

ליקוטי ופסקי הלכות "חוקי חיים"

ותלמוד
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בלבב שלם



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

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

Dinim of

Fasting

10 Teves

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ליקוטי ופסקי הלכות "חוקי חיים"

ותלמוד
"התקף תתקם"
לעשות רצונך
בלבב שלם



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Taanis Tzibbur – 10th of Teves

| Parshas Vayigash 5783

114

Four Fast Days

Reason for and Purpose of the Fast

1. There is an obligation to fast on the 9th of Ov, the 17th of Tamuz, the 3rd of Tishrei [Tzom Gedalioh], and the 10th of Teves to commemorate the tragic events that transpired on those days (ש"ע). (סי תקמ"ט ס"א). On the 10th of Teves, the evil king of Bavel, Nevuchadnetzar, approached Yerushalayim and besieged it, leading to its eventual destruction (מ"ב סק"ב).
2. These fast days are called the "Four Fasts." As the 10th of Teves nears, we will set forth important halochoh relevant to all public fasts besides for Yom Kippur and Tishoh B'ov, which are stricter in several areas; their halochoh cannot be extrapolated from here. We will refer to the Four Fasts minus Tishoh B'ov as the "Three Fasts".
3. **Purpose of the fasts.** "We fast on these days to spur ourselves to contemplate teshuvoh by remembering our bad deeds... Every person must engage in reflection, self-introspection, and teshuvoh on these days since the main point is not the fast; the fast paves the way to teshuvoh. Those who take strolls and waste time when they fast have taken hold of the less important aspect of the fast while missing the main point" (מ"ב סק"א).

Mistakenly Ate

4. One who mistakenly ate on a fast day must stop eating and resume fasting (מ"ב סי תקס"ח סק"ה). Since it is a public fast day, he may still say "Aneinu" in Shmoneh Esrei, which refers to the day as a "yom tzom" [fast day] (מ"ב שם סק"ג). He does not have the status of one who is not fasting, who does not say Aneinu in the Shmoneh Esrei (ביאה"ל תקס"ה ד"ה בין, ש"ת שבט ה'ת"ח סי קל"א).

Mistakenly Made a Brochoh

5. The poskim discuss a case where one forgot it was a fast and made a brochoh on food but remembered before eating – should he eat a bit to avoid a brochoh levatoloh or not eat since it is a fast day?
6. Some say this depends if the issur to make a brochoh levatoloh is deoraiso or derabonon: according to those who say it is deoraiso (שי הרמב"ם פ"ה ברכות, ש"ע סי רט"ז ס"ד), on the Four Fasts it is best to eat less than a kezayis and avoid a brochoh levatoloh.
7. According to most poskim, who hold the issur to make a brochoh levatoloh is derabonon (מ"ב סי רט"ז סק"ב), it is best not to eat, but to rectify the brochoh by saying "ברוך שם כבוד מלכותו" דעת תורה למהרש"ם, ש"ת שבט סופר א"ח סי כ"ה, ש"ת סי תקס"ח) "לעולם ועד (סק"א, הגריש"א, אשרי האיש ח"ג פס"ז אות ב).

Taking Medicine

8. One who needs to take medicine on a fast day may do so if it has a bitter taste (הלכות קטנות ח"ב סי צ"ז הובא בבאר היטב סי תקס"ז סק"ז).
9. **Pills.** Generally speaking, pills do not have any flavor. Thus, one may lechatchiloh swallow a pill without taking a drink if possible (הג"ח קל"ז). If he is unable to do so, he should take the pill with a bitter drink, e.g., strong tea without a good flavor. If this is also not possible, he may take the pill with the minimum amount of water necessary to swallow it.
10. Anyone who needs to take pills may take them in the manner described above, even if they are not dangerously ill. Women who take pills that must be taken every day at the same time and children who are obligated to fast who take pills such as Ritalin to help them with attention and focus may take their pills in the manner described above. A person with a mental illness certainly must take his medicine.

