

III.

BAVLI TRACTATE MOED QATAN CHAPTER THREE

FOLIOS 13B-29A

We proceed to further special topics, namely, those who may on the intermediate days do forms of labor that ordinarily must be carried out prior to the Festival, e.g., getting a haircut, washing clothes. The principle is, those who through no fault of their own cannot have done these things prior to the Festival are permitted to do so in the intermediate days thereof.

3:1-2

3:1

- A. Who are they who are permitted to get a hair cut on the intermediate days of a festival?
- B. (1) he who comes from overseas or from captivity;
- C. (2) and he who goes forth from prison;
- D. (3) and he whose excommunication has been lifted by sages.
- E. (4) And so too: he who sought absolution from a sage [for release from a vow not to get a haircut] and was released;
- F. and the Nazirite [Num. 6:5] or a person afflicted with the skin ailment [Lev. 14:8-9] who emerges from his state of uncleanness to his state of cleanness.

3:2

- A. And who are they who may wash their clothes on the intermediate days of a festival?
- B. (1) he who comes from overseas or from captivity;
- C. (2) and he who goes forth from prison;
- D. [14A] (3) and he whose excommunication has been lifted by sages.

- E. (4) And so too: he who sought absolution from a sage [for release from a vow not to wash clothes] and was released.
- F. (1) Hand towels, (2) barber's towels, and (3) bath towels [may be washed].
- G. (1) Male and (2) female Zabs, (3) women in their menstrual period, (4) women after childbirth, and all who go up from a state of uncleanness to cleanness,
- H. lo, these are permitted [to wash their clothes].
- I. But all other people are prohibited.

We commence with the obvious question: why these classes of persons but no others?

- I.1** A. *What is the reason that all other classifications of persons are forbidden to do so?*
- B. *It is in line with that which we have learned in the Mishnah: **Members of the priestly watch and members of the public delegation [presence] are prohibited to get a haircut and to wash their clothes. But on Thursday they are permitted to do so, because of the honor owing to the Sabbath [M. Taanit 2:7B-C].***
- C. *And said Rabbah bar bar Hanna said R. Eleazar, "What is the operative consideration that allows them to do on Thursday? It is so that they should not enter in a condition of slovenliness their membership on the priestly watch. Here too, the operative consideration is that they not enter the festival in a slovenly condition." [If through their own fault they have done so, they may not correct the situation.]*

Once we have established the governing principle, we turn to the analysis of its components: the issue of constraint, then the severity of the constraint. The cases of the Mishnah all pertain to constraint of a compelling character; here we ask whether constraint that is a matter of option is taken into account.

- I.2.** A. *R. Zira raised this question: "If someone lost something on the eve of a festival, [what is the law about getting a haircut or washing clothes on the intermediate days of the festival]? Since it was under constraint that he could not have done so prior to the festival, he may get a haircut or wash clothes on the festival? Or perhaps, since the reason is not compelling, he may not do so?"*
- B. Said Abbaye, "Well, people would say, 'While all Syrian loaves are forbidden, Syrian loaves of Boethus are permitted' [so we'd better not discriminate, lest people get the wrong idea]."
- C. *Yeah, well, from your reasoning, lo,* said R. Assi said R. Yohanan, "Anyone who has only a single garment may wash it during the festival week," — *there too, won't* people say, "While all Syrian loaves are forbidden, Syrian loans of Boethus are permitted"?"
- D. *Well, in fact it has been stated in this connection:* said Mar bar R. Ashi, "The man's loin cloth shows the facts of the matter [that is, that's all he's got]."

- I.3.** A. *R. Ashi repeated the same matter in this way: 'R. Zira raised this question: "If a craftsman lost something on the eve of the festival, do we say that, since he is a*

craftsman, the reason that, on the festival, he is permitted to get a haircut or wash his clothes is self-evident, or since the reason is not going to be so self-evident as in the cases mentioned in the Mishnah, he may not get a haircut or wash his clothes during the intermediate days of the festival?"'''

B. *In that form, the question must stand.*

The anonymous rule of the Mishnah is now identified with a particular authority's position. The work here is to find out who does not concur; if it is Judah, then the anonymous authority will be assumed to be his debating partner, Meir.

II.1 A. Who are they who may get a hair cut on the intermediate days of a festival? (1) he who comes from overseas or from captivity...:

- B. *Our Mishnah-paragraph's rule is not in accord with the position of R. Judah. For it has been taught on Tannaite authority: **R. Judah says, "One who comes home from overseas may not get haircuts during the intermediate days of the festival, because he went abroad at such a season without the permission of sages [who would have told him to go after the festival, so as to avoid this situation]" [T. Moed 2:2G].***
- C. Said Raba, "If he went out merely to sightsee, all parties concur that he is forbidden. If he went out to make a living, all parties concur that he is permitted. They differ only if he made the trip just to make money. *One authority invokes the analogy of going sight seeing, the other, of going to make a living.*"
- D. An objection was raised: **Said Rabbi, "The opinion of R. Judah makes more sense to me in a case in which one has not gotten permission from sages to go abroad, and that of sages makes more sense in a case in which he has gotten permission from sages to go abroad" [T. Moed 2:2I].** *Now what does in which one has not gotten permission from sages mean? If I should say that it means to go sightseeing, have you not said, all parties concur that he is forbidden? And could it then mean to make a living? But have you not said, all parties concur that he is permitted? So it is obvious that it means just to make money.*
- E. *But then I invoke the concluding clause: **and that of sages makes more sense in a case in which he has gotten permission from sages to go abroad!** Now what could "with permission" mean here? If I should say that it means to make a living, have you not said, all parties concur that he is permitted? And might it be just to make money? But have you not said, **The opinion of R. Judah makes more sense to me in a case in which one has not gotten permission from sages to go abroad?***
- F. *This is the sense of the statement at hand: The opinion of R. Judah makes more sense than that of rabbis when he went forth without permission, and what circumstance might that involve? It is for sightseeing. For sages only differed from R. Judah when it comes to making money. But as to merely sightseeing, they concur with R. Judah. And the opinion of rabbis seems to make more sense than R. Judah's when he went forth with permission, and what might that involve? It would be for making a living, for even R. Judah differed with rabbis only when it was to make money. But as to going abroad to make a living, he concurs with them.*

The exposition of the principles in conflict is complete and balanced, though the original question has been lost; but the point is to show the refinements of the law and the principles for which they stand. We proceed to an extension of the principle of the law to cases not covered by the Mishnah, another form of Mishnah-exegesis.

II.2. A. Said Samuel, “A baby born on the intermediate days of the festival is it permitted to shave on the festival, for you have no more authentic a prison than that!”

B. *That rule then applies only if it was born during the intermediate days of the festival week, but if it was born prior to the week, it is then forbidden to shave it during the intermediate days of the festival [since that should have been done beforehand].*

C. Objected R. Phineas, “**As to all those for whom they have ruled that they may cut their hair on the intermediate days of a festival, it is permitted to get a haircut within [thirty days of] the occurrence of a bereavement [T. Moed. 2:1A-B].** Lo, all those who are forbidden to get a haircut during the intermediate days of the festival also are forbidden to get a hair cut during the thirty days of mourning. **[14B]** *But if you say that there is a difference in the case of the infant at hand, you also are implying that observing mourning pertains to a minor, while it has been taught on Tannaite authority, ‘A minor does not tear his clothing as an expression of grief?’*”

D. *Said R. Ashi, and some say, R. Shisha b. R. Idi, “Is the correct inference, ‘but those who are forbidden’ [Lazarus: to get a haircut in the intermediate days of a festival are also forbidden to do it during the days of mourning]? Perhaps this is the sense: ‘there are some who are forbidden and others who are permitted [meaning, minors].’”*

II.3. A. Amemar, and there are those who say, R. Shisha b. R. Idi, repeated as a Tannaite formulation the following: “Said Samuel, ‘It is permitted to give a haircut to a minor on the intermediate days of the festival. *There is no differentiation between whether he was born during the festival week and whether he was born prior.*’”

B. *Said R. Phineas, “We too have learned the same rule from the following Tannaite formulation: **As to all those for whom they have ruled that they may cut their hair on the intermediate days of a festival, it is permitted to get a haircut within [thirty days of] the occurrence of a bereavement [T. Moed. 2:1A-B].** Lo, if they are forbidden the get a hair cut on the intermediate days of the festival, they also are forbidden to get a hair cut during the time of bereavement. And if you say that an infant is forbidden, you turn out to maintain that the rules of bereavement apply to a minor, and yet it has been taught on Tannaite authority, ‘A minor does not tear his clothing as an expression of grief.’”*

C. *Said R. Ashi, “Is the correct inference, ‘but those who are forbidden’? Perhaps this is the sense: ‘there are some who are forbidden and others who are permitted [meaning, minors].’”*

At Nos. 4, 5 we continue the Mishnah-exegesis, now with the classifications of persons not raised in the catalogue of the Mishnah-paragraph at all, e.g., the mourner. He is subject to the prohibitions that apply here. The silence of the Mishnah is interpreted to mean that the mourner is not to observe the rites of mourning, which had they pertained

would have precluded him from getting a hair cut or laundering clothing. That omission then leads to the inference that is announced at the outset. The two compositions therefore form a continuing exegesis of the catalogue of the Mishnah.

II.4. A. A mourner does not observe the rules of mourning on the festival, as it is said, “And you shall rejoice in your feast” (Deu. 16:14).

B. *If the period of bereavement commenced prior to the festival, then the affirmative action that pertains to the community at large comes along and overrides the affirmation action required of an individual. And if it is a bereavement that has begun now, on the festival, the affirmative action required of an individual does not come along and override the affirmative action that pertains to the community at large.*

II.5. A. As to a person subjected to excommunication, what is the law on his being required to observe on the intermediate days of the festival the rules covering his excommunication?

B. Said R. Joseph, “*Come and take note: **They judge capital cases, property, cases, and cases involving fines [T. Moed. 2:11I].** Now if the guilty party does not pay attention to the decision of the court, we are going to have to excommunicate him. But if you should maintain that a person subjected to excommunication does not observe on the intermediate days of the festival the rules covering his excommunication, then if in the case of one has already been subjected to excommunication, the festival comes and suspends the excommunication, are we going to declare that, to begin with, on the intermediate days of a festival, a person is subject to the decree of excommunication?* [Obviously not, and therefore, it must follow, a person subjected to excommunication does observe on the intermediate days of the festival the rules covering his excommunication].”

C. *Said to him Abbaye, “But perhaps the purpose of the court process is only to consider the charge against him [but not to judge the case]. For if you do not take that view, then how in the world can we interpret the reference to capital cases? Do you maintain that, here too, we should actually put the man to death? And would that not keep the judges themselves from truly rejoicing in the festival? For it has been taught on Tannaite authority: R. Aqiba says, ‘How do we know that a sanhedrin who put someone to death should not taste any food all that day? Scripture says, “You shall not eat anything with bloodshed” (Lev. 19:26)? So in that matter, the purpose of the court process is only to consider the charge against him [but not finally to judge the case], and here too, the purpose of the court process is only to consider the charge against him [but not to judge the case].”*

D. *He said to him, “Well then you turn out to postpone judgment and turn the trial into a needlessly-protracted ordeal. But what happens is that they come early in the morning, examine the charges, go home and eat and drink all day, and come back at sunset, reach a final decision, and put him to death.”*

- E. *Said to him Abbayye, “Come and take note: **and he whose excommunication has been lifted by sages.**” [Such a person is automatically released from the restrictions of excommunication.]*
- F. *Said Raba, “Does the formulation read, ‘whom sages have released’? What is says is, **whose excommunication has been lifted by sages,** meaning, a case in which the person has gone and made things good with the plaintiff, and then he came before our rabbis, who then released him from the prior restraints [but if that did not happen, he would remain subject to them on the festival].”*

We proceed to another class of persons, now one that pertains at M. **3:1F**. Here is a class not addressed by the Mishnah-rule: a person not declared clean. Does he on the intermediate days of the festival observe the taboos to which ordinarily he is subject? A close reading of the Mishnah’s formulation solves this problem nicely.

- II.6.** A. As to a person who is suffering from the skin ailment, what is the rule as to requiring him to observe on the festival the laws governing his skin ailment?
- B. *Said Abbayye, “Come and take note: **Who are they who may get a hair cut on the intermediate days of a festival?...a person afflicted with the skin ailment [Lev. 14: 8-9] who emerges from his state of uncleanness to his state of cleanness.** Then while he is subject to the uncleanness itself, he continues to observe on the festival the laws governing his skin ailment.”*
- C. *The sense of the formulation is, “this goes without saying,” along these lines: it is not an issue of how he should conduct himself during the days in which he is certified as unclean, for he is not during the intermediate days of the festival to observe those rules, but even when he is emerging into the condition of cleanness, when he might have made a precautionary decree lest he hold up bringing his offerings, [we do not make such a decree,] and so we are informed [that he may get a hair cut and wash his clothing during the festival week].*
- D. *Said Raba, “Come and take note: ‘**[And] the leper’ (Lev. 13:45) — even though he is a high priest [Sifra CXLIII:1.3].** Now as a matter of fact, throughout the year on a festival the high priest is classified as is any other person, for we have learned in the Mishnah: **A high priest [on the death of a close relative] tears his garment below, and an ordinary one, above. A high priest makes an offering while he is in the status of one who has yet to bury his dead, but he may not eat [the priestly portion]. And an ordinary priest neither makes the offering nor eats [the priestly portion] [M. Hor. 3:5].** It then follows that on a festival day the person afflicted with the skin ailment must observe on the festival the restrictions that pertain to his condition of uncleanness.”*
- E. *That certainly follows.*

Now commences an account of the laws for the mourner. For the purpose of expounding the Mishnah we do not need the information that is given, which is therefore in the category of a topical exposition. It is followed by yet another topical composite, included for the same reason. The first set spells out the scriptural basis for actions that a mourner may or may not carry out. We commence with a rule that intersects with our concern for

the conduct of the mourner on the intermediate days of the festival, then pursue the topic, not the problem before us.

- II.7.** A. A mourner may not get a haircut, *since the All-Merciful said to the sons of Aaron*, “Do not let the hair of your heads go loose” (Lev. 10: 6), *which yields the inference that, for everybody else, cutting the hair is forbidden.*
- B. **[15A]** *What is the rule concerning those who have been excommunicated or those who are unclean by reason of the skin ailment in respect to their getting a haircut during the intermediate days of the festival?*
- C. *Come and take note:* Those who have been excommunicated and those afflicted with the skin ailment are forbidden to get a hair cut or to wash their clothing.
- D. If one who was excommunicated died [without resolving sages’ complaint against him], the court stones his coffin.
- E. R. Judah says, “It is not that they set up a pile of stones over him like the pile over Achan, but the court sends and has a large stone placed on the coffin, and this teaches you that **anybody who dies while subject to excommunication — the court stones his coffin**” [M. Ed. 5:6R].

Now we pursue the rules governing the mourner not in connection with the intermediate days of the festival and their basis in Scripture.

- II.8.** A. A mourner has to cover his head, *since the All-Merciful said to Ezekiel*, “And do not cover your upper lip,” *it follows that everybody else [but Ezekiel] is required to do so [as a mark of mourning].*
- B. *What is the rule concerning those who have been excommunicated or those who are unclean by reason of the skin ailment in respect to their having to cover the head?*
- C. Said R. Joseph, “*Come and take note:* And they cover themselves and sit like those who are excommunicated or like mourners, until from Heaven they are shown mercy.”
- D. *Said to him Abbayye, “But perhaps the case of one who is excommunicated on account of Heaven is exceptional, because such a one is subject to a more stringent rule?”*
- E. What is the rule as to a person afflicted by the skin ailment’s having to cover his head?
- F. *Come and take note:* “And he shall cover his upper lip” (Lev. 13:45) — from which it follows that he is obligated also to cover his head.
- G. *That is decisive.*
- II.9.** A. A mourner is forbidden to put on *tefillin* [prayer boxes containing verses of Scripture], *since the All-Merciful said to Ezekiel*, “And bind your head tire upon you” (Eze. 24:17), *it follows that everybody else is required to do so.*
- B. What is the rule concerning those who are excommunicated, in respect to putting on prayer boxes containing verses of Scripture?
- C. *That question stands.*

- D. What is the rule concerning those who are afflicted with the skin ailment in respect to putting on prayer boxes containing verses of Scripture?
- E. **“[And] the leper” (Lev. 13:45) — even though he is a high priest.**
- F. **Since it is said, “His [the high priest’s] head he will not dishevel, and his clothing he will not tear” (Lev. 21:10), might one say, Even if he is smitten with plague [he should not do so]? How then shall I carry out, “His clothing will be torn and his head will be disheveled” (Lev. 13:45)?**
- G. **Does this apply to any person outside of the high priest?**
- H. **Scripture says, “Who has the disease” (Lev. 13:45) — even though he is a high priest.**
- I. **“His clothing will be torn” (Lev. 13:45) — they will be cut up.**
- J. **““And his hair will be disheveled” (Lev. 13:45) — the only meaning of ‘disheveled’ is, to be made loose,” the words of R. Eliezer.**
- K. **R. Aqiba says, “‘Being’ is stated with reference to his head, and ‘being’ is mentioned with reference to the clothing. Just as ‘being’ stated with reference to clothing refers to things which are outside of his body, so ‘being’ which is referred to in respect to the head means things which are outside his body” [CXLIII:1.3-4].**
- E. *Does this not, then, refer to prayer boxes containing verses of Scripture?*
- F. *Said R. Pappa, “No, it refers to not putting on a cap or kerchief.”*

- II.10.** A. A mourner is forbidden to give a greeting, *since the All-Merciful said to Ezekiel, “And sigh in silence,” (Eze. 24:17).*
- B. *What is the rule concerning those who have been excommunicated in respect to giving people a greeting?*
- C. *Said R. Joseph, “Come and take note: And as to greeting one another, they are in the status of person who are excommunicated by the Omnipresent.”*
- D. *Said to him Abbayye, “But perhaps the case of one who is excommunicated on account of Heaven is exceptional, because such a one is subject to a more stringent rule?”*
- E. *What is the rule concerning those who are unclean by reason of the skin ailment in respect to giving a greeting?*
- F. *Come and take note: “And he shall cover his upper lip” (Lev. 13:45) — meaning that his lips should be sealed together, so that he is to be in the status of a person who has been excommunicated or of a mourner and be forbidden to give a greeting.*
- G. *That is decisive proof.*
- H. *So why not solve from this matter the question raised earlier concerning the one who has been excommunicated?*
- I. *Said R. Aha bar Phineas in the name of R. Joseph, “Does it really say, ‘he is forbidden’? It only says, he is to be in the status of a person who has been*

excommunicated or of a mourner, *so far as other things is concerned, and he also is forbidden to give a greeting.*"

- II.11.** A. A mourner is forbidden to study Torah, *since the All-Merciful said to Ezekiel, "Sigh in silence" (Eze. 24:17).*
- B. *What is the rule concerning those who have been excommunicated in respect to study of the Torah?*
- C. *Come and take note:* As to a person who is excommunicated, he may repeat Mishnah-teachings, and others may repeat Mishnah-teachings to him, he may be hired and others may be hired by him. As to a person who has been declared anathema, he may not repeat Mishnah-teachings, and others may not repeat Mishnah-teachings to him, he may not be hired and others may not be hired by him. A mourner repeats Mishnah-teachings to himself, so that he may not interrupt his study. He makes himself a small stall to support himself.
- D. *And said Rab, "He may sell water at the pass at Arabot."*
- E. *That proves the matter.*
- F. *What is the rule concerning those who are afflicted with the skin ailment in respect to study of the Torah?*
- G. *Come and take note of the following:* "And you shall make them known to your children and your children's children" (Deu. 4: 9), and immediately afterward, "The day on which you stood before the Lord your God in Horeb" (Deu. 4:10). Just as in the latter case there are fear, trembling, dread and awe, so in this case [study of Torah] there must be fear, trembling, dread and awe. On the basis of the exegesis at hand they have said, "Those who have suffered a flux, those who are afflicted with the skin disease [of Lev. 13-14], those who have had sexual relations with menstruating women are permitted to recite the Torah, prophets, and writings, to repeat teachings of the Mishnah and the Gemara and the laws and lore, but those who have had a seminal emission are forbidden to do so.
- H. *That proves the matter.*
- II.12.** A. A mourner is forbidden to wash his clothes, for it is written, "And Joab sent to Tekoa and called from there a wise woman and said to her, I pray you, pretend to be a mourning and put on mourning clothes, I ask, and do not anoint yourself with oil, but be as a woman who has for a long time mourned for the dead" (2Sa. 14: 2).
- B. *What is the rule concerning those who have been excommunicated or those who are unclean by reason of the skin ailment in respect to their washing their clothes?*
- C. *Come and take note:* Excommunicated persons and those suffering from the skin ailment may not have a hair cut or wash their clothes.
- D. *That proves the matter.*
- II.13.** A. A mourner is required to tear his clothes, *for the All-Merciful has said to the sons of Aaron, "Nor tear your clothes" (Lev. 10: 6).* On that basis it must follow that everybody else has to do so.

- B. *What is the rule concerning those who have been excommunicated in respect to their tearing their clothes?*
- C. *The question stands.*
- D. As to a person afflicted with the skin ailment, what is the rule on whether or not he has to tear his clothes?
- E. “His clothes shall be disheveled” (Lev. 13:45), meaning, they shall be torn.
- F. *That proves the matter.*

II.14. A. The mourner is required to turn over his bed.

- B. *That is in line with what Bar Qappara repeated as a Tannaite statement: [15B] “I have set the likeness of my image on them and through their sins I have upset it, so let your beds be turned over on that account.”*
- C. *What is the rule concerning those who have been excommunicated and those afflicted with the skin ailment as to turning over the bed?*
- D. *The question stands.*

II.15. A. A mourner is forbidden to do work, since it is written, “And I shall turn your feasts into mourning” (Amo. 8:10) — just as on a festival it is forbidden to do work, so a mourner is forbidden to do work.

- B. What is the rule as to an excommunicated person’s doing work?
- C. Said R. Joseph, “*Come and take note:* When sages said that it is forbidden for those who are fasting to do work, they said that this was the case only in daytime, but at night it is permitted, and the same applies also to one who has been excommunicated and to a mourner. *Does this not, then, refer to all restrictions?*”
- D. *Not, it refers to other items on the list but not to doing work.*
- E. *Come and take note:* As to a person who is excommunicated, he may repeat Mishnah-teachings, and others may repeat Mishnah-teachings to him, he may be hired and others may be hired by him.
- F. *That proves the matter.*
- G. What about a person afflicted with the skin ailment?
- H. *The question stands.*

II.16. A. A mourner is forbidden to wash, since it is said, “And do not anoint yourself with oil” (2Sa. 14: 2), and anointing covers bathing as well.

