

**The Soncino Babylonian Talmud**



**MO'ED KOTON**

**Folios 2a-29a**

**TRANSLATED INTO ENGLISH WITH NOTES**

**CHAPTERS I – III**

*Reformatted by Reuven Brauner, Raanana 5771*

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# MO'ED KOTON – 2a-29a

## Mo'ed Katan 2a

### CHAPTER I

**MISHNAH.** AN IRRIGATED FIELD<sup>1</sup> MAY BE WATERED DURING THE FESTIVAL<sup>2</sup> [WEEK] OR IN THE SABBATICAL YEAR<sup>3</sup> BOTH FROM A NEWLY-EMERGING SPRING AND FROM A SPRING THAT IS NOT JUST EMERGED, BUT NOT WITH WATER FROM STORED RAIN, NOR FROM A SWIPE-WELL;<sup>4</sup> NOR MAY SMALL BASINS<sup>5</sup> BE FORMED ABOUT THE VINES. R. ELEAZAR B. AZARIAH SAYS THAT A [WATER] CHANNEL MAY NOT BE NEWLY MADE DURING THE FESTIVAL [WEEK], NOR IN THE SABBATICAL YEAR; BUT THE SAGES SAY THAT A CHANNEL MAY BE NEWLY MADE IN THE SABBATICAL YEAR AND ONE THAT HAS GOT OUT OF ORDER MAY BE REPAIRED DURING THE FESTIVAL [WEEK]. AND IMPAIRED WATER WORKS<sup>6</sup> IN THE PUBLIC DOMAIN MAY BE REPAIRED OR CLEANED OUT; AND ROADS, BROADWAYS AND [RITUAL] POOLS<sup>7</sup> MAY BE PUT IN ORDER. AND ALL PUBLIC NEEDS MAY BE PERFORMED,<sup>8</sup> AND GRAVESIDES MAY BE MARKED,<sup>9</sup> AND [PUBLIC COMMISSIONERS] MAY SET OUT ALSO<sup>10</sup> TO INSPECT DIVERSE<sup>11</sup> SEED-CROPS.

**GEMARA.** Now, one might argue that after [having permitted] watering FROM A NEWLY EMERGING spring — which is apt to come along tearing up [the soil]<sup>12</sup> — need further mention be made of [drawing from] A SPRING THAT IS NOT NEWLY EMERGING-which is unlikely to come tearing up [the soil]?<sup>13</sup> —

I may answer that it is necessary [to mention the latter]; for if [the Tanna] had mentioned only the newly emerging spring I might have said that only here [where it is] for an irrigation plot it is permitted — but not for a Baal-plot,<sup>14</sup> because it is apt to come tearing up [the soil]; but [on the other hand], from a spring that is not newly emerging, which is unlikely to come tearing up [the soil], I might say that even a Baal-plot [may be watered];

therefore he informs us<sup>15</sup> that there is no difference; be it a spring newly emerging, or a spring not newly emerging, an irrigation plot may be watered therefrom, but a Baal-plot may not be.<sup>16</sup> And whence [know we] that the term BETH HA-SHELAHIN<sup>17</sup> denotes a ‘thirsty’<sup>18</sup> field?—

It is written: When thou wast faint and weary,<sup>19</sup> and we render the word ‘faint’ [in Aramaic] by Meshalhi.<sup>20</sup> And whence [know we] that Beth ha-Baal<sup>21</sup> denotes ‘settled’ soil? —

It is written: For as a man be the husband [Yib'al] of a maiden, so shall thy sons be as husbands unto thee<sup>22</sup> and we render [in Aramaic], ‘Behold as a young man settles down with a maiden, thy sons shall become settled<sup>23</sup> in the midst of thee’. Who may be the [unnamed] Tanna<sup>24</sup> who maintains that [work<sup>25</sup> to prevent] loss is allowed,<sup>26</sup> but [to augment] profit<sup>27</sup> is not allowed; and that even in [averting] loss we should not do any laborious work?<sup>28</sup>

Said R. Huna: It is [the view of] R. Eliezer b. Jacob, as we learned:<sup>29</sup> R. Eliezer b. Jacob says: Water may be trained along from tree to tree, provided that one does not water thus the entire field.<sup>30</sup> I grant<sup>31</sup> you may understand R. Eliezer [b. Jacob]<sup>32</sup> to disallow exertion to enhance profit,<sup>33</sup> but could you also understand him [from here] to disallow exertion [even] where loss is [involved]?

Rather, said R. Papa, (whose view is it)?<sup>34</sup> It is R. Judah's, as it is taught: ‘A spring newly emerging may be [used for] watering even (a field that is)<sup>35</sup> a Baal-plot. So R. Meir; R. Judah<sup>36</sup> says, None but (a field that is)<sup>35</sup> a ‘languid plot’ that has dried up may be watered [therefrom]. R. Eleazar b. ‘Azariah says, Neither one nor the other.<sup>37</sup> R. Judah<sup>38</sup> went even further and said, ‘A person may not clean out a water channel<sup>39</sup> and [with the dredging] water his garden of debris — [heap]<sup>40</sup> during the festival week’. [Now] what is [meant by a ‘languid plot’] that dried

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up?<sup>41</sup> If you say, literally dried up' what is the good of watering it? —

Said Abaye, It means that this [old] spring has run dry<sup>42</sup> and another has [just] emerged [instead].<sup>43</sup> 'R. Eleazar b. Azariah says, Neither one nor the other'. [By this he means to say that] it makes no difference whether the [old] spring has run dry or has not run dry, a newly emerging spring is not to be used. But how [do you arrive at this conclusion]? Perhaps when R. Judah said that a languid plot may be watered from a newly emerging spring and a Baal-plot may not be,

(1) *בית השלחין* means lit. 'a house of channels', i.e., a plot of land which owing to situation or climate or nature of the soil requires to be watered artificially. It is often a laborious process and at times of vital importance to the crop.

(2) I.e., during the middle period of the two longer Feasts, namely, the 'Feast of Unleavened Bread' (Passover) and that of Tabernacles, v. Introduction.

(3) Lit., 'the seventh year'. Every seventh year in the Jubilee cycle was ordained to be a year of remission, or Sabbath for the land, when the regular processes of agriculture for its improvement were to be suspended. V. Ex. XXIII, 10-11; Lev. XXV, 2ff and infra 3a.

(4) *קילון* the Greek \*\*, a mechanical contrivance for raising water by water-wheel or bucket from a deep well, like the shadoof in Egypt and the *denkli* or *paecottah* in India. The reason for the objections is stated in the Gemara.

(5) Circular depressions made about the stem of the vine, or a small trench drawn about a group of vines to retain the water. V. infra 4b.

(6) Broken wells, cisterns or aqueducts; pools that have become muddy puddles, or blocked drains. (*קילקולי* – Latin *cloaculae*, Baneth).

(7) For priests and pilgrims to purify themselves ritually or their vessels that have met with defilement. Cf. Lev. XI, 24-40; XXII, 1-7.

(8) E.g., removing rubbish and thorns, leveling the road and footways, mending bridges, etc. Cf. infra 5a.

(9) With whitewash of lime to warn passers-by against defilement. Cf. infra 5a.

(10) [MS.M. omits 'ALSO' which is difficult to explain. V. Tosaf. Yom Tob].

(11) Lev. XIX, 19: Thou shall not sow thy field with two (or more kinds of) seeds (promiscuously). They are neither to be sown nor preserved by

active process. Infra 2b, 6a and cf. Kil. I, 1, 9; Shek. I, 1, a.

(12) I.e., by erosion, necessitating immediate repair of the damage during the restricted period.

(13) Running on its habitual course.

(14) *בית בעל* lit., 'Baal's area', or field — an old pagan denomination of a fertile soil, i.e., a soil favored by 'Baal Lord of the heavens', Baal-Shamen, with fertilizing rain and sunshine. V. Cooke's N.S.I. p. 45, n. 1 etc. and Robertson Smith's Religion of the Semites (ed. 1894) pp. 96-97. Cf. Isa. LV, 10 and Ta'an. 6b: 'Rain is earth's husband'; also Krauss, TA II, p. 546, n. 115.

(15) From here to the end of the sentence is not in DS., being seemingly a gloss from 2b.

(16) From a new or old spring.

(17) Rendered 'AN IRRIGATED FIELD'.

(18) Or 'a languid track.' The term *שלחין* (channels) is here explained by popular etymology as derived from *שלהי* (the gutturals *ה* and *ח* interchanging), 'weary', 'exhausted'. V. n. 2.

(19) Deut. XXV, 18. Han. and Aruch s.v. *שלה* (VIII, 80b) quote more appropriately Gen. XXV, 29 referring to Esau's exhaustion and thirst. Cf. Isa. XXIX, 8 and Ps. LXIII, 2.

