

OVERVIEW of the Daf

1) "Like the meat of a Shelamim after the blood was thrown" (cont.)

Rami bar Chama had presented an inquiry when a person declared that a loaf should be the same as a piece of Korban Shelamim that is nearby, what is the halacha? Did he refer to its original state, which was prohibited, or did he refer to its present state, which is permitted. Rava suggests a resolution from our Mishnah.

R' Huna the son of R' Nossan rejects this proof.

Another attempt to resolve the inquiry, this time from a Baraisa, is suggested.

The proof is rejected.

Ravina suggests a resolution to this inquiry from a Mishnah that appears later in the Massechta.

This suggestion is also rejected, and the Gemara presents two different explanations of the Mishnah that will not produce a resolution to the inquiry.

2) **The Korban Todah loaves**

The Gemara digresses to discuss the loaves of the Korban Todah.

R' Tovi bar Kisna said in the name of Shmuel that if one baked four large loaves the mitzvah is fulfilled and that when the verse mentions forty loaves it is to fulfill a mitzvah but is not essential.

The Gemara asks how it is possible to use only four loaves when it is necessary to separate **תרומה**.

This indicates that it is permitted to separate the **תרומה** while the loaves are still dough.

3) "Like the meat of a Shelamim after the blood was

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Distinctive INSIGHT

Fasting on the day of the death of a parent

אמר הרינו שלא אוכל בשר ושלא אשתה יין כיום שמת בו אביו

The precise expression used in the Gemara does not seem to be accurate. A neder is only valid when the speaker prohibits an item upon himself, for example if he would say, "Meat or wine is prohibited to me as is a holy offering." A neder is not valid, however, when the person prohibits a particular action upon himself, for example if he would say, "Eating meat or drinking wine is prohibited upon me." Therefore, the text of the Gemara should have said, "Wine or meat is prohibited upon me..." The ר"ן writes (ב: ד"ה: דאייתני) that the Gemara did not use the correct terminology here, and it means that the person must actually say the neder formula properly, and we are therefore speaking about a case where he said, "Eating of meat or drinking of wine is prohibited upon me."

ר"ן also writes, in the name of Ramban, that even if the person expressed himself inaccurately, and he pronounced the neder using the **שבועה** formula, the neder is binding, at least as a form of a **יד**. The person's intent to make a commitment is indicated conclusively (**יד מוכיחה**) and this is adequate.

Tosafos Ri"d notes that the person who mentions that meat should be prohibited "as the day my father died" is associating his not eating meat to a situation which does not constitute a universal restriction. The halacha is that a neder is valid when someone prohibits an item from himself by comparing it to another item which is a **דבר הנדור**—a universally prohibited item which is restricted due to someone having declared it as such (i.e., an offering, or Aharon's challah). The day of one's parent's death only restricts the child from eating, but no one else. Why is the neder valid?

Tosafos Ri"d answers that because eating on the day of a parent's death is restricted due to a **קונם**, the child can later prohibit other days using **התפסה**.

Shulchan Aruch (Y.D. 376:4) cites the Kol Bo who says that it is a custom for a child to fast on the anniversary of the death of a parent (yahrzeit). The Achronim write that our Gemara is the source for this halacha. The Rishonim give two reasons for this custom. This is a day where the fortune (**מזל**) of the family has shown itself to be lacking. Fasting is a vehicle to focus on atonement. Another reason is that by fasting, the child earns forgiveness for his parents. Based upon this, ש"ך writes (Y.D. 246) in the name of Maharil, that if a person observing a yahrzeit attends a Siyum, he should not eat, as this is a situation of where the person has his custom not to eat, but he finds himself among others who act leniently. ■

REVIEW and Remember

1. What is the Baraisa's example of creating a Biblical prohibition?
2. Is a vow valid if one associates an object with **תרומה**?
3. When is the ideal time to separate **תרומה** from Korban Todah loaves?
4. Explain the dispute between R' Yaakov and R' Yehudah concerning one who vowed that an item should be like a **בכור**.

HALACHAH Highlight

Fasting on a Yahrzeit

אמר הריני שלא אוכל בשר ושלא אשתה יין כיום שמת בו אביו וכו'
 If one said, "I accept not to eat meat or drink wine as on the day my father died etc."