- B. What is the law on the excommunicated person’s washing?
- C. Said R. Joseph, “*Come and take note:* When they said that it is forbidden to wash, that referred to the entire body, but as to one’s face, hands, and feet, it is permitted, and so you find in the case of the person who has been excommunicated and the mourner. *Does this not, then, refer to all restrictions?*”
- D. *Not, it refers to other items on the list but not to washing.*
- E. What about a person afflicted with the skin ailment?
- F. *The question stands.*

- II.17.** A. A mourner is forbidden to put on sandals, *since the All-Merciful said to Ezekiel*, “And put your shoes on your feet” (Eze. 24:17), the implication is that for everybody else it is forbidden to do so.”
- B. What is the law on the excommunicated person?
- C. Said R. Joseph, “*Come and take note*: When they said that it is forbidden to put on sandals, that doing so in town, but on a journey, it is permitted. How so? If he set out on a journey, he puts on sandals, but on coming into town, he removes them, and so you find in the case of one who was excommunicated. *Does this not, then, refer to all restrictions?*”
- D. *Not, it refers to other items on the list but not to washing.*
- E. What about a person afflicted with the skin ailment?
- F. *That question stands.*

- II.18.** A. A mourner is forbidden to have sexual relations, as it is written, “And David comforted Bath Sheba his wife and went in unto her” (2Sa. 12:24), *bearing the implication that before then it was forbidden.*
- B. What is the law on the excommunicated person?
- C. Said R. Joseph, “*Come and take note*: All those years that the Israelites were in the wilderness, they were regarded as excommunicated, but nonetheless they had sexual relations.”
- D. *Said to him Abbaye, “But perhaps the case of the one who is excommunicated unto Heaven is exceptional, being less serious?”*
- E. *Less serious! You just said it was more serious!*
- F. *He was confused on the matter. If you take this route, he can answer you and if you take the other, he can answer you.*
- G. What about a person afflicted with the skin ailment in respect to having sexual relations?
- H. *Come and take note of that which has been taught on Tannaite authority:*
- I. “And he will dwell outside his tent” (Lev. 14: 8) —**
- J. he is to be like one who has been excommunicated.**
- K. And he is prohibited from having sexual relations**
- L. “His tent” (Lev. 14: 8) — his tent means only his wife, as it is said, “Return to your tents” (2Ki. 15: 1) [Sifra CL:I.9-10].**
- M. *That proves it.*
- N. *Then why not use that case to settle the question regarding the one who has been excommunicated?*
- O. Said R. Huna b. R. Phineas in the name of R. Joseph, “Now does the passage state that he should be forbidden like one who was excommunicated? What it says is only, ‘like one who has been excommunicated and like a mourner in regard to other matters, and he also is forbidden to have sexual relations.’”

- II.19.** A. *A mourner does not have to send his sacrifices to the Temple, for it has been taught on Tannaite authority:*
- B. R. Simeon says, “[‘And you shall sacrifice peace offerings and eat there and you shall rejoice before the Lord your God’ (Deu. 27: 7):] The meaning of ‘peace offerings’ [since the word for peace bears the meaning of whole and complete as well] is that the one may present such an offering only when he is whole, but not when he is in the status of bereavement.”
- C. What is the law concerning a person who has been excommunicated as to sending his offerings?
- D. Said R. Joseph, “*Come and take note:* All those years that the Israelites were in the wilderness, they were regarded as excommunicated, but nonetheless they sent their offerings.”
- E. *Said to him Abbayye, “But perhaps the case of the one who is excommunicated unto Heaven is exceptional, being less serious?”*
- F. *Less serious! You just said it was more serious!*
- G. *He was confused on the matter. If you take this route, he can answer you and if you take the other, he can answer you.*
- H. What about a person afflicted with the skin ailment in respect to sending his offerings?
- I. *Come and take note of that which has been taught on Tannaite authority:*
- J. “‘And after a defiled priest has been rendered clean’ — after he has come away from his deceased relatives, ‘they shall count seven days for him’ — he counts those seven days, ‘and in the day that he goes into the sanctuary, into the inner court, to minister in the sanctuary, he shall offer his sin offering’ (Eze. 44:26) — **[16A]** this refers to that which is his own, a tenth part of an ephah of fine flour,” the words of R. Judah.
- K. R. Simeon says, “‘and in the day that he goes into the sanctuary, into the inner court, to minister in the sanctuary, he shall offer his sin offering’ (Eze. 44:26) — only when he is fit to go into the Temple is he fit to offer his own offering, but when he is not fit to go into the sanctuary, he is not fit to present his own offering [and none of these then may send offerings to the Temple].”

The exposition of the rule governing the mourner and comparable classes of persons now conclude. A subordinate topic in the foregoing has been the person subject to a writ of excommunication from sages; that is commonly for not coming to court, as made explicit at 20.N, and the inclusion of the following essay on summons of the court seems to me explicable only because of that flimsy connection to the foregoing. In any event the composite works out its own topic.

- II.20.** A. *Said Raba, “How on the basis of Scripture do we know that we send a messenger of the court [to deliver a summons] and call someone to court? ‘And Moses sent to call Dathan and Abiram, sons of Eliab’ (Num. 16:12).*
- B. *“And how on the basis of Scripture do we know that we summon the defendant to come?”*

- C. “‘And Moses said to Koran, be you and all your congregation before the Lord, you and Aaron tomorrow’ (Num. 16:16).
- D. *“And how about appearing before an eminent authority?”*
- E. “‘...before the Lord....’
- F. *“How about both parties, ‘you and so-and-so’?”*
- G. “‘...you and those that are with you and Aaron’ (Num. 16:16).
- H. *“How do we know that we set a time for the appearance?”*
- I. “‘tomorrow.’
- J. *“How do we know that if he does not obey the original subpoena, we send again and again?”*
- K. “‘...they called there Pharaoh the king of Egypt, the author of commotion, he has let the appointed time pass by. As I live says the King, the Lord of hosts, surely like Tabor among the mountains and like Carmel by the sea, so shall he come’ (Jer. 46:17-18).
- L. *“And how do we know that if one treats the court messenger in an insolent manner and the messenger comes back and tells the court, this is not classed as slander?”*
- M. “‘And Moses sent to call Dathan and Abiram, sons of Eliab, and they said, we will not come up...will you put out the eyes of these men? We will not come up’ (Num. 16:12-14).
- N. *“How do we know on the basis of Scripture that a ban of excommunication is issued?”*
- O. “‘Curse you Meroz’ (Jud. 5:23).
- P. *“How do we know that it must be based on the reasoning of an eminent authority?”*
- Q. “‘Curse you Meroz, said the angel of the Lord’ (Jud. 5:23).
- R. *“And how do we know on the basis of Scripture that a ban of herem is proclaimed?”*
- S. “‘Curse you Meroz, said the angel of the Lord’ (Jud. 5:23).
- T. *“And how do we know that the same curse applies also to anyone who eats and drinks with the accused or stands within four cubits of his spot?”*
- U. “‘Curse you Meroz, said the angel of the Lord’ (Jud. 5:23).
- V. *“And how do we know on the basis of Scripture that we publicize the details of what sins he has done?”*
- W. “‘Because the citizens of Meroz did not come to the help of the Lord’ (Jud. 5:23).”
- Y. *And said Ulla, “Barak excommunicated Meroz with the sound of four hundred ram’s horns.”*

- Z. There are those who say, “He was an eminent authority,” and there are those who say, “He was a star: ‘They fought from heaven, the stars in their courses fought against Sisera’ (Jud. 5:20).”
- AA. [Reverting to Raba’s statement:] *“How do we know that the property of one who disobeys the court is declared ownerless?”*
- BB. *““And whoever does not come within three days, according to the counsel of the princes and elders, all his substance should be forfeited and himself be separated from the congregation of the captivity’ (Ezr. 10: 8).*
- CC. *“How do we know that we may harass, curse, beat up, tear the hair, and put him under an oath?”*
- DD. *““And I contended with them and cursed them and smote certain of them and pulled their hair and made them swear by God’ (Neh. 13:25).*
- EE. *“How do we know that we may handcuff, arrest, and prosecute them?”*
- FF. *““Let the judgment be executed upon him with all diligence, whether it be unto death or to uprooting or to confiscation of goods or to imprisonment’ (Ezr. 7:26).”*

II.21. A. [“Let the judgment be executed upon him with all diligence, whether it be unto death or to uprooting or to confiscation of goods or to imprisonment: (Ezr. 7:26):] *what is the meaning of “uprooting”?*

- B. Said Adda Mari said Nehemiah bar Barukh said R. Hiyya bar Abin said R. Judah, “It means ‘prosecute.’”
- C. *What is the meaning of “prosecute”?*
- D. Said R. Judah b. R. Samuel bar Shilat in the name of Rab, “They excommunicate him on the spot and repeat the rite after thirty days and then, after sixty days, they declare him *herem*.”

II.22. A. *Said to him R. Huna bar Hinena, “This is what R. Hisda said: ‘They admonish him on Monday, Thursday, and Monday. That is in the case of a monetary claim. But as to a case of behavior that is wanton, they do so on the spot.’”*

- B. *A certain butcher behaved wantonly in the court of R. Tubi bar Mattenah. They assigned Abbayye and Raba to deal with him and they excommunicated him. In the end he went and appeased the one who had brought suit against him. Said Abbayye, “Now what is to be done? Should he be released? But the decree of excommunication has not applied to him for thirty days. Should we then not release the decree? Lo, our rabbis want to patronize his store!”*
- C. *He said to R. Idi bar Abin, “Have you heard anything to deal with this situation?”*
- D. *He said to him, “This is what R. Tahalipa bar Abimi said Samuel said, ‘The sounding of the ram’s horn is what bound him, and the sounding of the ram’s horn is what releases him.’”*

- E. *He said to him, "That is in the case of a monetary claim. But as to a case of behavior that is wanton, the decree of excommunication must apply to him for thirty days."*
- F. *Therefore Abbaye maintains that when a court of three people has decreed excommunication on someone, another three cannot then come and release the decree.*
- G. *For the question was raised: if three have issued a decree of excommunication, what is the law on three others' coming along and releasing the ban?*
- H. *Come and take note: One who has been declared excommunicated by a master is in the status of excommunication so far as the disciple is concerned. One who is declared excommunicated by the disciple is not in the status of excommunication so far as the master is concerned. One who has been declared excommunicated in his own town is not in the status of excommunication so far as another town is concerned. One who is in the status of excommunication so far as another town is concerned is in the status of excommunication in his own town. One who has been declared excommunicated by the patriarch is deemed excommunicated so far as all other Israelites are concerned. One who has been declared excommunicated by all Israelites is not in the status of excommunication so far as the Patriarch is concerned.*
- I. *Rabban Simeon b. Gamaliel says, "One of the disciples who declared someone to be excommunicated but who then died — his share in the decree of excommunication may not be released."*
- J. *Three inferences may be drawn from this statement. First of all, it may be inferred that a disciple who has imposed a ban of excommunication on account of the honor that is owing to him, that act of excommunication is valid; it is further to be inferred that every party to a decree of excommunication has to release his share in the decree; and it is to be inferred that if three have issued a decree of excommunication, three others may not then come along and release the ban.*
- K. *Said Amemar, "The decided law is this: if three have issued a decree of excommunication, three others may come along and release the ban."*
- L. *Said R. Ashi to Amemar, "But lo, it has been taught on Tannaite authority: Rabban Simeon b. Gamaliel says, 'One of the disciples who declared someone to be excommunicated but who then died — his share in the decree of excommunication may not be released'! Does this not mean, it is wholly unaffected by the release?"*
- M. *"No, it means, it is unreleased until three others come along and release the decree."*

The next topical composite turns to the decree of excommunication. Here too, the exposition of the Mishnah-rule has long since been forgotten, and what we have is a systematic exposition of the topic in its own terms. A further composite on excommunication follows, itself part of a massive topical composite on that same subject.

While there is some slight reason for inserting the foregoing set, there is none at all for including the following; the mourner is nowhere to be seen.

II.23. A. *Our rabbis have taught on Tannaite authority:*

- B. No decree of excommunication may be for a spell of less than thirty days, and no rebuke takes effect for a spell of less than seven days. Even though there is no explicit proof for that proposition, there is at least an indication for it in this verse: "If her father had only spit in her face, should she not hide in shame for seven days? Let her be shut up outside of the camp for seven days and afterward she shall be brought in again" (Num. 12:14).

II.24. A. Said R. Hisda, "Our decree of excommunication is equivalent to their rebuke."

- B. *But is their rebuke only for seven days and no longer? And Lo, R. Simeon bar Rabbi [Judah the Patriarch] and Bar Qappara were in session and engaged in review of traditions and had difficulty with a given tradition, so said R. Simeon to Bar Qappara, "This matter requires Rabbi."*
- C. Said Bar Qappara to R. Simeon, "So what does Rabbi say in this matter?"
- D. *He went and told his father, who took offense. Bar Qappara went to appear before Rabbi, who said to him, "Bar Qappara, [who is it that you say you are?] I have never known you."*
- E. *He knew that Rabbi had taken the matter seriously and treated himself as subject to rebuke for thirty days.*

II.25. A. On another occasion Rabbi made a decree that people were not to repeat traditions to disciples in the market place.

- B. *(What was the scriptural interpretation on the basis of which he made that decree? "How beautiful are your steps in sandals, O prince's daughter, the roundings of your thighs are like the links of a chain, the works of the hands of a skilled workman" [Son. 7: 2]: just as the thigh is kept hidden, [16B] so teachings of Torah are to be kept hidden.)*
- C. R. Hiyya went out into the market place and repeated traditions to the two sons of his brother, Rab and Rabbah bar Bar Hannah.
- D. *Rabbi heard and took offense. R. Hiyya went to appear before Rabbi, who said to him, "'Iyya, who's that calling you out there?"*
- E. *He knew that Rabbi had taken the matter seriously and treated himself as subject to rebuke for thirty days. On the thirtieth day Rabbi sent to him, "Come," then he sent, "Don't come."*
- F. *So what was he thinking to begin with, and what was on his mind at the end?*
- G. *To begin with, he took the view that part of the day is equivalent to the whole of it, and at the end he took the view that we do not maintain that part of the day is equivalent to the whole of it.*
- H. *Finally he came. He said to him, "Why did you come?"*
- I. *He said to him, "Because the master summoned me to come."*

- J. *"Yeah, but I sent you word not to come."*
- K. He said to him, "This one I saw, the other I didn't see."
- L. *He recited in his regard the verse, "When a man's ways please the Lord, he makes even his enemies make peace with him" (Pro. 16: 7).*
- M. [Rabbi proceeded:] *"Why did the master behave as he did?"*
- N. *He said to him, "Because it is written, 'Wisdom cries aloud in the street' (Pro. 1:20)."*
- O. He said to him, "If you have studied Scripture, you have not reviewed what you learned, and if you reviewed what you learned, you failed to do it a third time, and if you did it a third time, then people did not explain the meaning to you. 'Wisdom cries aloud in the streets' *is in accord with what Raba [later on set forth], for said Raba, 'Whoever is engaged in Torah study inside — his mastery of the Torah proclaims his name outside.'"*
- P. *But lo, it is written, "From the beginning I have not spoken in secret" (Isa. 48:16)?*
- Q. *That refers to the occasions of mass meetings for Torah-study.*
- R. *And how does R. Hiyya interpret the verse, "How beautiful are your steps in sandals, O prince's daughter, the roundings of your thighs are like the links of a chain, the works of the hands of a skilled workman" [Son. 7:2]?*
- S. *He interprets the verse to speak of acts of philanthropy and of grace.*

II.26. A. *Therefore the rebuke that they issue lasts for thirty days.*

B. *Not at all, the rebuke issued by the patriarch is exceptional.*

II.27. A. *And how long does the rebuke issued by us apply?*

B. *One day.*

C. *That is in line with the case involving Samuel and Mar Uqba. When they were in session, reviewing a tradition, Mar Uqba would sit before Samuel at a distance of four cubits, and when they were in court, Samuel would sit before Mar Uqba at a distance of four cubits. They would dig out a place for Mar Uqba where he sat on a matting, so that what he said should be heard. Mar Uqba would accompany Samuel to his lodgings. One day he was taken up with his case, and Samuel walked behind him. When he reached his house, he said to him, "Haven't you taken a long time? Now address my case!"*

D. *[Mar Uqba] realized that [Samuel] had taken the matter to heart. He imposed upon himself a rebuke.*

II.28. A. *There was a woman who sprawled in the path, fanning husks out of her barley groats. A neophyte rabbi passed by and she did not make way for him. He said, "How arrogant is that woman!"*

B. *She came before R. Nahman. He said to her, "Did you hear him express a decree of excommunication?"*

C. *She said to him, "No."*

- D. *He said to her, “Then go, apply to yourself a rebuke for a span of one day.”*

II.29. A. *Zutra bar Tobiah was laying out a passage of Scripture before R. Judah. When he came to this verse, “And these are the last words of David” (2Sa. 23: 1), he said to R. Judah, “‘Last words’ bears the inference that there were earlier words, and what could they have been?”*

- B. *He kept silent, saying nothing.*
- C. *He repeated himself: “‘Last words’ bears the inference that there were earlier words, and what could they have been?”*
- D. *He said to him, “Now what in the world are you thinking? That someone who does not know the explanation of this verse of Scripture is not an eminent authority [to be treated as such, instead of hounded]?”*
- E. *He realized that he had taken the matter to heart and conducted himself as subject to rebuke for one day.*

II.30. A. *So that brings us back to the matter: “‘Last words’ bears the inference that there were earlier words, and what could they have been?”*

- B. *“And David spoke to the Lord the words of this song in the day that the Lord delivered him out of the hand of all his enemies and out of the hand of Saul” (2Sa. 22: 1):*
- C. *Said the Holy One, blessed be he, to David, “David, are you going to recite a song on the occasion of the fall of Saul? If you were Saul and he were David, how many Davids would I have wiped out before him!”*
- D. *That is in line with what is written, “An error of David, which he sang to the Lord concerning Kush [=Ethiopian], a Benjaminite” (Psa. 7: 1).*

II.31. A. *But was Kush the name of that Benjaminite? Wasn’t it Saul? But just as a Kushite [Ethiopian] has a skin that is different, so Saul did deeds that were distinguished.*

- B. *Along these same lines you may explain the following:*
- C. *“And Miriam and Aaron spoke against Moses because of the Kushite woman that he had married” (Num. 12: 1):*
- D. *Now was she [called] Kushite? Was her name not Zipporah? But just as a Kushite [Ethiopian] has a skin that is different, so Zipporah did deeds that were distinguished.*
- E. *Along these same lines you may explain the following:*
- F. *“Now Ebed Melekh the Kushite heard” (Jer. 38: 7):*
- G. *Now was he [called] Kushite? Was his name not Zedekiah? But just as a Kushite [Ethiopian] has a skin that is different, so Zedekiah did deeds that were distinguished.*

- H. Along these same lines you may explain the following:
- I. “Are you not like the children of Kushites to me, O Children of Israel, says the Lord” (Amo. 9: 7):
- J. But is their name Kushites? Are they not Israelites?
- K. But just as a Kushite [Ethiopian] has a skin that is different, so the Israelites are distinguished by their deeds from all other nations.

II.32. A. [Continuing our analysis of the cited verse,] said R. Samuel bar Nahman said R. Jonathan, “*What is the meaning of the verse of Scripture, ‘The saying of David, son of Jesse, and the saying of the man raised on high’ (2Sa. 23: 1)?*”

B. “It means, ‘The saying of David, son of Jesse, the man who raised up the yoke of repentance.’”

II.33. A. “The spirit of the Lord spoke by me and his word was upon my tongue. The God of Israel said, The rock of Israel spoke to me. Ruler over man shall be the righteous, even he who rules through fear of God” (2Sa. 23: 2-3):

B. *What is the meaning of this statement?*

C. *Said R. Abbahu, “This is the meaning of this statement: The God of Israel said, The rock of Israel spoke to me: I rule man, who rules me? It is the righteous. For I decree but he may annul it.”*

II.34. A. “And these are the names of the mighty of David: Joseb-basshebeth a Tachkemonite” (2Sa. 23: 8):

B. *What is the meaning of this statement?*

C. *Said R. Abbahu, “This is the meaning of this statement: These are the mighty deeds of David: Joseb-basshebeth, meaning, sitting at the session.*

D. “When he would go into session, he would not take his seat on a pillow or coverlet but sat on the ground.”

E. *For so long as his master, Ira the Jairite, was alive, he taught the rabbis while seated on pillows and coverlets, but when he died, David would teach the rabbis seated on the ground. They said to him, “Will the master not sit on pillows and coverlets?” But he would not agree to do so.*

II.35. A. “Tachkemonite” (2Sa. 23: 8):

B. Said Rab, “Said to him the Holy One, blessed be he, ‘Since you have humbled yourself, be like me, for I make a decree and you may nullify it.’”

II.36. A. “chief of the captains:” (2Sa. 23: 8):

B. “You shall be at the head of the three patriarches.”

II.37. A. “He is Adino the Eznite” (2Sa. 23: 8):

- B. When he was sitting and engaged in Torah=-study, he made himself as pliable as a worm, but when he went marching out to war, he made himself as hard as a lance.

II.38. A. “On eight hundred slain at one time” (2Sa. 23: 8):

- B. when he threw a javelin he killed eight hundred at once time and was bothered about the other two hundred: “How one should chase a thousand” (Deu. 32:30).
- C. An echo came forth: “Save only for the matter of Uriah the Hittite” (1Ki. 15: 5).

After the systematic analysis of 2Sa. 23: 1ff., we revert to the topic at hand, which is the rules governing the decree of excommunication.

II.39. A. Said R. Tanhum b. R. Hiyya of Kefar Akko said R. Jacob bar Aha said R. Simlai, and some say, said R. Tanhum said R. Huna, and some say, said R. Huna on his own, **[17A]** “A disciple who issued a decree of excommunication on account of a matter pertaining to the honor that is owing to him — his act of communication is valid.”

- B. *That is in line with that which has been taught on Tannaite authority: One who has been declared excommunicated by a master is in the status of excommunication so far as the disciple is concerned. One who is declared excommunicated by the disciple is not in the status of excommunication so far as the master is concerned. It is so far as the master in particular that he is not in the status of excommunication, lo, to the rest of the world he is in the status of excommunication. And in what context? Should we say that it has to do with matters pertaining to Heaven? “There is no wisdom nor understanding nor counsel against the Lord” (Pro. 21:30) [so the decree would apply without differentiation]. So does it not pertain to a matter of honor that is owing to the disciple himself?*

II.40. A. Said R. Joseph, “A neophyte rabbi may carry out a judgment concerning himself in a matter in which he is certain of himself.”

