

Hilchos Erev Pesach

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Erev Pesach is one of the busiest days of the year. No matter how much we plan and prepare for Pesach, there are almost always numerous tasks that need to be finished before Yom Tov begins. What heightens the pre-Yom Tov rush is the Gemara's statement (Pesachim 50b) that on Erev Pesach it is prohibited to do melachah from chatzos (halachic midday). Additionally, someone who performs melachah in violation of this prohibition is excommunicated (משמין אותו) and will not receive any berachah from that melachah.¹

Many people are not very careful with this prohibition. The reason is that there are opinions that maintain that the definition of melachah gemurah is limited to performing melachos for others, but there is no restriction against doing melachah for one's own benefit. In pressing circumstances, one may be lenient according to this view. (See Kovetz Halachos: Pesachim 14:7).

THE REASON FOR THE PROHIBITION

The basis for this prohibition, according to the Yerushalmi, is that after chatzos was the time to offer the Korban Pesach, and the day on which one offers a korban is considered a yom tov. Although we no longer offer a Korban Pesach, the prohibition remains in effect. (M.B. 468:1). Biur Halachah d.h. MaiChatzos, citing Rashi, states that the prohibition against melachah on erev Pesach stems from the concern that people might forget to destroy their chometz and prepare matzah.²

WHAT MELACHOS ARE INCLUDED?

What melachos are included in the prohibition? Obviously, people are cooking, driving cars, and preparing for Yom Tov, so what activities are actually subject to this prohibition? Shulchan Aruch (O.C. 468:2) limits the prohibition to someone who performs melachah for profit. Even if the activity is not a full-

fledged melachah (אינו מלאכה גמורה) and even if the melachah is needed for Yom Tov, it is still prohibited. However, a person who lacks the resources to afford food may work to earn money to pay for it (M.B. 488:6). Rema (O.C. 468:2) adds that a melachah gemurah, such as sewing a garment, is prohibited even if done for free, and the Mishnah Berurah (M.B. 468:7) states that the prohibition applies even if the melachah is needed for Yom Tov.

The Mishnah Berurah (M.B. 468:7) states that circumstances that permit melachah on chol hamoed also allow melachah on erev Pesach. Therefore, it is permitted to perform melachah to prevent a loss—davar ha'avud—or if it is non-professional work—maaseh hedyot—that is needed for Pesach. Similarly, Poskim write that although commerce is prohibited on chol hamoed, it is permitted on erev Pesach, even in the afternoon (Kovetz Halachos: Pesach 14:13).

MELACHAH BY A GENTILE

The Shulchan Aruch (O.C. 468:1) discusses a debate about whether it is permitted to have a gentile perform melachah on his behalf. Those who prohibit it argue that the restriction against melachah on Erev Pesach is similar to the restrictions during chol hamoed (M.B. 468:4). On the other hand, the lenient opinion claims that Chazal were not as strict with Erev Pesach as they were with chol hamoed and Yom Tov. The Rema (O.C. 468:1) states that the common practice is to allow it. Therefore, there is no restriction on what activities a gentile housekeeper may do on Erev Pesach.

BEFORE CHATZOS

Shulchan Aruch (O.C. 468:3) writes that whether melachah is permitted on Erev Pesach before chatzos depends on local custom. Rema (O.C. 468:3) states that the common practice for Ashkenazim is not to perform melachah before chatzos.³ However, he adds that this custom applies only to activities that are a melachah gemurah. Activities that are not a melachah gemurah are not part of this minhag. Mishnah Berurah (M.B. 468:12) cites the Levush and other Poskim who argue that there is no universal minhag among Ashkenazim to prohibit melachah on erev Pesach before chatzos, and the practice depends on each community's custom.

HAIRCUTTING / SHAVING

It is permitted throughout the day to get a haircut from a gentile barber, even if the customer leans his head