(20) A participle *להי* meaning 'exhausted'. This derivation is grammatically unsound. In B.B., Sonc. ed. p. 271 it is more correctly connected with the root in the sense of sending water across the fields in channels. Cf. Ezek. XXXI, 4; Ps. CIV, 10; Job V, 10. It is surmised that the name of the Pool of Siloam (*לשח*) is derived from the same root. V. Krauss, TA, II, p. 547, n. 117.

(21) V. supra p. 2, n. 7.

(22) Isa. LXII, 5.

(23) Cf. our expressions husbandry and husbandman.

(24) In the first clause of the Mishnah.

(25) During the Festival week.

(26) I.e., watering a languid soil.

(27) E.g., watering a fertile field to make it still more productive.

(28) Lit., 'excessive trouble', e.g., to use rainwater or raise water by swipe.

(29) V. infra 6b, Mishnah.

(30) To water the whole field in that manner is all exertion to be avoided during the Festival week.

(31) Lit., 'say'.

(32) So correctly, R. Han., DS.

(33) As he forbids watering the entire field, presumably thinking it unnecessary to give it an extra watering to increase its fertility.

(34) Omitted in DS.

(35) A doublet occurring also in the texts given in the next note.

(36) J.M.K. I, 1

(81a) and Tosef., I, I read here, 'and the Sages say' instead, showing that it is R. Judah's view that has

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been adopted in the Mishnah. Obviously, the Babylonian teachers engaged in this critical discussion did not have that reading.

(37) I.e., that a newly emerging spring may not be used either for a generally nourished field (again at R. Meir's view), nor in a 'languid field' even where it has replaced a dried-up old spring (against R. Judah's view).

(38) He went further in his restrictions, even in the case of a 'languid field'. (Tosaf. v. Ritba).

(39) A running brook or ditch which has become muddy and shallow, which he may clean out under certain conditions discussed infra 4b.

(40) Used as a vegetable garden or bed for nurslings. V. Tosaf. Lit., 'his garden and his ruin'.

(41) I.e., that is waste.

(42) Lit., 'it is dried up from this spring'.

(43) [All of which shows that R. Judah does not permit any laborious work even in order to avert loss, as in the case of the old spring having dried up, whereas R. Judah permits watering from the new spring that has emerged but not from rain-water or a swipe-well, which is in agreement with our Mishnah].

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he was referring only to a newly emerging spring since it may come along tearing up [the soil]; but a spring that is not just newly emerging and which is unlikely to come along tearing up [the soil] he might allow even for a Baal-plot?<sup>1</sup> If [you take it] thus, then whom does our Mishnah represent?<sup>2</sup> The fact is that according to R. Judah it makes no difference, whether it be a newly emerging spring, or a spring not just newly emerging; in either case a languid plot may be watered [therefrom], but a Baal-plot may not be. And the reason why it states the 'newly emerging' springs<sup>3</sup> is [merely] to show how far R. Meir is prepared to go, [namely], that even a newly emerging spring may be used for watering and even for a Baal-field! It was stated: 'If one is [seen] weeding or watering his seedlings on the Sabbath,<sup>4</sup> under what category [of the offence] should he be cautioned?<sup>5</sup> —

Rabbah said, [It comes] under the category of plowing. R. Joseph said, under the category of sowing. Said Rabbah, My view seems the more reasonable, for what is the object of the plower? To loosen the soil; here too, he

loosens the soil. Said R. Joseph, My view seems the more reasonable, for what is the object of the sower? To promote the growth of the produce; here too, he promotes the growth of the produce.

Said Abaye to Rabbah, Your view presents difficulty and R. Joseph's view presents difficulty. Your view presents difficulty, for does the act come [only] under the category of plowing [and] not under that of sowing [only]? R. Joseph's view presents difficulty, for does it come [only] under the category of sowing [and] not under that of plowing also? And should you rejoin that where there are two [possible categories], the offender is liable only on one count, [this cannot be] for did not R. Kahana say that if one [incidentally] pruned [his tree] in cutting it for wood<sup>6</sup> he is liable on two counts, one under the category of planting<sup>7</sup> and one again under that of reaping?<sup>8</sup> — This is a difficulty.<sup>9</sup>

R. Joseph, thereupon, put an objection to Rabbah from [the following]: One who weeds or covers [with earth] diverse-seeds<sup>10</sup> receives [judicial] flogging. R. Akiba says, Also one who preserves [them].<sup>11</sup> Now this is in perfect accord with my view, as I say that [he who weeds is to be cautioned] under the category of sowing, which [explains the penalty] because sowing is [explicitly] forbidden in connection with diverse-seeds; but according to your view who say that [he is to be cautioned] under the category of plowing, is plowing forbidden in connection with diverse-seeds? —

Said he [Rabbah] to him, [He<sup>12</sup> is flogged] under the category of preserving [them]. But surely, since the last clause states 'R. Akiba says, Also one who preserves [them]', may we not infer that according to the first Tanna the penalty is not on account of preserving [them]? —

The entire statement is [to be taken as] recording R. Akiba's view, and the latter clause is explanatory: 'On what ground does



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one who weeds or covers [with earth] diverse-seeds receive a flogging? Because he comes under the category of preserving, for R. Akiba says, Also he who preserves [them]'. What is R. Akiba's reason? —

It is taught: — Thou shalt not sow thy field with two kinds of seed'.<sup>13</sup> This tells me about 'sowing', whence [the prohibition against] preserving [what is already sown]? — From the instructive wording Kil'ayim [diverse-seeds] in thy field not.<sup>14</sup>

We learned: An IRRIGATED FIELD MAY BE WATERED DURING THE FESTIVAL [WEEK] OR IN THE SABBATICAL YEAR. This [permission] is perfectly correct in regard to the festival [week] where [the prohibition is] merely to avoid exertion, but where loss is [threatened]<sup>15</sup> the Rabbis have allowed it. But in regard to the sabbatical year, whether on the view that [watering] comes under the category of sowing<sup>16</sup> or on the view that it comes under that of plowing,<sup>17</sup> is either sowing or plowing permitted in the sabbatical year?<sup>18</sup> —

Said Abaye, Our Mishnah is speaking of the sabbatical year in the present time and it [expresses] the view held by Rabbi;<sup>19</sup> for it is taught: Rabbi says, [It is written] And this is the manner of the release; release [by every creditor of that which he hath lent to his neighbor];<sup>20</sup> the text speaks here of two forms of release, one the release of the soil [from tillage]<sup>21</sup> and the other the release of money<sup>22</sup> [the juxtaposition of] which tells us that so long as you must release the soil [from tillage], you must release the money [debt], but when you do not release the soil, you need not release the money!<sup>23</sup> Said Raba [not necessarily], you may even say [it voices] the view of the Rabbis<sup>24</sup> and that they<sup>25</sup> are the principal [types of work] that the Divine Law has forbidden [explicitly],

(1) Whereas our Mishnah forbids watering a Baal-plot from a newly emerging spring. Consequently it will not represent the view of R. Judah.

(2) Lit., 'to whom will you throw (trace the view of) our Mishnah'.

(3) In the cited Baraita: the spring might as well have been left undefined, as either is allowed for a languid plot by R. Judah.

(4) Ritba reads on a festival, which is preferred by R. Moses Sofer. Cf. Mak., Sonc. ed., p. 149.

(5) An offender doing an act which is explicitly forbidden in Holy Writ had to be duly and accurately cautioned by two witnesses against that particular act, and informed of the exact penalty it involved, before he could be judicially punished by a duly constituted tribunal. Plowing, sowing and mowing are of the thirty-nine main categories of work forbidden (Scripturally) on Sabbath or Festivals. For the list v. Shab. VII, 2 and Shab. 73aff.

(6) Lit., 'he prunes and requires the wood'. Shab. 73b. Work on the Sabbath is to be purposive, whether intended or not. If one did what he desired to do, without knowing that such a thing was not to be done on the Sabbath, or forgetting for the moment that it was the Sabbath day, he would not be punishable, but would have to bring a sin-offering in Temple times.

(7) Pruning promotes growth and is therefore another form of sowing or planting.

(8) Having a definite purpose for the cuttings.

(9) Var. lec. omit this final admission. [The statement of R. Kahana, being of an Amora, is not deemed sufficiently authoritative to refute the views of Rabbah and R. Joseph. V. Tosaf. s.v. הריב.]

(10) Weeding and covering with earth diverse-seeds are here made punishable as sowing, v. Lev. XIX, 19 (cf. Deut. XXII, 9).

(11) Fencing in the plot to prevent cattle from trampling them out or feeding on the young blades. Cf. A.Z. 64a (Rashi and Tosaf.).

(12) He who weeds diverse-seeds.

(13) Lev. XIX, 19.

