

# Laws & Customs: Tishah B'Av

According to Nittai Gavriel, Mishna Berurah and Shulchan Aruch Harav

All times listed are for Jerusalem only as per [www.myzmanim.com](http://www.myzmanim.com)

Based on Rabbi Shmuel Lescher's Halachah Sheets

Compiled by Yossi Fraenkel in memory of his grandparents

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

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The Jewish Weekly  
For the year 5780

## TRAGEDIES

Five tragedies occurred on Tisha B'Av:

- The sin of the *Meraglim*.
- First *Beit Hamikdash* destroyed.
- Second *Beit Hamikdash* destroyed.
- The fall of *Beitar*.
- The site of the *Beit Hamikdash* and the surrounding area was ploughed.

## EREV TISHAH B'AV

A *Brit* or *Pidyan Haben* (including the *Seudah*) should be conducted before midday.

One shouldn't engage in enjoyable activity.

Starting from midday (12:45pm), one learns only those parts of *Torah* which may be learned on *Tishah B'Av* (see section "Learning on Tishah B'Av" on page 4). Those who learn daily should complete their learning before midday.

A *Siyum* can be made as per the rest of the Nine Days. If after midday, it should be performed on a topic which may be learned on *Tishah B'Av* (such as the conclusion of *Moed Kattan*).

One should eat and drink sufficiently well in preparation for the fast, but not in a festive manner, nor in excessive amounts. This meal (along with *Birchat Hamazon*) should occur before *Mincha*.

## MINCHA / SEUDAT HAMAFSEKET

*Mincha* is davened earlier, to leave sufficient time for the *Seudat Hamafseket*. [According to the Chabad custom, a *Chiyuv* recites the usual *Mishnayot* prior to the last *Kaddish*.]

*Tachanun* is omitted from this point onward until after *Tishah B'Av*.

The *Seudat Hamafseket* consists of bread and cold hard-boiled eggs dipped in ashes. One may drink water, tea, coffee and other non-alcoholic beverages, but should drink less than he usually would.

The *Seudat Hamafseket* is eaten when sitting on a low chair. One may still wear leather shoes.

*Shir Hamaalot* is recited before *Birchat Hamazon*, but a *Mezuman* is not made. Ideally, three adult men should avoid eating this meal together in the first place.

Before *Birchat Hamazon*, one should verbally stipulate that he might still eat or drink again before the fast begins. [If one neglected to do so, it is still permissible to eat and drink.]

After *Birchat Hamazon*, one may resume sitting on a regular chair until *Tishah B'Av* begins.

After *Plag Hamincha* (6:11pm), if one accepted to begin the fast – whether verbally or in his mind, one may no longer eat, and all the prohibitions of *Tishah B'Av* are applicable – the exception being that leather shoes may still be worn.

## TISHAH B'AV EVENING

*Tishah B'Av* begins at 7:42pm.

The *Parochet* is removed from the *Aron HaKodesh* (or moved to the side).

The lights in *Shul* are dimmed to a bare minimum. Nonetheless, the *Chazzan* lights the usual amount of candles; according to their custom.

After The Amidah, the *Chazzan* recites *Kaddish Titkabel*.

*Eicha* is recited along with the *Chazzan*. One should not recite it standing, but rather should sit on a low chair. The *Chazzan* recites it unhurriedly, pausing between each *Passuk*, and raising his voice slightly at the beginning of each *Perek*.

The last *Passuk* (i.e. the second "Hashivenu") is recited aloud with the *Chazzan*, followed by *Kinot*.

One who davened without a *Minyan* still recites *Eicha* and *Kinot*.

*V'Atah Kadosh* is recited, followed by the full *Kaddish* – excluding the line beginning *Titkabel* – and *Aleinu*.

According to the Chabad custom, a *Chiyuv* recites the third *Perek* of *Mishnayot Moed Kattan* prior to the last *Kaddish*.

Some have the custom to sleep on the floor, some sleep without their pillow or place a stone under the pillow. This is not the Chabad custom.

## LEARNING ON TISHAH B'AV

On *Tishah B'Av*, one may learn only those parts of *Torah* which discuss the laws of mourning, the destruction of the *Beit Hamikdash*, or the tragedies which befell the Jewish people throughout history. One should learn these in a cursory manner, and not delve into it (*Drush v'Pilpul*). Similarly, one should not consult a *Rav* regarding *Halachic* matters irrelevant to *Tishah B'Av*.

As during the rest of the Nine Days, one should endeavour to hear a *Siyum*. This should be done on a topic which may be learned on *Tishah B'Av* (such as the conclusion of *Moed Kattan*.)

Needless to say, the obligation to learn *Torah* at every opportunity applies fully on *Tishah B'Av*. [Many *Achronim* bemoaned the lax attitude some people sadly adopt towards learning on *Tishah B'Av*.]