- B. *There was a certain neophyte rabbi who was disliked. Said R. Judah, “What is to be done? Should we place him under a ban of excommunication? The rabbis need him. Should we not place him under a ban of excommunication? But it involves a profanation of the Name of Heaven.”*
- C. *He said to Rabbah bar bar Hanna, “Have you heard anything on this matter?”*
- D. *He said to him, “This is what R. Yohanan said, ‘What is the meaning of the following verse of Scripture: “For the priest’s lips should keep knowledge and they should seek the Torah at his mouth, for he is a messenger of the Lord of Hosts” (Mal. 2: 7)? It means this: If the master is like an angel of the Lord, then seek Torah from his mouth, but if not, do not seek Torah from his mouth.”*

- E. *R. Judah then excommunicated the man. Later on R. Judah fell ill. Our rabbis came along to pay their respects, and that man came along with them. When R. Judah saw him, he laughed. The man said to him, "It is not enough for him that he put me under a ban of excommunication, but he now even laughs at me!"*
- F. *He said to him, "It is not on your account that I am laughing, but as I am going to that other world, I am happy to think that, even to such an eminence as yourself, I did not pay flattery."*
- G. *R. Judah died. The man came to the house of study, saying to them, "Release me."*
- H. *Our rabbis said to him, "There is no one here so highly esteemed as R. Judah to release you from the ban of excommunication. But go to R. Judah the Patriarch to release you."*
- I. *He went to R. Judah the Patriarch. He said to R. Ammi, "Go examine the case. If it is necessary to release him, do it."*
- J. *R. Ammi looked into the case and considered releasing him.*
- K. *R. Samuel bar Nahman stood on his feet and said, "If a ban of excommunication issued by a serving girl in the household of Rabbi was not treated lightly by the sages, then how much the more should the decree of Judah, our colleague, be treated with respect!"*
- L. *Said R. Zira, "Since this venerable man should just now come up at the house of study after not having come for so many years, it must be inferred that it is not required to release him from the ban," and they did not release him.*
- M. *He went out crying. A wasp came and stung him on the prick and he died. They brought him for burial into the cave of the pious, but they did not admit him. They brought him into the cave of the judges, and they received him.*
- N. *Why was he accepted there?*
- O. *Because he acted in line with what R. Ilai said. For it has been taught on Tannaite authority: R. Ilai says, "If someone sees that his impulse to sin is overpowering him, he should go somewhere where nobody knows him and put on ordinary clothing and cloak himself in ordinary clothing and do what he wants, but let him not profane the Name of Heaven by a public scandal."*

II.41. A. *So what was the story [K] involving the serving girl in the household of Rabbi?*

- B. *She saw somebody hitting his adult son and said, "Let that man be under a ban of excommunication, since he violates the words: 'Do not put a stumbling block before the blind' (Lev. 19:14)."*
- C. *For it has been taught on Tannaite authority: "Do not put a stumbling block before the blind" (Lev. 19:14) —this speaks of somebody who hits his adult son.*

- II.42.** A. *R. Simeon b. Laqish was once guarding an orchard. Someone came and ate some figs. He yelled at him, but the other didn't pay attention. He said, "Let that man be under a ban of excommunication."*
- B. *He said to him, "To the contrary! Let that man be under a ban of excommunication! Granted, I have become liable to you for monetary compensation, have I become liable to you for a ban of excommunication?"*
- C. *He came to the school house. They said to him, "His ban of excommunication is valid, yours isn't. What was his remedy? Go to him and ask him to release you."*
- D. *"I don't know him."*
- E. *They said to him, "Go to the patriarch to release you. For it has been taught on Tannaite authority: If people have placed a person in a ban of excommunication and he does not know who did it, let him go to the patriarch to release him from the ban of excommunication."*
- II.43.** A. *Said R. Huna, "At Usha they made this ordinance: 'The principal of the court who went astray — they do not excommunicate him, but say to him, 'Save your dignity and stay home' (2Ki. 14:10). If he went astray again, then they excommunicate him because of the profanation of the Divine Name [involved in his action]."*
- B. *That differs from the view of R. Simeon b. Laqish, for said R. Simeon b. Laqish, "A disciple of a sage who turned sour is not to be humiliated in public: 'Therefore you shall stumble in the day, and the prophet also shall stumble with you in the night' (Hos. 4: 5). Cover it up in darkness."*
- II.44.** A. *Mar Zutra the Pious, when a neophyte rabbi became liable to excommunication, first of all would excommunicate himself, and then he would excommunicate the other. When he went home, he first released himself, then he released the other.*
- II.45.** A. *Said R. Giddal said Rab, "A disciple of a sage may excommunicate himself and release himself."*
- B. *Said R. Pappa, "May such-and-so happen to me, if I have ever excommunicated a neophyte rabbi."*
- C. *Then when a neophyte rabbis incurs excommunication, what is to be done?*
- D. *It is in line with that which they do in the West: they appoint a court to flog a neophyte rabbi, but they do not appoint one to excommunicate him.*
- II.46.** A. *What is the meaning of the word for excommunication?*
- B. *Said Rab, "Since it is made up of the letters that mean 'there' and 'death,' the meaning is, 'death is there.'"*
- C. *And Samuel said, "Its letters yield the words, 'he shall be a desolation.'"*
- D. *And the effect of excommunication stick like grease to an oven."*

- E. *That is in conflict with what R. Simeon b. Laqish said, for said R. Simeon b. Laqish, “Just as when the decree comes in, it penetrates the two hundred and forty eight limbs, so when it goes out, it goes out of the two hundred and forty eight limbs. When it enters, it is written, ‘and the city shall be herem’ (Jos. 6:17), and the letters of that word eight up in numerical value to two hundred and forth eight, and when it leaves, it is written, ‘in wrath remember to have compassion’ (Hab. 3: 2), and the letters of that word also are of the same numerical value.”*

II.47. A. *Said R. Joseph, “‘Throw an excommunication at the tail of a dog, and it will do the job for you.’ There was a dog that nipped at the rabbis’ shoes, and they didn’t know what was doing it, so they excommunicated the one who was doing it; the tail of the dog caught fire and burned.”*

II.48. A. *There was a bully who harassed a disciple of rabbis. He came before R. Joseph, who said to him, “Go, excommunicate him.”*

B. *He said to him, “I’m afraid.”*

C. *He said to him, “So take out a writ against him [and do it in writing].”*

D. *He said to him, “I’m even more afraid.”*

E. *He said to him, “Take the writ, put it into a jar, [17B] take it to a graveyard, blow a thousand blasts on the ram’s horn on forty days.”*

F. *He went and did it. The jar burst and the bully died.*

II.49. A. *Why use a ram’s horn?*

B. *It is because that is how punishment is exacted through out.*

B. *What is the meaning of the broken blasts on the ram’s horn, which are the sound that accompanies the rite of excommunication?*

B. *Said R. Isaac b. R. Judah, “It marks the breaking of tall houses. For it has been taught on Tannaite authority: Rabban Simeon b. Gamaliel says, ‘Wherever sages set their eyes against someone, the upshot is either death or poverty.’”*

The massive set of topical composites is now complete. Had the whole been omitted, we should have understood our Mishnah-passage exactly as before. Had the items been reorganized in some other order, they would individually have made the same points and collectively have yielded no others. It is clear that for a purpose we cannot now imagine, people put together composites of already-written compositions. The result is before us: a collection of facts on a topic, not a systematic exposition of said topic, let alone an important proposition concerning it. We return to the Mishnah-paragraph and ask a question concerning the circumstances to which the rule pertains.

III.1 A. **and the Nazirite [Num. 6: 5] or a person afflicted with the skin ailment [Lev. 14: 8-9] who emerges from his state of uncleanness to his state of cleanness:**

- B. *Asked R. Jeremiah of R. Zira, “Is this concession permitted only where they had not earlier had a chance to get a haircut, or is that the rule even if they could have done it earlier?”*

- C. *He said to him, "We have learned in the as a Tannaite rule: All those whom they have said are permitted to get a haircut on the intermediate days of the festival are those who had no opportunity to do so earlier, but if they had an opportunity, they are forbidden. A Nazirite and one with the skin ailment, even though they had the opportunity, are permitted, so that they will not delay offering their purification-sacrifices."*

The point of interest in the following item is the mourner. He too is permitted to shave during the festival week. The statement is given an analysis in its own terms and not drawn back to intersect with the rule before us. But the intersection with our Mishnah-rule is made explicit [C], and the inclusion here therefore forms part of a larger program of Mishnah-augmentation.

III.2. A. *A Tannaite statement:* A priest and a mourner are permitted to shave during the festival week.

- B. *As to the mourner, what sort of case can be in mind? If we say that the eighth day of mourning coincided with the day prior to the festival, then he should have gotten a haircut then, on the day prior to the festival? If the eighth day of his mourning coincided with the Sabbath that came immediately prior to the festival, he should then have gotten a haircut on Friday, in line with what R. Hisda said Rabina bar Shila said: "The decided law is in accord with Abba Saul, and Sages concur with Abba Saul that when the eighth day of the mourning period coincides with the Sabbath that is the eve of a festival, it is permitted to get a haircut on the eve of the Sabbath."*
- C. *The rule is required to cover a case in which the seventh day of the mourning period coincided with the Sabbath that was the eve of the festival. This extrinsic Tannaite authority concurs with the position of Abba Saul, who says, "Part of a day is classified as the whole of the day." Consequently, the seventh day of his mourning period is counted both the the preceding and the following period, and since that coincides with the Sabbath, the mourner could not get a haircut on the eve of the festival [not negligence but circumstances explains the fact, and he may then get his haircut in the festival week itself (Lazarus)]. [Since the formulation of the Mishnah omits reference to the priest and the mourner,] the framer of our Mishnah-passage concurs with sages, who say, "Part of a day is not classified as the entire day," so the mourner has not yet completed the seven days of mourning prior to the festival [and the rest of the period is to be fulfilled afterward, and he cannot get a haircut during the intermediate days of the festival].*
- D. *And as to the case of the priest [who can get a haircut in the intermediate days of the festival], what sort of case can be in mind? If we say that the concluding day of his priestly watch [during which he could not get a haircut or wash clothes] came to an end on the eve of the festival, then he should have gotten a haircut on the eve of the festival.*
- E. *The rule is required to cover a case in which his priestly watch came to an end on the festival day itself [so he could not get a haircut at that time and had to wait until the intermediate days of the festival]. [Since the formulation of the Mishnah omits reference to the priest and the mourner,] the framer of our Mishnah-passage that since we have learned in the Mishnah, **Three times a year all the***

priestly watches shared equally in the offerings of the feasts and in the division of the Show Bread. At Pentecost they would say to him, “Here you have unleavened bread, here is leavened bread for you.” The priestly watch whose time of service is scheduled [for that week] is the one which offers the daily whole-offerings, offerings brought by reason of vows, freewill offerings, and other public offerings [M. Suk. 5:17A-D], it is as though his priestly watch had not come to an end *The framer of the other passage takes the position that even though he belongs to the other watches, still, his own ward has actually completed its watch [so he may get a haircut].*

We now proceed from the Mishnah’s rules (encompassing those that intersect with them) to a Tannaite complement to our passage.

III.3. A. *Our rabbis have taught on Tannaite authority:*

- B. **As to all those for whom they have ruled that they may cut their hair on the intermediate days of a festival, it is permitted to get a haircut within [thirty days of] the occurrence of a bereavement [T. Moed. 2:1A-B].**
- C. *But has it not been taught on Tannaite authority: they are forbidden?*
- D. Said R. Hisda said R. Shila, “*When that Tannaite formulation was set forth that they are allowed to do so, it speaks only of those who have suffered bereavements that are immediately sequential.*”
- E. *If it is the fact that it speaks only of those who have suffered bereavements that are immediately sequential, then why frame the rule as* **As to all those for whom they have ruled that they may cut their hair on the intermediate days of a festival?** *It would apply to everybody anyhow. For it has been taught on Tannaite authority: If there were immediately sequential bereavements, so that one’s hair got very heavy, he may trim it with a razer and wash his clothing in water.*
- F. *Lo, it has been stated in that regard:* said R. Hisda, “That means he may do so with a razer and not with scissors, with water and not with soap or lye.”
- G. Said R. Hisda, “What this shows is that otherwise a mourner may not wash his clothes.”

The introduction and analysis of Tannaite complements to our rule continues with the following.

III.4. A. *Our rabbis have taught on Tannaite authority:*

- B. “Just as they have said that it is forbidden to get a haircut on the intermediate days of the festival, so it is forbidden to cut one’s fingernails on the intermediate days of the festival,” the words of R. Judah.
- C. And R. Yosé permits doing so.
- D. “And just as they have said that a mourner is forbidden to get a haircut during his time of bereavement, so he is forbidden to cut his fingernails during his time of bereavement,” the words of R. Judah.
- E. And R. Yosé permits doing so.

- F. Said Ulla, “The decided law is in accord with R. Judah in regard to a mourner, and the decided law is in accord with R. Yosé in respect to the intermediate days of the festival.”
- G. Samuel said, [18A] “The decided law is in accord with R. Yosé in respect to both the intermediate days of the festival and also a bereavement.”
- H. For said Samuel, “The decided law accords with the lenient ruling in matters having to do with bereavement.”

The foregoing is now illustrated by a case.

- III.5.** A. *Phineas, the brother of Mar Samuel, had a bereavement. Samuel went to see him to ask him why it had happened. He saw that his fingernails were long, so he said to him, “Why didn’t you take them off?”*
- B. *He said to him, “If this had happened to you, would you have reacted so casually to the loss?”*
- C. *It was “like an error that proceeds from a ruler” (Qoh. 10: 5), and Samuel for his part suffered a bereavement. Phineas, the brother of Samuel, went to see him to ask why it had happened. Samuel cut his nails and threw them in his face. He said to him, “Don’t you concur that ‘a covenant has been made with the lips [so that how you say something may predict what will come about]?’”*
- D. For said R. Yohanan, “How on the basis of Scripture do we know that a covenant is made with the lips? As it is said, ‘And Abraham said to his young men, Stay here with the ass, and I and the boy will go up yonder, and we will worship and we will come back to you’ (Gen. 22: 5), and that is what happened, for both of them came back.”
- III.6.** A. *On the basis of the cited incident, some drew the conclusion that it is permitted for a mourner to cut the fingernails but not the toenails. Said R. Anan b. Tahalipa, “To me was it explained explicitly by Samuel: there is no difference between the fingernails and the toenails.”*
- B. Said R. Hiyya bar Ashi said Rab, “But it is forbidden to cut them with a nail cutter.”

From the Tannaite complement and its exposition, we proceed to cases in which actions of the sages are analyzed because they intersect with the foregoing rules [7.B].

- III.7.** A. *Said R. Shemen bar Abba, “I was standing before R. Yohanan at the house of study on the intermediate days of the festival, [and I saw that] he bit off his nails and threw them out. Three lessons are to be inferred from this incident.*
- B. *“It is to be inferred that it is permitted to pare the nails on the intermediate days of the festival.*
- C. *“It is to be inferred that it is not regarded as disgusting to bite one’s nails.*
- D. *“It is to be inferred that it is permitted to throw them away.”*
- E. *Well is that so? And has it not been taught on Tannaite authority: Three statements were made with reference to the disposal of fingernails: one who burns them is pious, who buries them is righteous, who simply tosses them away is wicked?*

- F. *What is the operative consideration? A pregnant woman might step over them and suffer a miscarriage. But women are not frequently located in the house of study.*
- G. *And should you say that sometimes nails are collected and thrown out, the fact is that, once they have been moved about, they have been moved about [and their condition is thereby transformed].*

III.8. A. Said R. Judah said Rab, “A pair of masters came from Hamatan before Rabbi...”

- B. And Mar Zutra repeated it in this way: “A pair of masters came from Hamatan before Rabbi...”
- C. “...and they asked him about paring the nails [during a bereavement], and he permitted them to do so.”
- D. And Samuel said, “They also asked him about the moustache, and he permitted them.”

III.9. A. Said Abitul the barber in the name of Rab, “As to the moustache, that means, from corner to corner [inclusive of the drooping ends, which may be an inconvenience].”

- B. Said R. Ammi, “Only the part of the moustache that gets in the way.”
- C. *Said R. Nahman bar Isaac, “So far as I am concerned, the whole moustache gets in the way”*

III.10. A. And said Abitul the barber in the name of Rab, “The Pharaoh who ruled in the time of Moses was a cubit tall, and his beard was a cubit long, and his shock of hair on top of his head was a cubit high and a span, in line with the verse: ‘and he sets up over the kingdom of men the lowest of men’ (Dan. 4:14).”

- B. And said Abitul the barber in the name of Rab, “The Pharaoh who ruled in the time of Moses was a Magus: ‘Go to Pharaoh in the morning, lo he goes out to the water’ (Exo. 7:15).”

The exposition ends with a minor footnote; otherwise it has pursued its program of legal exposition in a cogent and systematic way. We now revert to the Mishnah-rule.

IV.1 A. **And who are they who may wash their clothes on the intermediate days of a festival? (1) he who comes from overseas or from captivity; (2) and he who goes forth from prison; (3) and he whose excommunication has been lifted by sages. (4) And so too: he who sought absolution from a sage [for release from a vow not to wash clothes] and was released. (1) Hand towels, (2) barber’s towels, and (3) bath towels [may be washed]. (1) Male and (2) female Zabs, (3) women in their menstrual period, (4) women after childbirth, and all who go up from a state of uncleanness to cleanness, lo, these are permitted [to wash their clothes]. But all other people are prohibited:**

The rule attracts a minor refinement, effected through the presentation of a proposition which is forthwith referred to the rule at hand. The cited class of persons is not on the list of the Mishnah.

- B. Said R. Assi said R. Yohanan, “He who had only a single shirt is permitted to launder it during the intermediate days of a festival.”

- C. *Objected R. Jeremiah, “And who are they who may wash their clothes on the intermediate days of a festival? (1) he who comes from overseas or from captivity; (2) and he who goes forth from prison; (3) and he whose excommunication has been lifted by sages. (4) And so too: he who sought absolution from a sage [for release from a vow not to wash clothes] and was released. These are permitted, but he who had only a single shirt is not.”*
- D. *Said R. Jacob to R. Jeremiah, “I will explain the wording of the rule to you: our Mishnah-paragraph permits one to wash his clothes even if he had two, if they are dirty [but if he has only one, he may wash it without restriction].”*

IV.2. A. R. Isaac bar Jacob bar Giyuri in the name of R. Yohanan sent word, “It is permitted to launder linen garments on the intermediate days of a festival.”

- B. *Objected Raba, “Hand towels, (2) barber’s [18B] towels, and (3) bath towels [may be washed]. These may be wished, but linen items may not.”*
- C. *Said to him Abbaye, “Our Mishnah-rule extends even to other kinds of material [but there are no restrictions on linen ones].”*
- D. *Said Bar Hedayya, “I personally have seen at the Sea of Galilee people bringing laundry baskets full of linen garments and washing them during the intermediate days of the festival.”*
- E. *[Said Abbaye,] “Yeah, will how do you know that they did it with sages’ approval? They might have been doing it without the sages’ approval!”*

I.1 asks an obvious exegetical question. No. 2 raises a secondary question in amplification of the principle of the Mishnah. II.1 proceeds to another familiar exercise in Mishnah-exegesis, the identification of the authority behind an anonymous rule. Nos. 2, 3 adds further, relevant rules together with their talmuds. No. 4 adds a rule thematically pertinent to the Mishnah, and that leads to the refinement proposed at Nos. 5, 6, in which the Mishnah’s own language and rule play a role. No. 7 stands at the head of a vast thematic anthology on the rules of mourning, attached here because of the general comparison of the application, on the intermediate days of the festival, of the rules of mourning and the rules governing persons of the classifications listed in the Mishnah. This anthology extends through Nos. 8-19. No. 20 is tacked on to No. 19 because of the intersecting theme of sending things, so it seems to me. No. 21, then continues No. 20, with special attention to its closing entry. Nos. 22, 23-24+25-49, resume the general theme of Raba’s long account of court procedure, now shading over into an anthology on excommunication as a sanction of the court, a vast appendix tacked on for obvious reasons. III.1 clarifies the application of the Mishnah’s rule. Nos. 2, 3, 4, each with a rich talmud of its own, complement the foregoing. No. 5 is tacked on to No. 4, and Nos. 6-7 serve No. 5. Nos. 8, 9 pursue the established theme. No. 10 is tacked on to No. 9 because of the name of the authority at 10.A. IV.1, 2 propose a stipulation in the application of the Mishnah’s rule and otherwise amplify the rule.

- A. And these do they write on the intermediate days of a festival:
- B. (1) writs of betrothal for women, (2) writs of divorce, (3) receipts [for payment of the marriage settlement], (4) testaments, (5) deeds of gift, (6) probols, (7) deeds of valuation, (8) deeds of alimony, (9) writs of the rite of removing the shoe and of the exercise of the rite of refusal, (10) deeds of arbitration, (11) court decrees, and (12) official decrees.

These items are timely and require prompt attention; they cannot be postponed until after the festival. In each case we must be told why that is so.

I.1 A. [writs of betrothal for women:] Said Samuel, "It is permitted for a man to betroth a woman on the intermediate days of the festival, lest someone else get there first."

- B. *May we say that the following supports his thesis: **And these do they write on the intermediate days of a festival: writs of betrothal for women?** Does this not mean that one quite literally may draw up a writ of betrothal?*
- C. *Not at all, it refers, rather, to drawing up preliminary terms, in line with what R. Giddal said Rab said [in defining such an agreement].*
- D. For said R. Giddal said Rab, "[The form of such an agreement is as follows:] 'How much are you going to give to your son?' 'Thus and so.' 'How much are you going to give to your daughter?' 'Thus and so.' If they then arose and declared the formula of sanctification, they have effected the right of ownership. These statements represent matters in which the right of ownership is transferred verbally."
- E. *May one propose, then, that the following supports [Samuel's] thesis: **They do not take wives on the intermediate days of a festival, whether virgins or widows. Nor do they enter into levirate marriage, for it is an occasion of rejoicing for the groom.** Lo, it is permitted then to betroth a woman!*
- F. *No, the matter is formulated in terms of "it goes without saying," in this manner: not only may not one betroth a woman, in which case one is not in any event carrying out a religious duty, but even marrying a woman, in which case one is carrying out a religious duty, is forbidden on that occasion.*
- G. *Come and take note of what has been repeated as a Tannaite formulation in the household of Samuel: They may betroth, but they may not bring the bride home, and they may not make a feast of betrothal, **Nor do they enter into levirate marriage, for it is an occasion of rejoicing for the groom.***
- G. *Well, that proves it.*

I.2. A. But did Samuel actually say, "lest someone else get there first"? [He maintains that marriages are made in heaven, for] did not R. Judah say Samuel said, "Forty days prior to the formation of the foetus, an echo goes forth and proclaims, 'The daughter of Mr. So-and-so is assigned to Mr. Such-and-such,' 'the house of Mr. So-and-so is assigned to Mr. Such-and-such,' 'the field of Mr. So-and-so is assigned to Mr. Such-and-such'?"

B. The meaning of “lest someone else get there first” is, “lest someone else get there first in his prayer for mercy.”

I.3. A. *That is in line with the following: Raba heard someone praying for mercy, saying, “May that girl be assigned to me!”*

B. *He said to him, “That is not how to ask for mercy. If she is the one for you, she is not going to get away from you, and if not, then all you have done is denied God[’s rule].”*

C. *Later on, he heard him praying, “Either let me die before her, or let her die before me.”*

D. *He said to him, “Didn’t I tell you not to ask for anything at all in her regard?”*

I.4. A. Said Rab in the name of R. Reuben b. Istrobili, “On the basis of verses in the Torah, Prophets, and Writings, [it may be shown that] it is by God that a particular woman is assigned to a particular man:

B. “On the basis of verses in the Torah: ‘Then Laban and Bethuel answered and said, “The thing goes from the Lord”’ (Gen. 24:50).

C. “Prophets: ‘But his father and mother did not know that it was from the Lord’ (Jud. 14: 4).

D. “and Writings: ‘House and riches come by inheritance, but a prudent wife is from the Lord’ (Pro. 19:14).”

The following is inserted to amplify the foregoing but stands on its own and does not depend for sense or meaning on the present context. But then Nos. 4 and 5 were joined in their own terms and only then inserted here because of the relevance of No. 4 to the present context.

I.5. A. And said Rab in the name of R. Reuben b. Istrobili, *and some say that it was repeated in a Tannaite formulation as* said R. Reuben b. Istrobili, “A person comes under suspicion for something only if he did it, and if he didn’t do the whole thing, then he did part of it, and if he didn’t do part of it, then he thought about doing it, and if he didn’t think about doing it, he saw other people doing it and enjoyed it.”