Poskim discuss the practice of fasting on the day a parent died. Some authorities point to our Gemara as the source for this custom. The Gemara relates that if a person declares, "I will not eat meat or drink wine like on the day my father or rebbi died etc." This implies that it is known that one does not eat on the day that a parent died, i.e. the yahrzeit. Rav Akiva Eiger¹, however, rejects this proof because one would be forced to say that one should fast on the yahrzeit of his rebbi, and there is no such custom. The Shelah HaKadosh,² in fact, maintains that it is proper for a person to show honor to his primary rebbi (רבו מובהק) by fasting on his yahrzeit. This opinion is cited by Elya Rabbah,³ but he writes that the purpose of fasting on a yahrzeit is not to show honor to the deceased but rather it is because on a parent's yahrzeit one's fortune is bad (ריע מזליה) or that parent and child are considered one.

Additional reasons are given for the practice of fasting on a yahrzeit. Some⁴ suggest that it serves as a reminder of the אננות and distress that was experienced on the day the parent died. Others⁵ suggest that the fast provides atonement for the

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thrown" (cont.)

It is suggested that Rami bar Chama's inquiry is subject to a dispute between Tannaim. ■

deceased. S'dei Chemed⁶ points out that even if one's parents were righteous one should fast to provide them with atonement since it is impossible for a person to live without committing some sort of transgression.

The Minchas Yitzchok⁷ cites authorities who address the practice of distributing food and drink to others on a yahrzeit. They write that pious people saw that people were weaker and were no longer able to fast so they developed another approach, one that could be practiced by all. This practice, known as תיקון, involves sharing food and drink with others so that one should be able to fulfill the mitzvah of tzedaka and הכנסת אורחים at once. S'dei Chemed⁸, however, strongly opposed the practice of eating on a yahrzeit and especially the distribution and consumption of food in the Beis Haknesses. He did, however, note that the berachos and amens that are recited do elevate the soul of the deceased. ■

1. חידושי רעק"א יו"ד סי' ת"ב סע' י"ס"ב
2. שלה"ק מסכת תענית עמוד העבודה
3. א"ר סי' תקס"ח ס"ק ט"ו
4. ע' תרוה"ד סי' רצ"ג
5. שו"ת מהר"י מינץ סי' ט'
6. שדי חמד מערכת אבילות אות צ"ה
7. שו"ת מנחת יצחק ח"ו סי' קל"ה
8. שדי חמד מערכת בית הכנסת אות מ' ■

STORIES Off the Daf

The Yahrzeit

כיום שמת בו אביו

A certain woman's divorced daughter had finally found a shidduch, but the date of the wedding was set for the same day as the bride's maternal grandfather's yahrzeit. This worried the mother, so she decided to ask a local Rav about whether the coincidence of the dates was problematic.

He answered, "When learning the halachos I have never encountered this or heard that this was a problem. For now, you can assume that it is fine. If I find that it isn't, I will let you know."

The Rav couldn't find any clear reference to this anywhere. It is true that

there is a mitzvah for children to fast on the yahrzeit of parents, as the Rema writes in Y"D 402:12. Rabbi Akivah Eiger, zt"l, comments there that the source for this is Nedarim 12a which discusses one who said: "I will not eat meat...like the day my father died..." The Rosh explains that it is normal for one to pain himself on this day.

The Chinuch Beis Yehudah explains that that mazal of that day is not auspicious for the children. Despite this, there was no indication that there were halachic grounds to postpone the wedding. It proceeded as planned.

Later, the Rav came across an anecdote that shed light on the matter. The Satmar Rav, zt"l, would give shiur in his yeshiva every evening. Since he needed to officiate at many weddings, he would come late virtually every night and end

the shiur correspondingly late. As a result, many boys arrived late for first seder. When this was brought to his attention, the Satmar Rav declared that all חופות had to end by 8:00 PM so that he would arrive on time for his shiur.

Not too long after this, the Rebbi was again late. He apologized and recounted the reason for his tardiness. "One of the ba'alei simcha had a yahrzeit today for his parents who were murdered in the Holocaust, and he requested that the חופה be at night. Although there is no problem to make a חופה on a yahrzeit, I didn't protest because I saw that the prospect of a חופה on the day of his yahrzeit pained him."

When the Rav saw this story he was filled with joy and exclaimed, ברוך ■! שכונתי

