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*(The Chachamim prohibited a person from taking a haircut during Chol Hamoed. The Mishna lists those that are permitted to take a haircut during Chol Hamoed because they were unable to take it before.)*

The Mishna states: These people may take a haircut during Chol Hamoed: One who arrives from overseas, or he was freed from captivity, or he left prison, or one who was excommunicated and the Chachamim released him from his ban; likewise, someone who asked a sage and was released from a vow (*not to take a haircut*), or the nazir or metzora who become tahor.

The following people are permitted to wash their clothes during Chol Hamoed: One who arrives from overseas, or he was freed from captivity, or he left prison, or one who was excommunicated and the Chachamim released him from his ban; likewise, someone who asked a sage and was released from a vow (*not to wash his clothes*).

Hand towels, barbers coverings and bath towels may be washed during Chol Hamoed (*since they require frequent laundering*).

The Mishna concludes: Zavim (*men who become tamei by a specific type of seminal emission*) and zavos (*women who become tamei through a certain type of genital flow*), nidos (*women who are tamei*

due to a menstrual flow), women who have given birth and all people who have just become tahor are permitted to wash their clothes during Chol Hamoed, but everyone else is prohibited to do so. (13b – 14a)

The Gemora inquires as to the reason for the prohibition against taking a haircut during Chol Hamoed: We learned in a Mishna in Taanis (15b) The members of the mishmar and members of the ma'amad (*Klal Yisroel was divided into twenty-four groups in order to fulfill the requirement of standing by the korban tamid – some went to the Beis Hamikdosh and others remained in their cities*) are prohibited from cutting their hair and from laundering clothes, however on Thursday, they are permitted to cut their hair and perform laundering in honor of Shabbos. Rabbah bar bar Chanah said in the name of Rabbi Yochanan that we did not want them entering their week of service disheveled. Here also, haircutting and washing clothes were forbidden because we did not want people to enter the festival while they were disheveled. (14a)

Rabbi Zeira inquired: Suppose one had lost something on the day before the festival (and he didn't have time to take a haircut, do we allow him to take a haircut during Chol Hamoed)? Do we say: Since he was unavoidably prevented from attending to himself beforehand, he may (take a haircut on

Chol Hamoed), or perhaps, as the reason (for his special permission) is not evident to others, he may not?

Abaye said: People would then say: All the serikin (matzos that had decorative figures etched onto them) are forbidden, but the serikin of Beytos are allowed? [This was a proverbial expression, protesting against discrimination. The origin of this is found in Gemora Pesachim 37a where the Sages objected to these matzos that had decorative figures etched onto them for use on Pesach, as the shaping of the matzah may delay the baking to the point of leavening. Beytos suggested that the use of molds might easily obviate this fear, which evoked this retort from the Sages. The Gemora is therefore stating that in our case it should still be forbidden to take a haircut, for the onlookers would not know to differentiate.]

The Gemora asks: But according to your reasoning (that we are concerned about onlookers even in private matters), what about that which Rabbi Assi said in the name of Rabbi Yochanan: Anybody who has but one tunic is allowed to wash it during Chol Hamoed. Wouldn't people say in that case as well: All the serikin are forbidden, but the serikin of Beytos are allowed?

The Gemora answers: Surely it has been stated in this connection: Mar son of Rav Ashi said: His belt proves his plight. [While washing his tunic, he wears his outer garment fastened by the belt to avoid exposure of his body.]

Rav Ashi taught the above discussion as follows: Rabbi Zeira inquired: What if a craftsman (a barber) had lost something on the day before the festival (and he didn't have time to take a haircut, do we allow him to take a haircut during Chol Hamoed)? Do we say that since he is a craftsman, the reason why he is allowed is evident (that he was preoccupied before the festival), or since the reason is not so evident as in those other cases (mentioned in the Mishna) he may not take a haircut?

The Gemora concludes: Let this question stand (unresolved). (14a)

The Mishna had stated: One who arrives from overseas may take a haircut during Chol Hamoed (*because they were unable to take it before*).

The Gemora states: The Mishna is not consistent with the opinion of Rabbi Yehudah, for it was taught in a braisa: Rabbi Yehudah says: One who arrives from overseas may not take a haircut during Chol Hamoed, because he left without the authority of others (rather, he left voluntarily).

