

OVERVIEW of the Daf

1) Mourning on Shabbos (cont.)

Shmuel, in response to R' Yochanan's inquiry, ruled that there is no observance of mourning on Shabbos.

R' Pappa corrects the rabbis who misquote Shmuel and states in the name of Shmuel that it is prohibited for a mourner to engage in marital relations, and a mourner who does not let his hair grow or rend his garment is liable to death.

A Beraisa is cited that echoes the restriction against a mourner engaging in marital relations.

Shmuel enumerates three practices that are required on Shabbos and three that are optional.

Rav disagreed with one point and maintains that uncovering the head is optional rather than obligatory as stated by Shmuel.

The rationale behind Shmuel's opinion is explained.

R' Nachman demonstrated the proper method of wrapping one's head.

R' Yaakov in the name of R' Yochanan qualifies one of Shmuel's rulings.

2) Rending a garment at the time of intense grief

Shmuel's earlier ruling that rending the garment should take place at the time of intense mourning is unsuccessfully challenged from an incident involving Shmuel.

Another unsuccessful challenge against Shmuel is presented.

Rav Oshaya's father and Bar Kapara dispute whether it is permitted to repair the garment that was rent.

The Gemara unsuccessfully attempts to identify who said what.

3) Mourning on Shabbos (cont.)

Rava and R' Yosef follow the opinion of R' Yochanan who requires the mourner to wear his mourning garments on Shabbos, in contrast to the earlier opinions of Rav and Shmuel.

4) The festivals

Shmuel is cited as ruling like R' Gamliel that Shavuos, Rosh Hashanah and Yom Kippur are considered festivals for matters related to mourning.

An alternative unrelated context in which Shmuel ruled like R' Yehudah in the name of R' Yishmael is presented.

R' Anani bar Sasson taught that if one mourns one day before Shavuos and then Shavuos passes he is credited with fourteen days of mourning.

R' Ami was upset over this teaching because it is a teaching of R' Elazar in the name of R' Oshaya.

A second version of this discussion is presented with R'

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Distinctive INSIGHT

Rending one's clothing at the moment of grief

דאמר שמואל כל קרע שאינו בשעת חימום אינו קרע

Earlier (20b), the Gemara taught that if a person does not have a shirt which to tear when he hears about the death of a relative, if he later acquires a shirt within seven days (שבעה), he must tear that shirt. Tosafos (ד"ה וכל) notes that our Gemara, which invalidates a tear which is made not בשעת חימום, seems to contradict the earlier statement which that a person is obligated to tear his shirt anytime during the seven days if he has not done so yet, although it is no longer שעת חימום.

Tosafos offers several solutions to this problem. The halacha is as stated in our Gemara, that the only time when it is appropriate to tear due to grief is at the intense moment of distress. The Gemara earlier which stipulates that tearing can be done throughout shiva is speaking about a case where a person did, in fact, originally tear his shirt when he first heard about the death. He later changed shirts during shiva. Although he already tore the first shirt, we are taught that this next shirt must be torn, as well.

Maharsha questions this interpretation of the Gemara, because it seems to say clearly that it is dealing in a case where the person was just now obtaining a shirt, and not that he had one from before. Maharsha suggests, therefore, that Tosafos might have had a different reading of the text in the earlier Gemara.

A second answer of Tosafos is that the lesson of the earlier Gemara is that if someone has a shirt at the moment he hears about a death, the only valid expression of tearing is at that moment. If he waits to tear that shirt, the קרע is not proper. If, however, he does not have a shirt to tear at that moment, then he certainly can tear a shirt any time during shiva, as our Gemara says.

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REVIEW and Remember

1. What happened to the mourner who engaged in marital relations?

2. What is the rationale behind the requirement to rend every garment worn during shiva for a parent?

3. When are two days considered the equivalent of fourteen days?

4. When are eight days considered the equivalent of twenty-one days?

HALACHAH Highlight

Wearing a freshly laundered garment during shiva

תניא אבל כל שבעה קורע לפניו ואם בא להחליף מחליף וקורע

A Beraisa taught: A mourner should wear his rent garment with the rent in front and if he chooses to change garments he may change and rend [the second garment].

