

HALOCHOSCOPE

This week's question:

A traveler will arrive home on Erev Rosh Chodesh Av. He will have very little time to do his laundry before evening, and certainly no time to 'try on' his clean laundry. Is there a dispensation for this case, to allow him to launder into the evening? May he launder up until the evening and put his clothing into the dryer to continue drying after nightfall?

The issues:

A) Kibus, laundering during the Nine Days

B) Dispensations for those who were unable to prepare

A) Laundering in the Nine days [See Halochoscope IV:40]

The Talmud cites the institution forbidding laundering during the week of *Tisha Bav*. There are three opinions, based on a verse. The *passuk* states that Hashem will end the joy of the *chag*, or holiday, the month and the week. The *chag* refers to *Rosh Chodesh*, which is also a holiday in many respects. The implication is that the joy will cease from *Rosh Chodesh* until *Tisha Bav*. Thus, in one view, the institution forbidding laundering and haircutting was always applied for the Nine Days. The second view interprets the *passuk* to forbid it for the entire month. The third view interprets the word *Shabbos* to mean the entire week, and forbids it for the week of *Tisha Bav*.

Having established the generic anonymous Talmudic opinion to forbid these activities during the week of *Tisha Bav*, a debate ensues on the status of the days following the fast. In one view, the institutions apply for the entire week, regardless of when the fast falls during the week. In the other view, it is a restriction in preparation for the mood of the fast. It is only forbidden in the preceding days. Thus, if the fast falls on Sunday, there is no additional restriction. If it falls on Friday, which could happen before the fixed standardized calendar, the entire week is restricted. However, as we shall discuss, there can be a dispensation to prepare for *Shabbos*. This last view does not concur with either of the views mentioned earlier that are based on the *passuk*. The Talmud concludes that the first and third views are both followed in that the leniencies of each are applied. This is because, in reality, the issue of whether the restriction was applied past the fast is a separate debate, rolled into the three opinions. We follow the lenient view on this, while following the lenient view on the other debate on when it begins. In addition, the aforementioned opinion is supported by a fourth anonymous view, appearing in a separate source, that openly states the restriction for the week of *Tisha b'Av*, but only until the fast.

According to the *passuk* cited, the restrictions are based on a cessation of joy for an extended period. The Rabbis determined the joy that should be restricted as that coming from haircutting and laundering. What kind of joy was intended in this restriction? In one view, it is the joy of wearing fresh laundry. Though this is not mentioned explicitly, it is

implied. There could be nothing wrong with the activity of laundering, which entails effort and labor. The issue must be with wearing the newly laundered clothing. Therefore, even if the clothes were laundered prior to this period, one may not wear them during this time. [A minority opinion (difficult to reconcile) maintains that this view would permit wearing fresh clothing.] More significantly, one may engage in the act of laundering, to prepare clothing for after the fast. In the other view, the activity detracts from the focus on the sadness. One does not feel the immediate joy of wearing fresh clothing while laundering, but he will anticipate it. This will act as a distraction from the mourning and sadness. Alternatively, just as general work is forbidden to mourners, laundering is forbidden here. It was chosen as the example here due to its time-consuming and distracting nature. This view agrees that it is forbidden to wear fresh laundry as well.

Two items are cited in support of the second view: The launderers of the Yeshiva of Rav were idle for the entire period. This proves that they applied the restriction on the activity, rather than on the wearing alone. Second, the aforementioned source forbidding only the week of *Tisha Bav*, and only until the fast is cited. This source states that if the fast should fall on *Erev Shabbos*, one may launder on Thursday due to *kavod Shabbos*. If the restriction only applied to laundering to wear immediately, there is no need for a dispensation to launder on Thursday for *Shabbos*. This is anyhow being laundered for later. In response, the Talmud says this applies to the specific case of one who only has one shirt. He would normally prepare for *Shabbos* by laundering it before *Shabbos* and immediately wearing it. At least, it would be relatively clean on *Shabbos*. This would be like taking a haircut on Thursday, *lichvod Shabbos*.