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

## LAWS OF TISHAH B'AV

On *Tishah B'Av*, it is prohibited to:

- Wear festive clothing or festive jewellery.
- Wear footwear containing any leather. One may wear non-leather footwear, including crocs. [If absolutely necessary for work purposes, a *Rav* should be consulted.]

- Go to *Mikvah*, bathe or wash any part of the body – even in cold water. Similarly, one may not wipe himself with a cloth sufficiently damp to moisten what it touches. [One may rinse if necessary for medical or therapeutic purposes, or for pain-relief. One may also rinse any soiled areas, but only as necessary. Similarly, one may wash his hands up to the knuckles after exiting the restroom or touching an area of the body that is normally covered. One may also rinse one's hands as usual before and during food preparation. All the above may be done with soap when applicable. One may also wash dishes, but it is best to do so whilst wearing gloves.]
- Apply makeup, ointment, lotions, perfumes or creams – unless necessary for medical or therapeutic purposes, or for pain-relief.
- Brush one's teeth or rinse one's mouth.
- Sit on a normal-height chair until *Tishah B'Av* midday (12:45pm) – unless one is frail or infirm, pregnant, while nursing, or when sitting in a vehicle.
- Intimacy – *Harchakot* must be kept even during the day.
- Greet another. If one was greeted, he may return the greeting in a subdued manner, or explain that it is *Tishah B'Av*.
- Give gifts (unless it is *Tzedakah*).
- Study, go to work, engage in business activity, or perform a job or task that requires concentration, as these will distract him from mourning. [Technically, these are permitted after midday, but it is best to refrain even then.] Nevertheless, one may do these in order to prevent a financial loss or to retain his job. Even then, one should defer any publicly performed work until after midday, if this is possible.
- Instruct a non-Jew to work publicly on his behalf (such as construction). However, one may instruct a non-Jew to do any other work, even if it will be performed in one's own home.

One should not idle away one's time, go on trips, read novels or partake in any other pleasurable pastimes or activities.

One should not smoke at all. At the very least, one should do so in private only, and keep it to a minimum. [Of course, smoking is discouraged in general.]

One should be especially careful not to become angered.

## 🕉️ WHO MUST FAST?

The ill/elderly, a woman who gave birth within the past month, or a pregnant or nursing woman who feels (or anticipates) excessive difficulty, should consult a *Rav*.

A *Rav* should be consulted regarding medicines.

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

One may not taste food to determine whether it requires salt/spices, even for a *Seudat Mitzvah*.

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

An individual exempt from fasting should eat in private only, and avoid delicacies or excessive intake. Similarly, children old enough to understand the concept of a fast day should avoid delicacies. [Bread is best avoided, so as to sidestep a number of disputes regarding how to wash and *Bentch*.]

## 🕉️ TISHAH B'AV MORNING

Washing one's hands as one does in the mornings is only up to the knuckles. [Tip: Prepare the water in a slightly different way as a reminder not to wash one's hands as usual.]

One wipes his eyes with the towel moistened by the hands. Someone who washes the flakes out of his eyes every morning may do so on *Tishah B'Av* as well.

After getting dressed, one washes their hands again – with a *Brachah* – only up to the knuckles.

The *Brachah* of *Sheasa Li Kol Tzorki* is omitted until the following morning.

*Tallit* and *Tefillin* are not worn until after midday. Similarly, a *Brachah* is not

recited on the *Tzitzit*, nor are they held and kissed during *Baruch Sheamar* and *Shmah*.

The *Chazzan* lights candles as usual; according to one's custom.

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*.

The *Chazzan* does not recite *Birchat Kohanim*.

*Tachnun*, *Selichot* and *Avinu Malkeinu* are not recited.

One who is not fasting (or who anticipates that he won't be able to finish the fast) must still hear *Kriat Hatorah*, but is not called up for an *Aliya*. [If he is the only *Kohen* or *Levi*, he should absent himself.] If he is called up, he may accept the *Aliya*. He should not serve as the *Chazzan* or the *Ba'al Koreh* either, unless there is no one else to do so.

*Kaddish* is recited between the last *Aliyah* and *Haftarah*. During *Gelilah* and *Haftarah*, the *Magbiha* holds the *Sefer Torah* while sitting on a regular-height chair. The *Sefer Torah* is returned to the *Aron HaKodesh* immediately after *Haftarah*.

Afterwards, *Kinot* is recited. One should not recite it standing, but should rather sit on a low chair.

One should refrain from casual conversation or other unnecessary interruptions during the recital of *Kinot*.

After *Kinot*, the following are recited: *Ashrei*, *Uva L'tziyon* (with the omission of the *Passuk* that begins *Va'ani Zot Briti*), and *Aleinu*. Everything else (including *Tehillim*) is postponed until *Mincha* time.

