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Moed Katan Daf 24

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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

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Rabbi Yochanan inquired of Shmuel: Is there (the requirement) the observance of mourning on Shabbos, or not? He replied: There is no mourning on Shabbos. (24a)

The students were sitting in front of Rav Pappa and they said over in the name of Shmuel: A mourner who engages in marital relations during the period of mourning is liable to death (*through the hands of Heaven*). Rav Pappa said: It is forbidden (*but he will not be liable to death*), and it was said over in the name of Rabbi Yochanan. Rav Pappa continued: If you heard a law regarding mourning in the name of Shmuel, perhaps this is what you heard: A mourner who does not let his hair grow or does not rend his garments is liable to death.

Rafram bar Pappa said: It was taught in Eivel Rabbasi (one of the minor tractates; one that deals with laws concerning death, burial and mourning): A mourner is forbidden to engage in marital relations during the period of mourning; and there was an incident with a person who engaged in marital relations during the period of mourning and swine snatched his corpse. (24a)

Shmuel issued various rulings regarding a mourner on Shabbos: The laws, referred to by the acronym ‘PeChaZ’ are obligatory; the laws, referred to by the

acronym ‘NeTaR’ are optional. A mourner is obligated to uncover (*Peri’as ha-rosh*) the wrappings from his head on Shabbos; he must turn (*Chazarah*) his torn garments to the back; he should turn (*Zekifah*) his bed the right side up on Shabbos (*otherwise, these activities would be considered displaying mourning in public and that is prohibited on Shabbos*). It is optional for a mourner to adhere to the following prohibitions on Shabbos: wearing (*Ne’ilas ha-sandel*) leather shoes, engaging (*Tashmish*) in marital relations and washing (*Rechitzah*) his hands and feet with hot water (*that was heated prior to Shabbos*) on Shabbos. Rav said: Uncovering the wrappings from his head is also optional (*since others appear in that manner, as well*).

The Gemora asks: Why does Shmuel make a distinction between wearing shoes and uncovering their head? They both should be optional, for not all people uncover their heads on Shabbos, in the same way that not all people wear shoes on Shabbos!?

The Gemora answers: Shmuel maintains that a mourner must rent his garments at the time of intense grief and he must cover his head in the same manner that the Ishmaelites cover their head (and therefore it would be recognizable that he is a mourner).



Rav Nachman demonstrated this by wrapping himself in his garment up to the hollow of his cheeks. (24a)

Shmuel said: In order to fulfill the obligation of rending his garments, it must be done on the day of the relative's death.

The Gemora asks on Shmuel by citing certain incidents where we see that an Amora rent his garments many days after the death of his teacher.

The Gemora answers: The death of a teacher is different since every day their teachings are mentioned (*the loss is felt every day*) and it is considered like the day of the death. (24a)

The Gemora cites a braisa: A mourner displays his rent garment in the front during the *shiva* period and if he wishes to change his garments, he may do so, but he is required to rend the new garment, as well. On Shabbos, the rent garment should show in the back and if he wants to wear a new garment, he may do so, but he should not rend the new garments.

This braisa is seemingly inconsistent with Shmuel who maintains that the rending must be done on the day of the relative's death. The Gemora answers: The braisa is referring to the death of a parent, where Shmuel agrees that one can rend his garments even on days after the death.

The Gemora presents a dispute if the garments which were rent to honor his parent (*the first day*,

there is an obligation; afterwards, it is done to honor them) may be sewn together afterwards or not. (24a)

The Mishna had stated: Rabbi Eliezer says: Once the Beis Hamikdosh was destroyed, the festival of Shavuos (*which is only one day*) has the same halachos as Shabbos (*in regards to the days of mourning*). Rabban Gamliel says: Rosh Hashanah and Yom Kippur (*even though they are both only for one day*) have the same halachos as the other festivals. The Chachamim maintain that Shavuos has the halachos of a festival (*since one can offer the festival korbanos for seven days after Shavuos*) and Rosh Hashanah and Yom Kippur have the same halachos as Shabbos.

Rav Gidel the son of Menashye said in the name of Shmuel: The halachah follows the opinion of Rabban Gamliel. The Gemora cites another version of Rav Gidel the son of Menashye's statement.

The Gemora presents a dispute among the Tannaim in regards to death of a child.

A baby under 30 days old is carried out for burial in someone's arms (*without a bier or coffin*). The burial does not require ten men present; it is sufficient with one woman and two men. One man and two women should not bury him (*the cemetery was generally outside the city and would be regarded as a forbidden seclusion*). Abba Shaul does permit this (*they are preoccupied with the mourning and it will not result in sin – Tosfos*). They do not form a row to console the mourners; they do not recite the mourners' blessing and they do not comfort the mourners.

If the child was over thirty days old, he is carried out for burial in a coffin. Rabbi Yehudah says: It should not be a coffin that is carried on the shoulders, but rather, one that is carried in their arms. They form a row to console the mourners; they recite the mourners' blessing and they comfort the mourners.

If the child was over twelve months old, he is carried out for burial in a bier. Rabbi Akiva maintains that he is carried out for burial with a bier only if he is either actually two years old or developed like a two-year old. Rabbi Shimon ben Elozar says: If the child is carried out for burial in a bier, the people grieve over him; otherwise, they are not required to grieve. Rabbi Elozar ben Azarya says: If the child was known to people in his lifetime, they are required to come to the burial and comfort the father; otherwise, they are not required to get involved.

The braisa continues: When do we eulogize a child? Rabbi Meir said in the name of Rabbi Yishmael: If the deceased child came from a poor family, he is eulogized if he was over three years old. If the deceased child came from a rich family, he is eulogized if he was over five years old. Rabbi Yehudah said in the name of Rabbi Yishmael: If the deceased child came from a poor family, he is eulogized if he was over five years old. If the deceased child came from a rich family, he is eulogized if he was over six years old. The children of the elderly are regarded as children from a poor family.

Rav Gidel the son of Menashye said in the name of Rav: The halacha follows the opinion of Rabbi

Yehudah who said in the name of Rabbi Yishmael. (24a – 24b)

Rabbi Anani bar Sasson expounded in front of the house of the Nasi: If one day of mourning was observed prior to Shavuos and then Shavuos passes, it is considered that mourning has been observed for fourteen days.

Rabbi Ami heard of this and he became angry. He said: Is this his own? This was stated by Rabbi Elozar in the name of Rabbi Oshaya.

A similar incident occurred when Rabbi Yitzchak Nafcha expounded in front of the house of the Exilarch and Rav Sheishes heard of this and he became angry. He said: Is this his own? This was stated by Rabbi Elozar in the name of Rabbi Oshaya. Rabbi Elozar said in the name of Rabbi Oshaya: One is obligated to bring a shelamim offering on the first day of Shavuos (*similar to the other festivals*). He cites a Scriptural verse that there is a seven day compensation period for anyone that didn't bring the korban. (24b)

Rav Pappa accompanied Rav Avia the elder and expounded: If one day of mourning was observed prior to Rosh Hashanah and then Rosh Hashanah passes, it is considered that mourning has been observed for fourteen days.

Ravina said: Accordingly, one day prior to Sukkos, and then Sukkos and Shmini Atzeres passes, it is considered that mourning has been observed for twenty-one days. (24b)