

PROHIBITIONS OF TISHAH B'AV

by Rabbi Doniel Neustadt

The ninth day of Av, the day on which both Batei Mikdash were destroyed, not only commemorates the destruction of both Temples, but is also a national day of mourning for all of the tragedies and calamities that have befallen the Jewish people. This sorrowful fast day, which culminates the Three Weeks period of mourning, is replete with special halachos. In this Discussion, we will review some of the special restrictions that apply to Tishah b'Av as well as the circumstances under which these restrictions do not apply:

Eating and drinking is forbidden. Eating and drinking is permitted for...

- A person who is ill, or an old or weak person who may become ill if he does not eat or drink, even if his illness will not endanger his life. ¹ He may eat as much food as he usually does, ² but he should not indulge himself.
- A woman up to thirty days after giving birth, ³ even if the baby was stillborn. ⁴
- A woman who is expecting a child should consult a rav about fasting. ⁵
- Boys under the age of 13 and girls under the age of 12. ⁶ They should not, however, indulge themselves with unnecessary food.
- Medication prescribed by a doctor. ⁷ It is permitted to swallow a bit of water along with a prescribed medication if the medicine cannot be swallowed otherwise. ⁸

Note: One who must eat on Tishah b'Av in the morning should daven first, without tefillin, and then eat. If he needs to break his fast after chatzos, he should daven Minchah with tefillin and then eat. If he cannot daven Minchah until later in the day, he should still put on tefillin before he eats. ⁹

Washing any part of the body is forbidden, even with cold water. Washing is permitted for...

- Dirty or soiled hands or any other part of the body. Any substance or discharge (e.g., a glutinous gel in the eye) may be rinsed off. ¹⁰ [If soap is needed to remove the dirt, it may be used.]
- Awakening in the morning. One may wash netilas yadayim three times on each hand, ¹¹ but the water should reach only until the knuckles. ¹² After the hands are wiped but remain slightly damp, they may be passed over the face or the eyes. ¹³
- After using the bathroom and/or after touching a part of the body that is normally covered, but the

water should reach only until the knuckles.¹⁴

- Rinsing the mouth, but only in case of great discomfort.¹⁵ Care must be taken not to swallow the water. Mouthwash should not be used.¹⁶

- Preparing food.¹⁷ If warm water is necessary, it may be used as well.¹⁸

- Medical needs.¹⁹ Hot water may be used when needed.²⁰

- Preparation for davening.²¹ Some say that only the tips of the fingers (until the first joint²²) should be washed.²³

- Washing dishes [after midday], if leaving them unwashed will attract insects,²⁴ etc. It is proper not to use warm water.²⁵

- Eating bread, for those who are allowed to eat. The hands should be washed to the wrists in the usual manner.²⁶ Some poskim hold that one may also wash mayim acharonim if he is always particular to do so.²⁷

- A baby who is bathed daily.²⁸

- A bride, who is allowed to wash her face up to 30 days after her wedding.²⁹

Anointing (i.e., applying oils, creams, makeup, perfumes, etc.) is forbidden. Anointing is permitted for...

- Medical needs. It is permitted, therefore, to apply ointment to a skin rash³⁰ or to apply a mosquito repellent.³¹

- Preventing a bad odor.³² Antiperspirant may be applied.³³

- A bride up to 30 days after her wedding.³⁴

Wearing leather shoes is forbidden, even if only part of the shoe is coated with leather.³⁵ Leather shoes are permitted for...

- A person who has to walk a long distance over stones or mud, and no other suitable footwear is available³⁶.

- Medical needs.³⁷

- Children who are too young to understand about the destruction of the Batei Mikdash.³⁸

Torah study is forbidden. Torah may be studied only...

- If the learning pertains to the story of the destruction of Jerusalem and/or the Batei Mikdash, e.g.,

Eichah, its midrashim and commentaries; parts of Yirmeyahu; Gittin 56-58; Sanhedrin 104; Yerushalmi, end of Ta'anis; Josephus.

- Sefer Iyov with commentaries.

