

Is Commerce Permitted on Chol Hamoed?

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Question: There are many halachos of *Chol Hamoed* that can have a far-reaching impact on the permissibility of commerce during that time. Can you offer a brief overview of the basic issue of engaging in commerce on *Chol Hamoed*?

Answer: Before discussing the status of commerce, it is important to note that keeping one's business open on *Chol Hamoed* may often involve *melachos* that are forbidden on Shabbos. Such *melachos* are also generally forbidden on *Chol Hamoed*. For example, if a person is a tailor, he would not be allowed to sew (aside from any questions of business) unless it is a *davar ha'avud* (potential loss), which we will discuss in upcoming sessions. In terms of the issue of commerce per se, the prohibition on Shabbos is of greater scope than on *Chol Hamoed*. On Shabbos, any commerce is forbidden due to a *gezerah* that one may come to write as a result. In contrast, the prohibition on *Chol Hamoed* is limited to buying and selling (referred to by Chazal as *praktmatia*).

The reason for the distinction is that on *Chol Hamoed*, the concern is for *tircha* (excessive effort), meaning that a person should not be involved in activities that could cause additional effort or *agmas nefesh*. Thus, actual buying and selling is *assur*, but lending money and discussing business issues is *mutar* on *Chol Hamoed*.

Based on this principle, it is forbidden to pay a bill on *Chol Hamoed* for a past or future purchase. However, it is permitted to pay a worker to whom you owe money, as this is not considered commerce, but rather paying for a service. Similarly, a water bill may not be paid on *Chol Hamoed* since it is essentially paying for the "purchase" of the water used, while a bill from a security firm is permitted to pay since using the services of the firm is not considered a purchase.

Question: Besides the difference between paying for goods and paying for services, what other ways are the rules of commerce different between *Chol Hamoed* and Shabbos?

Answer: Hiring workers to work after Shabbos is forbidden on Shabbos, but it is permitted to hire employees on *Chol Hamoed* to work after Yom Tov is over. In addition, as we mentioned, discussing business issues is permitted on *Chol Hamoed* but forbidden on Shabbos.

It should also be noted that hiring someone to do even permitted work on *Chol Hamoed* itself is also *assur* (Shulchan Aruch 542). Therefore, in principle hiring a babysitter to come on *Chol Hamoed* would be *assur* even though they may not perform any forbidden *melacha* since the hiring itself is problematic due to *uvda d'chol*.