Start of the Fast

11. Besides for Tishoh B'ov and Yom Kippur, which begin at night, all fasts begin at alos hashachar (ש"ע סי תקס"ד). Thus, before one goes to sleep before the fast, he may eat fruits and vegetables and drink, as well as eat mezonos foods as a snack, up until alos (ש"ע שם). One may only make Hamotzi for a meal up until a half hour before alos (מ"ב סי פ"ט סק"ז).
12. **Went to sleep.** Since people do not usually eat after going to sleep, going to sleep the night before a fast is a sort of acceptance of the fast. Thus, one may not eat after going to sleep unless he verbally stipulated that he was still planning to eat before alos.
13. **Stipulation for drinking.** The Mechabeir holds one must also make a stipulation before going to sleep if he wants to drink afterward (ש"ע שם). The Rama holds drinking does not need a stipulation since it can be assumed people still plan to drink after going to sleep (רמ"א שם). Lechatchiloh it is proper for one to make a stipulation for drinking, in accordance with the Mechabeir (מ"ב סק"ז), unless he normally drinks after going to sleep (מ"ב). One who is very thirsty may drink after going to sleep even if he does not do so normally and did not make a stipulation (תוס' חיים על ה"א כלל קל"ב סק"ח).
14. A stipulation for eating also allows one to drink; a stipulation for drinking alone does not allow one to eat (תוס' חיים שם).
15. **According to the Zohar Hakodosh**, one should not eat at all – not even a taste – from chatzos and on after going to sleep (מ"ב סי פ"ט סק"ה). Thus, one should not do so, even with a stipulation before a fast, unless he needs to eat because he is weak or to give him strength to learn properly (שם).

Tasting

16. **The Shulchon Oruch** (ש"ע סי תקס"ז ס"א) holds that on the Three Fasts, one may put food in his mouth to taste it, e.g., to see if it has enough salt or spices (מ"ב סק"א), and then spit it out without swallowing any of it. When doing this, one should not make a brochoh beforehand or afterwards (ש"ע סי ר"י ס"ב). On Tishoh B'ov and Yom Kippur, however, one may not even taste food (ש"ע שם).
17. **The Rama** (שם) holds even on the Three Fasts, one may not put any food in his mouth, even just to taste it. This is the prevalent minhag.
18. **Seudas mitzvoh.** One may rely on the Shulchon Oruch and taste food for a seudas mitzvoh that will take place that night and then spit it out (ה"א, מ"ב שם סק"ז).

Rinsing Mouth, Brushing Teeth

19. **Rinsing mouth with water.** Although in general one should rinse his mouth in the morning to say Hashem's name in a pure, holy manner (ש"ע סי ד' ס"י), he should not rinse his mouth on the Three Fasts, even if he does so every morning (ש"ע סי תקס"ז ס"ג).
20. If one will otherwise be very uncomfortable and ill at ease, he may rinse his mouth on the Three Fasts. When doing so, he should bend his head forward and take great care not to swallow any water. One may only do this on Tishoh B'ov if he is exceedingly uncomfortable; on Yom Kippur it is completely ossur (מ"ב סק"א).
21. **Brushing teeth.** If one is very uncomfortable, he may also brush his teeth with a dry toothbrush on the Three Fasts and then rinse his mouth with a bit of water to remove buildup. As above, he must be careful not to swallow water. If this will not allay his great discomfort, he may use toothpaste or mouthwash to get rid of the bad taste. One may not do this on Tishoh B'ov unless he is exceedingly uncomfortable (ש"ת מנח"י ה"ד סי ק"ט).

Who Is Not Obligated to Fast?

22. Everyone must fast the Four Fasts; it is forbidden to defy this practice (ש"י"ע ס"י תק"נ ס"א).

Children

23. The obligation to fast begins at Bar/Bas Mitzvah age (ביאה"ל שם ד"ה). Strictly speaking, adolescents who reach this age but do not have shtei saaros are potur from fast days, which are derabonon (מג"א הובא במ"ב ס"י תר"טו סק"ג); however, they must fast by force of minhag (פמ"ג הובא בביאה"ל שם, שו"ת שבט הלוי ח"ו ס"י קכ"ב).

24. **Three fasts prior to becoming a godol.** Many people tell children to fast three full fasts before they become gedolim. There is no source for this and it does not have the force of a minhag. Children should not be caused to suffer when they do not have to. They can get used to fasting by fasting an age-appropriate number of hours on a fast day (הגרש"א, הליכות שלמה תעניות פ"ג דבר הלכה אות ו').

