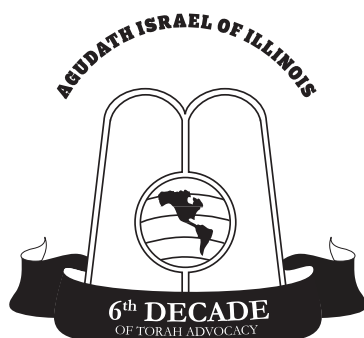


# שפה ברורה

## הלכות בן המצרים

## THE HALACHOS OF THE THREE WEEKS



**THE MIDWEST REGION OF  
AGUDATH ISRAEL OF AMERICA**

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# THE HALACHOS OF THE THREE WEEKS

## The Three Weeks

### Introduction

There are many minhagim of aveilus that Klal Yisroel practice during this time of the year to mourn the loss of the Beis Hamikdash. M'dinna d'gemara (primarily), these halachos only start the week of Tisha B'Av ("shavua she'chal bo"). This in fact is the minhag of most Sefaradim. Minhag Ashkenaz, however, is to start some aspects of mourning earlier, on the 17th of Tammuz. This period (the 17th of Tamuz through Tisha B'Av) is commonly called, "The Three Weeks".

The minhagim of aveilus are more lenient during this initial period until the week of Tisha B'Av. One should consult with their Rav if a shaila arises.

In general this should be a period that one focuses extra on the Churban (destruction) of the Beis Hamikdash. Specifically, one should have extra kavanna (concentration) during the bracha of "U'vnei Yerushalayim" in the Birkas Hamazon and "V'liyerushalayim" in Shemoneh Esrei.

### The Four Minhagim of Aveilus

- I. Refraining from joyous activities - weddings, singing, dancing, music, etc.**
- II. No haircuts or shaving.**
- III. No saying the bracha of "shehechiyanu"**
- IV. Refraining from activities that could be dangerous.**

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## I. Marriage and Other Joyous Activities

### A. Weddings and festive gatherings

1. **Weddings** - M'ikar hadin (according to the letter of the law) it is permissible to make a wedding during the Three Weeks. However, being that it is a time of bad mazel, the minhag is to refrain from making a wedding during this period.
2. **Vort (engagement parties)** - are acceptable even with a full meal. Singing is allowed, but no music or dancing.
3. **Bris** - Dancing and singing are allowed at a bris as well as at all other seudos mitzvah.
4. **Sheva Brachos** - Dancing is allowed, but with no music.
5. **Bridal Shower** - not permitted unless, for some reason, it cannot wait until after the Three Weeks.
6. **Birthday Parties** - permitted.

### B. Music

1. **Halacha** - Music and dancing are not allowed during the Three Weeks.
2. **Recorded music** - Even recorded music is not permitted (including non-instrumental music).
3. **Singing** - one is permitted to sing during this period if it won't lead to dancing.

### C. Exceptions

1. **Music not for the sake of listening enjoyment** need not be avoided. For example,
  - a. Elevator and office music.

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- b. Exercise music for rhythm.
- c. Crib mobile or car music to calm children.
- d. Teacher dancing with young school children.
- e. A musical ring tone on a phone does not have to be changed.

## 2. Professional musician

- a. If one's livelihood is to play music for non-Jews or to give music lessons, he may do so until the week of Tisha B'Av.
- b. **Practicing** - If one is practicing for his profession, all agree it is acceptable until the week of Tisha B'Av. If it is not for his profession, R' Moshe Feinstein is of the opinion that it would not be permitted, others disagree.
- c. **Music lessons for children** - permissible until Rosh Chodesh Av.

## II. Haircuts

### A. Halacha

- 1. It is not permissible to shave or get a haircut during the Three Weeks.
  - a. **Hair combing** is acceptable even if it will certainly uproot some hair.
  - b. **Cutting nails** is permitted until the week of Tisha B'Av. A woman can cut her nails for the mikva even during the week of Tisha B'av.

## 2. Women

- a. **Hair** - The accepted minhag is for women not to cut their

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hair during the Three Weeks.

- b. If it is an issue of tznius (modesty) or the hair will be a chatzizah (barrier) when going to the mikva, hair cutting is permitted.
  - c. **Other Areas of the Body** - A woman is allowed to cut or shave all other hair on her body.
  - d. **Shaitel** - Fixing and cutting a shaitel is acceptable until the 9 days.
3. **Children**
- a. The custom is to not give haircuts to children of any age.
  - b. If the child hasn't reached the age of chinuch (around 6 years old) it may be permissible in a case of major need. The shaila should be brought to a Rav.