The current practice to restrict laundering from *Rosh Chodesh* is a *minhag*, additional restriction originally undertaken voluntarily. When undertaken by a community, this assumes the status of a *neder*, or ban, binding on future generations as well. In Talmudic times, there were communities who considered this the *halacha* in accordance with the view that this is what is forbidden. Since we follow it as a *minhag*, certain leniencies are applied. When a *neder* is undertaken, in-built provisions relax it due to hardship. *Adaata dehachi lo kibluha*, they never meant to undertake it with this hardship in mind. Therefore, certain leniencies apply in the first part of the Nine days, before the week of *Tisha Bav*. [See Taanis 29b-30a, Yerushalmi, Poskim. Tur Sh Ar OC 551:3, commentaries.]

B) Dispensations for travelers

As part of the restriction against the activity, one should launder all his clothing before *Rosh Chodesh*. Then, as is the common practice, one could lightly use them so that the freshness is not felt when wearing them the first time after *Rosh Chodesh*. Thus, one should not need to do any laundry during the period. What if one has very little clothing? What about our case, where the time constraints make it hard to launder ahead of time? Is one penalized for not having prepared, even in such circumstances?

The Talmud draws a parallel to the laws of *Chol Hamoed*. On *Chol Hamoed*, certain *melacha* is forbidden, including haircutting and laundering. Firstly, there is an indication in the Torah to limit all *melacha* even on the intervening days of a *Yomtov*. This was left vague Scripturally, so that it would be determined by the Rabbis. In addition, one should not exert oneself on a holiday. Furthermore, one should prepare ahead for *Yomtov*.

Specifically, if laundering and haircutting were delayed, one would begin *Yomtov* looking unkempt. Therefore, a penalty is imposed on those who do not prepare ahead of time.

Allowances are made for those who could not have prepared for *Yomtov* before it began, due to circumstances beyond their control. The examples given by the Talmud of people in desperate straits are those who are released from jail, those who were traveling and arrived on *Chol Hamoed* and those who were precluded from these activities due to *availus*, mourning before *Yomtov*. In all of these situations, when *Yomtov* began, they were unable to prepare. In terms of a penalty, they should be excluded.

The Talmud discusses one whose seven day mourning period ends on the day before *Yomtov*. Although he had a very limited amount of time, he is expected to exert himself to prepare before *Yomtov*. However, if the seven days end on *Yomtov*, the exception is applied to him. Similar rules apply for the thirty day period.

While it is forbidden to launder on *Chol Hamoed*, one who has only one shirt, that he laundered before *Yomtov*, may launder it on *Chol Hamoed*. While laundering his shirt, he would appear in his undergarments, which would show onlookers that this was his only shirt. This does not usually apply nowadays, but certain other allowances can be applied even nowadays.

The Talmud also draws a parallel to regular *availus*, in the instance that they occur in close succession. This is known a *takfuhu availav*, his mournings overlap. A person in mourning for one parent might lose the other parent just when the mourning period for the first one ends. Since the Talmud introduces the comparison to *Chol Hamoed*, the poskim apply other principles of those laws to the Nine Days. One prominent example is *takfuhu availav* of a personal mourning and of the communal mourning of the week of *Tisha b'Av*. For those who practice the entire Nine Days, the same should apply when the personal mourning overlaps the Nine Days. As we will show, this is more lenient.

A more controversial debate involves one who is leaving on a trip during the Nine Days. There seems to be a controversial precedent for laundering on Thursday afternoon, when it is *Tisha b'Av* [see section A]. Nonetheless, the concept of *kavod Shabbos* superseding the mourning practice of laundering is invoked to permit the traveler to prepare for his trip during the week of *Tisha b'Av*. As mentioned this is debated as well.