B. *Objected R. Jacob, “‘And the children of Israel imputed things that were not right to the Lord their God’ (2Ki. 17: 9) [and God did not do such things]!”*

C. *Well, their intent was to provoke him.*

D. *Come and take note:*

E. “And Moses heard and fell on his face” (Num. 16: 4).

F. What did he hear? Said R. Samuel bar Nahmani said R. Jonathan, “That people suspected him of having sexual relations with a married woman, as it is said, ‘And they expressed jealousy [as to sexual infidelity] of Moses in the camp’ (Psa. 106:16).” Said R. Samuel bar Isaac, “This teaches that everyone expressed jealousy of his wife [M. **Sot. 1:1**] with respect to Moses, as it is said, ‘And Moses took the tent and pitched it outside the camp.’ (Exo. 33: 7) [Freedman, *Sanhedrin*, p. 755, n. 5: to avoid all ground of suspicion.]”

- G. “And they expressed jealousy of Moses in the camp, and of Aaron, the holy one of the Lord” (Psa. 106:16) — R. Samuel bar Isaac said, “This teaches that every one of them was jealous of his wife on account of Moses.”
- H. *Well, they acted out of pure hatred.*
- I. *Come and take note:*
- J. Said R. Yosé, “Let my portion be with him who is treated as suspect for something that he did not do.”
- K. *And said R. Pappa, “I was suspect of something I did not do.”*
- L. *There is no contradiction deriving from these two items: the one addresses a rumor that comes to an end, the other [A person comes under suspicion for something only if he did it], a rumor that does not come to an end.*
- M. *So how long may the rumor circulate [yielding the conclusion that the person really did it]?*
- N. *Said Abbaye, “Mother told me, ‘Local gossip is for a day and a half.’”*
- O. *And that [L] is the case only if the rumor did not cease to circulate, but if in the interval it ceased to circulate, we ignore it.*
- P. *If the rumor ceased in the meantime, it is disregarded only if it stopped not out of fear, but if it stopped out of fear, it is not ignored.*
- Q. *The rule is, further more, that it is disregarded only if it does not surface once more, but if it surfaced once more, we do not ignore it.*
- R. *Also it is disregarded if the subject of the rumor has no enemies, but if he has enemies, the enemies are the ones who are spreading the story.*
- I.1, with its talmud at No. 2-4+5, asks a secondary question, which is to be settled by appeal to, in part, our Mishnah-paragraph.

3:4

- A. **They do not write writs of indebtedness on the intermediate days of a festival.**
- B. **But if one does not trust him,**
- C. **or if he had nothing to eat,**
- D. **lo, this one should write [a writ of indebtedness].**
- E. **They do not write (1) scrolls, (2) phylacteries, or (3) door post markers containing scriptural verses on the intermediate days of a festival.**
- F. **And they do not correct a single letter, even in the Torah of the Temple court.**
- G. **R. Judah says, “A man may write out phylacteries and door post markers containing scriptural verses for his own use.**
- H. **[19A] “And he may spin on his thigh the purple thread for his fringes.”**

Once more the urgency of matters is either self-evident or must be spelled out; the principle that governs throughout is amply set forth by the cases. We begin with Tannaite provision of complementary rules.

I.1 A. *Our rabbis have taught on Tannaite authority:*

- B. “A person may write for his own use (1) scrolls, (2) phylacteries, or (3) door post markers containing scriptural verses on the intermediate days of a festival. And, as a favor, he may spin on his thigh the purple thread for his fringes for the use of others,” the words of R. Meir.
- C. R. Judah says, “A man may practice deception [doing so for his own use but then] selling what is his and going and writing others for his own use.”
- D. R. Yosé says, “He may write them out and sell them in the ordinary way if it is to make his living.”

I.2. A. *Rab instructed R. Hananel, and some say, Rabbah bar bar Hanna instructed R. Hananel,* “The decided law is this: He may write them out and sell them in the ordinary way if it is to make his living.”

II.1 A. **And he may spin on his thigh the purple thread for his fringes:**

- B. *Our rabbis have taught on Tannaite authority:*
- C. “One may spin on his thigh blue thread for his show-fringes, but he may not do so with a stone,” the words of R. Eliezer.
- D. Sages say, “Even with a stone.”
- E. R. Judah says in [Eliezer’s] name, “‘One may do so with a stone, not a spindle.’”
- F. “And sages say, ‘With this or with that.’”

II.2. A. Said R. Judah said Samuel, and so said R. Hiyya bar Abba said R. Yohanan, “The decided law is, ‘With this or with that.’ And the decided law is this: He may write them out and sell them in the ordinary way if it is to make his living.”

I.1 enriches our picture of what is at stake in the Mishnah’s rule. No. 2 glosses the foregoing. II.1-2 then follow suit.

3:5-6

3:5

- A. **He who buries his dead three days before the festival — the requirement of the seven days of mourning is nullified for him.**
- B. **[He who buries his dead] eight days [before the festival] — the requirement of the thirty days of mourning is nullified for him.**
- C. **For they have said, “The Sabbath counts [in the days of mourning] but does not interrupt [the period of mourning], [while] the festivals interrupt [the period of mourning] and do not count [in the days of mourning].”**

3:6

- A. **R. Eliezer says, “After the Temple was destroyed, Pentecost have been deemed equivalent to the Sabbath.”**
- B. **Rabban Gamaliel says, “The New Year and the Day of Atonement are deemed equivalent to festivals.”**

C. And sages say, “The rule is in accord with the opinion neither of this one nor of that one. But Pentecost is deemed equivalent to a festival, and the New Year and the Day of Atonement are deemed equivalent to the Sabbath.”

The Mishnah-rule turns to a further, special case, namely, the relationship of a period of mourning to the intermediate days of the festival. On those days mourning is not permitted. What happens, then, if a period of mourning — seven days, thirty days following — spills over into the intermediate days of the festival? The answer is, the mourning is suspended. If three days were observed prior to the festival, then the remaining four days, coinciding with the festival and the intermediate days thereof, mark the suspension of the mourning period; so too, if the seven days are complete and the thirty days have commenced prior to the festival, then the same effect takes place. M. 3:5C explains the operative principle. Since the holy days listed at M. 3:6 have no spell of intermediate days, they represent interstitial cases and have to be assigned to one or the other category defined at M. 3:5C. The obvious question in clarifying the Mishnah-rule is now raised at I.1.A: are the days of mourning resumed after the festival? The Mishnah’s formulation leaves that question open. No. 1 answers it, and No. 2 then forms a talmud to No. 1.

I.1 A. [the requirement of the seven days of mourning is nullified for him:] Said Rab, “The restrictions are nullified, but the days of mourning are not nullified [but deferred until after the festival].”

B. And so said R. Huna, “The restrictions are nullified, but the days of mourning are not nullified [but deferred until after the festival].”

C. *But R. Sheshet said, “Even the days of mourning also are nullified.”* [Lazarus: they are not to be compensated after the festival to the number of days during which the mourning formalities were suspended.] [The days of mourning remaining thereafter must, however, be observed, and this leads to the question: what difference does the suspension make?]

I.2. A. What is the meaning of *but the days of mourning are not nullified?*

B. If one did not get a haircut on the day prior to the festival, he is forbidden to get a haircut after the festival.

C. **[19B]** *For has it not been taught on Tannaite authority:*

D. He who buries his dead three days before the festival — the requirement of the seven days of mourning is nullified for him. [He who buries his dead] eight days [before the festival] — the requirement of the thirty days of mourning is nullified for him. And he should get a hair cut on the eve of the festival. If he did not get a haircut on the eve of the festival, it is forbidden to get a haircut after the festival.

E. Abba Saul says, “It is permitted to get a haircut after the festival, for just as the religious duty of observing three days vitiates the religious duty of observing seven [which, after the festival, are null], so the religious duty of observing seven days vitiates the religious duty of observing thirty.”

F. “Seven”? *But lo, we have learned in the Mishnah eight!*

G. *Abba Saul takes the view that* part of a day is classified as the whole of the day, and here the seventh day of mourning counts in both directions [Lazarus: after part

has been observed for the seventh day, the rest counts as the eighth day, with its easier rules].

- H. Said R. Hisda said Rabina bar Shila, “The decided law is in accord with the view of Abba Saul.”
- I. And sages concede to Abba Saul that, when the eighth day of one’s bereavement coincides with the Sabbath that is also the eve of a festival, he may get a haircut on Friday.

I.3. A. *In accord with which authority is that which R. Amram said Rab said, “Once the comforters have arisen to leave a mourner, he is permitted to bathe”?*

B. *In accord with whom? It is in accord with Abba Saul.*

I.4. A. Said Abbaye, “The decided law is in accord with the view of Abba Saul with respect to the seventh day of mourning, and sages concede the position of Abba Saul in respect to the thirtieth day of mourning that, in that regard, *we do maintain that* part of a day is classified as the whole of the day.”

B. Raba said, “The decided law accords with the view of Abba Saul in regard to the thirtieth day, but the decided law is not in accord with Abba Saul in regard to the seventh day.”

C. And the Nehardeans say, “The decided law accords with Abba Saul in both cases, for said Samuel, ‘The decided law accords with the opinion of the more lenient authority in matters having to do with bereavement.’”

We have completed the exposition of both the Mishnah-statement and the law that it conveys. We now take up a topical footnote on the theme of the thirty days of mourning.

I.5. A. *How on the basis of Scripture do we know that the span of thirty days is required for mourning?*

B. *It derives from a verbal analogy based on the presence of the word “disheveled” that occurs with regard to mourning [at Lev. 10: 6] and with regard to the Nazirite [at Num. 6: 5].*

C. Here: “Let not the hair of your heads become disheveled” (Lev. 10: 6) and there: “He shall let the locks of the hair of his head become disheveled” (Num. 6: 5). Just as in the latter case, the period of observance is thirty days, so in the former it is thirty days.

D. *And how do we derive that span of time in the latter case?*

E. Said R. Mattena, “Where there is a Nazirite vow without a specified limit, it is for thirty days.”

F. *What is the Scriptural basis?*

G. *The word “shall be holy” is used there, and the numerical value of the letters for “shall be” is thirty.*

We now revert to the issue at hand.

I.6. A. Said R. Huna b. R. Joshua, “All parties [even Abba Saul] concur that, when the third day of one’s bereavement coincides with the eve of a festival, [then on that coincident day] it is forbidden to wash until evening.”

- B. *Said R. Nehemiah b. R. Joshua, "I came across R. Pappi and R. Pappa who were in session and stating, 'The decided law is in accord with the statement of R. Huna b. R. Joshua.'"*
- C. *Some say it in this version:*
- D. *Said R. Nehemiah b. R. Joseph, "I came across R. Pappi, R. Pappa, and R. Huna b. R. Joshua, who in session stated, 'All parties [even Abba Saul] concur that, when the third day of one's bereavement coincides with the eve of a festival, it is forbidden to wash until evening.'"*

We now address the question that the Mishnah-formulation has left open: what of the period after the festival? Do the remaining days of mourning have to be observed?

- I.7. A. *Abbaye raised this question of Rabbah: "If the burial took place on the festival, does the festival count in the thirty days or does the festival not count in the thirty days? As to whether or not it counts in the seven, I am not troubled, for the observance of the religious duty involving the seven days does not apply during the festival at all. What I am asking about is the period of thirty days, since the fulfillment of the religious duty involving the thirty days does pertain during the festival. [Lazarus: for then too as during the thirty days, it is forbidden to wash clothes and get a haircut]. What is the rule?"*
- B. He said to him, "It does not count." [The intermediate days of the festival intervene and suspend mourning, but they do not count toward the fulfillment of the thirty days, and after the festival, mourning resumes for the outstanding number of days.]
- C. *He raised an objection based on the following: " **He who buries his dead two days before the festival interrupts his mourning rites for the festival and counts five supplementary days of mourning after the festival, and the public takes care of him, and his work is done by other people. His male slaves and female slaves work in private at home. And the public does not get involved with him [in consoling him] [20A] for they have already done so on the festival itself. The operative principle is this: whatever concerns the mourner himself [formal mourning by him] is suspended by the festival, but whatever is on account of the obligations of the community at large is not suspected by the festival. If he buried his dead with three days left of the festival week itself, he counts seven days of mourning after the festival. For the first four, the public takes care of him. For the other three, the public does not take care of him. For they have already done so on the festival. And the festival counts. [For they have said that the days of mourning that took place on the festival so affect him that the public must take care of him. And his work is done by others. His male slaves and female slaves work in private for other people] [cf. T. Moed. 2:6-7]. Does the sentence, And the festival counts not refer to the latter part [if one buried the dead three days prior..., the festival days count, and Rabbah has said they do not count]?"***
- D. *"No, it refers to the opening clause."*
- E. *He raised an objection based on the following: " How does the festival count within the thirty days? If they buried the deceased at the beginning of the festival,*

he counts seven days after the festival, and his work is done by others, and his male and female slaves work in private in his own house, and the public does not get involved with condoling him, for they have already done so on the festival, and the festival counts.”

F. *That is a solid refutation.*

I.8. A. *When Rabin came*, he said R. Yohanan said, “Even if one buried his dead during the festival [that part of the festival counts in the thirty days].”

B. *So to R. Eleazar instructed his son R. Pedat*, “Even if one buried his dead during the festival [that part of the festival counts in the thirty days].”

We have now answered the question that the Mishnah’s formulation has left over. This has been done through a systematic reading of the Tosefta’s and other Tannaite rules on the same matter. The validity of our reading has been confirmed by further authoritative evidence. We proceed to Tannaite rulings on the same theme.

I.9. A. *Our rabbis have taught on Tannaite authority:*

B. **He who fulfilled the rite of turning over the bed for three days before the festival does not have to turn over the bed after the festival,”** the words of R. Eliezer.

C. **And sages say, “Even if he did so one day or even one hour [he does not have to turn over the bed after the festival].”**

D. **Said R. Simeon b. Eleazar, “This represents precisely what the House of Shammai and the House of Hillel said.**

E. **“For the House of Shammai say, ‘Three days.’**

F. **“And the House of Hillel say, ‘Even one day’” [T. [Moed 2:1A-D](#)].**

I.10. A. *Said R. Huna said R. Hiyya bar Abba said R. Yohanan, and some say, said R. Yohanan to R. Hiyya bar Abba and to R. Huna*, “Even one day, even one hour.”

B. *Raba said, “The decided law accords with the position of our Tannaite authority, who said, ‘three days.’ [That is the minimum observance of mourning prior to the festival, on account of which the advent of the festival remits the rest.]”*

I.11. A. *Rabina came to Sura on the Euphrates. Said R. Habiba to Rabina, “What is the decided law?”*

B. *He said to him, “Even one day, even one hour.”*

We now take up a topical footnote to the foregoing: the source in Scripture for the fact that has just now been taken for granted.

I.12. A. *In session R. Hiyya bar Abba and R. Ammi and R. Isaac Nappaha under the awning of R. Isaac b. Eleazar. This matter came up among them:* “How do we know on the basis of Scripture that mourning is for a period of seven days? As it is written, ‘And I shall turn your feasts into mourning, and I will make it as the mourning for an only son’ (Amo. 8:10) — just as the Feast [that is, Tabernacles] is for seven days, so the mourning is for seven days.”

B. *Well, why not invoke the analogy of Pentecost [which is one day]?*

- C. *That analogy is required for the matter explained by R. Simeon b. Laqish, for said R. Simeon b. Laqish in the name of R. Judah the Patriarch, "How on the basis of Scripture do we know that mourning on account of news of a bereavement that has come from a great distance applies only for a single day? As it is written, 'And I shall turn your feasts into mourning, and I will make it as the mourning for an only son' (Amos 8:10) — just as the Pentecost is a feast that lasts one day [so here too the mourning is for only one day]."*

The footnote complete, we proceed to a further, free-standing composite, namely, a topical anthology on the general theme of special problems in connection with the observance of the thirty-day period of bereavement. If the news has come late, then how do we allocate the mourning periods of seven, then thirty days?

I.13. A. *Our rabbis have taught on Tannaite authority:*

- B. "If one has received news of a bereavement from nearby, the mourning lasts for seven days and then the usual thirty. If it is from a distant place, it lasts only for one day.
- C. "What defines 'nearby' and what defines 'a distant place'?
- D. "'Nearby' is news that comes within thirty days of the event, and 'from far' away is news that comes after thirty days of the event," the words of R. Aqiba.
- E. And sages say, "All the same is what is required in both cases: if the news comes from nearby or from a distant place, the mourning is for seven days and up to the usual thirty days."
- F. Said Rabbah bar bar Hannah said R. Yohanan, "In any case in which you find that the individual gives a lenient ruling and the majority gives a strict ruling, the decided law accords with the majority, except for this case, in which, even though R. Aqiba is an individual who gives a lenient ruling, and sages are the ones who give the strict ruling, the decided law accords with R. Aqiba, for, said Samuel, 'In matters of bereavement, the law is in accord with the opinion of the one who gives the lenient ruling.'"

- 14.** A. *R. Hanina got from Khuzistan news about his father's death, so he consulted R. Hisda, who said to him, "If it is from a distant place, it lasts only for one day."*
- B. *R. Nathan bar Ammi got from Khuzistan news of the death of his mother, so he consulted Raba, who said to him, "Lo, they have said, 'If it is from a distant place, it lasts only for one day.'"*
- C. *An objection was raised:* Under what conditions does this rule apply? In the case of the five close relatives [for whom mourning is required [brother, sister, wife, son, daughter], but as to one's mother or father, the mourning covers the seven and the thirty days."
- D. *He said to him, "That is the ruling of a minority, and we do not concur, on account of a case."*
- E. *For it has been taught on Tannaite authority:* There was the case in which the father of R. Sadoq died in Ginzaq, and they told him only after three

years had passed, and he came and inquired from Elisha b. Abbayah and elders with him, who said, "Observe the seven and thirty days."

- F. And when the died of R. Ahayyah died in the Exile, he sat in mourning for him for the seven and thirty day spell.
- G. *Is that so? But lo, Rab son of the brother of R. Hiyya, the son of the sister of R. Hiyya, when he went up there, said to him, "How's Dad?" [20B] and he said to him, "Mother's fine." 'How's mother?' " "Father's fine." So R. Hiyya said to his attendant, "Remove my shoes and carry my things after me to the baths." And from that story we inferred three rules.*
- H. *We inferred that a mourner is forbidden to wear shoes.*
- I. *We learned that news that come only from a distance require only a single day of mourning.*
- J. *And we learned that part of the day counts as a whole day of mourning.*
- K. *So R. Hiyya represents a private party, and R. Ahayyah represents another private party [and there is no majority opinion in hand].*

I.15. A. Said R. Yosé bar Abin, "If one got news from near at hand on a festival, but by the time of the end of the festival, it it turns out to be classified as news from far off, the festival counts in the mourning period, so he observes only one day of formal mourning."

B. *R. Adda of Caesarea repeated before R. Yohanan as a Tannaite statement, "If on the Sabbath day one hears news, that qualifies as news from near at hand, but by the end of the Sabbath it turns out to be classified as news from far off, he observes only one day of formal mourning."*

I.16. A. Does he tear his clothing or does he not tear his clothing?

B. R. Mani said, "He does not tear his clothing."

C. R. Hanina said, "He does tear his clothing."

D. *Said R. Mani to R. Hanina, "Now in accord with my position, which is that he does not tear his clothing, that explains also why there is no seven day period of mourning, but within your view, that he does tear his garment, tell me, can there be a case in which one tears one's clothing but does not observe the seven days of mourning?"*

E. *Well is there no such case at all? But did not Idi father of R. Zira, or some say, brother of R. Zira, recite as a Tannaite rule in the presence of R. Zira, "He who has only a single garment to tear at the time, but who got one during the seven days of mourning should tear it at that time. If he got it only after the seven does, he does not tear it"?*

F. *R. Zira replied in response to this, "Under what circumstances? If this was in respect to the five nearest of kin, for whom there is a religious duty to mourn, but in regard to one's father or mother, one always tears one's garment, and what you cited speaks of the honor that is owing to one's father or mother [even though one does not observe the seven days, in respect to the parents, he tears his clothing, but this really is not an obligation]."*

The introduction of the matter of near of kin and their graded relationships now is spelled out in its own terms, a footnote to the appendix just now set forth.

I.17. A. *Our rabbis have taught on Tannaite authority:*

- B. For all of the nearest of kin that are listed in the passage pertaining to the priests [Lev. 21: 1ff.] on account of burying whom the priest contracts corpse uncleanness, a mourner must observe mourning: wife, father or mother, brother or sister, son or daughter. To the list they added: his brother or sister from the same mother; his married sister, whether from the same mother or from the same father.
- C. “And just as he observes mourning for these, so he observes mourning rites for their relatives in the second remove [grandfather, grandmother, grandchildren, brothers and sisters of parents],” the words of R. Aqiba.
- D. R. Simeon b. Eleazar says, “Mourning is observed only for one’s son’s child and father’s father.”
- E. Sages say, “For whomever one mourns, with that one one also joins in mourning.” [Lazarus: one mourns with his father on the death of his father’s father, the father mourns with the son who loses a child.]
- F. *Then is not the sages’ opinion pretty much the same as R. Simeon b. Eleazar’s?*
- G. *No, there is a concrete difference between them, which is, whether we impose the obligation of mourning only when he is living in the same house. That is in line with what Rab said to his son, Hiyya, and as R. Huna said to his son, Rabbah, “When you are in her presence, you have to observe the rites of mourning, but when not, you do not.”*

The topical presentation is itself enriched with secondary cases.

I.18. A. *Mar Uqba’s father-in-law’s son died. He considered sitting in mourning for him for seven days and through the thirty. When R. Huna went to see him, he found him in mourning. He said to him, “Do you really want to eat a mourner’s meal? When sages made their ruling concerning mourning out of deference to his wife, it was only in the case of his father-in-law or mother-in-law, as it has been taught on Tannaite authority: he who has suffered a bereavement by reason of the death of his father-in-law or mother-in-law, the husband may not compel the wife, who is in mourning, to put on eye shadow or do her hair, and he should overturn his own bed and observe the rites of mourning with her, and when her father-in-law or mother-in-law dies, she should not put on eye shadow or do her hair, and she overturns her couch and observes mourning with him.’ There is a further Tannaite formulation: ‘Even though they said that he may not force his wife to put on eye shadow or do her hair, they further said she mixes his wine for him, makes his bed, washes his face, hands, and feet.’ Obviously there is a contradiction between these two statements. So we must infer*

that one of them refers to the death of a father-in-law or mother-in-law, and the other to the death of any other near of kin.”

- B. *That is decisive.*
 - C. *So too it has been explicitly stated on Tannaite authority:*
 - D. *They spoke concerning the honor owing to his wife is concerned, only when the bereavement came about through the death of his father-in-law or mother-in-law alone.*
- I.19.** A. *The son of the son of Amemar died, and he tore his clothing. His son came, and he again tore his clothing in the presence of the son. He remembered that he did it while seated, so he stood up and tore it again while standing.*
- B. *Said R. Ashi to Amemar, “How on the basis of Scripture do we know that the tearing of the clothes should be done while standing? It is in line with this verse: ‘Then Job. rose and tore his cloak’ (Job. 1:20).”*
 - C. **[21A]** *Then what about the following: “And if he stand and say I do not want to take her” (Deu. 25: 8), will that be interpreted in the same way [so that if the levir wishes to decline to enter into levirate marriage, it must be done when he is standing]? But lo, it has been taught on Tannaite authority: it may be done whether he is sitting or standing or lying?*
 - D. *He said to him, “There it is not written, ‘Then he stood and said,’ while in our case, it is written, ‘Then Job. rose and tore his cloak’ (Job. 1:20).”*

Since the foregoing has referred to making the tear while standing, we proceed to prove on the basis of Scripture that that is the requirement — a footnote to an appendix.

