforehand [until Tuesday evening this year] and not wait until the last minute.
19. **Bed linens, towels.** The issur to use laundered clothes also applies to bed linens, towels, and the like, so they should be used before the Nine Days. One may, however, provide clean linens for guests.
20. **Multiple garments at once.** Some poskim allow putting on multiple garments at once before the Nine Days to prepare them for use during the Nine Days. However, this is not so simple, as the outer clothes are not affected. Therefore, lechatchilah, one should not rely on this unless the outer garments will also get created somewhat (הגר"ח קנייבסקי).
21. **Stepping on clothes.** If one did not prepare his clothes by wearing them before Rosh Chodesh, bedieved, he may place them on the ground and step on them so that they lose their freshness and crispness. Merely putting them on the floor and picking them right back up does not work. Also, stepping on them with socks on a carpet does not accomplish anything.
22. **Preparing on Shabbos.** The minhag nowadays is to wear clean clothes on Shabbos, as not doing so is a public display of aveilus. If one did not prepare enough clothes for the Nine Days, he may put on new clothes each time he gets dressed to enable those clothes to be worn for the rest of the Nine Days. He can wear one pair on Friday night, another in the morning, and a third after an afternoon nap. More than that is like preparing for the week on Shabbos.
23. **Underclothes.** In very hot climates, one may change into clean, fresh underclothes. However, it is proper not to change them as often as he regularly does to whatever extent possible.
24. Women's shells are considered underclothes for these purposes.

New Clothes

25. One may not mend clothes or shoes or buy new ones during the Nine Days (ש"י"ע ס"ז). One may not even buy secondhand clothes if they cause him to feel joy (ש"י"ע סק"י).
26. One may not make an old garment into a new one, especially if doing so requires a professional (ש"י"ע אג"מ או"ח ח"ג ס"י ע"ט).

27. **Cutting a sheitel.** Therefore, a woman may not cut her sheitel for beauty purposes in a way that gives it a new look since that brings a woman joy like a new sheitel. If she is doing it for tznius or halachah purposes, however, it is a mitzvah and a zechus for her.
28. One may tailor or prepare clothes for a wedding that will take place after the Nine Days if he cannot do it earlier since it is a mitzvah (מ"ב סק"ד).
29. If a child's shoe tore on Erev Rosh Chodesh Av and he can either wear his Shabbos shoes for the entire Nine Days or buy new shoes, it is better to buy new shoes since wearing Shabbos clothes during the Nine Days is not proper either and also, his Shabbos shoes might get ruined.

Showering

30. Chazal only forbade bathing for pleasure; one may bathe for healing purposes. Thus, if a person's skin is itchy, he may shower. Also, one may wash a dirty area of his body with lukewarm water and no soap. If the dirt will only come off with soap, he may use soap.
31. **Hot climates.** In hot climates, a person's whole body often becomes full of perspiration. This is very uncomfortable for him, or at least for those around him, e.g., his wife. In such a place, one may wash his entire body with lukewarm water and soap, but he should make sure to only wash one limb at a time.
32. **"Istenis."** If someone showers daily, feels actual physical and psychological discomfort when he does not, and cannot bear not showering, he may shower as he needs to. However, he should minimize it in some way. It is important to note that not everyone is an istenis – only some individuals have the status of an istenis.
33. **Brushing teeth.** One may brush his teeth, as that is not considered "washing."

Going to the Mikveh

34. **Tevilah for a mitzvah.** Chazal only forbade bathing for pleasure; one may bathe for a mitzvah purpose (רמ"א סי' תקנ"א ס"ז).
35. **Mikveh every day.** Someone who goes to the mikveh every day before davening and learning for extra kedushah may continue this practice during the Nine Days. However, someone who does not usually do this should not be meikel during these days (ערוך השלחן (סלי"ה). When going to the mikveh, one should make sure the water is not hot. The mikveh attendant should see to it that it is not as hot as usual (שו"ת שבט הלוי ח"י סי' פ"א סק"ו).
36. **Tevilas Ezra.** Someone who does tevilas Ezra may do so during the Nine Days (א"א בוטשאטש, כף החיים סק"צ, חזו"א ארחות רבינו ח"ב עמ' קל"ג).
37. **Sofer.** Also, a sofer who makes sure to go to the mikveh before writing שו"ת אור לציון (קסת הסופר סי' י' ס"ח) (ח"ג פכ"ז תשובה ה').
38. **Shower before the mikveh.** Some mikvaos require everyone to shower before using the mikveh for health reasons and to maintain the cleanliness of the water. When going to such a mikveh, one may shower beforehand. He should rinse himself with body-temperature water, and he should not enjoy himself in the shower. Unless he has one of the above heterim to use soap (30-31), he should not use soap. If he always makes sure to rinse his body after the mikveh, he may do so in the manner prescribed above.
39. **Year 5780/2020.** In places where the virus from China is still raging and people need to be extra careful about bodily hygiene, one may shower with soap before and after going to the mikveh to protect himself and others from getting infected with the virus, chas veshalom.
40. **9-kav shower.** During these days, many people are not going to the mikveh out of fear of catching the virus from China, and they are settling for pouring nine kav of water over themselves instead. Someone like this may shower in body-temperature water for this purpose. Again, he should not use soap if it is not necessary.