(14) Some explain a section of the Hebrew text of Lev. XIX, 19, namely, כלאים שדך תזרע כלאים, as it were two interlocked sentences, (i) כלאים שדך לא i.e., 'Kil'ayim in thy field not', (which forbids the presence and the preservation of diverse-seed crops in the field); and (ii) שדך לא תזרע כלאים i.e., 'Thy field thou shalt not sow Kil'ayim' (which forbids sowing). This explanation, however, is very strained, as the variations in the parallel passages show, having puzzled the commentators. The readings ת"ל לא כלאים and ת"ל כלאים לא are both correct and to the same effect. It is the import of the wording rather than the form of the text that R. Akiba stressed. It is the diverse mixing or crossing — 'Kil'ayim' — that is emphatically forbidden, be it of animal, or field, or raiment (Lev. XIX, 19) and fiercest of all in the (olive-yard

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or) vineyard (Deut. XXII, 9). Have no share by your action in producing Kil'ayim!

(15) As shown above.

(16) R. Joseph, above.

(17) Rabbah, above.

(18) Sowing, pruning, gleaning and reaping are directly forbidden in Lev. XXV, 4-5. Plowing, however, is forbidden only indirectly, by implication from a positive law in Ex. XXIII, 11; XXXIV, 21. Note this point.

(19) R. Judah ha-Nasi, compiler of the Mishnah.

(20) Deut. XV, 2.

(21) I.e., let the soil lie fallow and the crops free and unguarded against the poor, Ex. XXIII, 11.

(22) Let slip the money debts owing to you.

(23) The interpretation is based on the ground that since the Nation, Israel as a whole, is no longer in possession of the Holy Land as his inheritance, the land laws relative to the sabbatical year and Jubilee re-distributions, which are made contingent on Israel's entry and possession (Lev. XXV, 2, 10ff; cf. *ibid.* XXVI, 34-35, and Deut. XXXI, 10-13) are of necessity in abeyance, for the time being. [This according to Rabbi, since the prohibition of tilling the soil on the sabbatical years nowadays is merely Rabbinical, it is not enforced where a loss is involved; hence the ruling of our Mishnah.]

(24) That the operation of the sabbatical year nowadays is Biblical.

(25) Those that are specified in the text of Holy Writ.

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but derivative<sup>1</sup> operations it has not forbidden, for it is written: But in the seventh year shall be a Sabbath of solemn rest for the land..., thou shalt neither sow thy field nor prune thy vineyard. That which groweth of itself of thy harvest thou shalt not reap and the grapes of thy undressed vine thou shalt not gather.<sup>2</sup> Now, since pruning comes within the general process of sowing<sup>3</sup> and grape-gathering within the general process of reaping,<sup>4</sup> what law then did the All-Merciful desire to inculcate by inserting these [secondary processes] into the text? To indicate that only for these secondary processes [specified in the text] is one [to be] held liable and for [any] other [secondary processes] one is not [to be] held liable.<sup>6</sup> Indeed not?

Surely it has been taught: Thou shalt neither sow thy field nor prune thy vineyard,<sup>7</sup> that only forbids me sowing or pruning; whence is forbidden weeding or hoeing or the trimming of wilted parts? From the instructive [form of the] text: Thy field thou shalt not... thy vineyard thou shalt not... [which means] no manner of work in thy field; no manner of work in thy vineyard. [Likewise] whence [is derived the rule] not to cut back shoots, or thin twigs or put up props for supporting [fruit trees]? From the [same] instructive text: Thy field thou shalt not... thy vineyard thou shalt not... [which means] no manner of work in thy field, no manner of work in thy vineyard. [Similarly] whence [is derived the rule] not to manure,<sup>8</sup> or remove stones, or dust [with flower of sulfur]<sup>9</sup> or fumigate the tree? From the instructive wording of the text: Thy field thou shalt not... thy vineyard thou shalt not, that is, no manner of work in the field, no manner of work in the vineyard.

Shall I say that one should not [even] stir the soil under the olive trees, nor use the hoe under the vines, nor fill the gaps [under the olive trees]<sup>10</sup> with water nor make drills<sup>11</sup> for the vines? There is the Instructive wording of the text: Thy field thou shalt not sow [nor thy vineyard shalt thou prune]. Now, as 'sowing' was already embraced in the general terms of the ordinance,<sup>12</sup> why then was it singled out [for mention]? To provide ground for an analogy, namely that just as sowing has the special quality of being a work common to field and orchard,<sup>13</sup> so is every [other] work that is common to field and orchard [forbidden]!<sup>14</sup>—

[That is only] Rabbinically; and the text is adduced merely as a support.<sup>15</sup> But, is it permitted to stir the soil [under the olive tree] in the sabbatical year? Surely [is it not taught]: It is written, But the seventh year thou shalt let it rest and lie fallow;<sup>16</sup> 'let it rest' —not to hoe; and '[let it] lie fallow — not to remove stones? —

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Said R. 'Ukba b. Haba, there are two sorts of hoeing, one for strengthening the [olive] tree, and another to close up fissures; that for strengthening the tree is forbidden, whereas that for closing up fissures is allowed.<sup>17</sup> It has been stated:<sup>18</sup> —

If one plowed in the sabbatical year,<sup>19</sup> R. Johanan and R. Eleazar<sup>20</sup> [took opposite views]. One said that he is flogged<sup>21</sup> and the other said that he is not flogged.<sup>22</sup> Might I suggest that the issue turns on the dictum of R. Ela as reported by R. Abin? For R. Abin reported R. Ela to have stated that wherever a general [proposition] is stated in the form of a positive command and a particular [specification] in the form of a negative injunction,<sup>23</sup> the hermeneutical rule of General-Particular-General<sup>24</sup> does not apply to it.<sup>25</sup> [Accordingly], the one who says the offender is flogged, did not agree with that dictum of R. Abin in the name of R. Ela,<sup>26</sup> while the other who says that the offender is not flogged did agree with the dictum of R. Abin [in the name of R. Ela]?<sup>27</sup> —

Not [necessarily]. It can be maintained that nobody agrees with the dictum of R. Ela, as reported by R. Abin. As to the one who says that the offender is flogged<sup>28</sup> it of course is in order, while the other who says the offender is not flogged may tell you thus:<sup>29</sup> Consider: pruning comes within [the general process of] sowing and grape-gathering within [the general process of] reaping, what rule did the All-Merciful intend to inculcate by inserting these [secondary processes] into the text? To indicate that only for these secondary processes [specified in the text] is one [to be] held liable, but for any other secondary process<sup>30</sup> he is not [to be] held liable. But is he not?

Surely it is taught: Thou shalt neither sow thy field nor prune thy vineyard, this only forbids me sowing or pruning; whence is forbidden weeding, hoeing, or the trimming of wilted parts?

From the instructive [form of] the text: Thy field thou shalt not... thy vineyard thou shalt not... [which means] no manner of work in thy field; no manner of work in thy vineyard. Whence [is derived the rule] not to cut back shoots, or thin twigs or put up props for [fruit] trees?

From the [same] instructive text: thy field thou shalt not ...thy vineyard thou shalt not... [which means] no manner of work in thy field, no manner of work in thy vineyard. Whence [is derived the rule] not to manure, or remove stones, [or dust] or fumigate the trees?

From the instructive text: Thy field thou shalt not... thy vineyard thou shalt not... [that is], no manner of work in thy field, no manner of work in thy vineyard. Am I then to say that one may not stir the soil under the olive trees, nor use the hoe under the vines, nor fill the [open] gaps [under the olives] with water, nor make drills for the vines?

There is the instructive wording of the text: Thy field thou shalt not sow and thy vineyard thou shalt not prune. Now, sowing was already embraced in the general terms of the ordinance, why then was it singled out [for mention]? For the purpose of providing [ground for] an analogy, that just as sowing has the special quality of being a work common to field and vineyard, so is any other work that is common to field and orchard [forbidden]? —

[That is only] rabbinically; and the text is [adduced] as a mere support.<sup>31</sup>

- (1) Or secondary processes which are not unspecified.
- (2) Lev. XXV, 4-5.
- (3) Or planting, as explained above by R. Kahana.
- (4) V. Shab. 73a.
- (5) To a judicial flogging.
- (6) I.e., scripturally (even according to the Rabbis) though reprehensible rabbinically.
- (7) The order of the Hebrew words in the text is: 'Thy field thou shalt not sow nor thy vineyard shalt thou, etc.'

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(8) Yalkut reads: 'remove excrescences' or 'warts'.

(9) Thus J. Sheb. II, 2; Aruch explains 'remove dust from the foliage' and Rashi here takes it as covering with dust the exposed roots. The context seems to favor the first explanation here adopted.

(10) After thinning olive trees, by lifting some to give more room for the other young trees, the gap left in the soil would ordinarily be filled with manure and olive trees need much water. Cf. Sheb. IV, 5, and Sifra Behar Rabad's Commentary.

(11) Or small ridges with furrows on top between the vines. V. loc. cit.

(12) Lev. XXV, 4: But the seventh year shall be a Sabbath of solemn rest for the land, a Sabbath unto the Lord, in direct contrast to verse 3; there was therefore no further need to continue with specific instances of the prohibition, such as sowing the field and pruning the vineyard.