## B. Exceptions

- 1. **Baal Habris** (Father of Child, Sandek, and Mohel)
  - a. A Baal Habris may shave during the Three Weeks. (It may even be permissible during the week of Tisha B'Av)
  - b. They should shave and get their haircut the morning of the bris (and not the night before) unless it would cause a delay.
- 2. **Chassan and Kallah** - A Chassan and Kallah may get a haircut during the week of Sheva Brachos. The Chassan may shave as well.
- 3. **Pidyon Haben and Bar Mitzvah** - The father of the child at a Pidyon Haben and a Bar Mitzvah boy may not take a haircut in honor of the simcha.
- 4. **For work** - Until the week of Tisha B'Av one is allowed to shave for work, if not shaving will make him incur a loss. If no loss will be incurred he may not shave even if it is un-

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comfortable or embarrassing. If one feels they need to shave during the week of Tisha B'av he should ask a Rav.

5. **Health** - If one needs to shave or get a haircut for health reasons, it would be permissible.
6. **Mustache** - One may shave his mustache if it interferes with eating.
7. **Completion of mourning period** - If one completes shloshim (30 day period of mourning after the death of a relative) during the Three Weeks he may shave and get a haircut.

## III. Bracha of She'hechiyanu

### A. Halacha

1. **The Minhag** - Our minhag is to not say the bracha of "She'hechiyanu" during the Three Weeks.
2. **Hatov V'hameitiv** - The bracha of "Hatov V'Hameitiv" may be said during this time.
3. **Non-Shehechiyanu purchases** are permitted during this period.
4. **She'hechiyanu for a mitzvah** is permissible (ex: Pidyon Haben).
5. **Shabbos** - One may say Shehechiyanu on Shabbos.

### A. Examples

1. **Clothing**
  - a. **Suits and Dresses** - if one has the minhag to make a She'hechiyanu on a new suit or dress, these items should

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not be purchased during the Three Weeks.

- b. **Shoes** - Rav Moshe Feinstein is of the opinion that shoes should not be purchased - other poskim disagree.
- c. **Socks and Underwear** - may be purchased, since no She'hechyanu is made.
- d. **Tallis and Tzitzis** - Our minhag is to make a She'hechyanu on a Tallis but not on Tzitzis. Therefore, one should refrain from buying a new Tallis during this time.
- e. **Shaitel** - should not be purchased during the Three Weeks.

## 2. New Fruit

- a. One should not buy a new fruit during the week if it will need a Shehechyanu bracha. If it will be eaten on Shabbos, it can be bought and the Shehechyanu can be said.
- b. If one has purchased or owns a new fruit and it will spoil by Shabbos, he may eat it with the She'hechyanu bracha.
- c. If one needs a new fruit for health reasons, he may eat it with the She'hechyanu bracha.

## 3. Buying a New Car

- a. **For pleasure and requires a She'hechyanu** (private car) - not permissible to buy.
- b. **For pleasure and requires Hatov V'Hameitiv** (family car) - permissible to buy.
- c. **For business even if it requires a She'hechyanu** - permissible to buy. Even during the Nine Days it would be permitted, but it would have to be a real need.

## 4. Buying a New Home

- a. **Looking and inquiring** - is allowed.
- b. **Purchasing or moving in** - is not advisable unless one will lose an opportunity and there is no other option.



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## IV. Potentially Dangerous Activities

**A. Halacha** - One should refrain from activities that have a measure of danger to them.

**B. Examples -**

1. Elective surgery.
2. Swimming in rivers or deep water.
3. Air travel is permitted if it is business related or for necessary purposes. (Going to Eretz Yisroel is always allowed.)

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## The Nine Days

### Introduction

“When one enters the month of Av, he should minimize his happiness.” The laws of mourning intensify as we enter the month during which the Beis Hamikdash was destroyed.

### Additional Halachos

- I. No wine or meat.**
- II. No bathing or showering (for pleasure).**
- III. No making new clothing.**
- IV. No washing clothing or wearing freshly washed clothing.**

### Attitude

Even if something is permissible according to the letter of the law, it may not be in the spirit of the Nine Days and should therefore be avoided.

The Nine Days are not a time for frivolity and excessive Simcha. We are not, however, on a level to be solemn at all times.

### When do the Nine Days start?

**M'ikar Hadin** - Our minhag is to start these additional laws of mourning at shkiyah (sunset) of Rosh Chodesh Av.

**A case of need** - Being that many Poskim hold that these laws don't start until “tzeis hakoachavim” (the time that three medium size stars are visible in the sky), there is room to be lenient until tzeis in a case of need.

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## I. Weddings and Festive Meals

- A. Weddings** - Our minhag is to not have any weddings during the Nine Days, because it is a time of bad mazal.
- B. Vort (Engagement Parties)-**
1. It is permissible to have a vort during the Nine Days.
  2. A festive gathering with a full meal is not permissible, only simple cakes and beverages should be served.