In our case, the traveler returns at a time when it is difficult or impossible to launder before the onset of the Nine Days. A traveler arriving when it is not possible to prepare is one of the classic exceptions to the *Chol Hamoed* laws. (It is the very first on the list!) Surprisingly, the earlier poskim omit it in relation to the Nine Days. This could be due to an interesting combination of factors. The Talmudic conclusion was to restrict laundering only during the week of *Tisha b'Av*. We extend it as a *minhag* to the Nine Days. Overseas travel is anyhow to be avoided during the entire Nine Days. Therefore, perhaps, a traveler would arrive, at the latest, around *Rosh Chodesh*, as in our case. There was still time to launder until the end of the week. Nowadays, we have both *minhagim* as of *Rosh Chodesh*. Thus, we have a situation where the two issues arise simultaneously.

The ruling concerning the *avail* whose period ends during the week of *Tisha b'Av* is that he may thin his hair with a razor, but not cut it with scissors. He may launder with water but not with detergent. According to our *minhag*, if the *availus* period should end

during the Three Weeks or the Nine Days, it is more lenient. These extensions of the mourning practices are a *minhag*, as opposed to the Talmudic conclusion. Therefore, he may cut his hair with scissors and launder with detergent, until the week of *Tisha b'Av*.

Furthermore, all those who are granted a dispensation for *Chol Hamoed* would be granted the same dispensation here. In fact, the dispensation should even apply during the week of *Tisha b'Av*, in its limited form. Certainly, in the preceding week, the Nine Days, it should apply in its full form. Firstly, *Chol Hamoed* has the additional reason of preparing to prevent appearing unkempt. There is no reason to penalize on that account in our case. In addition, the mourning practices here are called *availus yeshana*, an ancient mourning. Thus, they are treated with more leniency. While the arriving traveler is not mentioned specifically, it is clearly included in general.

What remains for us to discuss is whether arriving late in the day on *Erev Rosh Chodesh* means that the traveler has enough time to prepare. In regard to *Chol Hamoed*, if there was enough time on *Erev Yomtov* after arrival to take a haircut, the traveler may not do so on *Chol Hamoed*. This is a subjective matter left to the judgment of the traveler. In our case, there must be sufficient time to do the laundry in a normal manner. If not, the dispensation may be applied here, especially in light of the more lenient nature of the *minhag* to extend the *halacha* to the entire Nine Days. [See Moed Katan 13b-15a 17b-18a (Yerushalmi) Taanis 29b-30a, Poskim. Tur Sh Ar 531:4 551:3 4 15 (Aruch Hashulchan 33-34), commentaries.]

In conclusion, in our case, we may assume that the traveler must make every effort to launder before nightfall. He cannot be expected to also try all of his fresh laundry on before *Rosh Chodesh*. [There is a practice, in cases like this, to 'dirty' the clothes by wiping them across the floor. This removes the joy of wearing freshly laundered clothing.] If, despite his efforts, he will need to launder on *Rosh Chodesh*, and certainly if he leaves the laundry in the machine before evening, it may be done on *Rosh Chodesh*. He may also leave his clothing in the dryer before nightfall.

On the parsha .. *You shall cleanse your clothing on the seventh day, and be cleansed, and then you shall come into the camp. [31:24] Cleanse them to purify them from defilement [Rashi], or to clean them from dirt [Targum Onkelos].* Since their clothing was soiled with the blood and filth of the war, it would be rude to those who were inside the camp. Therefore, they cleaned their clothing. [See *Haamek Davar*] Why did they need to clean the clothing? When they would enter the camp, the clouds and the angels would automatically launder their clothing, as usual! Perhaps there was another reason. Since the camp was a holy place, with the *Shechinah* at its center, it was inappropriate for them to enter with soiled clothing. Merely wearing the soiled clothes would make them feel unkempt. Even though the clouds would do the laundry work automatically, the warriors should do it themselves as a show of *kavod Shechinah*. In the same way, it is only right that one who arrives from a trip, in which he might have dirtied his clothing, should be permitted to launder in honor of *Yomtov*.

Sponsored by Noah Bass and Deborah Rotenstein in memory of her father, Chaim ben David

a”h, whose *yahrzeit* was on the 26th of Sivan. ☞

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