Rava states: If he left to roam (for pleasure) and returned immediately prior to the festival, everyone agrees that he is prohibited from taking a haircut during Chol Hamoed. If he left for his livelihood, everyone agrees that he is permitted to take a haircut during Chol Hamoed. The dispute is only in a case where a rich person went on a business trip to profit even more. Rabbi Yehudah compares this case to someone who went for pleasure and the Sages compare it to someone who went for his livelihood.

The Gemora asks from a braisa: Rebbe said: Rabbi Yehudah's opinion (that one is forbidden from taking a haircut) seems correct where he had set out without the authority of others, and the Sages' opinion (that it is permitted) seems correct where he had set out with authority. Now, what is 'without authority'? If I say for roaming, did you not say that all agree that it is forbidden (to take a haircut in such a case)? And should it mean that he went out for his livelihood, surely you had stated that if this was his intention, all are in agreement that it is permitted!? It is obvious therefore that it means that he went to profit. Now consider the latter clause: And the Sages' opinion seems correct where he had set out with Authority. What is meant by 'with authority'? If I say that it means that he went out for his livelihood, surely you had stated that if this was his intention, all are in agreement that it is permitted!? And if it meant that he went out for profit; how can that be? Did you not say that Rabbi Yehudah's opinion (that one is forbidden from taking a haircut) seems correct where he had set out without the authority of others (which is the very same case as this one)?

The Gemora answers: This is what Rebbe meant to say: The Sages accept Rabbi Yehudah's opinion where he had started out 'without authority,' and what is that referring to? It was when he left to roam (for pleasure), because even the Sages disagree with him only on the case where he left to gain profit, whereas in regard to going for pleasure, they concur with him. And Rabbi Yehudah accepts the Sages' opinion (that he is permitted to take a haircut) where he had set out 'with authority,' and what Does that refer to? It is a case where he left to seek out a livelihood, because even Rabbi Yehudah disagrees

with them only on the case where he left to gain profit, whereas in regard to going out for seeking a livelihood, he concurs with them. (14a)

Shmuel states: We are permitted on Chol Hamoed to cut the hair of an infant that was born on Chol Hamoed (*and has long hair that bothers him*).

The Gemora infers from here that permission is granted only if he was born on Chol Hamoed, but not if he was born beforehand (for then there would have been time to cut his hair beforehand).

Rav Pinchas challenges this from a braisa: All those people (or cases) whom the Rabbis have granted permission to take a haircut on Chol Hamoed, would also be permitted to take a haircut during the days of their mourning. We may infer from this that those who are forbidden from taking a haircut on Chol Hamoed are forbidden from taking a haircut during the days of their mourning as well. And if you will say that there is a distinction (between an infant who was born on Chol Hamoed and one who was born beforehand; namely, that one who was born beforehand cannot take a haircut on Chol Hamoed), it would emerge that a law of mourning applies to a minor, but how can that be, seeing that it was taught in a braisa that we rend the garment of a minor on account of grief (but not on account of mourning)?

Rav Ashi said: Did the braisa actually say: But those who are forbidden etc.? Perhaps there are those who are forbidden to take a haircut during Chol Hamoed and also forbidden during their period of mourning, but there are also those who are forbidden to take a



haircut during Chol Hamoed and yet they are permitted during their period of mourning.

Ameimar, and according to others, Rav Shisha the son of Rav Idi, said: Shmuel states: We are permitted on Chol Hamoed to cut the hair of an infant that was born on Chol Hamoed (*and has long hair that bothers him*); there is no difference if he was born on Chol Hamoed or beforehand.

Rav Pinchas supports this from a braisa: All those people (or cases) whom the Rabbis have granted permission to take a haircut on Chol Hamoed, would also be permitted to take a haircut during the days of their mourning. We may infer from this that those who are forbidden from taking a haircut on Chol Hamoed are forbidden from taking a haircut during the days of their mourning as well. And if you will say that there is a distinction (between an infant who was born on Chol Hamoed and one who was born beforehand; namely, that one who was born beforehand cannot take a haircut on Chol Hamoed), it would emerge that a law of mourning applies to a minor, but how can that be, seeing that it was taught in a braisa that we rend the garment of a minor on account of grief (but not on account of mourning)? [Evidently, his hair may always be cut – even if he was born before Chol Hamoed; this is consistent with this version of Shmuel's ruling.]

