

# THE SEVENTEENTH DAY OF TAMMUZ

*by Rabbi Doniel Neustadt*

The three-week period known as Bein ha-Metzarim, the time of year when we mourn the destruction of the two Batei Mikdash, begins with a fast day on the Seventeenth of Tammuz, and ends with a fast day on the ninth day of Av. Let us review the laws of the day known as Shivah Assar b'Tamuz—the Seventeenth Day of Tammuz.

Question: When does the fast begin and end?

Discussion: The fast begins at daybreak, alos ha-shachar, and ends at nightfall, or tzeis ha-kochavim. Calculating the exact time of both alos and tzeis is a complicated process and the subject of many disputes. Although it is generally assumed that when computing the start of fast days alos takes place seventy-two minutes (the length of time it takes to walk four mil) before sunrise<sup>[1]</sup>, and tzeis is fifty minutes after sunset<sup>[2]</sup>, other factors<sup>[3]</sup> must also be taken into account. As in all matters of Halachah, one should follow his custom and the rulings of his rav.

Food and drink may be consumed any time<sup>[4]</sup> during the night of the 17th<sup>[5]</sup>—but only if one remains awake all night. Once a person retires for the evening, the fast begins, because people do not normally eat until breakfast the following morning—which is well past alos ha-shachar. Retiring the evening before, therefore, is tantamount to starting the fast. Consequently:

- Unless one explicitly states<sup>[6]</sup> before going to sleep that he plans to wake up early to eat before the fast begins, he may not eat in the morning upon awakening, even before alos ha-shachar. For him, the fast has already begun<sup>[7]</sup>.
  - One who normally drinks coffee, juice, etc., in the morning upon arising, does not need to stipulate that he will drink this morning as well. One who normally does not drink anything in the morning should stipulate before retiring that he is planning to get up in the morning to drink. B'diavad, if he failed to do so, he may drink nevertheless<sup>[8]</sup>.
3. "Going to sleep" means deep sleep, whether in a bed or not. Napping or dozing does not mean that the individual has finished eating and begun the fast<sup>[9]</sup>.

Question: May one eat before Kerias Shema and Davening?

Discussion: Even though the fast itself does not start until alos, one may not start eating a "meal" right before alos. There is a general ruling concerning all positive commandments, such as shaking the lulav on Succos and reading the megillah on Purim, that one may not partake of a

meal within a half hour of the time at which the mitzvah can be performed. This Rabbinic edict was enacted since it was feared that one might become distracted while eating and forget about performing the mitzvah. Kerias Shema and davening the morning Service are no different from any other positive mitzvah; it is, therefore, prohibited to eat "a meal" starting one half hour before alos ha-shachar[10].

One who began to eat a meal before the half-hour point may continue eating until alos. But one who did not begin to eat until he was within a half hour of alos must do one of the following:

- 1.Restrict his food intake. Eat fruit in any amount[11], eat any type of food that requires the shehakol blessing but without being koveia seudah (eating a regular, scheduled meal)[12], or eat less than a k'beitzah (estimated to be anywhere between 2 and 3.5 fl. oz.) of bread, cake, cereal, etc.[13] All drinks, except intoxicating beverages, are permitted in any amount[14].
- 2.Eat any kind and any amount of food, but appoint another person[15] —who is not eating or sleeping[16] —to remind him to recite Kerias Shema and Shemoneh Esrei[17]. It is also permitted to set a timer that will ring at the proper time to remind him to stop eating[18].

Note: According to the Zohar[19], one who wakes up at any time during the night [after midnight] may not eat before davening—even though the time of davening is several hours off. Although there are meticulous individuals who abide by the Zohar[20], the basic halachah is not as stated in the Zohar and the prohibition does not begin until the earliest time for davening, which is alos ha-shachar[21].

After having eaten, it is permitted to go back to sleep if one is sure that he will wake up on time to recite Kerias Shema and daven Shacharis[22]. If he is unsure, he must either appoint another person to wake him up or set an alarm clock to awaken him[23].

Question: In addition to fasting, are there any other restrictions on a fast day?

Discussion: Although it is permitted to bathe on a fast day, it has become customary not to take a hot shower or bath[24]. It is also proper for adults to refrain from swimming[25], unless it is needed for a medical condition or to cool off on an extremely hot day.

On a fast day [other than the Seventeenth of Tammuz and Tishah b'Av] it is permitted to take a haircut. A ba'al nefesh, though, should refrain from doing so[26].

The poskim differ as to whether it is permitted to rinse one's mouth with water on the Seventeenth of Tammuz[27]. Some permit rinsing the front part of the mouth, taking care that no water runs down the throat[28], while other poskim allow this only when one is in pain (tza'ar)[29]. According to the second view, then, one may not schedule a dental visit (which will require him to rinse his mouth) on a fast-day unless he is in pain[30].

Medications prescribed by a doctor may be taken on the Seventeenth of Tammuz. One who has difficulty swallowing pills without water may drink the minimum amount of water required to swallow them. There is no need to ruin the taste of the water before drinking it[31].

When suffering from a severe headache, etc., aspirin or Tylenol, etc., may be taken. The poskim, however, do not permit taking those medications with water unless the water is first made to have a bad taste[32].

Question: What are some special halachos concerning davening on a fast day?

Discussion: During the reading of the Torah on a fast day, the custom is that certain verses are read aloud by the congregation. The individual who is called up for that aliyah should not read the verses aloud with the congregation. Instead, he should wait until the reader says them aloud and read along with him[33].

One who mistakenly ate on a fast day must resume fasting as soon as he realizes his error and complete the fast[34]. He may recite Aneinu at Minchah.[35] One who is not fasting altogether should not say Aneinu[36]. A minor who is not fasting need not say Aneinu [for the purpose of chinuch[37]].