Mopping the House

41. In Eretz Yisroel, some people do not mop their houses ["sponja"] during the Nine Days (שו"ת שלמת חיים להגרי"ח זונפלד ח"ד סי' ד' אות כ"ד, ארחות רבינו (בשם החזו"א). In most places in the world, people do not follow this minhag. If the floor is dirty, everyone agrees it is permissible.

Meat, Wine

42. We do not eat meat or drink wine during these days (שו"ע ס"ט). The reason for this is because korbanos [meat] and nisuch hayayin were discontinued in those days.
43. **Rosh Chodesh.** The minhag is not to eat meat on Rosh Chodesh Av (מ"ב סק"ח), starting at night (מ"ב סק"ז). Therefore, one should not eat fleishigs [starting Tuesday night this year – 5780/2020] after tzeis. One should remind his family not to make fleishigs for dinner if they are eating after tzeis. If a woman accidentally made fleishigs for dinner, it should not be eaten.
44. Chicken, food cooked with fleishigs, and chicken soup are all assur. However, one may cook parve food in a fleishig pot.

45. Children below chinuch age who do not eat a lot may be given chicken or even meat if necessary.
46. A nursing woman may eat chicken during the Nine Days if it is necessary to improve the quality of her milk.

Eirusin, Tena'im, Vort, Bris

47. **Weddings.** Weddings are not made from Rosh Chodesh Av until after Tishah B'Av (שו"ע סי' תקנ"א ס"ב), even without a seudah, since weddings themselves are assur (מ"ב סק"ז). Ashkenazim do not get married during the entire Three Weeks (רמ"א שם).
48. **Eirusin.** One may be me'areis a woman, i.e., make her an eishes ish through a kinyan of kiddushin with a ring, during the Nine Days – even on Tishah B'Av itself – so that no one gets to her first. However, one should not make a seudas eirusin during the Nine Days (שו"ע שם). Between Shivah Asar BeTammuz and Rosh Chodesh, one may make a seudas eirusin even according to the Rama (מ"ב סק"ט).
49. When the poskim talk about "eirusin," they are referring to a chosson being mekadeish a woman with a ring. It used to be that this was done a long time before the wedding, and it was accompanied by a seudah. Today, we do eirusin under the chuppah, right before nisu'in.
50. **Tena'im, vort.** One may write tena'im or make a vort or lechayim upon finalizing a shidduch, as is customary nowadays, during the Nine Days. It should not be accompanied by a bread meal, but confections, mezonos, etc. may be put out (מ"ב סק"ז). Between Shivah Asar BeTammuz and Rosh Chodesh, one may make a bread meal upon finalizing a shidduch even according to the Rama (שעה"צ סק"ז).
51. **Dancing.** Starting from Shivah Asar BeTammuz, people should not dance in a circle at the celebration after a shidduch is made (מ"ב סק"ז). Musical instruments should certainly not be played (שו"ת מנח"י ח"א סי' קי"א אות ד', שו"ת אג"מ או"ח ח"א סי' כ"א אות ד'). However, people may sing a bit without dancing.

Bris Milah

52. **Shabbos clothes.** The mohel, sandek, and parents of the baby boy may wear Shabbos clothes, as may the kvatterin [female], but not the kvatter (מ"ב סק"ג). Some are meikel for the grandparents too if they normally do so for their other grandchildren (שעה"צ סק"א).
53. Some say that after the bris, they must immediately change out of their Shabbos clothes (שו"ת שואל ומשיב מהד' המישה"ה סי' ל"ט); others say they do not need to (כף החיים סק"ז).
54. **Meat, wine.** The baalei simchah, any relatives who are closely enough related to be psulei eidus, plus a minyan of men [and seemingly also ten women if the mother is present] may eat meat and drink wine at the seudah for the bris. The Rama (ס"י) holds that this limitation is only when the bris is during the week of Tishah B'Av, but before that, all the guests may eat meat. The Levush holds that the ten-person limit applies for the whole Nine Days. The Mishnah Berurah (סק"ז) sides with the Rama.
55. **"Vachnacht" and third day.** The vachnacht [night before the bris] meal, as well as the meal on the third day after a bris (שעה"צ סק"ז) are not seudos mitzvah and may not include fleishigs or wine (מ"ב סק"ב). There are some poskim that are meikel for those who make these seudos with meat and wine for all their sons (אות ברית סי' רס"ד) (סק"ז, שו"ת שבט הקהתי ח"ד סי' ק"נ).
56. **Kos shel brochoh.** Rav Elyashiv ztz"l held that the cup of wine over which "Asher Kidash Yedid" is said must be given to a child to drink, as it is not part of the seudah. The cup of wine for bentching is part of the seudah and may be drunk by anyone (מ"ב סק"ב).
57. However, I have seen many people say "Asher Kidash" and drink the wine since it is connected to the seudah, especially when the bris is taking place in the hall directly before the seudah. [It should be pointed out that giving wine to a child is mentioned in Shulchan Aruch only regarding Tishah B'Av (סי' תקנ"ט ס"ז), not the preceding days.]
58. **Haircut.** The Shaar Hatziyun (סק"ד) says that the Chasam Sofer allowed the baal habris to get a haircut. The Shaarei Teshuvah (סק"ד) cites a machlokes about this. The minhag is to allow the father to get a haircut, but to only allow the sandek and mohel to get a haircut if they always do so before a bris.

May we be zocheh that these halachos be for the sake of learning, but no longer relevant this year with the rebuilding of the Beis Hamikdash, bimheirah veyameinu, Amein.

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