- I.20.** A. *Said R. Ammi bar Hama, “How on the basis of Scripture do we know that the tearing of the clothes should be done while standing? It is in line with this verse: ‘Then Job. rose and tore his cloak’ (Job. 1:20).”*
- B. *But maybe he stood up for some other reason? For if you do not take that view, “and he shaved his head” (Job. 1:20) would mean that that too has to be done standing!*
 - C. *Rather the proof is from the following: “Then the king stood up and tore his clothing” (2Sa. 13:31).*
 - D. *But maybe he stood up for some other reason? For if you do not take that view, “and he lay on the ground” (2Sa. 13:31) would mean that that too has to be done!*
 - E. *But has it not been taught on Tannaite authority: If a mourner sat on a bed, chair, or stall for urns, or even sleeps on the bare ground, he has not carried out his duty,” and said R. Yohanan, “He has not in doing these actions carried out the obligation of turning the bed over”?*

F. He said to him, "It is as though he were on the ground."

Another topical composite now commences, other rules that pertain to the mourner. This composite does not continue the prior one on the same topic, as a glance at No. 15 shows; rather, we have a free-standing exposition on the stated theme. I indent illustrative stories and other footnotes that interrupt the sequence of the exposition.

I.21. A. *Our rabbis have taught on Tannaite authority:*

- B. These are the things that are forbidden to a mourner: he is forbidden to perform work, bathe, anoint himself, have sexual relations, wear sandals; he is forbidden to recite Scripture, Prophets, or Writings; to repeat the Mishnah, Midrash, laws, Talmud or lore. If the community needs him, however, he does not have to abstain [but may repeat the required formulas].
- C. And there was the case in which the son of R. Yosé died in Sepphoris, and he entered the house of study and gave an exposition throughout the entire day.
- D. *A bereavement happened to Rabbah bar bar Hannah. He thought of not going out to the public gathering. Said to him R. Hanina, "If the community needs him, however, he does not have to abstain."*
- E. *He considered appointing someone to repeat in a loud voice what he was saying. Said to him Rab, "It has been taught on Tannaite authority: but that is on condition that he not appoint someone to repeat in a loud voice what he was saying."*
- F. So what is one to do?
- G. *He should act along the lines of the following, which has been taught on Tannaite authority:* There was the case in which the son of R. Judah bar Ilai died, and he went into the house of study, and R. Hananiah b. Aqabayya went in and sat beside him, and he spoke in whispers to R. Hananiah b. Aqabayya, and R. Hananiah b. Aqabayya to the one appointed to repeat in a loud voice what he was saying, who repeated to the public in a loud voice what he was saying.

I.22. A. *Our rabbis have taught on Tannaite authority:*

- B. "A mourner is forbidden to put on his prayer boxes containing verses of Scripture for the first three days of his bereavement. From the third and onward, and the third is included, it is permitted for him to put them on. And if new people came to pay their respects, he does not remove them," the words of R. Eliezer.
- C. R. Joshua says, "A mourner is forbidden to put on his prayer boxes containing verses of Scripture for the first two days of his bereavement. From the second and onward, and the second is included, it is permitted for him to put them on. And if new people came to pay their respects, he does remove them."
- D. *Said R. Mattenah, "What is the scriptural basis for the position of R. Eliezer? It is written, 'And the days of weeping in the mourning for Moses were ended' (Deu. 34: 8) [There are three key words, days, weeping, mourning, hence three days]."*
- E. *Said R. Ina, "What is the scriptural basis for the position of R. Joshua? It is written, 'And I will turn your feasts into mourning...and I will make it as*

the mourning for an only son and the end therefore as a bitter day' (Amo. 8:10) [so the essential period of mourning is one bitter day].”

- F. *And does not R. Joshua have to take account of the verse, “And the days of weeping in the mourning for Moses were ended” (Deu. 34: 8)?*
- G. *He will say to you, “Moses was exceptional, because the mourning for him was enormous.”*
- H. *And does not R. Eliezer have to take account of the verse, ‘And I will turn your feasts into mourning...and I will make it as the mourning for an only son and the end therefore as a bitter day’ (Amos 8:10)?*
- I. *The principal moment is bitterness is one day.*
- J. Said Ulla, “The decided law accords with the view of R. Eliezer as to removing the prayer boxes containing phylacteries, and the decided law accords with the view of R. Joshua as to putting them on.”
- K. *The question was raised: “As to the second day, from the perspective of Ulla, would he have to take them off, or not have to take them off, when new people come in?”*
- L. *Come and take note: said Ulla, “He removes them and puts them back on, even a hundred times.”*
- M. *So too it has been taught on Tannaite authority:*
- N. Judah b. Tema says, “He removes and puts on his prayer boxes containing verses of Scripture, even a hundred times.”
- O. Raba said, “Once he has put them on, he does not again take them off.”
- P. *Yeah, but Raba is the one who said, “The decided law accords with our Tannaite authority, who said, ‘The minimum period for observing mourning is three days’!”*
- Q. **[21B]** *The case of a religious duty is exceptional.*

I.23. A. *Our rabbis have taught on Tannaite authority:*

- B. During the first three days of bereavement, a mourner is forbidden to do work, even a poor person who is supported from public funds. Afterward he may work discreetly, at home, and a woman may work her spindle at home.

I.24. A. *Our rabbis have taught on Tannaite authority:*

- B. During the first three days of bereavement, a mourner does not go to a house of mourning. Thereafter, he may go, but he may not take a seat among the comforters, but only among the mourners.

I.25. A. *Our rabbis have taught on Tannaite authority:*

- B. During the first three days of bereavement, a mourner is forbidden to give a greeting. From the third to the seventh day he may reply, but may not ask after another. From that point he both asks and responds in his normal way.

I.26. A. [Supply: *Reverting to the body of the foregoing:*] During the first three days of bereavement, a mourner is forbidden to give a greeting:

- B. *But has it not been taught on Tannaite authority:*
- C. There was the case when the sons of R. Aqiba died. All the Israelites came in and made a great lamentation for them. When they were to leave, [Aqiba chose to greet the mourners, doing so in the following manner:] R. Aqiba stood on a big bench and spoke to them as follows: “Our brothers, house of Israel, listen! Even though these two sons of mine were yet bridegrooms [and in the fullness of life], I am comforted because of the honor that you have paid. But if it was on account of Aqiba that you came, well, then, how many Aqibas are there out in the market! But this is what you have said [by coming here to comfort me]: ‘The Torah of God is in his heart, his footsteps will not falter’ (Psa. 37:31). All the more so should your reward be doubled [and this is your greeting:] ‘Go home to peace.’” [This he said even on the first days of the bereavement.]
- D. *Paying respect to the public represents an exceptional case.*
- I.27.** A. [Supply: *Reverting to the body of the foregoing:*] From the third to the seventh day he may reply, but may not ask after another. From that point he both asks and responds in his normal way:
- B. *They contrasted the foregoing with the following:* He who comes across a fellow mourner within thirty days of his bereavement offers him words of consolation but does not give him a greeting; after that span of time, he gives him a greeting, but does not offer him words of consolation. If his wife died and he married another, he is not allowed to call upon him at home to offer him words of consolation, but if he meets him in the street, there he offers words of consolation, but in a low voice and downcast demeanor. [So within thirty days one may not greet a mourner, on contrast to the claim that the mourner may exchange greetings after the seven days have passed.]
- C. Said R Idi bar Abin, “The mourner asks about others [during the mourning period] because others are in good shape, but others do not ask about him, because he is not in good shape.”
- D. *But since it states,* From the third to the seventh day he may reply..., *does it not follow that people may greet him?*
- E. *That would be a case where they are not aware of his situation.*
- F. *Well, if that is so, then in the earlier period too the same rule applies.*
- G. *In the earlier period, he would have to tell them about his situation and not answer further, while here, he does not have to tell them about it at all.*
- H. *In contrast to the passage already cited [at B] the following was introduced:* He who comes across a fellow mourner within twelve months of his bereavement offers him words of consolation but does not give him a greeting; after that span of time, he gives him a greeting, but does not offer him words of consolation. But he may refer to the matter tangentially.

- I. Said R. Meir, “He who comes across a fellow mourner within twelve months of his bereavement and who then offers words of consolation — to what is he to be compared? To a man who had a broken leg, which got better, and a physician met him and said to him, ‘So come to me and let me break it and set it again, to prove to you what a first-rate doctor I am!’”
- J. *There is no contradiction, since the latter speaks of the death of a father or mother, and the former, the death of other near of kin.*
- K. *Well in that case [to which the former speaks], why not offer consolation in an indirect manner?*
- L. *Well, he can do just that, and the sense is this: After thirty days he may not offer words of consolation, meaning, not in the usual way, but he may refer to the loss in an indirect way.*

I.28. A. *Our rabbis have taught on Tannaite authority:*

- B. A mourner who reaches home during the first three days of bereavement, if he comes from nearby, counts along with those who are already in place. If he came from some distant place, he counts the days on his own. From that time onward, even if he came from some nearby place, he counts on his own.
- C. R. Simeon says, “Even if he came on the seventh day, if it is from a nearby place, he counts along with those who are there in place.”

I.29. A. The master has said: “A mourner who reaches home during the first three days of bereavement, if he comes from nearby, counts along with those who are already in place.”

- B. Said R. Hiyya bar Abba said R. Yohanan, “But that is the case only if the principal of the household there at home.”
- C. *The question was raised: [22A] “If the principal of the household went to the place of burial, what is the law?”*
- D. *Come and take note of the following, for said R. Hiyya bar Abba said R. Yohanan, “Even if the principal of the household went to the place of burial, he counts with them.”*
- E. “...he counts with them”? *But has it not been taught on Tannaite authority, He counts on his own?*
- F. *There is no contradiction. The one speaks of a case in which he came home within three days, the latter in which he did not come home within three days. That is in line with what Rab instructed the sons of Hazzalponi, “Those who come home within three days count with you, and those who do not come home within three days count on their own.”*
- G. *Said Raba to the people of Mahoza, “You do not follow the bier to interment begin counting the days of mourning as soon as you turn back toward the city gates.”*

I.30. A. R. Simeon says, “Even if he came on the seventh day, if it is from a nearby place, he counts along with those who are there in place.”

- B. Said R. Hiyya bar Gameda said R. Yosé b. Saul said Rabbi, "But that is the case only if he came home and found comforters still present."
- C. *R. Anan raised this question:* "If the comforters were just stirring to get up and leave, but had not yet left, what is the law?"
- D. *That question stands.*

I.31. A. *The colleague of R. Abba bar Hiyya learned as a tradition from R. Abba, and who was it? It was R. Zira, and some say it was learned by the colleague of R. Zira from R. Zira, and who was it? It was R. Abba b. R. Hiyya bar Abba, said R. Yohanan, "The decided law accords with the position of R. Simeon b. Gamaliel when it comes to the law of whether or not a beast is defective and so unfit for Israelites to it, and the decided law accords with R. Simeon on the matter of mourning."*

- B. *As to the matter of mourning, it is the one we have just cited.*
- C. *As to the decided law that accords with the position of R. Simeon b. Gamaliel when it comes to the law of whether or not a beast is defective and so unfit for Israelites to it, it is in line with what it has been taught on Tannaite authority: "If the intestines had a hole but mucilage blocks the hole, the beast is valid for Israelite conception," the words of Rabban Simeon b. Gamaliel.*
 - D. *What is mucilage? Said R. Kahana, "It is viscous material in the intestines that comes away under pressure."*
- E. *Someone said, "May I have the privilege of going up and learning the statement from the mouth of the master himself."*
- F. *When he went up, he came upon R. Abba b. R. Hiyya bar Abba, and he said to him, "Did you, sir, say that the law accords with the opinion of R. Simeon b. Gamaliel on matters having to do with defects that lead to the rejection of the beast for Israelite consumption?"*
- G. *He said to him, "I said that that is not the decided law."*
- H. *"And what about the matter of mourning, is the law to follow R. Simeon?"*
- I. *He said, "There are diverse opinions on that matter, as has been stated: 'R. Hisda said, "The view of R. Simeon is the decided law," and R. Yohanan said the same, but R. Nahman said, "It is not the decided law."'"*
- J. *And the law at hand is not decided in accord with R. Simeon b. Gamaliel's view as to questions involving defects in animals.*
- K. *And as to the matter of mourning, the decided law does accord with R. Simeon, in line with what Samuel said, "In matters of mourning, the decided law follows the position of the more lenient authority."*

I.32. A. [Supply:] *Our rabbis have taught on Tannaite authority:*

- B. For all other deceased, one who hastens the bier to its grave — lo, such a one is praiseworthy, but as to doing so in the case of his father and his mother, lo, such a one is disgusting.
- C. If it was the eve of the Sabbath or the eve of the festival, lo, this one too is praiseworthy, for he does what he does only on account of the honor owing to his father or to his mother.
- D. As to the case of all other deceased, if he wants, he may keep the expenses down, and if he wants, he does not [22B] keep the expenses down, but in the case of his father and his mother, as a matter of fact, he should keep the expenses down.
- E. As to the case of all other deceased, if he wants, he may bare his shoulder, and if he wants, he does not bare his shoulder,, but in the case of his father and his mother, as a matter of fact, he should bare his shoulder.
- F. There was the case of a certain “great man of the age,” whose father died, and who wanted to bare his shoulder, and another “great man of the age” who was with him also wanted to bare his shoulder, but on that account the former did not do so and did not bare his shoulder.”
- G. Said Abbaye, “The great man of the age is Rabbi, the great man of the age who was with him was R. Jacob bar Aha.”
- H. *There are those who say,* “The great man of the age was R. Jacob bar Aha, the great man of the age who was with him was Rabbi.”
- I. *Now from the perspective of him who said,* “the great man of the age who was with him was R. Jacob bar Aha,” that explains why he refrained from baring the shoulder. *But from the perspective of him who has said that it was R. Jacob bar Aha, why in the world would he have refrained from baring his shoulder? For, after all, Rabban Simeon b. Gamaliel [Rabbi’s father] was the patriarch, and everybody is obligated to bear his shoulder on that account?*
- J. *So that’s a problem.*

- I.33.** A. For all other deceased, one may get a haircut after thirty days, but for one’s father and one’s mother, one does so only after his colleagues pressure him to do so.
- B., For all other deceased, one may go to a banquet house after thirty days. But for one’s father and one’s mother, one observes an entire year of mourning.
 - C. Said Rabbah bar bar Hanna, “And one may go to a celebration of collegiality.”
 - D. *An objection was raised:* One may go to a celebration of collegiality after thirty days.
 - E. *So that’s a problem.*
 - F. *Amemar repeated the matter in this way:* “ Said Rabbah bar bar Hanna, ‘And to a celebration of collegiality one is permitted to go forthwith.’ *But lo, it has been taught on Tannaite authority:* One may go to a celebration of collegiality after thirty days? *That’s not a problem. The latter speaks to a party that can be postponed, the other, a party that is obligatory and cannot be postponed.*”

- I.34.** A. For all other deceased, one tears a handbreadth of one's garment, but for one's father or mother, he bares his chest.
- B. *Said R. Abbahu, "What verse of Scripture serves? 'Then David grabbed his clothes and tore them' (2Sa. 1:11), and grabbing involves no less than a handbreadth."*
- I.35.** A. For all other deceased, even if one is wearing ten garments, one tears only the uppermost one. But for one's father or one's mother, one makes a tear in all of them. And, whether man or woman, tearing one's undershirt is not an indispensable part of properly carrying out the act.
- B. R. Simeon b. Eleazar says, "A woman tears the undergarment and turns it front to back and then tears her outer garment."
- I.36.** A. For all other deceased, if one wanted, he may divide the upper [Lazarus:] selvage-border of his garment, and if does not want, he does not divide it. But for his father or his mother, he must divide it.
- B. R. Judah says, "Any act of tearing that does not involve the dividing of the upper selvage-border of the garment is only a random-tear [and bears no consequence for the rite of mourning]."
- C. *Said R. Abbahu, "What verse of Scripture serves R. Judah's view? 'And Elisha saw it and he cried, My father, my father, the chariots of Israel and the horsemen thereof! And he saw him no more, and he took hold of his clothing and tore it into two pieces' (2Ki. 2:12). Now since Scripture states, 'and he tore...', do I not know that it is into two pieces? But the addition of that qualifying language bears the meaning that, at the tear, the garments appeared to be torn into two separate pieces."*
- I.37.** A. For all other deceased, one may after seven days one bastes the tear together, and sews them together wholly after thirty days. But for one's father or one's mother, he bastes it together after thirty days and never sews it together.
- B. But a woman bastes it together on the spot out of the honor owing to her.
- I.38.** A. *When Rabin came*, he said R. Yohanan [said], "For all other deceased, if one wanted, he makes the tear by hand, and if he wants, he makes it by a sharp object. But for his father or his mother, he must make it by hand."
- B. And said R. Hiyya bar Abba said R. Yohanan, "For all other deceased, one tears in seclusion, but for the father or the mother, one tears outside."
- C. Said R. Hisda, "And the same is so at the death of the patriarch."
- D. *An objection was raised:* "'[The master, patriarch or principal of the court] are comparable to not his father or his mother but only to his brothers alone.' *Does this not pertain even to the patriarch?*"
- E. *Not at all, the patriarch alone is exceptional.*
- I.39.** A. *The patriarch died. Said R. Hisda to R. Hanan bar Raba, "Turn over the mortar, stand on it, and show everybody how to tear their garments [in accord with the following law:*

- B. “On the occasion of the death of a sage, one bares the right, for the principal of a court, on the left, and for the patriarch, on both sides.”

I.40. A. *Our rabbis have taught on Tannaite authority:*

- B. When a sage dies, the house of study that he conducted is dissolved.
- C. When the principal of a court died, all houses of study in his town are dissolved, and they go into the synagogue and change their usual assigned places. The ones who ordinarily sit at the north take their seats at the south, and those who ordinarily sit at the south take places at the north.
- D. When the patriarch dies, all of the houses of study are dissolved. Those who belong to the synagogue enter the synagogue [23A] and tear their garments, and seven persons recite the Torah-portion of the week, and then they go forth.
- E. R. Joshua b. Qorhah says, “It is not that they go out and just wander about the market place, but they sit in silence and say neither a tradition nor a tale in the house of mourning.”
- F. They said about R. Hananiah b. Gamaliel that in the house of a mourner he would say a tradition or a tale.

I.41. A. *Our rabbis have taught on Tannaite authority:*

- B. On the first Sabbath after bereavement a mourner does not go out of the door of his house. On the second he goes out, but he does not sit in his usual place. On the third he sits in his usual place but does not speak. On the fourth, lo, he is like anybody else.
- C. R. Judah says, “There was no requirement to state, ‘On the first Sabbath after bereavement a mourner does not go out of the door of his house,’ for lo, everybody comes into his house to bring him comfort. But it is on the second that a mourner does not go out of the door of his house; on the third he goes out, but he does not sit in his usual place. On the fourth he sits in his usual place but does not speak. On the fifth, lo, he is like anybody else.”

I.42. A. *Our rabbis have taught on Tannaite authority:*

- B. For the entire thirty days [the mourner may not] take a wife. If his wife died, he is forbidden to marry another until three festivals [a full year] have gone by.
- C. R. Judah says, “He is forbidden until the first and second festivals [in sequence after her death] have gone by, but prior to the third, he is permitted to remarry.”
- D. But if he has no children, he is permitted to marry immediately, because of the consideration of the requirement of procreation.
- E. If she left him small children, he is permitted to remarry on the spot, on account of taking care of them.
- F. There was the case, in which the wife of Joseph the Priest died, and he said to her sister while standing in the graveyard, “Come and take care of your sister’s children.” But even so, he did not have sexual relations until considerable time had gone by.
- G. *What is the definition of “until considerable time had gone by”?*

H. Said R. Pappa, “After thirty days.”

I.43. A. *Our rabbis have taught on Tannaite authority:*

- B. The entire thirty days are marked by the prohibition of putting on ironed clothing, without distinction as to whether they are old or new clothes coming out of the press.
- C. Rabbi says, “They have prohibited only the wearing of new garments alone.”
- D. R. Eleazar b. R. Simeon says, “They prohibited only new clothes of white linen.”

I.44. A. *Abbayye went out in a worn garment, following the ruling of Rabbi.*

- B. *Raba went out in a new roman red cloak, following the opinion of R. Eleazar b. R. Simeon.*

We now have completed a massive set of topical expositions, all of them formulated in their own context, none of them responsive to the setting of Mishnah-commentary in which they are situated. Now we return to the exposition of the Mishnah-paragraph before us, clarifying that same point of unclarity that the earlier paragraph presented to us.

II.1 A. **For they have said, “The Sabbath counts [in the days of mourning] but does not interrupt [the period of mourning], [while] the festivals interrupt [the period of mourning] and do not count [in the days of mourning]:”**

- B. *Judeans and Galilaeans —*
- C. *These say, [23B] “Mourning pertains to the Sabbath.”*
- D. *And those say, “Mourning does not pertain to the Sabbath.”*
- E. *The one who says, “Mourning pertains to the Sabbath,” cites the Mishnah’s statement, **The Sabbath counts [in the days of mourning]**. [Hence the rites apply.]*
- F. *The one who says, “Mourning does not pertain to the Sabbath,” cites the Mishnah’s statement, **but does not interrupt [the period of mourning]**. Now if you take the view that mourning applies to the Sabbath, if mourning were observed, would there be any question of its interrupting the counting of the days of mourning?*
- G. *Well, as a matter of fact, the same passage does go on to say, **The Sabbath counts [in the days of mourning]!***
- H. *The inclusion of that phrase is on account of what is coming, namely, **[while] the festivals interrupt [the period of mourning] and do not count [in the days of mourning]**, so the Tannaite formulation to balance matters also stated, **The Sabbath counts [in the days of mourning]**.*
- I. *And as to the position of him who says, “Mourning pertains to the Sabbath,” does the passage not say, **but does not interrupt [the period of mourning]**?*
- J. *That is because the framer of the passage wishes to include, **the festivals interrupt [the period of mourning]**, so for the sake of balance he stated as well, **The Sabbath...does not interrupt [the period of mourning]**.*

Now that we have given a complete exposition of the issue addressed to the Mishnah-paragraph, we proceed to search for the principle that is expressed in the rule that is

subject to debate. This extends the discussion of the Mishnah-passage from the case to the law.

II.2. A. *May we say that at issue is what is under debate in among the Tannaite authorities in the following:*

- B. As to one whose deceased [actually] lies before him, he eats in a different room. If he does not have another room, he eats in the room of his fellow. If he has no access to the room of his fellow, he makes a partition and eats [separate from the corpse]. If he has nothing with which to make a partition, he turns his face away and eats.
- C. He does not recline and eat, he does not eat meat, he does not drink wine, he does not say a blessing before the meal, he does not serve to form a quorum, and people do not say a blessing for him or include him in a quorum.
- D. He is exempt from the requirement to recite the *Shema* and from the Prayer and from the requirement of wearing phylacteries and from all of the religious duties that are listed in the Torah.
- E. But on the Sabbath he does recline and eat, he does eat meat, he does drink wine, he does say a blessing before the meal, he does serve to form a quorum and people do say a blessing for him and include him in a quorum. And he is liable to carry out all of the religious duties that are listed in the Torah.
- F. Rabban Simeon b. Gamaliel says, “Since he is liable for these [religious duties], he is liable to carry out all of them.”
- G. And [in connection with the dispute just now recorded], R. Yohanan said, “*What is at issue between [Simeon and the anonymous authority]? At issue is the matter of having sexual relations.* [Simeon maintains that the mourner on the Sabbath has the religious obligation to have sexual relations with his wife, and the anonymous authority does not include that requirement, since during the mourning period it does not apply.]”
- H. Is not this what is at stake between them, namely, one authority [Simeon b. Gamaliel] maintains, “Mourning pertains to the Sabbath,” and the other takes the view, “Mourning does not pertain to the Sabbath”?
- I. *What compels that conclusion? Perhaps the initial Tannaite authority takes the view that he does there only because of the simple consideration that the deceased is lying there awaiting burial, but in the present case, in which the deceased is not lying there awaiting burial, he would not take the position that he does. And, further, perhaps Rabban Simeon b. Gamaliel takes the position that he does in that case because, at that point [prior to burial] the restrictions of mourning do not pertain, but, here, where the restrictions of mourning do pertain, he would concur [that the mourning does pertain to the Sabbath].*

We proceed to a further composition in which the same question is debated; the composition is formulated in isolation from the foregoing.