One who is davening Shemoneh Esrei together with the sheliach tzibur should not say Aneinu as a separate blessing like the sheliach tzibur does; he should say it in Shema koleinu[38].

Avinu malkeinu is recited even without a minyan[39].

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1. Be'ur Halachah 89:1, s.v. v'im, quoting the Rambam. But others opinions maintain that alos could be 90, 96 or even 120 minutes before sunrise.
  2. Igros Moshe, O.C. 4:62. There are many other opinions as well, ranging from 20 to 90 minutes after sunset.
  3. Such as geographical location and season of the year. In addition, many poskim hold that alos and tzeis are calculated all over the world on the basis of the angle of the sun during the equinox in Yerushalayim, which means that alos will take place when the center of the sun is at 16.1 degrees below the horizon and tzeis is when the center of the sun is at 8.5 degrees below the horizon. Using this method of calculation, the fast will begin about 40 minutes earlier and end about 20 minutes earlier.
  4. Eliyahu Rabbah 563:1 maintains that it is improper to eat more than one normally does on the night before the fast, since doing so defeats the purpose of fasting. This stringency is quoted by some (Be'er Heitev 568:22; Elef ha-Magen 602:6) but omitted by Mishnah Berurah and many others. See Aishel Avraham, Tanina 568:22; Kaf ha-Chayim 549:11; Igros Moshe, O.C. 3:88; b'Tzeil ha-Chochmah 2:48.

5. A ba'al nefesh should begin the fast before nightfall of the 17th; Sha'ar ha-Tziyun 550:9. See also Sha'ar ha-Tziyun 565:8.
6. It is preferable to do so verbally, but it is valid as long as one had in mind to do so.
7. O.C. 564:1. One who did not know this halachah and ate in the morning without having made the stipulation the night before, may still recite aneinu (Shevet ha-Kehasi 1:180).
8. Mishnah Berurah 564:6 and Aruch ha-Shulchan 564:2 based on Rama, ibid. See, however, Mateh Efrayim 606:6, who is more stringent.
9. Mishnah Berurah 564:3.
10. Mishnah Berurah 89:27. This prohibition does not apply to women; Halichos Shelomo 1:2-3.
11. Based on Mishnah Berurah 232:34 and 286:9.
12. Based on Mishnah Berurah 639:15.
13. Mishnah Berurah 89:27. If it is a type of a cereal upon which one is not koveia seudah, it is permitted to eat without a limit; see Mishnah Berurah 232:34.
14. Based on Mishnah Berurah 232:35.
15. Even a responsible minor; Nekiyus v'Kavod b'Tefillah, pg. 83; Rav C. Kanievsky (Ishei Yisrael 27:19).
16. Rav S.Z. Auerbach and Rav Y.S. Elyashiv (quoted in Avnei Yashfei, Tefillah, 11:16) based on Mishnah Berurah 235:17.
17. Based on Mishnah Berurah 89:34 and 235:18.
18. Rav Y. Kamenetsky (oral ruling published in Emes L'Yaakov, O.C. 232:2, note 242); Rav S.Z. Auerbach (Halichos Shelomo 1:2-12).
19. Quoted by the Magen Avraham 89:14 and by all the latter poskim.
20. Aruch ha-Shulchan 89:26.
21. Consensus of all the poskim; see Mishnah Berurah 89:28; Aruch ha-Shulchan 89:26; Yalkut Yosef, pg. 147.
22. Chazon Ish, quoted in Dinim v'Hanhagos 4:13.
23. See Siddur ha-Gra, pg. 88, quoting Rav Y.L. Diskin and Binyan Olam 1:1. See Siyach Halachah, pg. 149.
24. Sha'ar ha-Tziyun 550:8; Aruch ha-Shulchan 550:3.

25. Be'er Moshe 3:77; Rav M. Feinstein (oral ruling quoted in Mo'adei Yeshurun, pg. 108). Minors, however, may swim; Nitei Gavriel, pg. 34 quoting Puppa Rav.
26. Tzitz Eliezer 7:49-12.
27. O.C. 567:3.
28. Aruch ha-Shulchan 567:3 This seems to be the view of Be'er Heitev 567:5 and Da'as Torah 567:3 as well. See also Magen Avraham 567:6, who allows rinsing the mouth with less than a revi'is of water.
29. Mishnah Berurah 567:11 following the view of the Chayei Adam. Kaf ha-Chayim 567:13-14 also rules stringently.
30. Nishmas Avraham, O.C., pg. 290.
31. Rav S.Z. Auerbach (quoted in Halichos Shelomo 3:16-3) concerning Tishah b'Av; Rav M. Stern (Debreciner Rav, quoted in Nitei Gavriel, Bein ha-Metzarim, pg. 30).
32. See Nishmas Avraham, O.C., pg. 282, concerning Tishah b'Av.
33. Mishnah Berurah 566:3.
34. Mishnah Berurah 549:3.
35. Mishnah Berurah 568:3. See Shevet ha-Levi 4:56, 5:60 and 8:128 that instead of saying b'yom tzom ta'aniseinu, he should say b'yom tzom ha-ta'anis hazeh.
36. Beiur Halachah 565:1.
37. Shevet ha-Levi 8:131.
38. Mishnah Berurah 565:1.
39. Sha'arei Teshuvah, O.C. 584:2 quoting Shevus Yaakov and Kitzur Shalah; Rav M. Feinstein (oral ruling, quoted in Mo'adei Yeshurun, pg. 112). See, however, Da'as Torah 584:1 who states that some do not recite Avinu malkeinu when praying without a minyan.

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