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Moed Katan Daf 20

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Daf Notes is currently being dedicated to the neshamah of

**Tzvi Gershon Ben Yoel (Harvey Felsen) o”h**

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

The Gemora cites a braisa: Rabbi Eliezer states: If one overturned his bed (*as a sign of mourning*) for three days prior to the festival, he is not required to overturn his bed after the festival. The Chachamim maintain: Even if he overturned his bed just for one moment prior to the festival, he is not required to overturn his bed after the festival.

Rabbi Elozar the son of Rabbi Shimon states that this is indeed a dispute between Beis Shammai and Beis Hillel, for Beis Shammai maintains that three days (of shiva) are necessary (in order for the festival to cancel the shiva), whereas Beis Hillel holds that one day is sufficient.

Rav Huna said in the name of Rabbi Chiya bar Abba who said in the name of Rabbi Yochanan: Others say that it was Rabbi Yochanan who said to Rabbi Chiya bar Abba: It is even if he observed shiva for one day and even for one moment (that is sufficient to cancel the shiva). Rava said that the halachah follows the Tanna who holds that three days (of shiva) are necessary.

Ravina went to the town of Sura by the Euphrates. Rav Chavivah asked Ravina: Who is the halachah according to? He answered him: Even if he observed shiva just for day, just for one moment prior to the

festival, he is not required to observe shiva after the festival. (20a)

The Gemora asks: From where is it derived that the observance of mourning is for seven days?

The Gemora answers: It is from the verse: And I shall turn your festivals into mourning; just as the festival lasts seven days, so too the period of mourning is also for seven days.

The Gemora asks: But why not draw an analogy with the festival of Atzeres (Shavuos) which lasts but one day?

The Gemora answers: That analogy is needed for a different lesson taught by Rish Lakish; for Rish Lakish said in the name of Rabbi Yehudah Nesi'ah: From where is it derived that mourning resulting from a delayed report lasts only one day? It is from the verse: And I shall turn your festivals into mourning; and we find that the festival of Atzeres (Shavuos) lasts but one day. (20a)

The Gemora cites a braisa: Rabbi Akiva states: If one hears a current report (within thirty days of the death) that one of his close relatives had passed away, he should observe the days of *shiva* and the *sheloshim* from that day on. If it was a belated report,

he should observe one day of mourning. The Chachamim rule that he should always observe the days of *shiva* and *sheloshim*.

Rabbah bar bar Chanah said in the name of Rabbi Yochanan: Wherever you find an individual authority expressing a lenient view and many authorities expressing a stringent view, the halachah is in accordance with the strict view, save in this case; for although Rabbi Akiva is lenient and the Chachamim are strict, the halachah is in accordance with Rabbi Akiva, as Shmuel stated: In matters obtaining to mourning, the halachah follows the lenient authority.

Rabbi Chanina received a delayed report from Bei Choza'ei about the death of his father. He consulted Rav Chisda, who told him: If it was a belated report, one should observe one day of mourning. Rav Nassan bar Ammi received a delayed report from Bei Choza'ei about the death of his mother. He consulted Rava, who told him: The authorities have already stated that on receipt of a belated report, one should observe one day of mourning.

Rav Nassan objected to this ruling from the following braisa: When does this ruling apply? In the case of the other five relatives for whom mourning is obligatory; but for one's father or mother, mourning is for seven days and thirty days (even when it is a delayed report)?

Rava replied: That is the ruling of an individual with which we do not accept, as will be made clear from that which was taught in the following braisa: There was the case of the father of Rabbi Tzadok who had

died at Ginzak, and he was not informed until after three years. He then came and asked of Elisha ben Avuyah and the elders that were with him and they told him to observe seven days (of shiva) and thirty (days of sheloshim), and when Rabbi Achiyah's son died in the Diaspora, he too sat on his account seven days and observed thirty (days of sheloshim).

The Gemora asks from the following incident: Rav was the son of Rav Chiya's brother, whose name was Aivu, and Rav was also the son of Rav Chiya's sister whose name was Ima. Rav was the son of Rav Chiya's half brother and also the son of Rav Chiya's half sister. When Rav went to Eretz Yisroel, Rav Chiya queried Rav if Aivu was alive, to which Rav responded, "Is Ima alive?" Rav responded thus because he did not want to declare explicitly that Aivu had died. When Rav Chiya queried Rav if Ima was alive, Rav responded, "Is Aivu alive?" Rav Chiya thus understood from Rav's responses that his brother Aivu and his sister Ima had passed away, so Rav Chiya instructed his attendant to remove his shoes and take his clothing after him to the bathhouse.

