



Volume 2. Issue 46.

Understanding Chol Ha'moed

Moed Katan begins by discussing which activities are permitted to be engaged in during *Chol Ha'moed* – the intermediate days of *Pesach* and *Sukkot*. When first learning this *masechet* it can be difficult to follow the reasoning of why various activities are prohibited and others permitted. In general it is forbidden to work during *Chol Ha'moed*. The *Mishnah Berurah* (530:1) lists five categories of *melachot* that are permitted during *Chol Ha'moed*:

1. A matter that will result in irretrievable loss if it is delayed till after the festival.
2. An activity that is required for the festival itself.
3. Activities undertaken by a labourer that has no funds from which to purchase food.
4. A matter of public need.
5. Non-professional labour.

While the above list may provide a conceptual framework through which we may better understand the coming *Mishnayot* perhaps more fundamental questions need be asked. Why does *Chol Ha'moed* have this unique status of prohibiting a portion of *melachot*? And what is the source and nature of this prohibition?

The *Gemarah* (*Chagigah* 18a) lists a number of *beraitot* that bring various biblical sources for the prohibition against working during *Chol Ha'moed*. In fact one of these sources includes *Chol Ha'moed* alongside the festivals under the banner of “*mikra'ei kodesh*”. If *Chol Ha'moed* is compared to the festivals, why do we not prohibit all *melacha*?

One *beraitah* explains:

“For six [more] days you shall eat *matzah* and on the seventh day [it] shall be an *atzeret* (a cessation) to *Hashem*, you may not do any work” (*Devarim* 16:8) - just as on the seventh day it is an *atzeret* so too during the six days [of *Chol Ha'moed*]. If so, then just like on the seventh all *melacha* is forbidden, so too during the six days? [No,] the verse specifically mentions “on the seventh day.” Rather, [since not all *melacha* was forbidden] the *Torah* gave the authority to the *Chachamim* to teach... which *melacha* is forbidden and which *melacha* is permitted.

Consequently *Chol Ha'moed* appears to be biblically mandated as a “quasi-“holiday period with a partial ban on *melacha*. The authority over the details of this ban was handed over to the *Chachamim*. This is indeed the opinion of a number of *Rishonim* that the prohibition against work

during *Chol Ha'moed* is biblical (see *Rashi*, *Rashbam Makkot* 23).

The *Tosfot* (*Chagigah* 18a) argues however that the prohibition against work is rabbinic and the *p'sukim* are brought as *asmachtot* - a support but not a proof. Amongst other arguments they quote the following *Yerushalmi* (*Moed Katan* 2:3) as a proof: “The only reason why *melacha* was prohibited during *Chol Ha'moed* was so that people would be able to eat, drink and be occupied in learning Torah.”

The *Rambam* (*Yom Tov* 7:1) similarly rules that the prohibition is rabbinic:

Even though *Chol Ha'moed* is not referred to as *Shabbaton*, since it is called “*mikra'ei kodesh*” and since it is the period during which the festive offering is brought in the *Beit Ha'Mikdash*, it is forbidden to perform *melacha* so that it should not be considered a regular weekday devoid of sanctity.

One should note that there is however a third, intermediate opinion. The *Ramban* (and *Rashba*) rules that the prohibition against some *melacha* is indeed biblical. There were however additional activities that were prohibited rabbinically. (See next week's *Mishnah Yomit* for more detail.)

The elevated status of *Chol Ha'moed* is expressed in more than just the prohibition of work. The *Orach HaShulchan* (430:4) writes that there is an obligation give honour to *Chol Ha'moed* wearing clothes that are nicer than the regular weekday clothing and with good food and drink (ideally meals with bread).

From all this we find that *Chol Ha'moed* is not a regular weekday. But as a final note, simply taking a holiday, while perhaps appearing to satisfy the *halachic* requirement, would be, to say the least, unsatisfactory. In reference to the above quoted *Yerushalmi*, the *Kol Bo* (*Mishnah Berurah* 430:2) writes:

“It appears from this that there is a greater prohibition in joking-about than working, for *Hashem's* intentions in giving us the festivals was in order for us to cleave in awe and love and to delve into his *Torah*.”

David Bankier

Revision Questions

מגילה ד' ב' - ו'

- How many people are called up to the *Torah* on: (ד': ב')
- *Rosh Chodesh*?
- *Chol Ha'moed*?
- *Yom Tov*?
- *Yom Kippur*?
- *Shabbat*?
- On which days can extra people be called up to the *Torah*? (ב': ב')
- What ten things (listed in the *Mishnah*) require a *minyan*? (ג': ד')
- What requires a *minyan* that includes at least on *kohen*? (ג': ד')
- What is the minimum number of *p'sukim* that must be read for an *aliyah*? (ד': ד')
- Explain how the *Torah* reading would be performed with a *meturgeman*? (ד': ד')
- Explain how the *haftorah* reading would be performed with a *meturgeman*? (ד': ד')
- What other honours would they give the person that read the *haftorah*? (ה': ד')
- Can a minor be a *ba'al koreh*? (ו': ד')
- Can a minor be a *chazzan*? (ו': ד')
- What is a "*poche'ach*" and which parts of *tefillah* is he prohibited from taking part? (ז': ד')
- Concerning a *kohen's* hands, what invalidates him from performing *birkat kohanim*? (List both opinions) (ז': ד')
- In what manner of wearing *tefillin* is described as: (ח': ד')
- *Derech minut*?
- *Derech ha'chitzonim*?
- What are the three phrases that if one says in his *tefillah*, we must silence him? (ט': ד')
- What if the following are read (from the *Torah*) but not translated: (י': ד')
- *Ma'aseh Reuven*?
- *Ma'aseh Tamar*?
- *Ma'aseh egel*? (Be specific)
- *Birkat Kohanim*?
- *Ma'aseh David ve'Amnon*?

מועד קטן א' - א' - א': ה'

- What restrictions are placed on watering fields during *chol ha'moed*? (א': א')
- What is the difference regarding installing and fixing irrigation pipes in a field during *chol ha'moed* and the *shmittah* year? (Include both opinions) (ב': א')
- List some of the work for public needs that are permitted on *chol ha'moed*? (ב': א')
- Can water seeds during *chol ha'moed* that were not watered previously? (ג': א')
- Can one hunt field mice on *chol ha'moed*? (ד': א')
- Can one fix a breech in a fence in a regular manner on *chol ha'moed*? (ד': א')
- Explain the debate regarding whether a *kohen* can check *nega'im* on *chol ha'moed*? (ה': א')

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Next Week's Mishnayot...

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Moed Katan 1:6-7	Moed Katan 1:8-9	Moed Katan 1:10-2:1	Moed Katan 2:2-3	Moed Katan 2:4-5	Moed Katan 3:1-2	Moed Katan 3:3-4