Tosafos¹ writes in the name of Rashi that the Beraisa refers to one who wishes to change his garment during shiva to a garment that was laundered before shiva began. According to this understanding of the Beraisa, although it is prohibited for a mourner to launder his garments during shiva, it is permitted for a mourner to wear a freshly laundered garment. Rambam² also rules that a mourner is permitted to wear freshly laundered garments during shiva. Tosafos³, on the other hand, explains that the Beraisa refers to a case where the mourner is changing into a garment that is not freshly laundered because it is, in fact, prohibited for a mourner to wear a freshly laundered garment even if it was not laundered during shiva. Tosafos adds that the common custom in his time was that another person wore the freshly laundered garment for a day or half a day before the mourner would wear it and it was thus no longer a freshly laundered garment.

The ruling in Shulchan Aruch⁴ is like the strict approach of Tosafos and he prohibits a mourner to wear freshly laundered garments even if they were laundered before shiva. Rema⁵ mentions the lenient custom noted by Tosafos, i.e. to

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Yitzchok Nafcha and R' Sheishes replacing R' Anani and R' Ami.

The teaching of R' Elazar in the name of R' Oshaya is presented.

R' Pappa applied this teaching to Rosh Hashanah.

Ravina applied it to Sukkos and Shemini Atzeres.

A related incident involving Ravina is cited.

5) MISHNAH: The Mishnah rules that rending garments, baring shoulders and partaking of a mourner's meal are performed by the relatives of the deceased and the meal is served on an upright bed. ■

have another person wear the garment before the mourner, but he mentions it in the context of the restriction against wearing freshly laundered garments during shloshim rather than in the context of shiva. Pischei Teshuvah⁶, however, cites the comment of Teshuvos Lachmei Todah who explains that when the Rema applied this custom to shloshim he was referring to a case where the mourner wanted to change clothing for pleasure (לתענוג). If the mourner is changing his clothing because the clothing he was wearing was dirty it is permitted to have another person wear it even during shiva. ■

1. תוסי כד : ד"ה ברכת.
2. רמב"ם פ"ה מהל' תענית ה"ו.
3. תוסי הנ"ל
4. שו"ע יו"ד סי' שפ"ט סעי' א'.
5. רמ"א שם.
6. פת"ש שם סק"ב. ■

STORIES Off the Daf

"Make Books Without End..."

"דרש ר' ענני בר ששון אפיתחא דבי נשיאה יום אחד לפני עצרת ועצרת הרי כאן ארבעה עשר שמע רבי אמי ואיקפד..."

In our Gemara we find two Amoraim who taught that if a person sits shivah (ר"ל) from the day before Shavuot, the interposition of the festival makes it as if seven days passed on Erev Shavuot, and Shavuot itself then counts as another seven. According to this, by the day following the festival, the mourner is considered fourteen days into his shloshim.

After the halachah is first mentioned, we find that Rav Ami became upset with Rav Anani because the law was originally taught by Rav Elazar in the

name of Rabbi Oshiya. The following story about the Yismach Yisroel, ז"ל, should shed light on why Rav Ami was so incensed.

A scholar once came to the Yismach Yisroel and asked for an approbation for a book he had written. After the Rebbe went through it, he found something that didn't meet with his approval. Although the work was filled with good material, it was really only an anthology. The writer hadn't innovated any of the concepts—they were all taken from other Chachomim whom the man had failed to acknowledge. Worse, the 'author' neglected to mention that the ideas weren't his own!

The Rebbe handed the manuscript back to the man and said, "It is now possible to understand the verse in Koheles 12:12: 'Make books without end...' The

Gemara in Megillah 15a tells us that a person who transmits a Torah concept in the name of the originator brings redemption to the world. This works in reverse as well. Now that people write books without mentioning the names of the actual authors of their contents, the redemption is held back. This is one way to read the verse: Make books (where the real authors are not named), and there will be no end to the exile, "חס ושלוש" ■

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Finally, Tosafos suggests that the earlier Gemara which requires that קריעה be done at "שעת חימום" does not limit this moment to the one initial hour when one hears tragic news. If a person can reignite the grief-stricken moment within himself, the קריעה can be done throughout shiva, as our Gemara reports. ■