After *Uva L'tziyon*, the *Chazzan* omits the line beginning *Titkabel* from *Kaddish*.

One should recite the book of *Eicha* after *Kinot* (and the conclusion of *davening*).

Where possible, one should time his morning with the aim of concluding *Kinot* (and *Eicha*) shortly before midday, as opposed to long beforehand.

A *Brit* should be postponed until after *Kinot*. The baby's parents and *Baalei Habrit* may wear *Shabbat* clothing for the duration of the *Brit*, but not leather shoes. The *Sandak* sits on a regular-height chair whilst the *Brit* is performed. The *Brachah* is recited on wine, but is drunk by a child who understands the concept of *Brachot* (the younger, the better). The *Seudah* takes place at night, after the fast.

## 🕊️ TISHAH B'AV AFTERNOON

In the afternoon, the intensity of mourning lessens and some restrictions are relaxed.

It is customary to wait until midday before preparing for the post-fast meal. However, one may begin preparations for a *Seudat Mitzvah* before midday.

After midday, it is permitted to sit on chairs of regular height, unless one will still be finishing *Kinot*.

## 🕊️ MINCHA

The *Parochet* is restored to its usual place on the *Aron HaKodesh* after midday, before *Mincha*.

*Mincha* is longer than usual; care should be taken to conclude before sunset (7:41pm).

Before *Mincha*, one puts on *Tallit* and *Tefillin* and recites the entire *Shmah*. This is followed by the selections omitted from the conclusion of

*Shacharit*. [I.e. *Shir Shel Yom*, *Ein Kelokeinu*, *Tehillim*.] These should be recited with a *Minyan*, and *Kaddish* is said at the appropriate places.

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

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

One who is not fasting (or who anticipates that he won't be able to finish the fast) must still hear *Kriat Hatorah* of *Vayechal*, but is not 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*. He should not serve as the *Chazzan* or the *Ba'al Koreh*, unless there is no one else to do so.

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*.

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 *Nacheim* in the correct place, he may recite it in *Sh'ma Koleinu* after *Aneinu*; in *Retzei* before *V'techezana*; or in *Modim* before *V'al Kulam*. [In any of these cases, he recites the conclusion of the *Brachah* as usual, and does not add the words *Menachem Tziyon Uvoneh Yerushalayim*.] If one didn't remember until he concluded The *Amidah*, he does not repeat it.

If an individual forgot to recite *Aneinu* in *Sh'ma Koleinu*, he may recite it in the passage of *Elokai N'tzor*, before the second *Yih'yu L'ratzon*. If one didn't remember even then, he does not repeat The *Amidah*.

An individual who is not fasting omits *Aneinu* but still recites *Nacheim*.

The *Chazzan* recites *Aneinu* between *Goal Yisrael* and *R'faeinu*, *Nacheim* in

*Bonei Yerushalayim*, and also recites *Birchat Kohanim* toward the end of The *Amidah*.

According to the Chabad custom, a *Chiyuv* recites the usual *Mishnayot* prior to the last *Kaddish*.

Those who wear *Rabbeinu Tam Tefillin* put them on after *Mincha*, and recites the usual selections recited with them.

One should ensure that he puts on *Tefillin* before sunset (7:41pm). If one *davens* with a *Minyan* which will conclude only after sunset, he should change into *Rabbeinu Tam Tefillin* before *Mincha*.

## 🕊️ CONCLUSION OF FAST

The fast concludes at 8:06pm.

One washes *Netilat Yadayim* (covering the entire hand with water) without a *Brachah*, and rinses one's mouth as soon as possible after *Maariv*, and certainly before *Kiddush Levanah* or breaking the fast.

If the moon is visible, *Kiddush Levanah* is recited. Ideally, one should first change into leather shoes, rinse one's face to freshen up, and taste something, unless this will negate his participation in a *Minyan*.

The *Beit Hamikdash* was set ablaze on the afternoon of the 9<sup>th</sup> of Av, and burned through the 10<sup>th</sup>. Therefore, the custom is to extend all restrictions of the Nine Days (including – but not limited to – consuming meat or wine, having a haircut, bathing, wearing freshly laundered clothing, or doing the laundry) until midday (12:45pm) of the 10<sup>th</sup> of Av. Nevertheless, since it is Erev *Shabbat*, the following *Shabbat* preparations may be done from the morning: Haircuts, bathing, laundry.

## 🕊️ 15<sup>TH</sup> AV

*Tachnun* is not recited on Wednesday the 15<sup>th</sup> of Av, nor during *Mincha* on the day beforehand. It is forbidden to fast on the 15<sup>th</sup> of Av, even a *Chattan* and *Kallah*.