

HALOCHOSCOPE ^{TOI}

May one chew gum on a fast day? May one take medications or pain killers?

The issues:

(A) The *Taaniyos*, fast days

(B) What is considered eating and drinking?

(C) Sickness and medicines with regard to fasting?

(A) *The Taaniyos*

In the Jewish view, people were created by G-d as humans, not angels, and are supposed to eat to sustain their bodies. Ascetism or a self-imposed ban on a particular food is considered sinful except when undertaken in special circumstances. There are occasions when we should deprive ourselves of what is really a necessity. The Hebrew word for fast, *Taanis*, means self-affliction. This abstinence is a sign of self-negation and is recommended either for penitence, to express sorrow, or to minimize our worldly enjoyment. Fasting is usually accompanied by *Teffillah*, prayer. It is essentially a form of *Avodah*, service to Hashem. It is meaningless if done without intent. [See *Taanis* 11. Shulchan Aruch Orach Chaim 571, 562. Rambam, end Hil. Nedarim etc.]

There are primarily two types of fast. *Taanis Tzibbur*, a public fast is imposed on the community in general. No individual may exclude himself. *Taanis Yachid*, a personal fast is self-imposed.

The Torah imposes one Scriptural fast, *Yom Kippur*, a penitential fast. The Torah commands us to afflict ourselves, which is understood to mean to refrain from eating and drinking anything at all. Rabbinically, there are five communal fasts, *Tisha B'av*, the Seventeenth of *Tammuz*, the Fast of *Gedaliah* (third of *Tishrei*), *Asara B'Teves*, and the Fast of *Esther* (the day before *Purim*). The first four of these are Rabbinical ordinances, but are considered more stringent than regular Rabbinical ordinances. They are considered *Midivrei Sofrim* (or *Kabalah*) instituted by Prophets with Divine inspiration. They appear in the Divine writings of the Prophets, the Navi. They are all directly related to the destruction of the *Bais Hamikdash* and are expressions of sorrow. It is as if to say: "If the *Bais Hamikdash* is in ruins, it is inappropriate that we indulge in our

material self-satisfaction." They are also for prayer and penitence.

Tisha B'av is the most stringent of these. It commemorates the day of the destruction itself. The Talmud says that all the other fasts need not be observed in times of peace and prosperity for the Jews, but Tisha B'av must always be observed. Though we do not follow this in practice, at least one major Posek maintains that our practice of observing all four fasts (including Taanis Ester) is on the level of *Minhag*. Observance of Tisha B'av is always *Midivrei Kabalah*.

The Fast of Esther is not mentioned in the Navi. The reasons for this fast are to remind us of the fasts that Esther proclaimed in supplication to Hashem to have the decree of annihilation of the Jews annulled. In addition, Jews fast when they go to war. The thirteenth of Adar was the day the Jews went to war to defend themselves against their enemies in the time of Esther.

Additional communal fasts can be imposed by the elders, of a community on a single community, or on the entire Jewish people as the need arises. These are usually imposed to prevent particularly harsh Heavenly decrees from being fulfilled. Fasts were imposed when the rains did not come at their usual time in Israel. Certain dates were observed as fast-days by various communities to commemorate pogroms, etc. Personal fasts are undertaken for penitence and on certain occasions. One who has a disturbing dream undertakes a fast the next day, praying that it should signal good rather than bad tidings. A bride and groom fast on their wedding day because it is a personal Yom Kippur for them. They are atoned for all their sins. It is customary for some to fast on a *Yahrzeit* for a parent. One who wishes to repent may follow a prescribed procedure including fasting. Some exceptional individuals undertake fasting to raise themselves spiritually to levels they feel are unattainable while they are tied to physical comforts. Most personal fasts must be verbally self-imposed in the form of an oath taken the previous day.

Some fasts are not public fasts, yet are not considered personal. For example, it is customary for people to fast on the Thursdays of the weeks of *Shemos* through *Mishpatim*, and in a leap-year through *Tetzaveh*. Another example is *Yom Kippur Katan*, the day preceding *Rosh Chodesh*. Some people fast on the *Selichos* days before *Rosh Hashana* and between *Rosh Hashana* and *Yom Kippur*. Fasts like these do not require verbal self-imposition according to many authorities. [See *Mishnayos* and *Talmud Taanis* esp. 12a. *Sh. Ar. O.C.* esp. 562-3. etc.]