(13) I.e., common to both, agriculture and horticulture.

(14) [Excluding the last mentioned processes which are not common to both field and vineyard. At all events this teaching shows that a number of processes though of the secondary type are forbidden in the sabbatical year].

(15) I.e., mnemotechnical and Biblically only sowing, pruning, reaping and gleaning are forbidden explicitly. The inclusion of plowing, digging, hoeing or watering in the prohibition is purely Rabbinic. Thus the ruling of the Mishnah that an irrigated field may be watered... in the sabbatical year has now been explained: by Abaye on the basis of Rabbi's view, namely, that the restrictions of the sabbatical year are not operative nowadays; and, on the other hand by Raba, on the view of the other Rabbis (who do not concede Rabbi's interpretation of Deut. XV, 2), by pointing out that 'watering' is, strictly speaking, not textually forbidden, it being a 'derivative' (secondary) process, and hence allowed by the Rabbis in the sabbatical year where damage (loss of crop) is likely.

(16) Ex. XXIII, 11.

(17) The former is for enhancing profit and the latter is prevention of loss, namely, to save the tree from bleeding or rotting.

(18) The same question is again discussed from a different angle in Palestinian schools.

(19) After having been duly cautioned.

(20) B. Pedath.

(21) As having offended against a Biblical prohibition.

(22) Because 'plowing' is not distinctly forbidden, but is only an implied offence, for which no judicial flogging can be given.

(23) E.g., in Lev. XXV, 2-5. We have first a general ordinance in positive terms: The land shall keep a Sabbath unto the Lord. Six years thou shalt sow... prune... gather in the produce thereof, but the

seventh year shall be a Sabbath of solemn rest unto the Lord (cf. Ex. XXIII, 11); then follow the particulars in negative terms. Thou shalt neither sow thy field, nor prune thy vineyard. That which groweth of itself thou shalt not reap and the grapes of thy undressed vines thou shalt not gather (Lev. XXV, 4-5). Then follows a general rule again in positive form: It shall be a year of solemn rest for the land.

(24) According to this rule, the particulars are in such a case considered typical as illustrations serving to include in the general rule all such items as are similar to the particulars. E.g. in Ex. XXII, 8 the text first states that an oath can be judicially imposed 'for every matter of trespass' (General term). This is followed by: 'for ox, for ass, for sheep, for raiment' (particulars), which again is followed finally by: 'for any manner of lost thing' (General). We infer from this that an oath can be imposed for things like those specified as typical instances, but not in the case of a dispute about land, being immovable property, or in the case of sanctuary-property, as it being not one's neighbor's property, or in the case of dispute about a slave, as being a (human) chattel, or about documents, as not being 'property', but merely instruments of evidence. Similarly in the case of the sabbatical year, if the particulars are typical of the general rule, one who does any of these would break the law.

(25) But it is treated merely as a general proposition which is followed only by a particularization, in which case the general proposition does not go beyond what has actually been specified by the particularization that follows it.

(26) I.e., he interprets the Sabbatical Ordinance as a pure instance of a General-Particular-General form and takes sowing, pruning, reaping and gleaning as typical illustrative instances and, accordingly, considers 'plowing' as included in the general terms of the Ordinance and hence as a punishable offence.

(27) I.e., that the Sabbatical Ordinance cannot be treated as a pure form of General-Particular-General, it being negative in the particulars, which amounts to saying, 'Not a, not b, not c; these, I mean, precisely, and no others'. 'Plowing' therefore is not included among the forbidden processes and hence is not a punishable offence.

(28) For plowing in the sabbatical year.

(29) In interpreting the import of the wording of the text, to show that there is no penalty for plowing, although the application of the General-Particular-General rule would indicate to the contrary.

(30) I.e., plowing.

(31) For notes v. supra p. 9, n. 6.



# MO'ED KOTON – 2a-29a

## Mo'ed Katan 3b

When R. Dimi came [from Palestine] he said [the discussion went on]: Possibly, you might say that the offender be flogged [even] for the 'extension'? But the teaching was concluded<sup>1</sup> to prove that he was exempt. But [said he], I know not which was the teaching, nor what was [actually] meant by 'extension'.

R. Eleazar [b. Pedath] said that the 'extension' had reference to [the inclusion of] 'plowing' [as a punishable offence], and the argument proceeded thus: Possibly [you might say] that he should be flogged for 'plowing' [in the sabbatical year], the rule being inferred by [treating the sabbatical ordinance as a case of] General-Particular-General; then the teaching was concluded to prove exemption. For, if it [the flogging] were correct, what is the [legal] import of all those particulars [set out in the text]?

R. Johanan said [that the 'extension' had reference to] the extra days [of restriction] which the sages had added prior to New Year; and the argument proceeded thus: Possibly [you might say] that he should be flogged for [plowing during] the extended extra period prior to New Year which is based on the text: 'In plowing time and in reaping time thou shalt rest.'<sup>2</sup> Then the teaching was concluded to prove exemption [from a flogging], as we shall seek to explain presently. What is meant by 'the days [of restriction] prior to New Year'? —

According to what we learned: 'Up to what date may plowing be done in a tree field [orchard] in the pre-sabbatical year? Beth Shammai say, As long as it is for the benefit of the fruit; Beth Hillel say, Up to the Feast of Weeks; and the [practical effect of] one ruling is much the same as that of the other.'<sup>3</sup> And up to what date may they plow a "white field"<sup>4</sup> in the pre-sabbatical year? Up to when the moisture gives out and as long as people till for planting their cucumber and gourd beds.

Said R. Simeon, If that is so, you have handed over the Torah for every individual to determine for himself the right time! No: [I say], a "white field" [they may till] up to Passover and a tree field up to the Feast of Weeks'.<sup>5</sup> (And Beth Hillel say up to Passover.)<sup>6</sup> And<sup>7</sup> R. Simeon b. Pazzi reported in the name of R. Joshua b. Levi who had it from Bar Kappara that Rabban Gamaliel and his Beth Din took a vote on these two [terminal] periods<sup>8</sup> and abrogated them.

Said R. Zera to R. Abbahu, some say, Resh Lakish said to R. Johanan: How could Rabban Gamaliel and his Beth Din abrogate a measure instituted by Beth Shammai and Beth Hillel? Surely we learned: 'No Beth Din has power to nullify the words [ruling] of another Beth Din unless it be superior to it in learning and number'<sup>9</sup> 'He was astonished for a while';<sup>10</sup> then he replied: I say, they thus have stipulated among themselves that whoever might thereafter wish to abrogate that [measure] could come and abrogate it.<sup>11</sup> But was it their measure? Was it not an [ancient] Halachah of Moses from Sinai?<sup>12</sup> As [in fact] R. Assi reported R. Johanan to have said in the name of R. Nehuniah<sup>13</sup> a man hailing from the valley of Beth Hauran,<sup>14</sup> that the [laws of] 'Ten Saplings,'<sup>15</sup> the 'Willow'<sup>16</sup> and the 'Water Libation'<sup>17</sup> were 'Halachah' of Moses from Sinai! —

Said R. Isaac, When we received on tradition that law [of extra restriction] as [an ancient] Halachah, It was only in reference to 'thirty days prior to the New Year'; thereafter came those [of Beth Shammai and Hillel] and instituted [the cessation] from Passover<sup>18</sup> and the Feast of Weeks,<sup>19</sup> and [at the same time] they stipulated with reference to their [measure] that whoever might [thereafter] wish to abrogate [them] might come and abrogate them.<sup>20</sup> But were these [termini] merely Halachah [-usages]? Were they not [based on Biblical] texts? For is it not taught: [Six days thou shalt work, but on the seventh day thou shalt rest]: in plowing time and in reaping time thou shalt rest.<sup>21</sup>

# MO'ED KOTON – 2a-29a

Says R. Akiba,<sup>22</sup> There is no need to be told [in the second clause] to desist from plowing or reaping in the seventh year, since it is already stated [elsewhere at length]: thou shalt neither sow thy field nor prune thy vineyard: [that which groweth of itself thou shalt not reap].<sup>23</sup> [It can be taken] only [to debar] plowing in the pre-sabbatical year