Pregnant, Nursing

25. The Mechabeir holds that pregnant and nursing women are potur from the Three Fasts (ש"י"ע ס"י תקנ"ד ס"ה); the Ramo says they should only break their fast when in great physical distress. Even when not in distress, they are not obligated to fast, but the minhag is to be machmir (רמ"א ס"י תקנ"ג ס"א). A pregnant or nursing woman who feels weak should not be machmir (מ"ב סק"ה).

26. **Nowadays.** Many poskim say no pregnant or nursing women should fast on the Three Fasts due to a broad, overall weakness that exists today (מקור חיים לבעל חו"י, שו"ת תשובה מאהבה, סידור יעב"ץ).

27. **Nursing.** Fasting will almost surely diminish a nursing woman's milk supply. Thus, nursing women should not fast (הגר"נ קרליץ, חוט שני שבת, ה"ד עמ' רנ"ט, הגרש"א הליכות שלמה בין המצרים פט"ז ס"א דבר הלכה סק"ה).

28. **Partial nursing.** A woman who nurses some of the time but also gives her child other food may be meikel and not fast since, practically speaking, she nurses and the fast can diminish her milk supply (הגר"נ קרליץ חוט שני שם עמ' ר"ס).

29. Some say all women within 24 months of birth – who, even when not nursing, have the status of nursing women according to the Gemoro (דעת תורה) – do not need to fast (ש"י"ע יו"ד ס"י קפ"ט סל"ד) (למהרש"ם), especially if they are weak [even if the weakness is due to energy spent on care of the family and home].

Ill

30. Certainly someone who is ill, even if not dangerously ill, is potur from fasting and may not be machmir (מ"ב סק"ד). He is potur even from fasting a few hours, which will not harm him, since Chazal did not decree the fast day on ill people (שו"ת אבני נור א"ח ס"י תק"מ, מועדים) (המנינים ח"ה ס"י של"ה בשם הגר"ח והגר"ז הלוי).

Showering on a Fast Day

Hot Water

31. Besides for on Tishoh B'ov, one may shower on these fasts (ש"י"ע ס"י). Still, scrupulous individuals should be machmir (מ"ב סק"ז). Some say that on the Three Fasts one may shower in cold water and wash his face, hands, and feet even with hot water (פמ"ג הובא) (בשעה"צ סק"ח).

32. **Toiveling in a mikveh.** One may toivel in a mikveh – even a hot one – before davening on the Three Fasts.

33. **Swimming pool.** One should be machmir not to go to a pool or beach for pleasure on a fast day. He may go for healing purposes (שו"ת באר משה ח"ג ס"י ע"ז).

"Aneinu"

The Individual on Public Fast Days

34. "Aneinu" is said in Shema Koleinu of the individual's Shmoneh Esrei (ש"י"ע ס"י תקס"ה ס"א) at Minchah. It is inserted before "כי אתה שומע" (ש"י"ע ס"י תקס"ה ס"א). After saying "בכל עת צרה וצוקה" (ש"י"ע ס"י תקס"ה ס"א), one concludes with "כי אתה שומע" (ש"י"ע ס"י תקס"ה ס"א). If one mistakenly concluded the brochoh with "וכו" (רמ"א). If he has deviated from the fixed text established by Chazal and should go back to the beginning of the brochoh (הגרש"א). (הליכות שלמה תעניות פ"ג ס"ח, הגר"ח קנייבסקי, אשי ישראל פמ"ד הע' ל"ז). If he realizes his mistake within toch kedee dibur, he may rectify it by saying "שומע תפילה" (שו"ת שבט הלוי ח"ה ס"י קל"ב).

35. **Shacharis.** The Shulchon Oruch holds Aneinu is said by the individual on the Three Fasts at both Shacharis and Minchah [the minhag of Sefardim is not to say it at Maariv of the night of the fast, unlike the Mishnah Beruroh's explanation (סק"ט) of the Mechabeir]. Even if one cannot complete the fast, he may still say "Answer us

on our fast day ["ביום צום תעניתנו"] at Shacharis since Chazal decreed to fast on that day (ש"י"ע ס"ג).

36. The Ramo holds the individual only says Aneinu at Minchah – even when davening at minchah gedoloh (מ"ב סק"י) – since by then he has already fasted a good portion of the day, but not at Shacharis (רמ"א) since he may get sick ch"v and not fast. This would make the words he said in davening untrue.

37. **Forgot Aneinu.** One who forgot Aneinu does not repeat Shmoneh Esrei. However, if he remembers before taking his steps back, he should say it after Elokai Netzor, before Yihyu Lerotzon (מ"ב סק"י), and stop after the words, "בכל עת צרה וצוקה."