II.3. A. **[24A]** R. Yohanan asked Samuel, “Does mourning pertain to the Sabbath or does mourning not pertain to the Sabbath?”

- B. He said to him, “Mourning does not pertain to the Sabbath.”

What follows is relevant in theme but does not pursue the problem that has formed the center of our Mishnah-exegesis. It appears to be a small thematic composite tacked on to provide further information, but it does not advance the analytical inquiry.

- II.4.** A. *Rabbis in session before R. Pappa stated in the name of Samuel, “A mourner who had sexual relations during his time of bereavement is liable to the death penalty.”*
- B. *Said to them R. Pappa, “‘It is forbidden’ is what has been stated in the name of R. Yohanan, and if you have heard the tradition in the name of Samuel, this is what you have heard: said R. Tahalipa bar Abimi said Samuel, ‘A mourner who did not let his hair get disheveled and did not tear his clothing is liable to the death penalty, for it has been said, “Do not let the hair of your heads become disheveled and do not tear your clothing, that you do not die” (Lev. 10: 6), which bears the implication that if any other mourner did not let the hair of his head become disheveled or did not tear his clothing, he is subject to the death penalty.”’*
- II.5.** A. *Said Rafram bar Pappa, “A Tannaite formulation in the Major Compilation on Mourning: A mourner may not have sexual relations during the days of mourning.*
- B. *“‘There was the case of someone who had sexual relations during the days of mourning, and pigs dragged off his corpse.”’*

The established topic — mourning on the Sabbath — accounts for the inclusion of the following composition.

- II.6.** A. *Said Samuel, “On the Sabbath, unveiling the head, turning the torn side of the garment from front to back, and uprighting the couch, are obligatory; putting on sandals, sexual relations, and washing the hands and feet with warm water on the eve of the Sabbath are optional.”*
- B. *And Rab said, “Unveiling the head also is optional.”*
- C. *And how come Samuel identifies putting on the sandal as optional? It is because not everybody ordinarily wears sandals. So it should be the same with unveiling the head, as not everybody goes around with head unveiled!*
- D. *Well, Samuel is entirely consistent with positions he holds in general, for said Samuel, “Any tear that is not made at the very moment of grief is no tearing, and any covering of the face which is not done the way the Ishmaelites do it is not classified as a proper covering up.”*
- E. *R. Nahman showed how to do it, right up to the sides of the beard.*
- F. *[As to the difference of opinion between Rab and Samuel about uncovering the head,] said R. Jacob said R. Yohanan, “That was taught only in the case of one who has no sandals on his feet, but if he had sandals on his feet [on the Sabbath], the sandals testify to his circumstance [which is that he does not observe mourning on the Sabbath].”*

We now continue with further compositions, formed into a topical composite and included for informational purposes; the governing issue, mourning on the Sabbath, has been lost.

- II.7.** A. “Any tear that is not made at the very moment of grief is no tearing.”
- B. *And lo, they said to Samuel, “Rab died.” On his account, he then tore thirteen garments, saying, “Gone is the man before whom I was afraid.”*
- C. *They said to R. Yohanan, “R. Hanina died.” He tore on his account thirteen robes of Milesian wool, saying, “Gone is the man before whom I was afraid.”*
- D. *Well, rabbis are exceptional, for, since at any given moment their traditions are in mind, any time is the same as the very moment of grief [remembering, as they do, in a vivid way the arguments among them].*
- II.8.** A. Said Rabin bar Ada to Raba, “Your disciple, R. Amram, said that *it has been taught on Tannaite authority*: ‘All seven days of mourning a mourner [to whom a new bereavement is reported once more] tears his clothes at the front, and if he changes clothes, he makes a new tear. On the Sabbath, [should occasion arise] he tears at the back part of the clothing, and if he changes clothing, he does so but does not make a new tear,’ [so how can a proper tearing take place only at the moment of grief]?”
- B. *When that Tannaite formulation was worked out, it addressed only the question of the honor owing to the father and the mother.*
- II.9.** A. Are the tears sewn up or are they not sewn up [after mourning]?
- B. *There was a disagreement on this point between the father of R. Oshaia and Bar Qappara.*
- C. One said, “They are not sewn up.”
- D. And the other said, “They are sewn up.”
- E. *You may draw the conclusion that it is the father of R. Oshaia who has said, “They are not sewn up,” for said R. Oshaia, “They are not sewn up,” and from whom can he have heard that tradition if not from his father?*
- F. *Not at all, he heard it from his master, none other than Bar Qappara.*
- II.10.** A. Said Raba, “A mourner may walk about wearing his torn wrap in the house [on the Sabbath].”
- B. *Abbayye found R. Joseph going in and out of his house with his head covered with a scarf.*
- C. *He said to him, “Sir, don’t you take the view that mourning does not pertain to the Sabbath?”*
- D. *He said to him, “This is what R. Yohanan said: ‘Private forms of mourning are kept on the Sabbath.’”*

The composite is itself cogent, presenting information on a single topic; but the composite follows no analytical program and in the present context merely supplies more information. Now we turn to the Mishnah’s next statement.

III.1 A. R. Eliezer says, “After the Temple was destroyed, Pentecost is deemed equivalent to the Sabbath.” Rabban Gamaliel says, “The New Year and the Day of Atonement are deemed equivalent to festivals.” And sages say, “The

rule is in accord with the opinion neither of this one nor of that one. But Pentecost is deemed equivalent to a festival, and the New Year and the Day of Atonement are deemed equivalent to the Sabbath:”

We commence with a statement of the decided law.

- B. Said R. Giddal bar Menassia said Samuel, “The decided law accords with the position of Rabban Gamaliel.”
- C. *There are those who repeat this statement of R. Giddal bar Menassia in connection with the following:* “Any infant who died within thirty days of birth is carried out for burial in one’s arms and is buried by one woman and two men, but not by one man and two women.
- D. [24B] “Abba Saul says, ‘Even by one man and two women.’
- E. “They do not form a line of mourners on his account, and they do not say on his account the blessing of mourners or the consolation addressed to mourners.
- F. “As to an infant who died after thirty days of life, he is carried out in a box .
- G. “R. Judah says, ‘Not a box that is carried on the shoulder, but one that is taken in the arms.’
- H. “They do form a line of mourners on his account, and they do say on his account the blessing of mourners and the consolation addressed to mourners.
- I. “As to an infant who died after twelve months of life, he is taken out for burial on a bier.
- J. “R. Aqiba says, ‘If he is a year old, but his limbs were like those of a two year old, then it is classified as a two year old; if it was two years old but the limbs were those of a year old, he is taken out on a bier.’
- K. “R. Simeon b. Eleazar says, ‘In the case of anyone who is carried out on a bier, the community shows public signs of distress, and on account of any that is not carried out on a bier, the community does not show public signs of distress.’
- L. “R. Eleazar b. Azariah says, ‘If he is publicly known, then the public engages in his rites, but if he is not known to the public, the public does not engage with his rites.’
- M. “And what about a lamentation?
- N. “R. Meir in the name of R. Ishmael says, ‘In the case of the poor, they make a lamentation for a child of three, in the case of the rich, for one of five.’
- O. “R. Judah in his name says, ‘For a child of the poor [which is all poor people have as pleasure in their lives (Rashi)], they make a lament for a five year old, for a child of the rich, six.’
- P. “And as for the children of the sages, they are classified as are the children of the poor.
- Q. “Said R. Giddal bar Menassia said Rab, ‘The decided law accords with the position of R. Judah in the name of R. Ishmael.’”

IV.1 A. [**But Pentecost is deemed equivalent to a festival:**] *R. Annani bar Sasson gave this exposition at the door of the house of the patriarch: “One day of mourning prior to Pentecost and Pentecost itself count as fourteen days [out of the thirty].”*

B. *R. Ammi heard this and was disgusted. He said, “Does this belong to him alone? It belongs to R. Eleazar speaking in the name of R. Oshaia.”*

IV.2. A. R. Isaac bar Nappaha gave this exposition under the awning of the exilarch’s house: “One day of mourning prior to Pentecost and Pentecost itself count as fourteen days [out of the thirty].”

B. *R. Sheshet heard this and was disgusted. He said, “Does this belong to him alone? It belongs to R. Eleazar speaking in the name of R. Oshaia.”*

C. For said R. Eleazar said R. Oshaia, “How on the basis of Scripture do we know that Pentecost is counted as the equivalent of a full seven days toward the completion of thirty days of mourning [like Tabernacles and Passover]? ‘Three times a year shall all your males appear before the Lord your God in the place he shall choose, on the feast of unleavened bread, and on the feast of weeks, and on the feast of tabernacles, and they shall not appear before the Lord your God empty handed’ (Deu. 16:16). Just as the festival of unleavened bread is counted as the equivalent of a full seven days toward the completion of thirty days of mourning, so the feast of weeks [Pentecost] is counted as the equivalent of a full seven days toward the completion of thirty days of mourning.”

IV.3. A. *R. Pappa appointed R. Avia the Elder to serve as his loud-speaker and then gave this exposition: “One day prior to the New Year and the New Year itself add up to fourteen days of the thirty days of bereavement.”*

B. Said Rabina, “Therefore one day prior to the Festival of Tabernacles, and the Festival of Tabernacles, and the Eighth Day of Solemn Assembly that pertains to it — lo, we have here twenty-one of the thirty days of the bereavement period.”

IV.4. A. Rabina came to Sura on the Euphrates. Said R. Habiba of Sura on the Euphrates to Rabina, “Did the master say, ‘One day prior to the New Year and the New Year itself add up to fourteen days of the thirty days of bereavement’?”

B. *He said to him, “I said it, reasoning from Rabban Gamaliel’s position.”*

I.1 amplifies the rule of the Mishnah. No. 2 glosses the foregoing. Nos. 3, 4, continued at No. 6 then supplement No. 2. No. 5 then stands at the head of a miscellaneous anthology on the general theme of the Mishnah-paragraph. The further entries are Nos. 7-8, 9-11+12, 13-42, a protracted presentation and gloss of a quite coherent composite. II.1+2, 3 — a coherent composite indeed! — appeal to the Mishnah’s rule to settle a tangential question, thereby also clarifying the Mishnah’s sense as well. The composite is enriched by entirely cogent materials at Nos. 4, 5, 6-10. III.1 begins with a judgment of the final decision on the dispute of the Mishnah, another familiar form of Mishnah-exegesis, but obviously rather elaborate space-filler, like much that has gone before. IV.1-2 amplifies the Mishnah’s rule. No. 3, 4 continue the same program.

3:7A-B

A. They tear their clothing, bare the shoulder, or provide food for mourners, only in the case of the near relatives of the deceased.

B. And they provide mourners food only on an upright couch.

The Talmud has its own point of interest in the Mishnah's rule, which is not the Mishnah's: how do we mourn when a sage dies? The occasion for the question is the Mishnah's statement that mourners are the near relatives in particular.

- I.1 A. [25A] [They tear their clothing, bare the shoulder, or provide food for mourners, only in the case of the near relatives of the deceased:]** Even in the case of a sage? *But has it not been taught on Tannaite authority:* When a sage dies, everybody is regarded as related to him?
- B. *Do you really think that the rule is,* When a sage dies, everybody is regarded as related to him? *Rather,* When a sage dies, everybody is regarded as if he were related to him!
- C. [In consequence:] all tear their clothing on his account, all bare their shoulders on his account, and all provide a meal for those who mourn on his account in the public space.
- D. *Our Mishnah-paragraph's ruling is required to deal with the case of one who was not classified as a sage.*
- E. *Still, even if it was merely a worthy person, people are obligated to tear their clothes on that account, as it is stated on Tannaite authority:* How come someone's sons and daughters died young? It is so that a person should weep and mourn for a worthy person.
- F. *Are weeping and mourning obligations to be carried out in advance* [that is, is it the rule that one is given a cause to weep anticipating some worthy person may die and not be fittingly mourned by the person whose sons or daughters have died in infancy (Lazarus)]?
- G. *Rather,* [How come someone's sons and daughters died young?] It is because one did not weep and mourn for a worthy person.
- H. *Then is it the fact that for anyone who weeps and mourns for a worthy person is forgiven for all his sins on account of the honor that he has paid to him?!*
- I. *[The statement of the Mishnah-paragraph is required to cover the case] in which the deceased is not a particularly virtuous person.*
- J. *But if someone is standing right there at the time that the soul goes forth, he still is obligated, for it has been taught on Tannaite authority:* R. Simeon b. Eleazar says, "He who is standing at the side of the deceased at the very moment that the soul comes forth is obligated to tear his garment. To what is this comparable? To a scroll of the Torah that catches fire. For one is liable on that account to tear his clothing."
- K. *[The statement of the Mishnah-paragraph is required to cover the case] in which someone is not standing right there at the time that the soul goes forth,*

We proceed to an illustrative case, which clarifies the rule that has been attached to the Mishnah. I see the following as integral to the foregoing.

- I.2.** A. *When R. Safra's soul came to rest, our rabbis did not tear their clothes on his account, saying, "We learned nothing from him."*
- B. *Said to them Abbaye, "Has it been taught on Tannaite authority, 'When a rabbi [meaning, one's own master] dies...'? It is, 'when a sage dies [meaning, an acknowledged, public authority], all are classified as his relations.' And furthermore, every day his traditions are in the mouths of those who are in the house of study."*
- C. *They supposed that what happened happened [without consequence.]*
- D. *Said to them Abbaye, "We have learned as a Tannaite statement: As to a sage that died, so long as they are engaged in his obsequies, people are liable to tear their clothing."*
- E. *They supposed that they should make the tear on the spot.*
- F. *Said to them Abbaye, "We have learned as a Tannaite statement: As to a sage, the mode of paying honor to him is by a proper eulogy [and that is when the rites are performed]."*

Now commences a composite on the mourning rites accorded to various sages. The trigger is 2.F: the honor owing to a sage is paid through the eulogy said for him. At issue is not the law of the Mishnah, even as set forth in Nos. 1-2. Rather, we tell a sequence of free-standing stories, held together by a common theme, but in no way meant to contribute to the exposition of the law.

- I.3.** A. *When R. Huna's soul came to rest, they considered putting a scroll of the Torah on his bier. Said to them R. Hisda, "Something that in his lifetime he never considered proper are we now going to go and do to him? For said R. Tahalipa, 'I saw R. Huna, when he wanted to sit down on his couch, he saw a scroll of the Torah lying there, so he put an inverted jar on the ground and put the scroll of the Torah into it. So he took for granted that it is forbidden to sit on a sofa on which a scroll of the Torah was lying.'"*
- B. *His bier would not go through the doorway. They considered letting it down from the roof. Said R. Hisda, "I learned the following tradition from him himself: As to a deceased sage, the correct manner of paying respect to him is to take out his bier through the door."*
- C. *They then considered moving him into another [narrower] bier for the same purpose. Said R. Hisda, "I learned the following tradition from him himself: As to a deceased sage, the correct manner of paying respect to him is to make use of the initial bier into which his corpse has been placed. For said R. Judah said Rab, 'How do we know on the basis of Scripture that as to a deceased sage, the correct manner of paying respect to him is to make use of the initial bier into which his corpse has been placed? As it is said, 'And they set the ark of God on a new cart and brought it out of the house of Abinadab that was on the hill' (2Sa. 6: 3)."*

D. *So they cut a hole in the door and brought out the bier that way.*

I.4. A. In connection with his eulogy, R. Abba commenced with these words: “Our master was worthy of having the Presence of God rest upon him, *but the fact that he lived in Babylonia explains why that did not happen.*”

B. Objected R. Nahman bar Hisda, and some say, R. Hanan bar Hisda, “‘And the word of the Lord came expressly to Ezekiel the priest, son of Buzi, in the land of the Chaldeans, by the river Chebar’ (Eze. 1: 3).”

C. *His father knocked him with his shoe, saying, “Didn’t I tell you not to bother people? What is meant by, ‘came expressly’? It means that this had happened prior to his arrival in Babylonia.”*

I.5. A. *When the brought him up [to the Land of Israel for burial] they told R. Ammi and R. Assi that R. Huna had come. They said, “When we were over there, we could not lift up our heads against him. Now we have come here, so he has followed us.”*

B. They told them, “So it’s his bier.”

C. *R. Ammi and R. Assi went out to receive him. R. Ila and R. Hanina did not go out. Some say, R. Ila went out, R. Hanina did not go out.*

D. *What was the thinking of him who went out? It is in line with that which has been taught on Tannaite authority:* In the case of a bier that is passing from place to place, the bystanders form a row in respect to the deceased and recite in that regard the blessing of the mourners and the consolation mourners.

E. *What was the thinking of him who did not go out? It is in line with that which has been taught on Tannaite authority:* In the case of a bier that is passing from place to place, the bystanders do not form a row in respect to the deceased and do not recite in that regard the blessing of the mourners and the consolation mourners.

F. *So the two statements contradict one another!*

G. There really is no contradiction, in the one case, the backbone of the corpse is still intact, in the other, it is not still intact.

H. *But while R. Huna’s backbone was still intact, the one who did not come out did not actually know that fact.*

I. *They said, “So where shall we lay R. Huna to rest? [Alongside R. Hiyya,] for R. Huna brought Torah-teachings throughout Israel, and R. Hiyya did the same.*

J. *“Then who will bring his corpse into the burial niche?”*

K. *Said to them R. Hana, “I will bring him in, for I conducted my studies before him when I was eighteen years old, and I never had a seminal emission, and I served as his attendant so know his deeds. For one day the leather thong of his prayer boxes containing verses of Scripture got twisted around, and he fasted on that account for forty days.”*

- L. *He brought him in. Judah was laid out at the right of his father [Hiyya], on the left his twin brother, Hezekiah. Said Judah's corpse to Hezekiah's, "Get up, since it is not proper for R. Huna to be left standing."*
- M. *As he arose, a column of fire rose with him. R. Hagga saw and was overwhelmed with fright, so he set up the coffin and ran out. But the reason that he was unharmed was that he set up the bier of R. Huna in particular.*

I.6. A. *When R. Hisda's soul came to rest, they considered putting a scroll of the Torah on his bier. Said to them R. Isaac, "Should we go and do something for him that he himself did not consider doing for his master?"*

- B. *They considered not sewing up the tear in their garments. Said to them R. Isaac bar Ammi, "As to the case of a sage, when they have turned their faces away from him at the rear of the bier, they may sew up the tear."*

I.7. A. *When Rabbah b. R. Huna's soul came to rest as well as R. Hamnuna's, they took both corpses up there [to the land of Israel]. [25B] When they got to a bridge, the camels stopped. Said to them a Tai-Arab, "What's going on?"*

- B. *They said to him, "Well, our rabbis pay a good bit of respect to one another. So one has said, 'Let the master go first,' and the other said, 'Let the master go first.'"*
- C. *He said, "It is reasonable that Rabbah b. R. Huna should go first."*
- D. *So the camel that bore the corpse of Rabbah b. R. Huna went along first. The molars and teeth of the Tai-Arab fell out.*

I.8. A. *A certain youngster commenced the eulogy in this way:*

[Lazarus:] A scion of ancient stock from Babylon came
 With records of prowess in combat and fame;
 Twice numerous pelican and bittern from far
 Came from the ravage and ruin in Shinear.
 When God views his world with displeasure,
 He seizes great souls in exacting measure,
 Awaiting their coming as new brides with delight
 And riding on Arabot in empyrean height,
 He welcomes the souls of the pure and the right.

I.9. A. *When Rabina's soul came to rest, a certain professional eulogizer commenced in this way:*

[Lazarus:] You Palms, sway your heads and deplore
 A saint, a noble palm, that is no more
 Who days and nights in meditation spent;
 For him, day and night, let us lament.

I.10. A. *Said R. Ashi to Bar Qipoq, "On that day what will you say?"*

- B. *He said to him, "This is what I shall say:*

[Lazarus:] “If a flame among the cedars fall
“What will save the lichen on the wall?
“If Leviathan by hook be hauled to land,
“What hope have fishes of a shallow strand?
“If fish in rushing stream by hook be caught,
“What death may in marshy ponds be wrought!”

- C. *Said to him Bar Abin, “God forbid that there should be talk of ‘hooks;’ or ‘flames’ in regard to the righteous!”*
D. *“So what will you say?”*
E. *“This is what I would say:*

[Lazarus:] “Weep, you more the mourners,
“Nor for what is lost; He found him rest;
“it is we who are left distressed.”

- F. *R. Ashi was offended by them, and their feet were turned. On that day they did not come to eulogize him, and that is in line with what R. Ashi said, “On my account [when I die], Bar Qipoq is not to remove his shoulder nor Bar Abin is not to bare his.”.*
G. *Raba once came to Daglet [Takrit]. He said to Bar Abin, “Get up and say an appropriate word.”*
H. *He arose and said the following:*

[Lazarus:] “When more than a third wades in water deep
“Remember the covenant and mercy keep.
“We strayed from you as a wayward wife;
“Leave us not; as at Marah, save our life.”

- I.11.** A. *R. Hanin was the son-in-law of the patriarch. He had no children. He prayed for mercy and he had. On the day that the child was born, he died, and the eulogizer commenced with these words:*

[Lazarus:] “Joy is turned to sorrow, and
“Gladness linked with sadness.
“When the time of joy came nigh,
“The father heaved a dying sigh;
“At the birth of his Gracious-little-son,
“The gracious-sire’s life was done.”

- B. *They called the son Hanan in memory of his father.*

- I.12.** A. *When R. Pedat’s soul came to rest, R. Isaac b. Eleazar commenced with these words: “This day is as hard for Israel as the day on which the sun set at noon, as it is written, ‘And it shall come to pass in that day...that I will cause the sun to set at noon and darken the earth on a clear day and turn hour feasts into mourning and your songs into lamentation...as the mourning for an only child’ (Amos 8:9-10).”*

- B. *“And said R. Yohanan, ‘This refers to the day on which King Josiah died.’”*

I.13. A. *When R. Yohanan's soul came to rest, R. Ammi sat in mourning for the seven and thirty day period. Said R. Abba b. R. Hiyya bar Abba, "What R. Ammi did, he did on his own account. For this is what R. Hiyya bar Abba said R. Yohanan said, 'Even if it is his master who taught him wisdom, he sits in mourning on his account for only one day.'"*

I.14. A. *When R. Zira's soul came to rest, the professional eulogizer commenced with this language:*

[Lazarus:] "The land of Shinear was his home of birth,
"The land of Glory reared her darling to fame;
"Woe is me,' says Rakath in lament,
"For she has lost her choicest ornament."