- (1) Lit., 'the Talmud took it up'.
- (3) As explained above.
- (4) The sabbatical year began with the New Year. It was necessary to stop tillage before that date; when, and where, did it originate? On what authority? These are the points to be discussed now at length.
- (2) Ex. XXXIV, 21 The exposition of this follows presently.
- (3) Sheb. I, 1.
- (4) Preparing for a grain crop, i.e., of cereals or legumina. A white field=a sown field, not planted with trees that cast a shadow.
- (5) Ibid. II, 1.
- (6) This bracketed part is a meaningless gloss.
- (7) [So MS. M. Cur. edd. insert 'And'].
- (8) Passover (Nisan) and the Feast of Weeks (Sivan); after these were abrogated, tillage was again permitted down to New Year (Tishri).
- (9) 'Ed. I, 5.
- (10) A phrase from Daniel IV, 16. R. Abbahu or R. Johanan was for the moment puzzled for a reply.
- (11) Should the exigencies of the time demand it.
- (12) I.e., a rule of immemorial practice, whose origin is unknown. Cf. our expression 'as old as the hills'. Cf. 'Ed. VIII, 7; Yad. Malachi No. 663 and W. Bacher's Tradition und Tradenten etc. (1914) p. 33ff.
- (13) Also Hunya, Huna or Huna. Bacher ibid. p. 38 sect. 11.
- (14) A high plain S.E. of Damascus mentioned by Ezekiel, XLVII, 18, among the boundaries of Palestine (cf. R.H. 22b). Herod established there a protectorate under Zamaris, a Babylonian Jew who offered military safety to the Babylonian pilgrims on their way to Jerusalem. V. Josephus, Antiquities XVII, 11, 1-2.
- (15) A young plantation in a field of fifty by fifty cubits in dimension with at least ten saplings may be tilled entirely for their benefit, down to the edge of the sabbatical year which began with New Year's day, the first of Tishri. This implies that with old trees tilling must cease before New Year.
- (16) V. infra. Willows were carried in procession once round the altar during the first six days of Tabernacles and then fixed at the side of the altar. On the seventh day the circuit was made seven

times. V. Suk. 45a, where Abbahu suggests a Biblical indication, Ps. CXVIII, 27.

(17) On the same occasions the grand celebration of the water libation took place in the Temple, a golden flagon being filled with water from Siloam, was brought amidst trumpet blasts to the Temple and poured on the altar by the High Priest.

(18) For a 'white field', growing cereals and legumina.

(19) For a tree field, an orchard.

(20) And it is only these two earlier terms, Passover and Feast of Weeks, up to thirty days before New Year that Rabban Gamaliel and his Beth Din abrogated. Cf. J. Sheb. I, 5.

(21) Ex. XXXIV, 21.

(22) As all manner of work is forbidden on the Sabbath day, the particular stress on plowing and reaping suggested a connection between the Sabbath-day and the Sabbath-year.

(23) Lev. XXV, 4-5.

## Mo'ed Katan 4a

[which may have beneficial effects] extending into the seventh year and [likewise] to the reaping of the seventh year's crops which mature in the post-sabbatical year.<sup>1</sup> Says R. Ishmael, [It is purely a Sabbath law]; as the plowing [here forbidden on Sabbath] is optional plowing,<sup>2</sup> so is the reaping [here mentioned] optional reaping; outside this [law] is the reaping [of the new barley] for the 'Omer'<sup>3</sup> which is a religious duty [by ordinance]!<sup>4</sup> —

In fact said R. Nahman b. Isaac, when we received on tradition [that the pre-Sabbatic restrictions had their origin in] Halachah [-usage], this had reference to the permission [of tilling for the benefit] of saplings;<sup>5</sup> whereas the texts are for the prohibition of old trees.<sup>6</sup> But since 'Halachah [-usage] allowed [tillage down to New Year] for saplings, it is not obvious that old trees were forbidden? —

What we must say therefore is, the Halachah [-usage] as basis for the prohibition is [necessary] according to R. Ishmael,<sup>7</sup> whereas the texts [serve as basis] according to R. Akiba. But R. Johanan said that Rabban Gamaliel and his Beth Din abrogated those [restrictions] on Biblical authority. What was

## MO'ED KOTON – 2a-29a

the reason? He deduced it by equating the term 'Sabbath' common to both the Sabbath-year and the Sabbath of Creation [thus]: Just as in the case of the Sabbath Day [work is forbidden] on the day itself, but on the day before and on the day after it is allowed, so [likewise] in the Sabbath Year [tillage is forbidden] during the year itself, but in the year before and in the year after it is allowed.

To this R. Ashi demurred: On the view that it [the restriction] is a Halachah [-usage] can a Gezerah Shawah [deduction]<sup>8</sup> come and eradicate a Halachah [-usage]; and [likewise] on the view that it is [based on] a Biblical text, can a Gezerah Shawah<sup>8</sup> come and eradicate a text! —

But no, said R. Ashi, Rabban Gamaliel and his Beth Din concurred with R. Ishmael who held that [the pre-sabbatical restrictions] were based on a Halachah-usage. And when did the tradition of such Halachah-usage [apply]? During the time when the Temple was still standing, like that of the water libation;<sup>10</sup> but in times when the Temple is no longer standing the tradition of this Halachah-usage does not apply.<sup>11</sup>

**BUT IT MAY NOT BE WATERED FROM [STORED] RAIN NOR BY THAT OF A SWIPE-WELL.** It is quite correct [to prohibit water] from a swipe-well, because that is a rather extra trouble; but rain water-what trouble is there [in using it]? —

Said R. Ela, reporting R. Johanan: Rain water is prohibited as a precaution on account of the swipe-well.<sup>12</sup> R. Ashi said: Rain water itself may [sometimes] come to be [just as difficult to draw<sup>13</sup> as] the water of a swipe-well. And they differ on [the statement of] R. Zera; for R. Zera said that Rabbah b. Jeremiah, citing Samuel, said that rivers drawing from [adjoining] water pools may be used for watering during the festival week.<sup>14</sup> One Master<sup>15</sup> is in agreement with [the statement of] R. Zera, while the other<sup>16</sup> is not

in agreement with [the statement of] R. Zera. The text [above stated]: 'R. Zera said that Rabbah b. Jeremiah, citing Samuel, said that rivers drawing from [adjoining] water pools may be used for watering during the festival week'.

R. Jeremiah put an objection to him [R. Zera]: **BUT... NOT WATERED FROM [STORED] RAIN NOR BY THAT OF A SWIPE-WELL!**<sup>17</sup> — Said R. Zera to him: Jeremiah, my son, these Babylonian pools are like water [pools] that do not fail.<sup>18</sup> Our Rabbis taught: Ditches and pools<sup>19</sup> [even though] filled with water on the day before the festival are debarred from being used for watering during the festival week,<sup>20</sup> but if a canal passes between them they may be used. Said R. Papa: This is only provided that the greater part of that field obtains its supply from that canal.<sup>21</sup> R. Ashi said that [they may be used] even if the greater part of that field does not obtain its supply [from that canal], because since its flow is continuous [the owner] says. if it [the field] does not get enough drink on [this] one day, it will [soon] get its drink in two or three days.'<sup>22</sup>

Our Rabbis taught: 'If a pool gets tricklings from<sup>23</sup> an irrigated field [higher up], it may be used for watering another field'.<sup>24</sup> But is it not going [ultimately] to give out? — Said R. Jeremiah: For the present at any rate it is still trickling! Said Abaye: This is [permitted] only so long as the first source has not given out.<sup>25</sup>

It has been taught: R. Simeon b. Menassia says: Where two cultivated beds lie one above the other, one should not<sup>26</sup> draw from the [supply of the] lower to water the upper. R. Eleazar b. Simeon went even further, saying: Even in one bed, if half of it is low and the other half higher one should not draw from the low-lying part to water the upper part.

Our Rabbis taught: 'One may raise [Medallin]<sup>27</sup> for the vegetables if they are to be eaten; but if it is to improve their

# MO'ED KOTON – 2a-29a

appearance it is forbidden'. Rabina and Rabbah of Thospia<sup>28</sup> were [once] walking on the road when they saw a certain man drawing buckets of water during the festival week.<sup>29</sup> Said Rabbah of Thospia to Rabina: Come, Sir, put a ban<sup>30</sup> on him. Said Rabina to him, But is it not taught: 'One may raise<sup>31</sup> for vegetables to be eaten'? — Replied Rabbah, Do you think that this Medallin means one may raise water [in buckets]?<sup>32</sup> [No], what Medallin means is

(1) Accordingly 'plowing' is Biblically forbidden in the pre-sabbatical extension and the offender would be liable to a flogging were it not for the inferences derived from the other text of Lev. XXV, 4-5, as expounded above, 3a. Cf. Tosaf. 3b s.v. שהרי and Han.

(2) I.e., not ordained to be done on any particular day.

(3) 'The sheaf of the first fruit of your (barley) harvest'. V. Lev. XXIII, 10ff. R. Ishmael holds that this may be reaped even on Sabbath. R. Ishmael's statement is for the moment irrelevant, though it comes in later. R. Akiba's dictum shows that the extension, i.e., the pre-sabbatical bar on tillage, is not merely a pristine Halachah-usage, but has textual basis.

(4) Cf. M. Sheb. I, 4 and Mak., Sonc. ed. p. 48.

(5) Down to New Year's eve.

(6) Thirty days before New Year, which prohibition was extended by Beth Shammai and Beth Hillel to Passover and Feast of Weeks, according to the field.

(7) Who, unlike R. Akiba, uses that text for another point, namely, as permitting reaping the barley for the 'Omer even on a Sabbath, if that is the date.

(8) Gezerah Shawah (V. Glos.) which some admit and others do not.