We learn from Rav Chiya's actions three laws regarding mourning. Rav Chiya instructed his attendant to remove his shoes, and we learn from this that one who is in mourning is forbidden to wear shoes. We also learn that if one is in mourning based on a delayed report, he is only obligated to mourn for one day. A third ruling that is derived from Rav Chiya's actions is that regarding mourning, part of a day is akin to a whole day. This ruling is derived from the fact that after removing his shoes as a sign of mourning, Rav Chiya instructed his attendant to take



his clothing to the bathhouse, and Rav Chiya did not wait until the next day to go to the bathhouse.

The Gemora answers that Rabbi Chiya and Rabbi Achiyah are two different people. [Rabbi Achiyah holds that one should observe *shiva* and the *sheloshim* when hearing a belated report but Rabbi Chiya maintains that only one day of mourning shall be observed.] (20a – 20b)

Rabbi Yosi bar Avin said: If one received a current report on a festival and by the time of its termination (i.e., the conclusion of the festival), it became a delayed report, the festival-time enters into the counting (of the thirty days) and accordingly, he observes only one day. Rabbi Adda of Caesarea recited a braisa in the presence of Rabbi Yochanan: If one hears a current report on a Shabbos and by the termination of the Shabbos it has become a delayed report, he observes only one day. (20b)

The Gemora cites a dispute among the Amoraim whether one who hears a belated report about a death in the family if he should rend his garments or not. Rabbi Mani says that he does not, whereas Rabbi Chanina maintains that he does.

Rabbi Mani asked Rabbi Chanina: My view that he does not rend his garments is consistent with the fact that there is no observance of 'seven,' but according to your view that he should rend his garments; is there a rending of one's garments without the observance of the seven days of mourning?

The Gemora retorts: But is there not? Surely, Isi, father of Rabbi Zeira, or as some say, Rabbi Zeira's

brother, recited a braisa in the presence of Rabbi Yochanan: If one had no garment to rend at the time, and he obtained one during the seven days, he should rend it then; if, however, it first became available after the seven days, he does not rend it! Thereupon, Rabbi Zeira chimed in after him: When does this ruling apply? In the case of the other five relatives, for whom mourning is obligatory, but in the case of one's father or mother, one always rends his garment!?

The Gemora answers: What you cited was taught out of deference to be shown for one's father or mother (but not as a halachic requirement for rending). (20b)

The Gemora cites a braisa: All the relatives that are mentioned in the Torah that the kohen must contaminate himself for (*even though a kohen has a prohibition against contracting tumah from a corpse*), a mourner mourns for them, as well. These are those relatives: His wife, his father, his mother, his brother and sister, his son and daughter. The Chachamim added his maternal brother, maternal virgin sister and his married sister (*even though a kohen would not contaminate himself for these relatives*).

Rabbi Akiva adds secondary relatives, as well. Rabbi Shimon ben Elozar says: He mourns only for his son's son and his father's father. The Chachamim say: If he would mourn by the death of a particular relative, he mourns by that relative's relative.

The Gemora asks: It emerges that Rabbi Akiva and the Chachamim have the identical opinion?

The Gemora answers: The Chachamim maintain that he only mourns for a relative's relative if the relative is with him in his house. This is as Rav said to his son Chiya, and as Rav Huna likewise said to his son Rabbah: In her presence observe mourning; away from her presence do not observe mourning.

The Gemora relates an incident: When Mar Ukva's father-in-law's son died, he thought of sitting for him seven days of mourning and thirty (for sheloshim). Rav Huna went to his house and found him in a state of mourning. Rav Huna asked him: Do you desire to eat of the mourners' meal? They did not say that one should observe formal mourning out of deference to his wife (her relatives) only in the case of the death of his father-in-law or his mother-in-law, as it is taught in a braisa: If his father-in-law or mother-in-law died, the husband may not force his mourning wife to put on eye shadow or rouge, but he should overturn his own bed and observe mourning with her; and likewise she, when her father-in-law or mother-in-law dies, she may not put on eye shadow or rouge; but she should overturn her bed and observe mourning with him. And another braisa taught: Although the Rabbis said: No man has a right to force his wife (*while she is mourning*) to put on eye shadow or rouge, in truth they said: She may mix the cup for him, and she makes the bed for him and she washes his face, his hands and his feet? Now the regulations in the two citations contradict each other. Rav Huna concludes: Infer from this that the one braisa refers to the death of a father-in-law or mother-in-law, while the other braisa refers to the death of other relatives. This indeed proves it. The Gemora cites a supporting braisa: They did not say that one should observe formal mourning out of

deference to his wife, except by the death of his father-in-law or his mother-in-law.

