The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תקנ"א סעיף ב'

Overview

Siman 551 Seif 2:

From Rosh Chodesh until the fast we diminish business, joyful construction, e.g. building a wedding chamber for his son or a structure of painting or plastering, joyous planting, e.g. a tree of the kings that is planted to stroll in its shade or different myrtles or tents. If a wall is falling it may be built even if the structure is a joyous structure (and for the sake of a *mitzvah* everything is permitted). **We do not marry or make an engagement meal but it is permitted to get engaged without a meal so that one does not precede him.** The custom is to be stringent and not to marry from the 17th of Tamuz until after Tisha B'Av.

- There is a disagreement whether the diminishing of business refers to joyous business or any business. Nowadays we are lenient since all business is considered necessary to provide for one's basic needs. (M.B. 11)
- Construction that is not necessary for living and is done just to expand is prohibited. (M.B. 12)
- If one hired a gentile contractor he may work even on Tisha B'Av since he is working because he wants to. Similarly, if one hired a gentile painter he may paint for this same reason. However, if one could appease him by paying him a small amount of money to wait until after Tisha B'Av one will be blessed. Construction on a Bais HaKnesses is permitted since it is a *mitzvah* for the community. (M.B. 12)
- Even if there is no potential danger and one's interest is to prevent further financial loss, e.g. if the wall were to collapse additional damage were to result, it is permitted even if the structure is joy related since one's intent is to prevent a loss rather than for joy. (M.B. 13)
- An example of a *mitzvah* is to build a wedding chamber for someone who does not have a wife or children. For such a person one may construct a wedding chamber or make new clothes for the wedding that will be held after Tisha B'Av. (M.B. 14)
- Marrying even without a meal is prohibited. It may be permitted to remarry one's wife. (M.B. 15)
- *Eirusin* without a meal is not so joyous. Eating treats at the signing of the *tenaim* is not considered a meal. Dancing after *Shiva Asar B'Tamuz* is prohibited even if it is not to celebrate an engagement. (M.B. 16)
- We are not stringent regarding engagements and even a celebratory meal is permitted after *Shiva Asar B'Tamuz*. (M.B. 19)

Halacha Highlight

Purchasing household items during the nine days

Shulchan Aruch Siman 551 Seif 2

ממעטים במשא ובמתן

We lessen our business transactions

Shulchan Aruch writes that beginning from Rosh Chodesh until after the fast one should limit the amount of business he does. Mishnah Berurah (ס"ק י"א) cites a disagreement about this restriction. According to one opinion, the restriction is limited to business that relates to joyous transactions. For example, one should not purchase silver utensils or items needed for a *chuppah*. Regular business transactions are not included in this restriction. According to the second opinion, one should restrict all business transactions other than what is necessary for one's sustenance. Even this opinion would agree, however, that if there is an unusual sale one is permitted to purchase the items that are being sold since it is comparable to preventing a loss that is certainly permitted. Mishnah Berurah then adds that nowadays all of our business transactions are considered necessary for our sustenance and one could engage in regular business transactions without restriction.

Poskim discuss whether one may purchase expensive household items during the nine days. One of the fundamental distinctions is whether the item is being purchased because one needs that item for daily living or is the item being purchased as a luxury. For example, if one's refrigerator breaks during the nine days, one may certainly purchase another refrigerator since it is necessary for daily living. If one has a functional refrigerator and his interest in purchasing a new refrigerator is merely to upgrade to the latest model it may not be purchased during the nine days. Furthermore, one may not even order a new refrigerator during the nine days to be delivered after the nine days if it is a luxury purchase rather than out of need. Regular household items that are needed on a daily basis may be purchased and used during the nine days. For example, one may purchase pots or dishes during the nine days (פסקי תשובות אות י"א).

Stories to Share

The Eve of the Wedding

ש"ע, ס' תקנ"א, ב': "שאין נושאים מי"ז בתמוז ואילך עד ט' באב..."

One engaged couple wanted to get married on the day before the seventeenth of Tammuz, but they wondered about several things. Firstly, what if the wedding extended into the night? And could they make sheva brochos? After all, there is no obligation to make sheva brochos.

When this question reached Rav Yosef Shalom Elyashiv, he ruled clearly. "It is forbidden to make a wedding on the eve of the seventeenth of Tammuz. But if one made the chuppah before sunset—or even within a short time afterward—they can continue dancing and even allow music for the entire wedding since it is a mitzvah to give joy to a chosson and kallah. (לקנות חכמה, בין המצרים, ע' 3, גלאט תשס"ה, ע' 145) It is also permitted to make sheva brochos during the entire week, since many are accustomed to doing so. They may not have music at the sheva brochos, however, since it is not always the custom to have music at these affairs. Enjoying music despite this is therefore a disgrace to this period (שו"ת אבני ישפה, ח"א, סוף ס' י', קי"ג). But those who always use music for every sheva brochos may have an instrument for the sheva brochos."

לקנות חכמה, נישואין ושבע ברכות, ע' 13