(9) I.e., Ex. XXXIV, 21 taken with Lev. XXV, 2 ('a Sabbath-rest year-unto the Lord').

(10) Mentioned together with the tradition regarding the ten saplings, supra 3b.

(11) With the fall of the Temple and the Jewish State many of the laws appertaining to the Temple and the Land fell into abeyance owing to the force of circumstances. Recently, I. S. Zuri has attempted to establish that Rabban Gamaliel's abrogation was enacted soon after May 215 C.E. when Caracalla entered Antioch and thence marched his armies through Palestine on his way to Egypt, when the people had to pay 'annonae' to feed the armies. V. his שלטון הנשיאות והועד I, Vol. III, 58-59.

(12) If stored rain water is permitted, one will also work a shadoof.

(13) When much of it has been drawn off he will have to go deep down with his bucket, with almost as much exertion as from a shadoof.

(14) [And we do not apprehend the possibility of the pool drying up when he might go and fetch water from another river, with all the extra trouble it involves.]

(15) R. Ashi.

(16) R. Johanan, who prohibits rain water on account of a swipe-well.

(17) [Presumably because we apprehend lest he may go deep down with his bucket should the water be drawn off and the same should apply to the case of R. Zera.]

(18) And there is no likelihood of leading to exertion during the Festival Week.

(19) The former rough-cut and the latter well-made (Commentators on Alfasi). J.M.K. I, 1 reads הפיסקין והבריכה, which points to the Latin piscina, reservoir, swimming bath or fish-tank.

(20) Because their supply comes from a distance and may entail exertion should the supply fail.

(21) I.e., if the supply is plentiful.

(22) Because he will get what he may and if not enough will readily wait for a day or two for another chance, without going to exertion during the festival week.

(23) [So MS.M. Cur. edd. 'trickles water (which one gets) from'].

(24) Tosef M.K. I, 1; J.M.K. I, 1.

(25) But once the trickling has ceased the pool has lost its supply and becomes like a swipe-well or stored rain water likely to entail exertion.

(26) During the festival week.

(27) [מדלין either (i) 'Medallin' (from דלה), 'raise water by means of buckets', hence irrigate; or (ii) Madlin (from דלל) 'to lift (vegetables)' for thinning the beds. At present the first rendering is assumed].

(28) The capital of the Armeman district Thospitis.,

(29) To water his vegetables.

(30) שמתא cf. infra 17a.

(31) מדלין or מדלין from דלה to raise, draw water with bucket (דלי).

(32) In the course of the festival week.

## Mo'ed Katan 4b

to pull out [vegetables],<sup>1</sup> as we learned:<sup>2</sup> 'If one is [engaged in] thinning<sup>3</sup> vines, just as he may thin his own, so also he may thin those due to the poor;<sup>4</sup> so R. Judah. R. Meir says: He is permitted [to attend] to his own but not to those of the poor'.<sup>5</sup> Said Rabina: But it is taught [explicitly]: 'One may raise water for vegetables if they are to be eaten'! — Said



# MO'ED KOTON – 2a-29a

Rabbah [of Thospia] to Rabina: If it is thus taught, that settles the matter.<sup>6</sup>

**NOR MAY SMALL BASINS [‘UGIOTH] BE FORMED ABOUT THE VINES.** What is meant by ‘Ugioth?<sup>7</sup> — Said Rab Judah, [What we call] Banki.<sup>8</sup> It is also taught thus: These are ‘Ugioth; light hoeing done about the roots of olives and at the roots of vines.<sup>9</sup> [But] this is not so, for did not Rab Judah allow the family of Bar-Zittai<sup>10</sup> to make Banki in their vineyards? — This is not difficult: The one statement [in the Mishnah] refers to fresh [trenchings], the other [Rab Judah's] refers to re-trenching.<sup>11</sup>

**R. ELEAZAR B. AZARIAH SAYS A [WATER] CHANNEL MAY NOT BE NEWLY MADE [DURING THE FESTIVAL WEEK, NOR IN THE SABBATICAL YEAR; BUT THE SAGES SAY].<sup>12</sup>** It is perfectly in order in regard to the festival week, because he performs laborious work, but what reason can there be [against making a channel] in the sabbatical year? —

R. Zera and R. Abba b. Memel differ in the matter: One says [it is forbidden] because [the digger] seems to be doing spading [in his field]; the other says, because he is [thereby] preparing the banks for sowing. What is the [practical] difference between the two [explanations]? —

There is a difference where water comes along forthwith; according to the one who says that [it is] because he is preparing the banks for sowing, there is [still an objection], but according to the one who says that [it is] because he seems to be doing spading, there is none.<sup>13</sup> But, the one who objects on the ground that he seems to be doing spading, should he not likewise object on the ground that he seems to be preparing the bank for sowing? —

Rather, the [practical] difference between them is where he takes [the mould] from the trench and throws it outside. According to the

one who says that [it is] because he seems to be preparing the banks for sowing, there is no objection, whereas according to the one who says that [it is] because he seems to be spading, there is [still an objection]. But, he who takes the view that he seems to be preparing the banks for sowing, should he not likewise admit the objection that he seems to be doing spading? —

[No,] because one who does spading, as soon as he takes up a spadeful he puts it down again in its place. Amemar taught this [clause of the] Mishnah with the explanation [that R. Eleazar b. ‘Azariah forbids making a channel] ‘because he seems to be doing spading [in his field]’<sup>14</sup> but felt some difficulty about it in view of another statement of R. Eleazar b. ‘Azariah. Could R. Eleazar b. ‘Azariah [said he] have held the view that wherever one seems to be spading [his field],<sup>14</sup> it is forbidden? And he contrasted that with the [statement in the] following [Mishnah]:<sup>15</sup> One may lay up a store of manure [in his field].<sup>14</sup>R. Meir says he may not until he places it either three handbreadths below or three handbreadths above [the surface]. If he had some small quantity [already there] he may go on adding thereto. R. Eleazar b. ‘Azariah says [even then] he may not until he puts it down either three handbreadths below, or raises it three handbreadths above [the surface],<sup>16</sup> or places it on a rock!’ — R. Zera and R. Abba b. Memel [explained this seeming discrepancy], one said: [The latter Mishnah means where], for instance, he has had the place excavated; the other said: [The reason there is because] the manure heap itself attests his intention.<sup>17</sup>

**AND [A CHANNEL] THAT HAS GOT OUT OF ORDER MAYBE RE-PAIRED.** What is meant by OUT OF ORDER? — Said R. Abba:<sup>18</sup> ‘It means that if it is [now, for instance] but one handbreadth in depth, he may restore it to [a depth of] six handbreadths’. It is obvious that [to restore it] from half a handbreadth to [the original] three, seeing that there was [originally]

# MO'ED KOTON – 2a-29a

scarcely any flow of water, it is nothing at all;<sup>19</sup> [to deepen it] front two handbreadths to [the original] twelve<sup>20</sup> which involves extra exertion,<sup>21</sup> is not [allowed]. What about [deepening it] front two [handbreadths] to [the original] seven? [Do we argue that] as in the first instance [it was explained above] he deepens it by five handbreadths, [from one to six], so here he deepens it by five handbreadths [from two to seven];<sup>22</sup> or, maybe that as in this instance he [actually] deepens the channel by an extra handbreadth there is extra exertion, and hence it is forbidden? — It stands undecided.

Abaye allowed the people of Harmek to clear away<sup>23</sup> [the growths obstructing]<sup>24</sup> the canal.<sup>25</sup> R. Jeremiah allowed the people of Sacutha to dredge the canal that had become blocked.<sup>26</sup> R. Ashi allowed the people of Matha-Mehasia to clear obstructions from the river Barnis, saying that as the public obtained their drinking water from it was virtually a [pressing] public need, and we learn: **AND ALL PUBLIC NEEDS MAY BE PERFORMED.**

- (1) I.e., one may lift vegetables for thinning and improving the crop. If the vegetables pulled up are to be eaten in the course of the festival week, and it should be vocalized to read Madlin.
- (2) Pe'ah VII, 5. Cf. IV.
- (3) מידל from דלל.
- (4) V. Lev. XIX, 10; Deut. XXIV, 21.
- (5) Because he has no right to handle them, as if they were his.
- (6) It is taught.
- (7) Grooves, ditchlets, or circular depressions, or trenching drawn around a group of vines. V. n. 5 on Mishnah.
- (8) Little hollows, basins.
- (9) Tosef. M.K. I, 2. Cf. Ibid. Sheb. I.
- (10) A well-known family referred to in Yeb. 21b.
- (11) Lit., 'old ones'.
- (12) V. Mishnah 2a.
- (13) The flow of water in the trench shows that he has no intention of spading the field.
- (14) In the sabbatical year.
- (15) Sheb. III, 3.
- (16) Here R. Eleazar b. 'Azariah permits digging in the field in the sabbatical year to prepare a place for the manure store without seeming concern about giving a wrong impression, that he

is said to have had in his mind when he prohibited the making of a water channel.

