The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תקמ"ו סעיף ה'-סימן תקמ"ז סעיף ד'

Overview

Siman 546 Seif 5:

A woman may adorn herself on *chol hamoed* including applying eye paint, parting her hair, applying rouge, smearing herself with lime and the like, provided that she can remove it on the *moed*. She may remove hair from her armpit and private parts, by hand or with a utensil and may run a knife over her forehead.

- Some explain that Shulchan Aruch refers to making braids or according to others it refers to putting a thread of dough on the face to redden it. (M.B. 12)
- Shaving or cutting the hair on her head is prohibited on *chol hamoed* for a woman as it is for a man. (M.B. 16)

Siman 547 Seif 1:

On *chol hamoed* it is prohibited to eulogize and fast, therefore, we do not place down a coffin in the street so that people should not eulogize. For this reason we do not walk the body to the cemetery until the grave is prepared.

- We do not want the body to remain on the street since it could lead to eulogizing. (M.B. 1)

Siman 547 Seif 2:

Women wail which involves singing at the same time but they may not lament which involves one woman leading and the others responding after her nor may they clap their hands together. Once the deceased is buried they may no longer wail.

Siman 547 Seif 3:

During the 30 days preceding the *moed* it is prohibited to eulogize someone who died more than 30 days before the *moed*. Even if there will anyways be a eulogy it is prohibited. For example, if someone died within 30 days of the *moed* whom one may eulogize, even *erev* Yom Tov, it is prohibited to eulogize at the same time someone who died more than 30 days before the *moed*.

- The heart does not forget the deceased for 30 days and if someone is eulogized within 30 days of the *moed* people will cry and be distressed on the Yom Tov since the deceased is not yet forgotten. It does not matter whether the eulogizer is a relative who mourns or someone else. (M.B. 2)
- Shulchan Aruch implies that this restriction applies even to a Torah scholar who passes away but Teshuvas Olas Shmuel permits eulogizing a great person even if one receives delayed news of his passing if there was not a more appropriate time before the *moed*. (M.B. 3)
- It is not clear whether Rosh HaShanah and Yom Kippur are considered a *moed* for this matter and Yeshuos Yaakov is lenient. (M.B. 4)
- It is permitted since the bitterness is anyways set in his heart and eulogizing will not increase it. This is permitted even for a eulogizer who receives money for eulogizing and even if the deceased was not a Torah scholar. (M.B. 5)

Siman 547 Seif 4:

If someone receives news of someone's passing within 30 days of the *moed*, it appears to me that it is permitted to eulogize him, even if the report is distant.

- The bitterness is set in his heart even without the eulogy. (M.B. 7)

Halacha Highlight

Eulogizing the deceased within 30 days of Rosh HaShanah and Yom Kippur

Shulchan Aruch Siman 547 Seif 3
כל שלשים יום לפני המועד
For thirty days in advance of a *moed*

Shulchan Aruch (סי' תקמ"ז סע' ג') writes that it is prohibited to eulogize someone within thirty days of a Yom tov if the deceased passed away more thirty days before the Yom Tov. The Gemara presents a disagreement regarding the rationale behind this restriction. According to Rav the concern is that people would pay the eulogizer and Chazal were concerned that someone would take the money he set aside to ascend to Yerushalayim for the Yom Tov and use it to pay the eulogizer leaving him without the necessary funds to spend Yom Tov in Yerushalayim. Shmuel maintains that the reason for concern is based on the presumption that people will recall the deceased for thirty days after the eulogy and this could lead to people crying during Yom Tov which is obviously inconsistent with the desired emotional state of that time. Mishnah Berurah (סק"ב) mentions Shmuel's reasoning and explains that the majority of Rishonim subscribe to his opinion (שער שציון סק"ב).

Mishnah Berurah (סק"ד) references Pri Megadim who expresses uncertainty whether Rosh HaShanah and Yom Kippur are considered Yomim Tovim as far as this *halacha* is concerned. Yeshuos Yaakov, however, is lenient. He explains that Rav's concern that one will spend the money he saved to go to Yerushalayim does not apply since there is no *mitzvah* to ascend to Yerushalayim for Rosh HaShanah and Yom Kippur. Furthermore, even according to Shmuel there is no concern. Seemingly his rationale applies to Rosh HaShanah and Yom Kippur the same since one's attention should be on the purpose of those days rather than the deceased. However, since the Gemara does not identify Rosh HaShanah and Yom Kippur as one of the practical differences between their respective positions, it is evident that eulogizing within thirty days of Rosh HaShanah and Yom Kippur must be permitted.