- The relevant halachos of Tishah b'Av and mourning. In-depth study should be avoided.³⁹

- Sifrei Mussar⁴⁰ (moralistic instruction and ethics).

- To prepare the Torah reading for either Shacharis or Minchah of Tishah b'Av.⁴¹

- Several poskim permit reciting Tehilim for a sick person.⁴²

Other prohibitions

- It is prohibited to greet people on Tishah b'Av. Greeting another person, which includes saying "hello," "good night," "good morning," etc.,⁴³ is permitted only if one must respond to a greeting. The response should be uttered in a serious tone.⁴⁴

- Sending a gift is permitted only if the recipient is a needy person.⁴⁵ It is also prohibited to promise another person to give him a gift.⁴⁶

- Sitting on chair or bench is permitted only after midday; before that one should sit on the floor or on a low stool.⁴⁷ An elderly, ill or weak person, or an expecting woman, may sit on a regular chair or bench.⁴⁸

- Unless it will result in a major and irretrievable loss, business should not be conducted until midday.

⁴⁹ Many G-d-fearing people do not conduct business on Tishah b'Av even after midday.⁵⁰

- Mourners should be consoled after midday only. Under extenuating circumstances, it is permitted to visit a mourner and recite ha-Makom even before midday. Other words of comfort should not be said at that time.⁵¹

Sources:

1. Mishnah Berurah 554:11. See also Chayei Adam 135:2. A mere headache or minor discomfort, however, does not allow one to break his fast.

2. Although some poskim (Maharam Shick, O.C. 289 (see, however, 290); Sedei Chemed, Bein ha-Metzarim 2:3; Beiur Halachah 554:6, s.v., d'bmakom, quoting Pischei Olam; Marcheshes 1:14) maintain that one should try to eat less than a shiur (like on Yom Kippur), the majority of the poskim disagree; see Avnei Nezer 540; Aruch ha-Shulchan 554:7; Kaf ha-Chayim 554:31 (see, however, 35); Chazon Ish (quoted in Toras ha-Yoledes 48, note 9); Rav Y.Z. Soloveitchik (quoted in Teshuvos v'Hanhagos 2:261); Halichos Shelomo 3:13-5; 16-1; Shevet ha-Levi 4:56; Tzitz Eliezer 10:25-16. This is also the custom; Nitei Gavriel, pg. 80, quoting Puppa Rav.

3. *Aruch ha-Shulchan 554:8. Although Mishnah Berurah seems to rule that that from seven days after the birth it is proper to fast, contemporary poskim tend to be lenient in their ruling since nowadays women are weak. When in doubt, consult a rav.*
4. *Beiur Halachah 617:4, s.v., yoledes, quoting Sedei Chemed.*
5. *See Halichos Shelomo 3:16-1 and Divrei Yatziv, O.C. 231, 232.*
6. *Some have the custom that children over the age of nine fast on the night of Tishah b'Av and for a few hours during the day to accustom themselves to fasting.*
7. *Kaf ha-Chayim 554:34.*
8. *Halichos Shelomo 3:16-3.*
9. *Entire paragraph based on ruling of Rav S.Z. Auerbach (Shemiras Shabbos K'hilchasah 62, note 108 and 115).*
10. *O.C. 554:9, 11. See Rama, O.C. 613:1.*
11. *Those who usually wash four times (see Mishnah Berurah 4:10) may do so on Tishah b'Av also; Kitzur Hilchos Moadim, pg. 109.*
12. *O.C. 554:10. One need not be exact (Orchos Rabbeinu, vol. 2, pg. 139, quoting Chazon Ish).*
13. *Mishnah Berurah 554:22.*
14. *O.C. 613:3, Mishnah Berurah 4-6 and Aruch ha-Shulchan 6.*
15. *Mishnah Berurah 567:11; Minchas Yitzchak 4:109. Aruch ha-Shulchan 567:3 is more stringent.*
16. *Rav M. Feinstein, oral ruling quoted in Halachos of the Three Weeks, pg. 19.*
17. *Mishnah Berurah 554:19.*
18. *Kaf ha-Chayim 554:46.*
19. *Mishnah Berurah 554:26. A woman who has given birth may wash herself as much as needed (Aruch ha-Shulchan 613:9).*
20. *Kaf ha-Chayim 554:63.*
21. *Mishnah Berurah 554:21.*
22. *Rav M. Feinstein (oral ruling quoted in Moadei Yeshurun, pg. 140).*
23. *Sha'arei Teshuvah 554:9. See also Aruch ha-Shulchan 554:10.*
24. *The poskim debate whether it is permissible to wash dishes on Tishah b'Av. Clearly, though, if the dirty dishes will attract insects, one may be lenient; see Pischei Teshuvah 554:22; Machazeh Eliyahu 87; Moadei Yeshurun, pg. 140.*
25. *Kaf ha-Chayim 554:46.*
26. *She'arim Metzuyanin b'Halachah 133:16 quoting Levushei Mordechai, Y.D. 2:11; Kaf ha-Chayim 554:53 quoting Tosfos Chayim 155:10; Rav S.Z. Auerbach (Shemiras Shabbos K'hilchasah 39, note 106); Shevet ha-Levi 8:139.*
27. *Taharas ha-Shulchan 557. See, however, Moadei Yeshurun, pg. 141.*
28. *Chanoch l'Na'ar, pg. 57.*
29. *Mishnah Berurah 554:29.*
30. *O.C. 554:15.*
31. *Shevet ha-Kehasi 2:191.*