(17) Lit., 'is the proof for him'. Cf. J.M.K. I, 2. J. Sheb. III, 2.

(18) D.S. react Abbahu.

(19) It is useless work to be done in the festival week (Rashi).

(20) That is, proportionately double, i.e., from one to six and from two to twelve.

(21) V. supra 2a, pp. 3 and 4.

(22) And it should therefore be permitted.

(23) During the festival week.

(24) Projecting from the banks, or weeds choking the canal.

(25) Or stream.

(26) According to J.M.K. I, 2 it was a public bathing pool that had got into disorder at Sacutha and R. Abbahu allowed the repairing to be done in the festival week.

## Mo'ed Katan 5a

**AND IMPAIRED WATER-WORKS<sup>1</sup> IN THE PUBLIC DOMAIN MAY BE REPAIRED AND CLEANED OUT.** [That is to say only] to repair, but not to be dug [afresh]. Said R. Jacob as reporting R. Johanan: This was taught only where there is no public need; but where there is public need<sup>2</sup> for it even [fresh] digging is allowed. And where there is a public need is digging allowed? Surely it is taught: 'Wells,<sup>3</sup> ditches or caverns of a private person may be cleaned out, and needless to say, those of the public; but wells, ditches or caverns of the public may not be dug and still less those of a private person'.<sup>4</sup> Does not that mean that [digging is not allowed] even where the public has need of it? —

No, [only] where the public has no need of it. Then similarly the reference to a private person is where the private person has no need of it, but in that case is 'cleaning out' allowed? Surely it is taught: 'Wells, ditches or caverns of a private person may have water run into them, but they may not be cleaned out, nor have their cracks plastered; but those of the public may be cleaned out and their cracks may be plastered'? —

But what else [are we to say] but that the private person has need of it; in which case

# MO'ED KOTON – 2a-29a

[the references to the public is similarly where the public has need of it? But where the public has need of it, is digging forbidden? Surely it is taught: 'Wells, ditches or caverns of a private person may have water run into them or be cleaned out; but their cracks may not be plastered, nor may the scourings be put into them,<sup>5</sup> nor may they be plastered with cement. But those of the public may be dug and plastered with cement'.<sup>6</sup> But [if so], the first [Baraita] is difficult. Explain it thus: 'Wells, [ditches or caverns] of a private person [may be cleaned out]' — providing he has need of them, 'and needless to say those of the public' —

when the public has need of them, as then, even digging is allowed.<sup>7</sup> 'But wells, ditches or caverns of the public are not to be dug' — when the public has no need of them, 'still less, those of a private person', as when a private person has no need of them, even cleaning out is not allowed.

R. Ashi remarked: Our own Mishnah is also precisely worded [to the same effect] as it states **AND ALL PUBLIC NEEDS MAY BE PERFORMED**. What is the force of **ALL**? Is it not meant to include digging? —

No; it is to include [other instances] such as are taught [in the following]: 'They [Public Commissioners] go forth to clear the roads of thorns, to mend the broadways and [main] highways and to measure the [ritual] pools; and if any [ritual] pools be found short of forty [cubic] se'ahs of waters they train a continuous flow into it [to ensure] forty se'ahs'. And whence do we know that if they did not go forth and attend to all these [public needs], then if any blood be shed there [through] this neglect [Scripture] lays [blame] on them, as if they themselves had shed it? From the instructive text, And so blood be upon thee.<sup>9</sup> But surely [the Mishnah does] state these instances expressly: **AND ROADS, BROADWAYS AND [RITUAL] WATER POOLS AND ALL PUBLIC NEEDS MAY BE PERFORMED!** What else [then] may be

included under this word **ALL**? Is it not digging [afresh if required by the public]? This proves it.

**AND GRAVESIDES MAY BE MARKED. R. Simeon b. Pazzi** said: Where is an indication in the Torah that gravesides should be marked? In the instructive text: [And when they pass through... the land] and one seeth a man's bone then shall he set up a sign by it.<sup>10</sup> Said Rabina to R. Ashi, But who told us that<sup>11</sup> before Ezekiel came? —

[Said the other]: Accepting your view, with regard to the statement made by R. Hisda<sup>12</sup> [namely]: This point we do not learn from the law of our Master Moses; we learn it from the words of [prophet] Ezekiel the son of Buzi: No alien, uncircumcised in heart and uncircumcised in flesh, shall enter into My Sanctuary.<sup>13</sup> [We might equally ask], who had told us that before Ezekiel came and stated it? Only, that was first learnt by oral tradition and then Ezekiel came and gave us a textual basis for it; here too, it was first learnt as an oral tradition and then Ezekiel came and gave us a textual basis for it.

R. Abbahu suggested that it may be derived from this [text]: And he shall cry, 'Unclean! Unclean!'<sup>14</sup> [That is], impurity cries out [to the passer-by] and tells him, 'Keep off!' And R. 'Uzziel, the grandson of the elder R. 'Uzziel said the same, [that] impurity cries out and tells him, 'Keep off!' But was this [text] intended for this lesson? It is required for what has been taught: And he shall cry 'Unclean! Unclean!'; [this teaches that] one must needs make his distress known to many, that many pray for mercy on his behalf? —

If that be so, let the text read 'Unclean' [but once]; why has it 'Unclean', 'Unclean' [twice over]? Infer [from it] the two points. Abaye said [that the rule<sup>15</sup> may be derived] from here: And put not a stumbling-block before the blind.<sup>16</sup> R. Papa said: And he will say, Cast ye up, cast ye up, clear the way.<sup>17</sup> R. Hinena suggested, Take up the stumbling-

# MO'ED KOTON – 2a-29a

block out of the way of My people.<sup>17</sup> R. Joshua the son of R. Idi said: And thou shalt show them the way wherein they must walk.<sup>18</sup> Mar Zutra said: And ye shall separate the Children of Israel from their uncleanness.<sup>19</sup> R. Ashi said: And they shall have charge of My charge,<sup>20</sup> [which implies], make safeguards to My charge. Rabina said: And to him who ordereth<sup>21</sup> [we-sam] his way will I show the salvation of God.<sup>22</sup>

Said R. Joshua b. Levi, Whoever appraises [ha-sham] his ways [in this life]<sup>23</sup> becomes privileged to behold the salvation of the Holy One, blessed be He, for it is said: '[And to him] who ordereth his way'.<sup>22</sup> Read not [we-sam]<sup>24</sup> who sets [his way], but [we-sham]<sup>25</sup> who appraises the worth [of his way], him will I show the divine salvation. R. Jannai had a certain disciple who daily raised critical points [at his college]<sup>26</sup> but refrained from raising any critical points at the periodic lectures of the Festival Sabbaths<sup>27</sup>.

(1) Damaged wells or cisterns, etc. Cf. Mishnah n. 6.

(2) Lit., 'where the public needs them.' Though there be no immediate need for it, yet 'cleaning out' may be done in the festival week.

(3) Or 'cisterns, pits.

(4) Note the absence of the proviso of 'need' in this Baraitha, which seemingly contradicts R. Johanan's quoted comment above.

(5) To fill the cracks.

(6) The first Baraitha, which forbids digging public wells even when the public has need of them, contradicts this latter Baraitha which permits.

(7) In agreement with R. Johanan's ruling.

(8) The minimum quantity of natural flowing water, calculated to allow an average person to go in and submerge himself completely. V. Mak., Sonc. ed. p. 13, n. 2.

(9) Deut. XIX, 10 in conjunction with verse 3, and Num. XXXV, 12 and 25, which was a public charge.

(10) Ezek. XXXIX, 15. This is a mere allusion as the verse refers to the future.

(11) In the Pentateuch, the main source of Law.

(12) V. Ta'an 17a and 17b.

(13) Ezek. XLIV, 9.

(14) The leper, in his state of uncleanness, shall warn those who approach him. Lev. XIII, 45.

(15) For marking off graves.

(16) Lev. XIX, 14. A traveling priest or pilgrim might by stepping unawares on a grave become defiled.

(17) Isa. LVII, 14.

(18) Ex. XVIII, 20.

(19) Lev. XV, 31; which with Num. XIX, 13, 20 has a special bearing on this marking for pilgrims on their way to visit the Temple and celebrate the Passover (Num. IX, 6ff).

(20) Lev. XXII, 9 as referring especially to priests and Levites who are charged again and again with repeated warnings. Cf. Num. XVIII, 3,4,5.

(21) In the sense of marking off the unclean paths for the people to avoid.

(22) Ps. L, 23.

(23) Some texts add these words.

(24) From the root נָשָׂא to put, place, set out, e.g., Ex. XXI, 13 and especially Isa. XLIII, 19.

(25) From the later Hebrew נָשָׂא, to estimate, the value or worth of an object or claim.

(26) Often this task was assigned to the most prominent member of the college or the Vice-principal.