Shliach Tzibbur

38. In Chazoras Hashatz, the shliach tzibbur says Aneinu as a separate brochoh between Re'ei and Refoeinu. He concludes the brochoh, "ברוך אתה ה' העונה לעמו ישראל בעת צרה." In his quiet Shmoneh Esrei, he says Aneinu in Shema Koleinu without a separate ending, like any other individual.

39. If he forgot to say Aneinu between Re'ei and Refoeinu and has already said "ברוך אתה ה'" of Refoeinu (מ"ב סק"ט סק"ז), he should say it in Shema Koleinu. In this case, he concludes with "כי אתה העונה לעמו ישראל" like an individual. If he concluded with "שומע וכו' וכו'," he is yotzei (א"א בוטשאטש ס"י תקס"ו ס"א). If he did not say it in Shema Koleinu, he should say it after "המברך את עמו ישראל" (מ"ב סק"ט), before the first Yihyu Lerotzon.

40. **Shacharis.** A shliach tzibbur does not say Aneinu in his quiet Shacharis Shmoneh Esrei. All poskim agree he says it between Re'ei and Refoeinu of the Shacharis Chazoras Hashatz – even if he does not complete his fast, some of the tzibbur certainly will (ש"י"ע שם).

One Who Is Not Fasting

Aneinu

41. The consensus of the poskim is that one who is not fasting on a public fast day should not say Aneinu in Shmoneh Esrei (ביאה"ל ס"י). One who is still fasting when he davens Minchah may say Aneinu then (הגרש"א, הגר"ח קנייבסקי, אשי ישראל פמ"ד). Sefardim follow the Mechabeir's implication and do not say Aneinu if they will not complete the fast. They can say it in Elokai Netzor, skipping the words "צום תעניתנו" (כ"ף החיים סק"ח).

42. **Shliach tzibbur.** A shliach tzibbur who will not finish the fast should not say Aneinu, neither as a separate brochoh in Chazoras Hashatz (ביאה"ל ד"ה אבל) (רמ"א ס"י תקס"ב ס"א); in his quiet Shmoneh Esrei, he may say it like an individual (מ"ב סק"ה). Thus, it is best that one who will not finish the fast not serve as the shliach tzibbur (ש"י"ע ס"י תקס"ז ס"ה).

Leining

43. **Shacharis on a Monday or Thursday.** When a fast falls on a Monday or Thursday, lechatchiloh one who is not fasting should not get an aliyoh, but if he is called up, bedieved he may go up (מ"ב ס"י תקס"ו סק"א).

44. **Shacharis on other days and Minchah.** On other days of the week, which do not usually have leining, and at Minchah on any day of the week, one who is not fasting should take great care not to get called up for an aliyoh. If he thinks he may be honored with an aliyoh, he should step outside before leining. If he got called up, he should say he is not fasting and not take the aliyoh, unless he is a talmid chochom, in which case there will be chillul Hashem if it is known he is not fasting (מ"ב סק"כ וכו"א).

45. **Baal korei.** Lechatchiloh one who is not fasting should not be the baal korei on a public fast (שו"ת באר עשק ס"י כ"א) unless he is the only baal korei present. The same is true for a shliach tzibbur (מ"ב סק"י"ח).

Birkas Kohanim

46. In Eretz Yisroel, Kohanim duchen at Minchah of public fast days since there is no fear they have drunk alcohol (ש"י"ע ס"י קכ"ט ס"א). Some only duchen when davening close to shekiah (ש"י"ע ס"י קכ"ט ס"א); others also allow duchening when davening at minchah gedoloh (ש"י"ע ס"י קכ"ט ס"א). A Kohein who is not fasting should not duchen at Minchah; he should step outside before Retzei (כ"ף החיים ס"י קכ"ט סק"ה בשם פ"ח). If there is no other Kohein present (לוח א"י שם) or only one other Kohein who is fasting (122 הגרש"א, מועדי קודש יזהכ"פ פ"א הע' 122).

May we see the fulfillment of the words of the Novi: "So said Hashem: 'The fasts of the fourth, fifth, seventh, and tenth months will be for the House of Yehudah for rejoicing, gladness, and good times if you just love truth and peace.' (זכריה ח', ט)"



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