



Overview

Halacha Highlight

Siman 572 Seif 1:

We do not issue a decree on the *tzibbur* to fast that begins on Thursday in order to not raise prices and this applies even in places where this is not an issue.

- ❖ When people purchase food for two large meals, merchants will think that a famine is coming and will raise their prices. (M.B. 2)
- ❖ In our countries where it is uncommon for prices to be raised suddenly it is permitted to begin a series of fasts on Thursday and this is the custom. (M.B. 3)

Siman 572 Seif 2:

We do not issue a decree to fast upon the *tzibbur* on Rosh Chodesh, Chanukah, Purim or Chol HaMoed. If they began to fast in response to a tragedy, even if only one fast and one of these days coincides with a fast, they must complete the fast.

- ❖ Some maintain that if they didn't realize that one of the fasts will coincide with one of these days, they do not fast, even if they already began the series of fasts. (M.B. 4)
- ❖ Even though Rosh Chodesh is called a *moed* it is not a day for eating and celebration. (M.B. 5)

Siman 572 Seif 3:

If a *tzibbur* wanted to issue a decree to fast on Monday, Thursday, Monday and that coincides with the 15th of Shevat, the fast is pushed off until the following week so that they do not decree a fast on the 15th of Shevat which is the Rosh HaShanah for trees. However, if they began to fast they do not interrupt similar to Rosh Chodesh and Chol HaMoed.

- ❖ Maharil issued a decree prohibiting the consumption of meat on Mondays until Rosh HaShanah but excluded from this decree was *erev* Yom Kippur and a *seudas mitzvah*, e.g. a *pidyon haben*, where it is permitted to eat meat and drink wine. Magen Avrohom contends that Maharil's position was limited to his circumstance in which everyone relied on Maharil's intent when he issued his decree but when an individual makes a similar commitment he may not eat meat, even on the days mentioned above since there is no obligation to eat meat, even on Shabbos and Yom Tov. (M.B. 6)

Decreeing a communal fast on a minor holiday

Shulchan Aruch Siman 572 Seif 2
אין גוזרים תענית על הצבור

We do not decree a fast on the community

Shulchan Aruch (סעי' ב') rules that we may not decree a fast on the *tzibbur* that will fall on one of the minor holidays, i.e., Rosh Chodesh, Chanukah, Purim or Chol HaMoed. In the event that they issued a decree to fast in response to some trouble, even if they only fasted one of those days, and the fast then falls on one of these minor holidays they not only fast but they complete the fast as well. Mishnah Berurah (סק"ד) cites authorities who suggest that if at the time they decreed the series of fasts they did not realize that one of those days would coincide with one of the minor holidays, even though they began the series of fasts they interrupt the series and do not fast on the minor holidays.

Sha'ar HaTziyun (סק"ב) relates that in the Mishnah Berurah he did not reference Magen Avrohom's position as presented in the name of the Bach that we follow Piskei HaTosafos'. Piskei HaTosafos (תענית פ"א אות א) maintains that nowadays that we do not reside in Eretz Yisroel, for these *halachos* a *tzibbur* has the same status as individuals. Accordingly, just like an individual who committed to fast for a specified number of days and it turns out that one of those days coincides with a minor holiday, the fast, is pushed off and observed on another day, so too, nowadays a *tzibbur* would also push off the scheduled fast and observe it on an alternate date. The reason Mishnah Berurah did not cite this opinion is that all of the *Poskim* cite Shulchan Aruch's position authoritatively that if decreed, the fast should be observed even though it coincides with one of the minor holidays. Interestingly, however, Mishnah Berurah (סי' תי"ח סק"ה) elsewhere does cite Magen Avrohom's position that when a *tzibbur* decrees a fast that coincides with Rosh Chodesh, they have the status of an individual and do not fast on Rosh Chodesh and instead observe the missed fast on another day.