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Moed Katan Daf 23

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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: If a Torah scholar dies, his Beis Medrash should stop its regular classes. If the head of the Beis Din dies, all the places of learning in his city should stop their regular classes and when they enter the synagogues, they should all change their seats from where they usually sit. If the Nasi dies, all of the places of learning should stop their regular classes and they should enter the synagogues on Shabbos to read the Torah (*they would not pray together with a minyan, but rather, they would each pray in their own house*). Rabbi Yehoshua ben Korchah said: The people would not stroll in the market, but rather, they would stay at home and remain silent. They would not discuss Torah matters in a house of mourning, (*but rather, they would sit and remain silent*). It was said regarding Rabbi Chananya ben Gamliel that he did discuss Torah matters in a house of mourning. (22b – 23a)

The Gemora cites a braisa: A mourner should not leave his house during the first week of mourning. The second week, he is permitted to leave, but he should not sit in his regular place (*but rather, in the place reserved for mourners – Meiri, nowadays the custom is to move his seat*

to another place). The third week, he may sit in his regular place, but he should not talk publicly. During the fourth week, he should conduct himself like a regular person.

Rabbi Yehudah says: It is not necessary for the Chachamim to rule regarding the first week that he shouldn't leave his house since that is the week that everyone comes to console him; rather it is the second week that he shouldn't leave his house. The third week, he is permitted to leave, but he should not sit in his regular place. The fourth week, he may sit in his regular place, but he should not talk publicly. During the fifth week, he should conduct himself like a regular person. (23a)

The Gemora cites a braisa: A mourner should not marry during the *sheloshim*. If it is his wife that died, he should not get married until after three festivals (*in order that he shouldn't forget the love for his first wife – Tosfos*). Rabbi Yehudah maintains: He is permitted to marry after the second festival has passed. If he did not yet have any children, he is permitted to marry immediately since otherwise, he would be neglecting the mitzva of being fruitful and

multiplying. If he has young children, he is also permitted to marry immediately in order for the children to have a woman to sustain them. (23a)

The Gemora cites a braisa: The mourner is prohibited from wearing pressed clothing during the *sheloshim*, whether they are new clothes or old ones. Rebbe says: The prohibition is only applicable to new clothes. Rabbi Elozar the son of Rabbi Shimon says: It is only applicable to new, white clothes. (23a)

The Gemora presents a dispute between the people of Yehudah and the people from the Galil whether the laws regarding private expressions of mourning apply to the Shabbos during the *shiva* period.

The Gemora attempts to prove that this argument is in fact a dispute among the Tannaim. The Gemora cites a braisa: One whose deceased relative lies before him (*to be buried – he is now an onein*) has the following halachos: He should eat in another room (*eating in front of the dead is tantamount to mocking them*); if no other room is available to him, he should eat in a friend's house; if that is not an option, he should build a separating wall in the height of ten tefachim and eat there; if that cannot be accomplished, he should turn around (*away from the deceased*) and eat there. When he is eating, he should not recline (*reclining was a symbol of royalty and it is not proper to display*

royalty while he is an onein); he should not eat meat or drink wine; he should not recite the blessing before the meal or afterwards; others should not recite the blessings for him; he should not participate in the *zimun* (*three people join together to recite the blessing after the meal*); he is exempt from reciting krias shema, shemoneh esrei, donning tefillin or any other mitzva.

The braisa continues: On Shabbos, he may recline in his usual manner and eat meat or drink wine; he can recite the blessings before the meal and afterwards; he may participate in a *zimun*; he is obligated to recite krias shema, Shemoneh Esrei, don tefillin and all other mitzvos. Rabban Gamliel says: Once he is obligated in these mitzvos, he is obligated in all other mitzvos, as well.

The Gemora proceeds to explain the dispute between the Tanna Kamma and Rabban Gamliel. The argument must be if it is permitted for the mourner to engage in marital relations during the Shabbos of *shiva*. The dispute is dependent on whether there is an obligation to observe the laws of mourning on Shabbos or not.