Ameimar lost his son's son, and he tore his garments. Thereupon, his son came and he again tore his garments in his son's presence. He then recollected that he had done it while sitting; he rose and tore his garment again standing (for the third time).

Rav Ashi said to Ameimar: From where do we derive that the rending of one's garment is to be done standing? It is from the verse: Then Job arose and tore his coat.

Rav Ashi asked: But if that is so, what would you say regarding the following verse: And he will arise and say, "I do not want to take her"? Will this be interpreted similarly (that chalitzah must be performed while standing)? But surely it is taught in a braisa: And if she submits to chalitzah whether he is standing or sitting or stooping?

He replied: It is because there it is not written: And he should arise and he should say, whereas here it is written: And Job arose and tore his coat. (20b – 21a)

## INSIGHTS TO THE DAF

### SOURCE FOR THE LAWS REGARDING MOURNING

The Gemora cites a Scriptural source establishing that the primary period of mourning is for seven days. Tosfos asks: Why didn't the Gemora cite the verse where Yosef mourned for his father Yaakov in Breishis [50:10]: *And he made for his father a mourning of seven days*? Tosfos answers: That verse

is referring to the period of mourning prior to the burial.

It is noteworthy that the Ibn Ezra on that verse comments that the mourning mentioned here is referring to the period after the burial. Rabbi Aharon Levine in his sefer Hadrash V'haeyun wonders why the Ibn Ezra explained the verse in that manner, when it is evident that our Gemora does not learn that way. The Rif (Brochos) does derive the laws of mourning from Yaakov.

Tosfos cites a Yerushalmi that answers differently: We cannot derive the laws of mourning from the death of Yaakov because that was prior to the giving of the Torah.

This seems a bit perplexing because there are many halachos (time for the Minchah prayer) that are derived from verses in the Torah even though the incidents transpired prior to the giving of the Torah?

The Chasam Sofer answers: It is written regarding the laws of mourning '*Banim Atem*,' You are My children. When did Klal Yisroel get the status of being children of Hashem? After receiving the Torah. It is for this reason that the laws of mourning must be derived from a verse which occurred after the Torah was given.

Rav Elyashiv answers: While it is true that we could have learned many of the laws of mourning from Yaakov and Yosef, there are some laws that we would be incapable of deriving from there. A mourner cannot study Torah, nor can he don tefillin on the first day and before the burial he cannot

perform any mitzvos. If the source of the laws of mourning would be from Yaakov and Yosef, we would say that those laws were included in the mourning period for the mourners who did not have these obligations (the Patriarchs before the Torah was given); however we, who have an obligation to study Torah, don tefillin and perform mitzvos, cannot be subject to these prohibitions. It was for this reason that the Gemora found the source for the laws of mourning from a verse in Amos, after the Torah was given.

## DAILY MASHAL

It once occurred that after the Yeshiva students remained awake learning the entire night of Shavuot, they brought out coffee, cakes and other delicacies, and they danced and sang together. Reb Nosson Tzvi Finkel, the Alter of Slobodka, suggested that perhaps their intention of staying up the entire night was merely on account of the cake and the dancing.

When this was reported to Reb Isser Zalman Meltzer, he remarked by quoting our Gemora: When Mar Ukva's father-in-law's son died, he thought of sitting for him seven days of mourning and thirty (for sheloshim). Rav Huna went to his house and found him in a state of mourning. Rav Huna asked him: Do you desire to eat of the mourners' meal? They did not say that one should observe formal mourning out of deference to his wife (her relatives) only in the case of the death of his father-in-law or his mother-in-law. He commented that if it was permitted to suspect Mar Ukva of observing a formal mourning only on account of partaking in the mourner's meal, it certainly is permitted to suspect us on these intentions!