I.15. A. *When R. Abbahu's soul came to rest, the pillars of Caesarea wept.*

- B. *When R. Yosé came to rest, the roof gutters at Sepphoris ran with blood.*
- C. *When R. Jacob died, the stars came out in daylight.*
- D. *When R. Assi died, the cedars were uprooted. When R. Samuel bar Isaac died, every tree was uprooted.*
- E. *When R. Hiyya died, fiery stones came down from the sky.*
- F. *When R. Menahem b. Simai died, all the images were blotted out and were used as rollers.*
- G. *When R. Tanhum b. R. Hiyya died, all the statues of people were ripped out of position.*
- H. *When R. Isaac b. R. Eliashib died, seventy houses were broken into by thieves in Tiberias.*
- I. *When R. Hamnuna died, hail stones came down from heaven.*
- J. *When Rabbah and R. Joseph died, the rocks of the Euphrates kissed each other [in an earthquake].*
- K. *When Abbaye and Raba died, the rocks of the Tigris kissed each other.*
- L. *When R. Mesharshayya died, palms grew thorns.*

The composite of rather nicely crafted compositions on the topic of eulogies for sages has drawn to a close, and we take up the theme of the Mishnah once more, now as it is worked out in other Tannaite formulations.

I.16. A. *Our rabbis have taught on Tannaite authority:*

- B. **[26A]** These tears on the garments are not to be sewn up again: he who makes a tear for his father or his mother, his master who taught him wisdom, a patriarch, a principal of the court, for having bad news, for having heard blasphemy, when a scroll of the Torah has been burned, for seeing the ruined cities of Judea, the holy house, or Jerusalem. One makes a tear first for the Temple and then enlarges it for Jerusalem.

The Tannaite statement is now given its own talmud, in the form of amplification and proof-texts.

- I.17.** A. “he who makes a tear for his father or his mother, his master who taught him wisdom:” how on the basis of Scripture do we know this fact?
- B. As it is written, “And Elisha saw it and cried, My father, my father, the chariots of Israel and the horsemen thereof” (2Ki. 2:12) —
- C. “My father, my father:” this means to tear one’s garment on the death of a father or mother.
- D. “the chariots of Israel and the horsemen thereof:” this means that one tears one’s garment on the death of his master who taught him wisdom
- E. *And what is the sense?*
- F. *It is in line with the Aramaic version given by R. Joseph, “My master, my master, who protected Israel with his prayer better than chariots and horsemen could.”*
- I.18.** A. And how on the basis of Scripture do we know that these tears are not to be sewn up again?
- B. “And he took hold of his own clothes and tore them into two pieces” (2Ki. 2:12) — having said “and tore them,” do I not know that it was “into two pieces”? But it teaches that they remain torn into two parts for all time.”
- C. Said R. Simeon b. Laqish to R. Yohanan, “Elijah yet lives [so how can a rite performed at his disappearance prove exemplary]?”
- D. *He said to him, “Since it is written, ‘and he saw him no more,’ he was as dead to Elisha.”*
- I.19.** A. “A patriarch, a principal of the court, for having bad news:” how on the basis of Scripture do we know this fact?
- B. As it is written, “Then David took hold of his clothes and tore them, and so all the men who were with him, and they wailed and wept and fasted until evening, for Saul and for Jonathan his son and for the people of the Lord and for the house of Israel, because they had fallen by the sword” (2Sa. 1:11-12).
- B. “Saul” — this refers to the patriarch.
- C. “and for Jonathan his son” — this refers to the principal of the court.
- D. “and for the people of the Lord and for the house of Israel” — this refers to the bad news.
- E. *Said Rab bar Sheba to R. Kahana, “But might I not suppose that this was not done until they had heard that all those things had happened?”*
- F. He said to him, “The repeated use of the word ‘for’ serves to itemize each entry from the others.”
- G. *But do we have to tear our clothes for hearing bad news? And lo, they said to Samuel, “King Shapur has killed thirteen thousand Jews in Caesarea Mazaca,” and he did not tear his clothes!*
- H. They said it is only when the majority of the community is involved and in accord with the exemplary case [of Saul and Jonathan].
- I. *Anyhow, did King Shapur ever kill Jews? And lo, King Shapur said to Samuel, “May a terrible thing happen to me, if I have ever killed a Jew!”*

J. *In that case, they brought it on themselves, for said R. Ammi, "From the noise of harp strings in Caesarea Mazaca the wall of Laodicea burst."*

I.20. A. "for having heard blasphemy:" how on the basis of Scripture do we know this fact?

B. As it is written, "Then came Eliakim son of Hilkiyah who was in charge of the household and Shebna the scribe and Joah son of Asaph recorder to Hezekiah, with their clothes torn, and told him the blasphemous words of Rabshakeh" (2Ki. 18:37).

I.21. A. *Our rabbis have taught on Tannaite authority:*

B. All the same are the one who actually hears [the blasphemy] and the one who hears it from the one who heard it. Both are liable to tear their garments.

C. But the witnesses are not liable to tear their garments, for they already did so at the moment when they heard the original blasphemy.

D. But if they did so at the moment when they heard the original blasphemy, *what difference does that make? Lo, they are now hearing it again!*

E. *Do not let that argument enter your mind, for it is written, "And it came to pass, when King Hezekiah heard it, that he tore his clothes?" (2Ki. 18:37).*

F. King Hezekiah tore his clothes, but they did not tear their clothes.

I.22. A. "are not to be sewn up again:" how do we know this fact?

B. It derives from the analogy to be drawn between the act of tearing done by King Hezekiah and acts of tearing done elsewhere [2Ki. 2:12].

I.23. A. "when a scroll of the Torah has been burned:" how on the basis of Scripture do we know this fact?

B. As it is written, "And it came to pass that when Jehudi had read three or four columns that he cut it with a pen knife and cast it into the fire that was in the brazier" (Jer. 36:23f.).

C. *What is the point of saying "three or four columns"?*

D. *They said to Jehoiakim that Jeremiah had written the book of Lamentations. He said to them, "What is written in it?"*

E. "How does the city sit solitary" (Lam. 1: 1).

F. *He said to them, "I am king!"*

G. "She sweeps sore in the night" (Lam. 1: 2).

H. *He said to them, "I am king!"*

I. "Judah has gone into exile before of affliction" (Lam. 1: 3).

J. *He said to them, "I am king!"*

K. "The ways of Zion mourn" (Lam. 1: 4).

L. *He said to them, "I am king!"*

M. "Her adversaries are become the head" (Lam. 1: 5).

N. *"Who said that!"*

- O. “For the Lord has afflicted her for the multitude of her transgressions” (Lam. 1: 5).
- P. Forthwith he cut out all the instances in which the name of god is written therein and he burned the rest in fire, so it is written, “Yet they were not afraid nor tore their garments, neither the king nor any of his servants who heard all these words” (Jer. 36:24), *implying that they ought to have done so.*
- Q. *Said R. Pappa to Abbayye, “But maybe they did so because of the bad news?”*
- R. *He said to him, “But had any bad news actually come to them as yet?”*

I.24. A. Said R. Helbo said R. Huna, “He who sees a scroll of the Torah that is torn is obligated to make two tears, one for the harm done to the parchment, the other for the harm done to the writing:

- B. “‘Then the word of the Lord came to Jeremiah after the king had burned the roll and the words that Baruch had written at the dictation of Jeremiah’ (Jer. 36:27).— ‘the words,’ refer to the parchment, ‘and the words,’ to the writing on the parchment.”

I.25. A. *R. Abba and R. Huna bar Hiyya were in session. R. Abba got up to relieve himself. He took off his prayer-box containing verses of Scripture and put it on a pillow, and a young ostrich came along and tried to swallow it. He said, “If it had happened, I would have had to make two tears.”*

- B. *He said to him, “How do you know that? The same thing happened to me, and I asked R. Mattenah and he had nothing to say, so I came to R. Judah, and he said to me, ‘This is what Samuel said, “The rabbis said that one should make a tear only when the scroll is destroyed by force and as in the limits of the details of the exemplary case.”’”*

I.26. A. “for seeing the ruined cities of Judea, the holy house, or Jerusalem:” how on the basis of Scripture do we know this fact?

- B. As it is written, “And it came to pass the second day after he had slain Gedaliah and no man knew it that there came certain men from Shechem, from Shiloh, and from Samaria, even fourscore men, having their bears shaven and their clothing torn and having cut themselves, with meal offerings and frankincense in their hand, to bring them in the house of the Lord” (Jer. 41:4-5).
- C. Said R. Helbo said Ulla Biraah said R. Eleazar, “He who sees the ruined cities of Judah recites this verse: ‘Your holy cities have become wilderness’ (Isa. 54: 9), and he tears his clothing. When he sees Jerusalem in its ruin, he says, ‘Our holy and our beautiful house, where our fathers praised you, is burned with fire and all our pleasant things are laid waste’ (Isa. 54:10), and he tears his clothing.”

I.27. A. “One makes a tear first for the Temple and then enlarges it for Jerusalem:”

- B. *An objection was raised on the basis of the following: All the same are hearing and seeing, once one has reached Mount Scopus, he tears his garment, and he tears his garment for the sanctuary on its own, and for Jerusalem on its own.*

- C. *There is no contradiction, the one speaks of a case in which he hits the site of the sanctuary first, the other, when he hits Jerusalem first and then the sanctuary.*

The generous exposition of the Tannaite statement has come to its conclusion, and we proceed to examine further statements of the same status and pertinent to the same topic.

I.28. A. *Our rabbis have taught on Tannaite authority:*

- B. And all of these tears may be tacked together, basted together, picked up by the frayed edges or with a ladder stitch, but they may not be reunited by a sewn seam along the edges [following Lazarus's translation].
- C. Said R. Hisda, [26B] "Or with Alexandrian mending."

I.29. A. *Our rabbis have taught on Tannaite authority:*

- B. He who makes the tear on a part of the garment that was tacked, basted together or where edges are picked up by a cross or ladderstitch has not carried out his obligation. If it was a part that had been rejoined in a seam, he has carried out his obligation" [following Lazarus's translation].
- C. Said R. Hisda, "Or with Alexandrian mending."

I.30. A. *Our rabbis have taught on Tannaite authority:*

- B. A person has the right to turn the garment inside out and to mend the tear.
- C. R. Simeon b. Eleazar forbids completely mending the tear.
- D. And just as the seller may not reunite the tear completely, so the buyer is forbidden to reunite it, so the seller has to tell the buyer why the tear has been made.

I.31. A. *Our rabbis have taught on Tannaite authority:*

- B. "The tear to begin with is to be a handbreadth, and an addition to it is to be of three fingers breadth," the words of R. Meir.
- C. R. Judah says, "The tear to begin with is to be three fingerbreadths and the addition may be of any length at all."
- D. Said Ulla, "The decided law accords with the position of R. Meir as to the initial tear, and the decided law accords with R. Judah as to the additional tear."

I.32. A. *So too it has been taught on Tannaite authority:*

- B. R. Yosé says, "The initial tear is to be a handbreadth and the additions may be of any length at all."

I.33. A. *Our rabbis have taught on Tannaite authority:*

- B. If people told someone that his father had died and he made a tear, that his son had died and he added to the tear, the reverse side may be united, but the obverse said ,may not be reunited; if they told him that his son died and he tore his garment and then that his father died and he added to the tear, the obverse side may be reunited but the reverse side not.
- C. If one was told that his father had died, his mother had died, his brother had died, and his sister had died, he makes a single tear on all counts.
- D. R. Judah b. Betera says, "For all near of king he makes one tear, for his father and mother, another, because a tear made for one's father or mother is not added to."

- E. *How come?*
- F. Said R. Nahman, "Because there is no adding to a tear in their case."
- G. Said Samuel, "The decided law is in accord with R. Judah b. Betera."
- H. *But did Samuel make any such statement? And did not Samuel say, "In matters having to do with bereavement, the decided law accords with the more lenient opinion."*
- I. *Mourning is one classification, tearing the clothing, another.*

I.34. A. To what extent does one make the tear?

- B. To the belly-button.
- C. and some say, "Only to the heart."
- D. Even though there is no clear proof for that proposition, there is at least an indication of it in the following: "And render your hearts and not your garments" (Joe. 2:13).
- E. Once one has reached the heart, he moves off for three fingers from that tear [if he has to make a new one] and makes a new one.
- F. If the front side of his garment is full of tears, he turns it back to front and tears again. If it is full on the up-side, he turns it upside down.
- G. But if he merely makes the tear on the lower side or on the sides of the garment, he has not carried out his obligation, except for the High Priest, who, if he has to make a tear, does so below.

I.35. A. *There was a dispute on this matter between R. Mattenah and Mar Uqba, and both of them took their positions in the name of the father of Samuel and Levi.*

- B. One said, "At any time during the seven days, one may make a tear for another bereavement. After the seven, he merely adds to the initial tear."
- C. The other said, "At any time during the thirty days one may make a tear for another bereavement. After the thirty, he merely adds to the initial tear."
- D. *Objected R Zira, "In respect to the position of him who says, 'during the seven days, one may make a tear for another bereavement,' why make a new tear? It is because the tear may not be tacked together. But then, in light of what the master has said, 'A woman may tack the tear together forthwith,' might she not just as well add to the first tear?"*
- E. *The operative consideration is the honor owing to a woman.*
- F. *[Objected R Zira,] "In respect to the position of him who says, 'At any time during the thirty days one may make a tear for another bereavement. After the thirty, he merely adds to the initial tear,' why should that be the case? It is because the tear may not be reunited. Then in the case of a tear made for father or mother that is never to be reunited, one not just add to the tear?"*
- G. *The operative consideration is the honor owing to the father or the mother.*

I.36. A. *Our rabbis have taught on Tannaite authority:*

- B. He who goes forth with the bier with an already-torn garment, lo, he steals from the dead and the living [the honor owing to them].”
- C. **Rabban Simeon b. Gamaliel says, “He who says to his fellow, ‘Lend me your cloak so that I may go and bury my father who is said,’ and went and found him dead makes a tear and then reunites it. After he goes home, he returns the cloak and pays for the damage done by the tear. But if he had not told him that it was his intention to visit the ailing father, he must not do anything to the garment at all” [T. B.M. 8:28K-M].**

I.37. A. *Our rabbis have taught on Tannaite authority:*

- B. A sick person who suffered a bereavement — they do not inform him, lest he go mad on that account.
- C. And they do not make a tear in his presence.
- D. And they silence the women mourners in his presence.
- E. They make a tear for a minor on account of the anguish that is involved, and the make a tear for a father-in-law or a mother-in-law out of respect for one’s spouse.
- F. *Said R. Pappa, “It is taught as a Tannaite statement in the Great Tractate on Mourning: a mourner should not put a baby in his breast, because that brings him to laughter, and he will turn out to be regarded as base by people in general.”*

II.1 A. **And they provide mourners food only on an upright couch:**

- B. *Our rabbis have taught on Tannaite authority:*
- C. He who goes to a house of mourning, if he is an old friend and does not stand on ceremony, serves the meal for him on overturned couches. If not, he serves it on couches set upright.

II.2. A. *Raba had a bereavement. Abba bar Marta, that is, Abba bar Mihyumi, came to him. Raba sat on a couch right side up, and Abba bar Marta sat on one upside down.*

B. *Said Raba, “That neophyte rabbi has no sense!”*

The Tannaite amplification of the topic now gets under way with a sequence of special questions and problems.

II.3. A. *Our rabbis have taught on Tannaite authority:*

- B. He who is on a trip [and suffered a bereavement], [27A] if he can cut down on business, he should do so, and if not, then let him proceed with his affairs.

II.4. A. *Our rabbis have taught on Tannaite authority:*

- B. “At what point do they turn over the couches? When the bier has left the door of the house,” the words of R. Eliezer.
- C. R. Joshua says, “When the rolling stone has closed the mouth of the sepulchre.”
- D. There was the case, when Rabban Gamaliel the Elder died, and as soon as the corpse was taken out the door of the house, said to them R. Eliezer, “Turn over your beds.” But as soon as the rolling stone had closed the mouth of the sepulchre, said to them R. Joshua, “Turn over your beds.”

- E. They said to him, “We already turned them over on the instructions of the other elder.”

II.5. A. *Our rabbis have taught on Tannaite authority:*

- B. When do they set the beds upright on the eve of the Sabbath? From the time of the offering at dusk and onwards.
- C. Said Rabbah bar Huna, “Even so, he may sit on the upright bed only after dark.”
- D. And at the end of the Sabbath, even though he has only a single day more of mourning, he turns the bed over once more.

II.6. A. *Our rabbis have taught on Tannaite authority:*

- B. He who turns over his bed does not, in fact, turn over only his own bed, but he turns over all the beds that he has in the house, even if he has ten located in two places, he turns over all of them.
- C. And even if there are five brothers, and one of them died, all of the others turn over the beds.
- D. If he had a bed designated for clothing, that one is not necessarily overturned.
- E. A *dargesh*-bed is not overturned but is tilted up.
- F. Rabban Simeon b. Gamaliel says, “As to a *dargesh*-bed, it suffices to loosen the bolster-frame and let it drop on its own.”

The composition, shading over into a composite, that follows stands on its own but is inserted here as a comment on the foregoing.

II.7. A. *What is the definition of a dargesh-bed?*

- B. *Said Ulla, “It is a small couch [Shachter, Sanhedrin, p. 106, n. 3: not used for rest but placed in the home merely as an omen of good fortune].”*
- C. *Said to him Rabbah, “But what about the rule that is stated with regard to the king, which we have learned in the Mishnah: **And when they provide him with the funeral meal, all the people sit on the ground while he sits on a couch [M. San. 2:3F].** Now is there something on which, up to that time, he had never sat, and now we seat him on that object?”*
- D. *R. Ashi objected to this argument, “What sort of problem is this? Perhaps it may be compared to the matter of eating and drinking, for up to this point we gave him nothing to eat or drink, while now we bring him food and drink.*
- E. *“But if there is a question, this is the question: As to a couch [of the present sort], it is not necessary to lower it but it is stood up [6.E above]. Now if you think that the couch under discussion is a small couch [such as was described above], why is it not necessary to lower it? Has it not been taught on Tannaite authority: He who lowers beds [in the house of mourning] does not lower the mourner’s bed alone but all of the beds in the house? [So why not lower the one under discussion?].”*
- F. *But what is the problem? Perhaps it falls into the category of a bed set aside for the storage of utensils, concerning which it has been taught on*

Tannaite authority: If it was a bed set aside for storing utensils, it is not necessary to lower it.

- G. *Rather, if there is a problem, this is the problem:* R. Simeon b. Gamaliel says, “As to a small couch, one loosens the loops, and it will fall on its own.” *Now if you maintain that it is a small couch [such as was described above], are there any loops?*
- H. *Rather, when Rabin came, he said, “One of the rabbis told me, and it was R. Tahalipa by name, that he would frequent the leather-workers market, and he asked one of them, ‘What is a couch?’ And he was told, ‘It is the name of a bed of skins.’”* [Shachter, p. 107, n. 2: Its strapping consisted of leather instead of ropes. Not being supported by long legs, it stood very low, and therefore on practical grounds, the first Tannaite authority maintains that it must not be undone and lowered, as the leather will be spoiled through the damp earth, while Rabban Simeon b. Gamaliel holds that there is no fear of this.]
- I. *So too it has been stated:* Said R. Jeremiah, “A couch has its webbing affixed on the inside, while a bed has its webbing affixed on the outside.”
- J. Said R. Jacob bar Aha said R. Joshua b. Levi, “The decided law accords with the opinion of Rabban Simeon b. Gamaliel.”
- K. Said R. Jacob bar Aha said R. Assi, “In the case of a bed the poles of which protrude, it is enough to set it up [on one side] [Shachter, p. 107, n. 8: because if actually lowered, it may appear to be standing in its usual position, since then the poles protrude upwards].”

II.8. A. *Our rabbis have taught on Tannaite authority:*

- B. If a mourner slept on a bed, chair, or stall for urns, or even slept on the bare ground, he has not carried out his duty.”
- C. Said R. Yohanan, “He has not in doing these actions carried out the obligation of turning the bed over”?

II.9. A. *Our rabbis have taught on Tannaite authority:*

- B. They may sweep or through straw in the room of a mourner and wash the plates and dishes and glasses and flagons in the household of a bereaved person, but they do not bring perfumes or spices into a house of mourning.
- C. *Is that so? But did not Bar Qappara teach as a Tannaite statement, “They do not say a blessing over perfume or spices used in a house of mourning,” yielding the inference that while we do not say a blessing, we may take them into the house of mourning!*
- D. *There is no contradiction, the one speaks of a house of mourning, the other, the house filled with comforters.*

I.1 clarifies the situation to which our Mishnah’s rule pertains. No. 2 is tacked on because it is directly relevant to the forgoing, and then Nos. 3-5+6 are a set joined to the foregoing because of their direct intersection on details of rules, and the rest, Nos. 7-14 are joined because of a general thematic relevance, namely, death-scenes of masters. Obviously, the principle of agglutination of these compositions into a

quite coherent composite has no bearing on Mishnah-exegesis but derived from a program of compiling exemplary accounts of critical moments in sages' lives. Of these, we see, how they died was found of special interest. No. 15, with its own talmud at Nos. 16-27, provides a Tannaite complement to our Mishnah's general theme. Nos. 28-34 set forth a variety of other Tannaite rules on the same theme, many of them given further amplification. II.1 glosses the Mishnah with a Tannaite refinement, itself glossed at No. 2, and Nos. 3-6+7, 8-9 move forward with the same exercise.

3:7C-E

- C. They do not bring [food] to a house of mourning on a tray, salver, or flat basket, but in plain baskets.**
- D. And they do not [in reciting the Grace after meals] say the blessing for mourners during the intermediate days of the festival.**
- E. But [the mourners] do stand in a line and offer consolation and dismiss those that have gathered together.**

3:8A-C

- A. They do not set the bier down in the street,**
- B. so as not to give occasion for a lamentation.**
- C. And under no circumstances do they set down the bier of women in the street, on account of respect.**

The Talmud begins with Tannaite complements and amplifications to the Mishnah's statements, starting with 3:7C.

I.1 A. *Our rabbis have taught on Tannaite authority:*

- B. In times of old they would bring food to the house of mourning, the rich doing so in silver and gold baskets, the poor in wicker-baskets of peeled willow twigs, so the poor were embarrassed. They ordained that everybody should bring the food in wicket baskets of peeled willow twigs out of respect for the poor.**

I.2. A. *Our rabbis have taught on Tannaite authority:*

- B. In times of old they would serve drinks in a house of mourning, the rich in white glass, the poor in colored, so the poor were embarrassed. They ordained that everybody should serve drinks in colored glass, out of respect for the poor.**
- C. At first they would leave the faces of the well-to-do exposed on the bier but cover over the faces of the poor, because their faces would be blackened by years of want, so the poor were embarrassed. They ordained that everybody should be covered over, out of respect for the poor.**
- D. At first they would bring out the rich on a woven bed and the poor [27B] on a plain bier, so the poor were embarrassed. They ordained that everybody should be brought out on a plain bier, out of respect for the poor.**
- E. At first they would put out a pan of incense under the bed of those who had died of stomach trouble, so those yet alive who had stomach trouble were**

embarrassed. They ordained that incense should be set out under everybody, out of respect for the living who had stomach trouble.