32. *Beur Halachah* 554:15, s.v. *sichah*.
33. Rav M. Feinstein (oral ruling, quoted in *Moadei Yeshurun*, pg. 141); *Halachos of The Three Weeks*, pg. 22; *Halichos Shelomo* 3:14, *Orchos Halachah*, note 56. See *Shalmei Moed*, pg. 495.
34. *Mishnah Berurah* 554:29.
35. But if the leather part is merely decorative and is not an integral part of the shoe, it is permitted; see *Kaf ha-Chayim* 554:75.
36. *Mishnah Berurah* 554:32.
37. O.C. 614:3.
38. See *Chochmas Adam* 152:17, who holds that even children above this age may wear leather shoes. See, however, *Igros Moshe*, Y.D. 1:224 who rules that once a child reaches the age of *chinuch*, he is forbidden to wear leather shoes. Some parents train their children not to wear leather shoes even before the age of *chinuch*; see *Sha'ar ha-Tziyun* 551:91 for a possible source.
39. *Mishnah Berurah* 554:4.
40. *Tosfos Chayim* on *Chayei Adam* 135:2; *Yabia Omer* 2:26, who quotes the *Meiri*, *Moed Katan* 21a, who allows a mourner to study *sefarim* that bring a person to repentance. (Rav C. Kanievsky is quoted (*Rivevos Efrayim* 1:386) as prohibiting studying *sefarim* which are based on *pesukim* and sayings of *Chazal*.)
41. *Mishnah Berurah* 554:8.
42. *Divrei Malkiel* 6:9; *Chazon Ish* (quoted in *Orchos Rabbeinu*, vol. 2, pg. 142); *Halichos Shelomo* 3:15, *Orchos Halachah*, note 28. *Moadei Yeshurun*, pg. 145 and *Rivevos Efrayim*, vol. 3, pg. 433, quote an oral ruling from Rav M. Feinstein as prohibiting it.
43. To bless another person, such as to wish him *mazal tov* or *refuah shleimah*, is permitted.
44. O.C. 554:20.
45. *Kaf ha-Chayim* 554:91.
46. *Hisorerus Teshuvah* 3:331.
47. O.C. 559:3. Some *poskim* hold that the stool should be lower than 12 inches, while others hold it is permitted to sit on any chair which is lower than a standard chair or bench; see *Nechamas Yisrael*, pg. 170, and *Halichos Shelomo* 3:15, *Orchos Halachah* 25, for the various views.
48. See *Aruch ha-Shulchan*, Y.D. 387:3.
49. O.C. 554:24.
50. *Chayei Adam* 135:19; *Kitzur Shulchan Aruch* 124:15.
51. *Igros Moshe*, O.C. 5:20-22.

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