The Gemora rejects this explanation: Perhaps the Tanna Kamma prohibited the mourner from engaging in marital relations only because the deceased is lying before him; and perhaps Rabban Gamliel permitted it because it was

before the burial and the laws of mourning did not yet take effect. (23b)

Rabbi Yochanan inquired of Shmuel: Is a mourner obligated to observe the laws of mourning on Shabbos? Shmuel responded: The laws of mourning should not be observed on Shabbos, even in the privacy of his home. (24a)

INSIGHTS TO THE DAF

SIMCHA ON SHABBOS

Tosfos states that on Shabbos, the laws of mourning can apply because Scripture does not write regarding Shabbos that it is a day of simcha, happiness and therefore mourning will not be in direct contrast to the Shabbos. There is an obligation to rejoice on a festival and that is why the laws of mourning do not apply then.

Tosfos in Kesuvos (7b) writes that one should enhance the Shabbos with rejoicing and feasting. This would indicate that there is an obligation of simcha on Shabbos.

The Nimukei Yosef (19a) states explicitly that there is an obligation for *oneg*, pleasure on Shabbos but not simcha. The Gemora Shabbos (62b) states that there is a clear distinction between *oneg* and simcha.

The Sifri in Parshas Bahaloscha expounds on the verse *U'veyom simchaschem*, this is referring to Shabbos. The Zohar constantly refers to Shabbos as a *yuma d'chedvasa*, a day of happiness. The Taz (O"C 688:8) cites a Yerushalmi that one has an obligation to conduct himself with simcha on Shabbos.

The Toras Chaim (at the end of Chulin) concludes that there is no obligation to be b'simcha physically on Shabbos (such as eating and drinking), but there is an obligation for a spiritual simcha. The Sefer Chasidim writes that this can be accomplished through the studying of Torah as it is written *Pikudei Hashem yeshrim mesamchei leiv*.

An interesting question: Nusach Sfarad says "Yismechu b'malchuscha shomrei Shabbos" in all Shemoneh Esrei's on Shabbos. Evidently, there is an obligation of simchah on Shabbos. Nusach Ashkenaz, however, disagrees and only inserts those words by Mussaf, where, the Brisker Rav explains, the korbanos required simchah. Shabbos, they seem to maintain, does not require simchah.

In Kabbalas Shabbos, however, there is a reversal: Nusach Ashkenaz says "Gam b'simchah u'v'tzahalah." Nusach Sfarad replaces those words with "Gam b'rinah u'v'tzahalah." What is the explanation for the switch?

DAILY MASHAL

By: Revach I'Daf

Abaye Changes His Position Three Times

Abaye was a Kohen and was eligible to receive the coveted Zro'a, L'Chayayin, and Keiva, shoulder, tongue, and stomach of every animal slaughtered. The gemara Chulin (133a) tells us that initially, Abaye in his enthusiasm to show how important the mitzva is, used to grab these pieces of meat from the people who slaughtered the animal. Later when he heard that the pasuk says these pieces should be "given" to the Kohen, he stopped taking them himself but started to tell the people to give it to him. When he heard that the Navi criticized the children of Shmuel HaNavi for "asking" for the Matanos, he stopped asking but continued to accept them when offered. When he heard the Braisa says that the modest Kohanim would pass on the opportunity to get a piece of the holy Lechem HaPanim while the aggressive ones would grab, he stopped accepting altogether.

The Mei Shiloach says that the nature of a person whose opinion is attacked or even questioned, is to stand up and defend himself vigorously. This is especially of a person of stature and even more so when it comes to his personal conduct. Admitting error puts a

blemish on his past behavior, which a public persona has trouble dealing with both on his own account and that of his position.

Abaye exhibited the exact opposite behavior. Despite that after his own internal lengthy debate, he decided that grabbing the Matanos showed the most respect for the Mitzvos, as soon as he even "heard" that his way may not be correct, rather than defend himself he chose to change his ways. Still when that did not prove sufficient to stem the voices of dissent, Abaye once again altered his behavior without any argument. And then he did it for third time. Could you imagine the shame of a Gadol HaDor swallowing his pride three times over the same issue?

Abaye, says the Mei Shiloach, set an example how all of ones conduct must be totally L'Shem Shamayim without any consideration of one's own ego. One must always seek the truth no matter what is at stake for him personally.