



## Work on Chol HaMoed

Work is prohibited during *chol ha'moed*. Nevertheless, the *Mishnah* (2:5) explains that some people were allowed to work during *chol ha'moed* for the needs of the *moed* itself. When engaged in that work however, they must do so privately.

*Rashi* explains that the products are sold privately so that it would not appear that people are purchasing the products for after the *moed*. The *Tosfot Yom Tov* however finds this explanation difficult since that does not explain why only some traders must sell in private. The *Tosfot Yom Tov* therefore cites the *Beit Yosef* (533) who explains that it is the craftsmen listed in this *Mishnah* in particular that must do so in private, since they produce in large quantities, and we want to avoid the appearance that they are working for after *yom tov* during *chol ha'moed*.

*R' Yossi* however explains that these craftsmen nevertheless adopted the stringency not to work at all during *chol hamoed* even in private. The *Beraita* cited in the *Gemara* (13b) includes that it was the craftsmen of *Teveria* that adopted this stringency.

The *Sefat Emet* explains that it would seem that *R' Yossi* was not arguing, but rather commenting on the practice in *Teveria*. However, the *Rambam* and *Bartenura* explain that the *halacha* is not like *R' Yossi* which implies that there is a point of debate between the two. The *Sefat Emet* continues by citing the *Yerushalmi* that was critical of the practice of being

*machmir* (stringent) given the detrimental impact on everyone else's *simchat yom tov*. By refraining from providing services required for *yom tov*, other people's *yom tov* suffers. Based on this, he understands that the *Tana Kama* argues with *R' Yossi* that these craftsmen are not allowed to act stringently for this reason.

The *Sefat Emet* however cites the *Magen Avraham* (533:8) that appears to have a different understanding. The *Rama* rules that one is allowed to trap fish publicly since it is clear to everyone that it is for the needs of *yom tov*.<sup>1</sup> The *Mishnah Berurah* explains that fishing is an exception considering that the catch does not last long. The *Magen Avraham* explains that even if the local practice was to refrain from fishing, one can act against that *minhag* for *simchat yom tov*. The *Sefat Emet* understands that according to the *Magen Avraham*, in general one would not be able to break from the local practice. This implies that a local *minhag* of refraining from all work is valid.

The *Sefat Emet* however suggests that perhaps the *Magen Avraham* understands the debate between the *Tana Kama* and *R' Yosi* differently. While an individual cannot break from the *minhag*, the question is whether the local practice itself can change. In this respect the *Magen Avraham* would rule like the *Tana Kama* that would permit a change to the local practice to allow this work.

*Yisrael Bankier*

<sup>1</sup> The *Dirshu Mishnah Berurah* cites *Shemirat Shabbat KeHilchata* that one is allowed to cut and sell *aravot* during *chol hamoed*. Even though one is

not allowed to work for pay for someone else's *mitzvah* need, here it is permissible since it is clear it is for the immediate need of *sukkot*.

## Revision Questions

מועד קטן א' ב' – ב' ב' – ה'

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

All the following questions relate to *Chol Ha'moed*:

- Can any work be performed on burial chambers? (א' ו')
- When can coffins be constructed? (Include both opinions) (א' ו')
- Are marriages allowed? (Careful) (א' ו')
- Are women allowed to apply makeup? (א' ו')
- In what manners is sewing permissible? (א' ו')
- Can one erect an oven, stove or millstone? (א' ו')
- Can one erect a rail on a balcony? (א' ו')
- In what manner can one make repairs to his roof? (א' ז')
- On what condition is one allowed to repair the lock on his house? (א' ז')
- On what condition is one allowed to begin pickling food? (א' ז')
- To what extent can a person that began preparing olives for pressing yet for reasons beyond his control, was unable to complete the pressing before *Yom Tov*, continue the process during *Chol Ha'moed*? (א' ז')
- Regarding the previous question, what were the three reasons brought that may have prevented him from completing the pressing before *Yom Tov*? (א' ז')
- What other case was brought in the *Mishnah* similar to the one mentioned in the previous questions? (א' ז')
- Can one bring his fruit in from the orchards during *Chol Ha'moed*? (א' ז')
- What is the law regarding a person that deliberately delayed an activity that is permitted during *Chol Ha'moed*, till *Chol Ha'moed*? (א' ז')
- What are the two situations under which one is allowed to purchase a house during *Chol Ha'moed*? (א' ז')
- Can one move house during *Chol Ha'moed*? (א' ז')
- In what manner is one allowed to sell fruit during *Chol Ha'moed*? (א' ז')
- According to *R' Yosi* which professionals were *machmir* not to work in any manner during *Chol Ha'moed*? (א' ז')

## Shiurim

### ONLINE SHIURIM

*Yisrael Bankier*  
mishnahyomit.com/shiurim

*Rabbi Reuven Spolter*  
mishnah.co

*Rabbi Chaim Brown*  
www.shemayisrael.com/mishna/

*Rabbi E. Kornfeld*  
*Rabbi C. Brown*  
<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

### APPS

*Mishnah Yomit*  
mishnahyomit.com

*All Mishnah*  
Orthodox Union

*Mishna Yomi*  
Our Somayach, South Africa

*Kehati*

### SHIUR ON KOL HALOSHON

*Rabbi Moshe Meir Weiss*  
In US dial: 718 906 6400  
Then select: 1 – 2 – 4

## Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
8 October כ"ג תשרי	9 October כ"ד תשרי	10 October כ"ה תשרי	11 October כ"ו תשרי	12 October כ"ז תשרי	13 October כ"ח תשרי	14 October כ"ט תשרי
Moed Katan 3:1-2	Moed Katan 3:3-4	Moed Katan 3:5-6	Moed Katan 3:7-8	Moed Katan 3:9 - Chagigah 1:1	Chagigah 1:2-3	Chagigah 1:4-5