## II. Meat and Wine

### A. Halacha

1. One should abstain from eating meat or drinking wine during the Nine Days.
  - a. **Chicken and grape juice** - not permissible.
  - b. **Beer and hard liquor** - permissible.
1. **Meat dish without pieces of meat** (ex: clear chicken soup) - not permissible.
2. **Pareve food cooked with meat utensils** - permissible.
3. **Exceptions** - Times that meat and wine may be eaten; As a general rule if one is being lenient, it is better to eat chicken than meat.
  - a. During Shabbos (see below).
  - b. Needed for health reasons.

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- c. One forgot and made a Bracha over wine or meat - take a small bite or sip.

## B. Children

1. **Halacha** - The accepted minhag is not to feed meat during the Nine Days to children of any age. Rav Moshe Feinstein is of the opinion that it is acceptable until six years old.
2. **Exceptions;**
  - a. Needed for health reasons.
  - b. Child doesn't eat a healthy amount of other foods (best to be strict during the week of the Tisha B'Av).
  - c. **Shabbos leftovers** - Some are of the opinion that Shabbos leftovers can be served to children that have not reached the age of chinuch (6 years old).

## C. Shabbos and Havdalah

1. **Children's fleishig Shabbos seudah (meal) before Shabbos starts** - If one normally feeds their children the Shabbos seudah before Shabbos starts, he may do so during the Nine Days.
2. **Tasting Shabbos food** - The Shabbos food may be tasted before Shabbos, however it should then be spit out.
3. **Early Shabbos** - One may start eating meat and drinking wine before shkiyah (sunset) if he started Shabbos early.
4. **Melave Malka** - Even if one has a custom to eat meat every week during Melave Malka, he may not do so during the Nine Days.
5. **Leftovers** - Fleishig leftovers are not permitted to be eaten during the Nine Days.

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## 6. Havdalah

- a. It is permissible to drink wine if it is a mitzvah, and therefore the Shulchan Aruch is of the opinion that one may drink the havdalah wine. The Rama, however, says the custom is to give the wine to a child to drink. The general Minhag is to be lenient like the Shulchan Aruch.
- b. If someone wants to be machmir (stringent) like the Rama, one may only give the wine to a child if he's between the ages of 6-10 years old. If no child is available then he should drink the wine himself, it is not necessary to use beer.
- c. If one always uses wine for havdalah he should maintain that custom during the Nine Days. If, however, he sometimes uses grape juice, he should use grape juice during the Nine Days.

## D. Seudas Mitzva

1. **Bris and Pidyon Haben** - meat and wine are permissible.
2. **Siyum** - meat and wine are permissible.
  - a. One should not arrange to complete the material specifically during the Nine Days (others are lenient on this matter).
  - b. All guests that would have attended the siyum even if it would not have been the Nine Days may eat meat at this siyum.

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## III. Bathing and Showering

### A. Halacha

1. **Bathing and showering** - Bathing is not allowed during the Nine Days for pleasure.
2. **Washing hands and face** - are permissible in cold water.
3. **Swimming** - not permissible. An Ashkenazi lifeguard in a Sefardi camp that has swimming until the week of Tisha B'av can continue working.
4. **Mikva**
  - a. **Women's Tevillas Mitzvah** - permissible.
  - b. **Men's Tevillas Ezra** - permissible.
  - c. **Erev Shabbos** - not permissible unless one has the custom to use the Mikva every week.
5. **Children** - If they are less than the age of chinuch (less than 6 years old) swimming is permissible, but it should be avoided whenever possible.

### B. During the Week

1. **Bathing for pleasure** - not permissible.
1. **Bathing for Cleanliness.**
  - a. One is allowed to shower or bathe if he is dirty or perspired, but not if he is only uncomfortable.
  - b. Whenever possible, if one does shower during the Nine Days, the water should not be fully hot, he should not remain directly under the shower head, and it should be as quick as possible.
  - c. Soap and shampoo should only be used when needed.

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## C. Erev Shabbos

1. **Rosh Chodesh on Erev Shabbos** - one may take a normal shower with warm water.
2. **Normal Erev Shabbos** - it is only permissible to use hot water to wash one's hand and face. Otherwise, the weekday shower halachos apply.
3. **Nowadays** that people are so accustomed to showering often, there are poskim that are of the opinion that a normal shower is permissible on a regular Erev Shabbos.

## IV. Business, Building, and Planting

### A. Business and Purchases

1. **Work** - One may go to work during the Nine Days.
2. **Purchases**
  - a. **Purchase of Simcha** (ex: wedding gifts or items of no need) - should not be purchased unless necessary.
  - b. **Purchase of need** - One may purchase anything that will serve a need (ex: replacing a broken dishwasher or car).
  - c. **Purchase of Mitzvah** - permissible (ex: sefarim)
3. **Lawsuits** - Lawsuits should be avoided until after Tisha B'Av. If at all possible, lawsuits should be pushed off until after the entire month of Av. Similarly, one should try to get a continuance on all legal matters until after the entire month of Av.

