

OVERVIEW of the Daf

1) Overturning beds (cont.)

A Baraisa records a dispute about when the beds should be overturned. A related incident is recorded in the Baraisa.

A Baraisa teaches that Friday afternoon from mincha time the beds may be straightened, although according to Rabbah bar Huna the mourner may not sit on the straightened bed until nightfall, and after Shabbos they must be overturned again.

Another Baraisa discusses which beds must be overturned and which beds do not have to be overturned.

The Gemara digresses to analyze the meaning of the term דרגש and finally concludes that it refers to a bed of leather.

A ruling related to the דרגש is recorded.

Another Baraisa emphasizes the necessity to overturn the beds while mourning.

2) Housekeeping

A Baraisa teaches that general housekeeping is permitted but not those activities that represent indulgence.

The Baraisa's ruling against the use of incense is unsuccessfully challenged.

3) MISHNAH: The Mishnah discusses the proper delivery of food to the mourner's house and how to conduct a funeral during Chol Hamoed.

4) Sensitivity for the poor who are mourning

A Baraisa explains the background for the Mishnah's ruling about how the food is transported to the mourner's house and the sensitivity that these guidelines express.

Seven similar enactments, i.e. concern for the feelings of the poor, are presented in a Baraisa.

5) Eulogizing a Torah scholar

R' Pappa rules that Chol Hamoed, Chanukah and Purim do not stand in the way of delivering a eulogy for a Torah scholar when the deceased is present.

Part of this ruling is unsuccessfully challenged.

Ulla defines certain eulogy related terms found in Tanach.

6) Mourning

Three rulings of R' Yochanan related to mourning are presented.

Three mourning and burial related rulings of R' Yehudah in the name of Rav are presented with related incidents.

R' Levi describes the appropriate frame of mind one should have during different stages of mourning. ■

Distinctive INSIGHT

Crying over the loss of a relative

אל תבכו למת יותר מדאי ואל תנוודו לו יותר מכשיעור וכו'

Our rabbis taught: "Do not weep for the dead and do not bemoan him." (Yirmiyahu 22:10) "Do not weep for the dead" - this means do not do so in excess. "Do not bemoan him" - this means beyond measure. How is that applied? Three days for weeping and seven for lamenting and thirty day to refrain from cutting the hair and wearing laundered clothes. Hereafter, the Holy One, blessed be He, says: "You are not more compassionate towards him (the departed) than I am."

The Radvaz writes that it is appropriate for a mourner to cry as a reaction to his grief. At a time of a serious loss, the trait of justice confronts a person, and the proper response is for a person to cry. When Aharon Hakohen suffered the loss of two of his sons, the Torah tells us that he did not cry. "And Aharon held his peace." (Vayikra 10:3) How, then, did Aharon refrain from conducting himself as other mourners? How is it that he remained silent, and apparently restrained himself from a correct and spiritually healthy expression of emotion?

The Ba'al Sho'el U'Maishiv explains that crying in response to such a tragic loss is appropriate only under regular circumstances, when some element of sin can be associated with the person's death. As human beings, our existence is overshadowed with the inevitability of our passing from this world. Sin has always been a factor when we submit our souls to our Creator as we depart from this world. The verse states (Micha 6:7): "Shall I give my first-born for my transgression, the fruit of my body for the sin of my soul?" However, the death of Nadav and Avihu was different. It was designed as a means to heighten and intensify the Name of G-d, and it therefore was not at all to be a source of crying.

The reaction of Aharon is introduced with the words of Moshe. "The demise of these two men is a fulfillment of that which Hashem had spoken when He said, 'Through the ones who are close to Me I will be sanctified, and I will be honored in front of the entire nation.' " Moshe thereby instructed Aharon that the death of his sons was different from other situations, and, accordingly, Aharon was silent. ■

This week's Daf Digest is dedicated by the family of

מרת חנה בת ר' דוד, ע"ה רובין

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HALACHAH Highlight

The importance of affordable funeral services

בראשונה היתה הוצאת המת קשה לקרוביו יותר ממתתו, עד שהיו קרוביו מניחין אותו ובורחין, עד שבא רבן גמליאל ונהג קלות ראש בעצמו ויצא בכלי פשתן, ונהגו העם אחריו לצאת בכלי פשתן. אמר רב פפא והאידנא נהוג עלמא אפילו בצרדא בר זוזא.