- F. At first they would immerse all utensils used by menstruants who had died, and the living women who were menstruating were embarrassed, so they ordained that they should do the same to utensils used by all dying women, out of respect for the menstruants yet alive.
- G. At first they would immerse all utensils used by those suffering from flux-uncleanness when they were dying, and the living who had the same form of uncleanness were embarrassed, so they ordained that they should immerse all utensils out of respect for the living who were unclean with flux-uncleanness.
- H. At first the expense of taking out the dead fell harder on the relatives than did the death itself, so the kin fled from the corpse, until in the end Rabban Gamaliel came forward and ignoring the honor owing to him, he came out for burial in clothing made of flax, and so afterward everybody followed suit and was buried in linen [T. Nid. 9:16-17].
- I. Said R. Pappa, "Nowadays everybody comes out even in a cheap shroud that costs a mere penny."

II.1. A. They do not set the bier down in the street, so as not to give occasion for a lamentation:

- B. Said R. Pappa, "The consideration of the intermediate days of the festival does not stand in the face of the burial of a disciple of a sage, all the more so the consideration of Hanukkah and Purim. *But that ruling concerns only the location where the corpse is situated, but elsewhere, that is not the case [and it is forbidden to mourn on those days].*"
- C. *Is that so? And lo, R. Kahana lamented R. Zebid of Nehardea at the town of Pum-Nahara [where the corpse was not located]!*
- D. *Said R. Pappi, "That was the day on which the bad news came, and it was as though he were present at the bier of the corpse."*

Now comes a topical composite on the form of the lamentation. Clarification of the Mishnah's rule does not require what follows, but a full account of the topic of the Mishnah-paragraph does. So the appendix on rites of lamentation gets underway.

II.2. A. Said Ulla, "'A lamentation' involves striking the breast: 'Tremble, strip, and put on sackcloth on your loins, striking upon the breast' (Isa. 32:11-12)."

II.3. A. *Our rabbis have taught on Tannaite authority:*

- B. He who stamps the foot [as a sign of mourning] should stamp wearing not a sandal or a boot, because it is dangerous [to the foot itself].

II.4. A. Said R. Yohanan, "As soon as a mourner has nodded his head, the comforters are no longer permitted to sit with him."

- B. And said R. Yohanan, "All are obligated to rise before the patriarch except for a mourner and a sick person."

- C. And said R. Yohanan, "To every classification of person is said, 'Take your seat,' except for a mourner and a sick person."

II.5. A. Said R. Judah said Rab, "On the first day of bereavement a mourner is forbidden to eat his own bread, in line with what the All-Merciful said to Ezekiel, 'And you should not eat bread belonging to other people' (Eze. 24:17)."

B. *Rabbah and R. Joseph traded meals with one another.*

- C. And said R. Judah said Rab, "When someone dies in a town, everybody in town is forbidden to work."

D. *R. Hamnuna came to Daru-Mata. He heard the sound of a ram's horn announcing a death. He saw people doing their work. He said to them, "These people are to be excommunicated, has someone not died in town?"*

E. *They said to him, "There is an association in town [assigned to care for the burial of the deceased]."*

F. *He said to them, "Then it's o.k."*

- G. And said R. Judah said Rab, "Whoever grieves excessively for his deceased will weep for yet another death."

H. *There was a woman in the neighborhood of R. Huna who had seven sons. One of them died, and she wept excessively for him. R. Huna sent word to her, "Don't do this." She paid no attention to him.*

I. *He sent word to her, "If you pay attention, well and good, and if not, then you'd better prepare [shrouds] for another!" The next son died, and then the rest. In the end he said to her, "Are you making provision [of shrouds] for yourself [cause you should]?" And she died.*

II.6. A. *Our rabbis have taught on Tannaite authority:*

B. "Weep not for the dead, nor bemoan him" (Jer. 22:10) —

C. "Weep not for the dead" — excessively.

D. "nor bemoan him" — beyond what is reasonable.

E. How so?

F. Three days are for weeping, seven for lamenting, thirty for not getting a haircut and not wearing meticulously groomed clothing.

G. After that point, the Holy One, blessed be he, says, "Are you going to be more compassionate towards him than I was [towards Moses]?"

II.7. A. "Weep bitterly for the one who goes away" (Jer. 22:10) —

B. Said R. Judah, "This refers to the one who goes away leaving no children."

C. R. Joshua b. Levi would go to a house of mourning only in the case of someone who had gone off without children, in line with the verse, 'Weep

bitterly for the one who goes away, for he shall return no more nor see his native country' (Jer. 22:10)."

- II.8.** A. "'Weep bitterly for the one who goes away, for he shall return no more nor see his native country' (Jer. 22:10):
- B. R. Huna said, "This refers to someone who committed a transgression and repeated it."
- C. *R. Huna is consisted with views stated elsewhere, for* said R. Huna, "'Once a person has committed a transgression and done it again, it is permitted to him.'"
- D. "It is permitted to him" do you say?
- E. Rather, I should say, It is transformed for him so that it appears to be permitted.)
- II.9.** A. Said R. Levi, "On the first three days of bereavement a mourner should see himself as though a sword were hanging over him between his shoulders; from the third to the seventh day, it is as if it stands in the corner opposite; afterward it is as though it were moving alongside in the market place."

We have completed the exposition of the Mishnah and the presentation of its topical appendix, and that brings us to the next clause of the Mishnah.

III.1 A. And under no circumstances do they set down the bier of women in the street, on account of respect:

- B. *Said the Nehardeans*, "They have taught this rule only [\[28A\]](#) in connection with a woman who had died in childbirth, but other women's corpses may be set down."
- C. R. Eleazar said, "Even other women [are subject to this restriction]: 'And there Miriam died, and there she was buried' (Num. 20: 1) — burial closely followed her death."

The introduction of the topic, Miriam, provokes inclusion of a topical composite on that subject. This then bears in its wake its own amplifications and footnotes.

- III.2.** A. And said R. Eleazar, "Miriam too died by a kiss. That is shown by a verbal analogy formed of the use of the word 'there' in both her case and in the case of Moses.
- B. "And how come Scripture does not say 'by the mouth of the Lord' as in the case of Moses [Deu. 34:5]?"
- C. "Because saying such a thing would be inappropriate [in the case of a woman]."
- III.3.** A. Said R. Ammi, "How come the story of the death of Miriam is situated adjacent to the passage that deals with the burning of the red cow?
- B. "It is to teach you that just as the ashes of the red cow effect atonement, so the death of the righteous effects atonement."

III.4. A. Said R. Eleazar, “How come the story of the death of Aaron is situated adjacent to the passage on the priestly garments [Num. 20:26, 28]?”

B. “It is to teach you that just as the priest’s garments serve to effect atonement, so the death of the righteous effects atonement.”

What follows is yet another topical composite, now on the subject of dying suddenly, or after some days of illness.

III.5. A. *Our rabbis have taught on Tannaite authority:*

B. If someone died suddenly, that is classified as “being caught up.”

C. If someone died after an illness of one day, that is classified as “being rushed out.”

D. R. Hanania b. Gamaliel says, “That is death by a stroke: ‘Son of man, behold I take away from you the desire of your eyes with a pestilential stroke’ (Eze. 24:16), and then, ‘So I spoke to the people in the morning, and at evening my wife died’ (Eze. 24:18).”

E. If someone lingered for two days and then died, this is classified as a precipitous death.

F. After three — this is classified as a death of reproof.

G. After four — this is classified as a death of rebuff.

H. After five — this is classified as a routine death.

I. *Said R. Hanina, “What verse of Scripture indicates it? ‘Lo, your days are approaching that you must die’ (Deu. 31:14). ‘Behold’ is one, ‘your days,’ two more, ‘are approaching’ represents two more.”*

J. “Behold” makes one because the Greek word for one is *hen* [which is the Hebrew word for “behold”].

K. [Continuing from H:] If one died at under fifty years of age — this is classified as death by extirpation.

L. If one died at fifty-two — this is classified as the death of Samuel of Ramah.

M. If one died at sixty — this is classified as death at the hand of Heaven.

N. *Said Mar Zutra, “What verse of Scripture indicates it? ‘You shall come to your grave in ripe age’ (Job. 5:26), and the numerical value of the word for in ripe age is sixty.”*

O. If one died at the age of seventy — this is classified as the hoary head.

P. If one died at the age of eighty — this is classified as the vigorous old man: “The days of our years are three score and ten, or even by reason of strength, four score” (Psa. 90:10).

R. Said Rabbah, “If one died from age fifty to age sixty, that is classified as death by extirpation, *and the reason that is not stated explicitly is out of respect to Samuel of Ramah.*”

- III.6.** A. *When R. Joseph reached the age of sixty, he made for the rabbis a festival day, saying, "I have now emerged from the age at which my death would have marked punishment by extirpation."*
- B. *Said to him Abbaye, "Granted that you have now passed the limit of the age at which extirpation would have been the case, have you escaped the limit at which death would mark dying out of a sudden illness on a single day?" [That is, If someone died suddenly, that is classified as "being caught up."]*
- C. *He said to him, "Anyhow, grab half of whatever you can get."*
- III.7.** A. *R. Huna died suddenly. The rabbis were worried about it. Zoga of Adiabene repeated to them the following Tannaite statement: "What we learned as the rule pertains only if one has not attained eighty years of age, but if one has attained the age of eighty, sudden death is the same as dying by a kiss."*
- III.8.** A. *Said Raba, "How long you live, how many children you have and how much money you make depend on not merit but one's star."*
- B. *For lo, Rabbah and R. Hisda were both upright rabbis. One master prayed for rain and it rained, the other prayed for rain and it didn't come.*
- C. *R. Hisda lived to ninety-two, Rabbah to forty.*
- D. *In R. Hisda's household sixty marriage feasts were celebrated, in Rabbah's house sixty funerals were held.*
- E. *At R. Hisda's house they fed first-rate wheat bread to the dogs and it went to waste. At Rabbah's house all they had was barley bread for human beings, and even that they didn't have.*
- F. *And said Raba, "I asked these things of Heaven, two were granted, one not. I prayed to have the learning of R. Huna and the wealth of R. Hisda, which I got, and I prayed for the humility of Rabbah b. R. Huna, but that I didn't get."*

The topic of the sequence of composites now shifts to dealing with the angel of death; this composite does not exhibit connections to the foregoing.

- III.9.** A. *R. Seorim, brother of Raba, was sitting before Raba at his deathbed, and saw him falling into a coma. Raba said to him, "Tell [the angel of death] not to torment me as I die."*
- B. *He said to him, "But aren't you his good buddy?"*

- C. *He said to him, "Since my star has been handed over into his control, he doesn't pay any attention to me any more."*
- D. *He said to him, "Show yourself to me in a dream." [Raba] did so.*
- E. *He asked him, "Did you suffer when you were dying?"*
- F. *He said to him, "No more than the prick of the leech."*

III.10. A. *Raba was sitting before R. Nahman at his deathbed, and saw him falling into a coma. He said to him, "Tell [the angel of death] not to torment me as I die."*

- B. *He said to him, "But aren't you an eminent authority?"*
- C. *He said to him, "So who is eminent, who is regarded, who is treated as distinguished [by the angel of death]?"*
- D. *He said to him, "Show yourself to me in a dream." He did so.*
- E. *He asked him, "Did you suffer when you were dying?"*
- F. *He said to him, "No more than taking a piece of hair out of the milk, and, I have to tell you, if the Holy One, blessed be he, said to me, 'Now go back to that world as you were before,' I wouldn't do it, for the fear of death is too much to take."*

III.11. A. *R. Eleazar was engaged in eating food in the status of priestly rations [which have to be protected from corpse-uncleanness] at the moment at which the angel of death made his appearance. He said to him, "Am I not eating food in the status of priestly rations? And is this not classified as Holy Things?!"*

- B. *So the hour passed.*

III.12. A. *The angel of death made his appearance to R. Sheshet in the market place. He said to him, "Are you going to take me in the market place like a dumb cow? Come to me at my home!"*

III.13. A. *The angel of death made his appearance to R. Ashi in the market place. He said to him, "Give me thirty days' more so I can review my learning, since you say up there, 'Happy is he who comes up here bringing his learning all ready at hand.'"*

- B. *So he came along thirty days later. He said to him, "So what's the rush?"*
- C. *He said to him, "R. Huna bar Nathan is on your heels, and 'no regime may impinge upon its fellow, even by so much as a hair's breadth.'"*

III.14. A. *The angel of death could not overcome R. Hisda, because his mouth never ceased to recite his learning. He went out and sat on a cedar tree by the house of study. The branch of the cedar cracked, R. Hisda stopped, and the other overcame him.*

III.15. A. *The angel of death could not get near R. Hiyya. One day he appeared to him in the form of a poor beggar. He came and knocked on the door, saying, "Bring out some food for me." Others brought it out to him.*

- B. *He said to R. Hiyya, "Aren't you, my lord, going to treat with mercy this man who is standing outside?"*
- C. *He opened the door to him, and he showed him a fiery rod and made him give up his soul.*

I.1, 2 complement the Mishnah with Tannaite amplifications. II.1 clarifies the relationship between the Mishnah's rule and the larger theme of our tractate, the intermediate days of the festival. Nos. 2-9 form an anthology on the general theme of mourning, not clearly connected to the rule of the Mishnah in particular. III.1 works out the limits of the application of the law of the Mishnah. Nos. 2, 3, 4 form a thematic appendix to I.C. Then Nos. 5-15 are tacked on as a further, somewhat run-on, thematic anthology.

3:8D-E, 3:9

3:8D-E

- D. **[28B] [Mourning] women on the intermediate days of a festival wail but do not clap their hands.**
- E. **R. Ishmael says, "Those who are near the bier clap their hands."**

3:9

- A. **On the new moons, Hanukkah, and Purim they wail and clap their hands.**
- B. **On none of them do they sing a dirge.**
- C. **Once the deceased has been buried, they do not wail or clap their hands.**
- D. **What is the definition of a wail?**
- E. **When all sing together.**
- F. **What is a dirge?**
- G. **When one starts, and then all join in with her,**
- H. **as it is said, "Teach your daughters wailing, and every one her neighbor a dirge" (Jer. 9:19).**
- I. **But in the time which is coming, it says, "He has swallowed up death forever, and the Lord God will wipe away tears from off all faces, and the reproach of his people he shall take away from off all the whole earth, for the Lord has spoken it" (Isa. 25: 8).**

The Talmud's commentary on the Mishnah-passage first spells out the mourning liturgy, providing necessary information. The composition is simply a catalogue of items.

I.1 A. *What do they say?*

- B. Said Rab:

[Lazarus:] Cry over him who is departing!
Cry over his wounds and smarting.

- C. *Said Raba, "This is what the women of Shoken-Seb say:*

[Lazarus:] Withdraw the bone from out the pot,
And the kettles fill with water hot.

- D. *And said Raba, "This is what the women of Shoken-Seb say:*

[Lazarus:] Be muffled, you high mountains,
Clouds covering your head;
Of high lineage and grand ancestry
Came he who is dead.

E. *And said Raba, "This is what the women of Shoken-Seb say:*

[Lazarus:] Borrow and buy a Milesian robe
To dress a free-born son;
Give it free of charge, for
Provision left he none.

F. *And said Raba, "This is what the women of Shoken-Seb say:*

[Lazarus:] Comes hurrying and scurrying,
Tumbling aboard the ferry,
And having to borrow his fare.

G. *And said Raba, "This is what the women of Shoken-Seb say:*

[Lazarus:] Our brothers are merchants who
at the custom houses are searched

H. *And said Raba, "This is what the women of Shoken-Seb say:*

[Lazarus:] This death or that death is the end of the quest,
Our bruises are the rate of interest.

The composite-appendix that follows takes up the general theme of death; it conveys attitudes but sets forth no proposition required for the exposition of the Mishnah's law, which is ignored and at no point illustrated.

I.2. A. *It has been taught on Tannaite authority:*

- B. R. Meir would say, "It is better to go to the house of mourning than to go to the house of celebration, for that is the end of all men and the living will lay it to heart' (Qoh. 7: 2).
- C. *"What is the meaning of* and the living will lay it to heart?
- D. *"One who laments — others will lament for him; one who assists at a burial — others will bury him. One who bears the bier — others will bear him. One who raises his voice — others will raise their voice for him."*
- E. *There are those who say, "And he who does not raise himself with pride, others will raise him: 'Glorify not yourself in the presence of the king and do not stand in the place of great men, for it is better that he said to you, "Come up hither," than that you be put low down in the presence of the prince' (Pro. 25:6-7)."*

I.3. A. *Our rabbis have taught on Tannaite authority:*

- B. When the sons of R. Ishmael died, four sages went to his house to comfort him, R. Tarfon, R. Yosé the Galilean, R. Eleazar b. Azariah, and R. Aqiba.
- C. Said to them R. Tarfon, "Know that he is a great sage and expert in lore. Don't any one of you interrupt his fellow."
- D. Said R. Aqiba, "And I shall be last."

- E. R. Ishmael commenced, saying, “My sins were abundant, my sorrows come in close succession, I have troubled my lords once and now again.”
- F. R. Tarfon responded, saying, “‘But your brothers, the whole house of Israel, mourn the burning that the Lord has kindled’ (Lev. 10: 6). Now does the matter not yield an argument a fortiori: if Nadab and Abihu, who carried out only a single religious duty, in line with the statement, ‘and the sons of Aaron presented the blood to him’ (Lev. 10: 6) nonetheless were mourned everywhere, how much more is coming to the sons of R. Ishmael!”
- G. R. Yosé the Galilean responded and said, “‘And all Israel shall make lamentation for him and bury him’ (1Ki. 14:13). Now does the matter not yield an argument a fortiori: if Abijah, son of Jeroboam, who carried out only a single religious duty, in line with the statement, ‘Because in him there is found some good things towards the Lord God of Israel’ (1Ki. 14:13), was nonetheless mourned everywhere, how much more is coming to the sons of R. Ishmael!”
- H. *And what was the one good thing?*
- I. R. Zira and R. Hanina bar Pappa —
- J. One said, “He abandoned his watch and went up on the festival to Jerusalem.”
- K. The other said, “He called off the border guards his father Jeroboam had placed on the roads to stop Israelites from going on a pilgrimage to Jerusalem.”
- L. [Reverting to G:] R. Eleazar b. Azariah responded and said, “‘You shall die in peace and with the burnings of your fathers, the former kings who were before you, so shall they make a burning for you’ (Jer. 34: 5). Now does the matter not yield an argument a fortiori: if Zedekiah, king of Judah, who had carried out only a single religious duty, specifically, pulling Jeremiah out of the muck, was to be universally mourned, how much more is coming to the sons of R. Ishmael!”
- M. R. Aqiba responded and said, “‘In that day there shall be a great mourning in Jerusalem, as the mourning of Hadadrimmon in the valley of Meggido’ (Zec. 12:11).”
- N. *And said R. Joseph, “Were it not for the Aramaic translation of this verse, we should not know what it means: ‘In that time the mourning at Jerusalem shall be as great as the lament over Ahab, son of Omri, whom Hadadrimmon, son of Tabrimmon, had slain, and as the lament over Josiah son of Amon, whom Pharaoh Necho had slain in the valley of Meggido.’”*
- O. [Continuing M:] “Now does the matter not yield an argument a fortiori: if Ahab, king of Israel, who had done only a single religious duty — ‘And the king was stayed up in his chariot against the Aramaeans and died only in the evening’ (1Ki. 22:35), how much more is coming to the sons of R. Ishmael!”

The topical appendix on the subject introduced just now follows with its own organizing focus.

I.4. A. *Said Raba to Rabbah bar Mari, “In regard to Zedekiah it is written, ‘You shall die in peace’ (Jer. 34: 5), and yet, ‘Moreover, Nebuchadnezzar put out Zedekiah’s eyes’ (Jer. 39: 7)!”*

B. *He said to him, “This is what R. Yohanan said, “Nebuchadnezzar died in his lifetime.”*

I.5. A. *And said Raba to Rabbah bar Mari, “It is written, ‘Therefore behold I will gather you [Josiah] to your fathers and you shall be gathered to your grave in peace’ (2Ki. 22:20), and yet, ‘And the archers shot at King Josiah, and the king said to his servants, Take me away for I am severely wounded’ (2Ch. 35:23), in which connection said R. Judah said Rab, ‘They riddle his body like a sieve’!”*

B. *He said to him, “This is what R. Yohanan said, “The point is that the Temple was not destroyed in his lifetime.”*

The next appendix collects rules on conduct of the mourners when the comforters make their appearance.

I.6. A. *Said R. Yohanan, “The comforters are not permitted to say a word until the bereaved commences: ‘So they sat down with him on the ground...and none said a word to him, for they saw that his grief was very great’ (Job. 2:13). ‘After this Job. opened his mouth’ (Job. 3: 1). ‘And then Eliphaz the Temanite answered’ (Job. 4: 1).”*

I.7. A. *Said R. Abbahu, “How on the basis of Scripture do we know that the mourner reclines at the head at the mourner’s meal? ‘I chose out their way and sat chief and dwelt as a king in the army, as one comforts the mourners’ (Job. 29:25).”*

B. *“As one comforts the mourners” — does that not mean that he was head of comforting others?*

C. *Said R. Nahman bar Isaac, “Since the word is written with consonants that can be read ‘as when one comforts mourners,’ [this conclusion may follow].”*

D. *Mar Zutra said, “Proof derives from this verse: ‘And the prince be he who is embittered, distraught among those stretched on couches’ (Amos 6: 7)” [following the rendition of Lazarus].*

I.8. A. *Said R. Hama bar Hanina, “How on the basis of Scripture do we know that the bridegroom reclines at the head? As it is said, ‘I will rejoice in the Lord...for he has clothed me with the garments of salvation...as a bridegroom who ministers in his diadem as a priest’ (Isa. 61:10). Just as a priest is at the head, so the bridegroom is at the head.”*

B. *And how do we know that the priest is at the head?*

C. *It is in line with that which was stated by the Tannaite authority of the household of R. Ishmael: “‘And you shall sanctify the priest, for he offers the bread of your God’ (Lev. 21: 8), meaning, sanctify him in whatever has to do with Holy Things, first to begin, first to recite the Grace, first to take the best portion.”*

I.9. A. Said R. Hanina, “The exodus of the soul from the body is hard [Lazarus: severely agitates the body] **[29A]** as the [Lazarus:] rigging at the edge of the mast.”

B. R. Yohanan said, “Like the top-sail at the edge of the mast.”

I.10. A. And said R. Levi bar Haita, “He who takes his leave of the deceased should say to him not ‘Go to peace,’ but ‘Go in peace.’ He who takes his leave from a friend should say to him not, ‘Go in peace,’ but ‘Go to peace.’

B. “He who takes his leave of the deceased should say to him not ‘Go to peace,’ but ‘Go in peace:’” “But you shall go to your fathers in peace, you shall be buried” (Gen. 15:15).

C. “He who takes his leave from a friend should say to him not, ‘Go in peace,’ but ‘Go to peace:’” so said David to Absalom, “Go in peace” (2Sa. 15: 9), and he went and got hung, but Jethro said to Moses, “Go to peace” (Exo. 4:18), and he went and succeeded.

I.11. A. And said R. Levi, “Whoever leaves the synagogue and goes to the house or study, or who goes from the house of study to the synagogue, gains such merit as being able to receive the face of the Presence of God: ‘They go from strength to strength, every one of them appears before God in Zion’ (Psa. 84: 8).”

I.12. A. Said R. Hiyya bar Ashi said Rab, “Disciples of sages have no rest, even in the world to come: ‘They go from strength to strength, every one of them appears before God in Zion’ (Psa. 84: 8).”

I.1 amplifies the Mishnah’s theme. Nos. 2, 3+4-5 provide further examples of words of lamentation and comfort. No. 6 then resumes our sequence of rules governing conduct in bereavement. This miscellany continues through Nos. 7-12.