(B) What constitutes eating and drinking

The Talmud considers eating, for Scriptural or Rabbinical laws, eating normally the minimum of a *Kezayis*, equivalent volume of an olive. Let us suppose this

is about the volume of a one ounce shot glass. It must be eaten within the time normally taken to eat a half loaf. This is presumed to be a loaf of sixteen *Kezaysim*. Eating in an abnormal manner is not considered eating. Eating a smaller amount does not constitute the amount needed for a *Brocha Acharona* (recited after eating), fulfillment of a *Mitzvah*, or incurring the penalty for a violation. The *Poskim* debate the minimum amount for drinking. Some say this is always a *Revi'is*, equivalent of three *Kezaysim*. Others maintain that for many applications the amount of liquid is also a *Kezayis*. On Yom Kippur, the minimum solid to be considered in violation is the volume of a date, larger, according to most, than a *Kezayis*. This is due to the nature of the Scriptural *Mitzvah*, to inflict suffering. To violate this one must feel calmed of his suffering. The minimum to calm is the size of a date.

Drinking a food or eating a drink, and overeating would sometimes be considered abnormal. Sipping a drink too slowly does not allow one to finish in time to be considered eating normally. Accordingly chewing gum or taking a pill would be permitted. However, eating or drinking half a *Shiur*, minimum amount, is forbidden Scripturally for all Scriptural *Mitzvos*. It does not carry the penalty, but every iota could become a part of a full *Shiur*. When eating a full *Shiur*, one eats a lot of half *Shiurim*. Similarly, one may not eat or drink foods or liquids unfit for consumption.

Chewing, however, need not involve more than swallowing one's own saliva. A minimal amount of flavor is mixed in to it. The object is never to swallow the flavor, but to chew the gum. The flavor is present to remain in the mouth as one chews. Saliva may be swallowed on any *Taanis*. This is because though one may not drink even liquids that are unfit to drink, here one does intend to drink it. Accordingly, chewing gum is no worse than tasting and spitting out.

The *Poskim* debate tasting and spitting out. Some maintain that one may taste up to a *Revi'is* (the maximum that fits in the mouth without needing to swallow a little) at one time. Others only allow it bit by bit. It is, however, forbidden on Yom Kippur and on Tisha B'av. Others forbid it on all the instituted *Taaniyos*. In one view this is because the dispensation is based on whether one undertook this level of stringency. This can only apply to a fast that had to be undertaken, such as a *Taanis Tzibur* or *Yachid*. The instituted *Taaniyos* are imposed, Scripturally or Rabbinically. Another view bases it in the stringency of the prohibition, that even benefit of food is forbidden. This stringency might only apply to Yom Kippur or Tisha B'av. Accordingly, the *Poskim* rule on chewing licorice root on a fast day. Some permit it on any day other than Yom Kippur, due to its Scriptural nature. Others forbid it on Tisha B'av, and others, whose opinion we follow, forbid it on

all instituted Taaniyos. Tasteless gum would not be included in this prohibition. [See Brochos 14a Yuma 73b-74a 79a-82a 83a Chulin 98a, Poskim. Tur S. Ar. O.C. 567:1 3 568:1 612, commentaries.]

(C) Medicines and sickness

On a regular fast day, other than Yom Kippur, one who is weak and sick should not fast. The laws regarding Yom Kippur are detailed and require more depth than this issue can provide. Medicines are usually taken in a way that can never be considered normal eating. The rule is that any forbidden food that is eaten in an abnormal manner does not qualify for Scriptural liability. However, it is still forbidden Rabbinically. One who is dangerously ill may eat anything forbidden except for something resulting from idolatry. If his illness is not life-threatening, he may eat forbidden foods in an abnormal manner. The same is true of eating on a Taanis, when all food is forbidden. Therefore, he may take medicine, especially if it is also less than the Shiur, and is unsuitable as food.

Some Poskim maintain that he should always *try* to make sure that they taste bad, and even *try* to wrap them in paper, to reduce his benefit. If he needs to drink water, some Poskim give the following guidelines. Medicine that must be taken with water, should be ~~taken~~ taken with less than a Shiur. If it need not be taken with water but the patient finds it hard to take it without water, on the Taaniyos other than Tisha B'av he may take it when he has some pain. He is not trying to alleviate pain of fasting, but of medicine. On Tisha B'av he should only take water if he has a lot of pain.

The basic rule is that if the pain and suffering is the result of the fast, he is no different from anyone fasting. He suffers the pain as part of the Mitzvah. If the pain and suffering are due to the medicine, he may alleviate it, but should practice more stringency on Tisha B'av. If, as a result of the fast, he experiences uncommonly strong pain, he is not suffering from the fast, but has entered the realm of a sick person. He may then be treated as usual, with medications as described above. [See Psachim 35a-b 54b, Poskim. Tur Sh. Ar. O.C. 551:1 554:6, commentaries. Igros Moshe O.C. IV:121 Teshuvos Vehanhagos III:156.]

In conclusion, chewing flavored gum is forbidden. Medicine is permitted for sickness. Pain killers are permitted if the pain is worse than that suffered due to the fasting.