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## B. Building

1. **Building of Simcha** - It is not permissible to build anything that doesn't serve an immediate need (ex: party room or an unneeded addition).
2. **Building of need** - It is permissible to build to fill a need (ex: needed addition or new roof).
3. **Repairs** - Repairs to save from damage are always permissible.
4. **Building for a Mitzva** - One may build a building that is needed for a mitzvah (ex: Shul, Mikva, fence on roof, Beis Medrash).
5. **Non-Jewish Contractor** - If one hired a non-Jewish contractor to build or decorate his home, the question should be brought to a competent Rav.

## C. Planting

- a. **Planting for pleasure** - not permissible (ex: landscaping).
- b. **Planting for upkeep** - permissible, but should be postponed when possible (ex: pulling weeds or mowing the lawn).

## V. Making New Clothing

### A. Halacha

1. **Making or buying new clothing** - not permissible (even if it doesn't require a Shehechyanu bracha).
2. **Repairing clothing** - permissible (ex: replacing buttons,



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sewing hem, etc.)

3. **Sewing classes** - not permissible.
4. **Needlepointing** - not permissible, unless it is therapeutic and then it is permissible as long as it is not completed.

## B. Exceptions

1. **Need sneakers for Tisha B'av** - permissible (but don't buy very nice ones and they should be worn at least once before Tisha B'av).
2. **Sale** - If there are major savings and the deal will not be available after the Nine Days some poskim allow this purchase.

## VI. Washing Clothing and Wearing Freshly Washed Clothing

### A. Halacha

1. One should not wash any clothing or wear freshly laundered clothing during the Nine Days.
  - a. It is permissible to put clothes into the washing machine right before the Nine Days and have the machine run during the Nine Days.
  - b. Using a dryer during the Nine Days is permissible.
  - c. If one needs to do laundry during the Nine Days (ex: long vacation right after the Tisha B'Av.), the question should be brought to a competent Rav.
2. **Dry cleaning** - not permissible.

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- a. **Drop-off pre-Nine Days** - permissible (even if cleaned during the Nine Days).
- b. **Drop-off during the Nine Days** - not permissible (even if it is only needed for after the Nine Days).
- c. **Pick-up during the Nine Days** - not permissible (some poskim are lenient).
3. **Spot cleaning** - permissible, if not cleaning it will cause a permanent stain.
4. **Ironing** - not permissible.
5. **Shampoo carpet cleaning** - not permissible.

## B. Which items are included in these prohibitions.

1. **Clothing, Sheets, and Towels** - included.
  - a. One may give fresh linen and towels to a guest.
  - b. A guest in a hotel should request that they not change the linen every day.
  - c. **Hospital** - can provide new linen every day.
2. **“Bigdei Zei’ah”** - clothes that get very dirty;
  - a. **Underwear and socks** - One may wear fresh underwear and socks if there is discomfort.
  - b. **Shirts** - If one is involved in activities that make his shirts filthy (ex: camp counselor) he may wear fresh shirts. Otherwise he may not wear fresh shirts.
3. **Shoes** - polishing is permissible if done in honor of Shabbos.
4. **Shaitel cleaning** - should not be worked on during the Nine Days.

## C. Children - It is permissible to give fresh clothing to and

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wash the clothing of children until the age that they are mature enough not to get their clothing filthy (approx: 8-9 years old).

## D. Shabbos

1. **Original Minhag** - The original custom was to not wear Shabbos clothing on Shabbos, during the Nine Days.
2. **Current Minhag** - The current custom is to wear Shabbos clothing and freshly washed clothing on this Shabbos. Nevertheless, a brand new suit should not be worn.

## E. Clothing Preparation

1. It is permissible to wear clean clothing during the Nine Days if they were pre-worn, before the Nine Days.
  - a. An item is considered pre-worn if it had been worn for at least 5 minutes.
  - b. One may intentionally prepare pre-worn garments by putting them on before the Nine Days begin. Preferably, only one garment should be pre-worn at a time.
  - c. Preparation is needed for sheets and towels as well.
2. If one forgot to prepare enough clothing to last for the Nine Days;
  - a. He should prepare them on Shabbos by changing his clothes often in an inconspicuous way (ex: change Friday night, Shabbos morning, and after the nap on Shabbos afternoon). One should not announce publicly the reason that he is changing his clothing.
  - b. In case of need, an item can be considered pre-worn if it is put onto a *dirty* floor. This tip only works until the week of Tisha B'Av.