Originally, the cost of taking out the deceased was more difficult for the family than the death itself; so much so, that the family would leave the deceased and flee. This situation remained until Rabban Gamliel treated himself lightly by allowing himself to be buried in linen garments. The people followed this example and forthwith buried the deceased in linen garments. Rav Papa said that nowadays it is the custom to dress the dead even in garments of canvas valued at one zuz.

Rav Moshe Feinstein¹ was asked whether it would be permitted to enter into an agreement with a funeral home owned by gentiles in order to provide more economical yet Halachically correct funeral arrangements than those being provided by the already existing Jewish owned funeral home, or was there an issue of encroaching on someone's business (השגת גבול). Rav Feinstein responded that there is no prohibition of encroaching in this case since the already existing funeral home charged exorbitantly high rates. In fact, Rav Feinstein asserts that overcharging for funeral expenses is more severe than general price gauging for basic sustenance essentials which the Rabbis² equated to lending with usury, which is similar to stealing. The reason is that the mourner is in a fragile state of mind and is vulnerable to deception. In such a state, he is unable to properly negotiate terms and satisfactorily select services. Addition-

REVIEW and Remember

1. How many beds must be overturned in the mourner's house?
2. What utensil is used to transport food to a mourner's home?
3. Why are people buried wearing plain linen garments?
4. What happens if a person commits a sin and then repeats it?

ally, the mourner certainly desires to spend more so as to properly honor their loved one. Thus, he is more susceptible to mistakenly choose expensive options. Rav Feinstein deduces from our passage that it was such in Talmudic times. Indeed, funeral preparations were terribly difficult because poor people were embarrassed to bury their dead in inexpensive garments. It remained such until Rabban Gamliel had himself buried in expensive linen. Even this was extended to have the dead buried in canvas worth a zuz. Rav Feinstein thus encouraged the establishment of more affordable, Halachically correct funeral services to protect mourners from additional anguish. ■

1. שו"ת אגרות משה (ח"ג מחי"ד סי' קלד).

2. ב"ב (דף צ"ע"ב) ורמב"ם (פ"י"ד מה"ל מכירה ה"ו) ובשו"ע (ח"ו"מ

סי' רלא סכ"ה). ■

STORIES Off the Daf

"Weep Sorely for the One Who Goes..."

עובר אדם עבירה ושנה בה נעשה לו כהיתר...

On today's daf we find that Rav Huna interprets the phrase, "...weep sorely for the one who goes," (Yirmiyahu 22:10) to mean one who did a sin and "שנה בה," repeated it. Such action brings to crying because the sin has unfortunately become "כהיתר," something that no longer smacks of sin to the sinner himself.

Someone once asked Rav Baruch of Mezhibuzh, zt"l, about Rav Huna's statement. "Since one can always repent,

what does it mean that the sin is 'permitted to him?' Surely the person will still repent for the sin on Yom Kippur since he does really know that it is a sin?"

The Rebbe explained, "On a simple level it means that it is harder to do teshuvah for a sin once it has become habitual than for a 'fresh' one. But there is also a deeper lesson in Rav Huna's statement. 'ושנה' also means, 'and learns.' When viewed this way, the Gemara is really saying that one who sins and learns afterward is 'hutrah,' or released from his guilt! With this, we can more readily understand Chazal's statement that if one sees a Torah scholar sinning at night one should not suspect him the next day since he has surely repented by then. How do we know that he will have al-

ready repented? From the fact that he is a Torah scholar—he will have learned, and his learning will bring him to repentance!"

The Satmar Rav, zt"l, had an entirely different view of Rav Huna's words, however. He would say, "There are some people whose lack of יראת שמים drives them to try and 'purify a שרץ'—to illegitimately rationalize improper behavior. Such people think that they are accomplished scholars, and they are willing to concoct a 'halachic' way to permit almost any wrong. Rav Huna means that if one did a sin and knows how to learn (ושנה), he will find a way to justify his misdeed. Then he can say in all innocence, 'הותרה'—it's permitted. His ability to learn is what keeps him sinning!" ■