Rav Ashi said: Did the braisa actually say: But those who are forbidden etc.? Perhaps there are those who are forbidden to take a haircut during Chol Hamoed and also forbidden during their period of mourning, but there are also those who are forbidden to take a haircut during Chol Hamoed and yet they are

permitted during their period of mourning. (14a – 14b)

The Gemora rules: One who is in a state of mourning does not conduct himself with the laws of mourning during the festival because it is a time to rejoice.

The Gemora explains: If he began the mourning prior to the festival, the public commandment of the festival overrides the positive commandment of the individual mourner. If he became a mourner during Chol Hamoed, the positive commandment of the individual mourner cannot override the public commandment of the festival. (14b)

The Gemora inquires: What is the halachah on Chol Hamoed regarding a person who has been excommunicated? Is he permitted to greet others, wear shoes and wash his clothes during Chol Hamoed?

Rav Yosef cites a braisa which states that Beis Din can try capital cases, decide judgments of lashes and try monetary cases during Chol Hamoed.

Rav Yosef infers from there that Beis Din can excommunicate a person (*if he doesn't listen to their decision*) during Chol Hamoed. Now, if you would think that the laws of excommunication does not apply during the festival, so that if he was excommunicated beforehand, the festival would come and override the excommunication; can it be then that we can excommunicate him during Chol Hamoed? [It would be illogical to assume that a preexisting ban would be overridden by the festival, while a new ban can be administered! It therefore



must be that the laws apply during the festival as well.].

Abaye objects to this explanation in the braisa. He says: Perhaps the braisa only means that the Beis Din can investigate the matter, but they cannot issue any ruling during Chol Hamoed.

The Gemora discusses if there is support for Abaye's understanding of the braisa from the fact that the braisa also states that Beis Din can execute a guilty person during Chol Hamoed; shouldn't that be forbidden on account that it will prevent the judges from fulfilling the mitzvah of rejoicing on the festival since there is a halachah that Beis Din must fast after they execute a guilty person? This proves that the braisa means that Beis Din should investigate the matter, but not actually issue a ruling.

Rav Yosef counters: Beis Din can execute a guilty person on Chol Hamoed and still fulfill the mitzvah of rejoicing on the festival by analyzing and studying the case in the morning; then they can eat and drink the entire day and towards evening they can conclude their decision and execute him then.

Abaye said: Come and hear from our Mishna: or one who was excommunicated and the Chachamim released him from his ban. [This seems to indicate that anyone who was excommunicated has his ban released on the festival!]

Rava said: Does it state: Whom the Chachamim released (which would indicate that it is standard practice)? It says: or one who was excommunicated and the Chachamim released him from his ban. This

is referring to a case where he (the offender) went and appeased the plaintiff and then came before the Chachamim and they then released him from his ban. (14b)

The Gemora inquires: What about a metzora; is he subject to the restrictions of tzaraas during the festival?

Abaye said: Come and hear a proof from our Mishna: [These people may take a haircut during Chol Hamoed] or the nazir or metzora who become tahor. This implies that during the days of his impurity he is subject to the restrictions of tzaraas.

The Gemora rejects this argument: The Tanna wrote this in a "this goes without saying" format, and the meaning is as follows: It goes without saying that he is not subject to the restrictions of tzaraas during the festival, but when he is emerging into his state of purification, we might be inclined to restrict him, in case he might delay bringing his offerings (until the last day of the festival); therefore he informs us that we do not issue such a decree.

Rava said: Come and hear a proof from a braisa: And the metzora [in whom there is the affliction, his clothes shall be rent and the hair of his head shall be unshorn...] that is meant to include a Kohen Gadol. Now, we learned that a Kohen Gadol all through the year is on a par with any other person on a festival, as we learned in a Mishna: The Kohen Gadol may offer a sacrifice even when he is an onein (when a close relative dies and is still not buried), but he may not eat from it. From this you can infer that a metzora is subject to the tzaraas restrictions during the festival. This is indeed a proof. (14b)