(27) When many strangers were gathered to hear the master on the topics of the day. Cf. B.M. 97a.

## Mo'ed Katan 5b

He [R. Jannai] applied to him the text: And to him who ordereth his way will I show the salvation of God.<sup>1</sup> Our Rabbis taught: 'No markings are made to indicate [the presence of] a piece of flesh<sup>2</sup> [from a corpse] no larger than an olive, nor of [human] bone no larger than a barley-corn,<sup>3</sup> nor of any [human] remains which do not diffuse defilement under 'tent'.<sup>4</sup> But markings are made to indicate [the presence of] a [human] spine, a skull or the major members of a skeleton or the major number of lesser bones thereof.<sup>5</sup> And the markings are not made in cases of certainty<sup>6</sup> but [only] in cases of uncertainty. These are [instances of] uncertainty: Leafy bowers,<sup>7</sup> jutting ledges<sup>8</sup> and a Peras-area.<sup>9</sup> And the markings are not placed on the site of the impurity [itself], in order to avoid wasting what is [preserved as] pure;<sup>10</sup> nor is the marking placed far away from the spot, in order to avoid wasting any space<sup>11</sup> of the Land of Israel'.<sup>12</sup> But does not flesh of an olive's size from a human body diffuse defilement under a tent? For we learned: 'The following diffuse defilement by tent



## MO'ED KOTON – 2a-29a

[overspreading]: Flesh of an olive's size from a human dead body...?! —

Said R. Papa, We speak here of an olive's size precisely which after all shrinks [to less]: far better is it that Terumah and other meats that are pure<sup>13</sup> should be burnt [unnecessarily] on one occasion<sup>14</sup> than that they should be burnt continuously.<sup>15</sup> And these are [instances] of uncertainty: Leafy bowers and jutting ledges.<sup>16</sup> 'Leafy bowers' [means] a tree which overspreads the ground<sup>17</sup> and 'jutting ledges' are [stones]<sup>18</sup> projecting from wall enclosure.<sup>17</sup> 'And a Peras-area': as we learned: 'One who runs a plow over a grave makes the site a Peras-area'; and how much thereof has he thus affected? The full length of a furrow, one hundred cubits [each way].<sup>19</sup> But does a Peras-area convey defilement by tent? Surely, Rab Judah, citing Samuel, said that one [a pilgrim] may walk across a Peras-area cautiously fanning his way [in front of him]!<sup>20</sup> Moreover, R. Judah b. Ammi, in the name of 'Ulla, said that a Peras-area which has been [much] trampled is [considered as] clean?<sup>21</sup> —

Said R. Papa: 'This [discrepancy] is not difficult [to explain]. The former statement refers to a field where a grave has become lost;<sup>22</sup> whereas the latter refers to a field where a grave had been run over by the plow'.<sup>23</sup> But is a field where a grave has been lost<sup>24</sup> [correctly] called a Peras-area? —

Yes [indeed], for we learned: 'There are three kinds of Peras-areas — [a] a field where a grave has been lost<sup>25</sup> [b] a field where a grave has been run over by the plow<sup>26</sup> and [c] the weepers' field'.<sup>27</sup> What is the weepers' field? —

R. Joshua<sup>28</sup> b. Abba explained in the name of 'Ulla that it is a field where they bid final farewell<sup>29</sup> to the dead. And wherefore [is it held as a defiling area]? —

Said [R. Hisda, as reporting]<sup>30</sup> Abimi, [It is] because there is here a possibility<sup>31</sup> of abandoned ownership.<sup>32</sup> But does not a field where a grave has been run over by the plow require to be marked? Surely it is taught: 'If one came upon a marked field without knowing its character,<sup>33</sup> then if there are trees on it, it is thereby indicated that a grave in it had been run over by the plow;<sup>34</sup> if there are no trees, it is thereby indicated that a grave has been lost in it.<sup>35</sup> R. Judah says: [The presence of trees is no criterion] until there is some elder or disciple [to attest it], for not all are well versed on the subject [of proper markings]! —

Said R. Papa: What is taught in this [latter Baraita] refers to a field in which a grave had been lost, and which had [consequently] been marked. If there are trees on it, it is thereby indicated that a grave had been run over by the plow [subsequently]; if there are no trees on it, it is indicated that a grave had been lost in it.<sup>36</sup> But is there not a danger that the trees are situate within the field and the grave was outside?<sup>37</sup> — as 'Ulla said [elsewhere that we speak of a case where]<sup>38</sup> the trees are situate on the boundaries [of the field] here likewise they were situate on the boundary line.<sup>39</sup>

(1) In appreciation of his disciple's thoughtful considerateness towards himself on those special public occasions. Cf. Ta'an. 9b and B.K. 117a.

(2) As flesh soon shrinks to less than its (traditional) minimum size of an olive and is then impotent to cause defilement without direct contact, Num. XIX, 13-16; Ohal. II, 3.

(3) Which is (traditionally) the minimum size for human bone to cause defilement by direct contact. V. references in previous note and Tosaf. s.v. עצם.

(4) Anything extending to one handbreadth over dead human remains represents the 'tent' of Num. XIX, 14, to diffuse defilement without contact, unless it is less than the minimum size.

(5) Any of these enumerated defile under cover without coming into direct contact with the object or grave. Any covering to the extent of one handbreadth, say his coat tail or sleeve spread, or hanging down over the spot, is enough to defile him, even if neither he nor his garment touch the unclean thing or spot.

# MO'ED KOTON – 2a-29a

- (6) As people take care of their own accord not to run the risk of personal defilement or the loss of sacred meats.
- (7) Lit., 'coverings', arbors, groves, avenues or single trees whose thick branches are full of foliage, constitute a 'tent', to spread the defilement to the walker; cf. Tosaf. s.v. אילן.
- (8) E.g., stone copings, boards and ledges projecting from cemetery walls each way within and without, constitute a 'tent'. These are doubtful, as one is not certain whether there is a corpse near by within.
- (9) Defined lower down. On the term v. Pes., Sonc. ed. p. 492, n. 4.
- (10) Which may be brought close to the grave and defiled before one is aware. To those pure' things belong e.g., the priest's due — Terumah 'first-fruits', 'second tithe', etc. Cf. Num. XVIII, 11-13;26-30.
- (11) I.e., declaring any of it unclean unnecessarily.
- (12) Cf. Sot. 30b.
- (13) Reading טהרות (instead of קדשים), as holy sacrificial meat is not carried about.
- (14) While the human dead flesh, soon after the burial is still of the size potent to defile.
- (15) Through the unnecessary space included in the marking. Holy food or drink (wine, corn, fruit and oil) could not be given away or thrown away, it had to be burnt.
- (16) Explaining the above technical terms.
- (17) Near a cemetery; Ohal. VIII, 2.
- (18) The word 'stones' is omitted in the above Baraitha as the fence or wall enclosure may be any of other materials.
- (19) Ibid. XVII, 1. (Cf. 'furlong' as the length of a furrow).
- (20) With bellows or a spade to blow away from his path, without touching any piece of splintered bone cast up by the plow. They used to bury the dead in a very shallow grave, barely three handbreadths under the surface, which were therefore easily exposed. Cf. Tosaf. s.v. מנפה and Ohal. XVIII, 5.
- (21) And need not be marked or avoided. (Han.).
- (22) And, as it cannot be located, the whole field is considered a place of defilement.
- (23) The plow, we assume, crushes the bones rendering them impotent to communicate tent-defilement.
- (24) So according to Wilna Gaon. Cur. edd., that was plowed over.
- (25) Ohal. XVIII, 3.
- (26) Ibid. 2.
- (27) Ibid. 4'
- (28) Better D.S.; 'R. Hoshai in the name of 'Ulla'.
- (29) The 'broad place' or forum provided on the cemetery.
- (30) So D.S. and Ritba.
- (31) Lit., 'a touch of', contingency.

- (32) Loose limbs may have been dropped in transit, which the mourners being unable to identify, leave abandoned. On the practice of collecting bones after temporary burial and transferring them to their permanent place of rest v. infra 8a and Ber. 18a.
- (33) Whether a grave had been lost in it, and the field cannot then be traversed by 'fanning', or whether the grave had the plow run over it in which case it may be traversed by 'fanning'.
- (34) For the sake of the trees, this shows that a field in which a grave had been run over by the plow is marked.
- (35) As such a field is not to be planted, Ohal. XVIII, 3; Tosef. Ohal. XVII.
- (36) And had not been plowed over.
- (37) I.e., where the soil had not been plowed, so that it is treated like a field wherein a grave had been lost.
- (38) Ned. 42b.
- (39) And since dead are not buried on the road, the grave must be among the trees and has been run over by the plow, when the field has been tilled for the good of the trees.

## Mo'ed Katan 6a

But perhaps the defilement lies within the field while the trees stand on the outer sides [of it]?<sup>1</sup> —

They were planted irregularly.<sup>2</sup> Or, if you like, I may explain by what was said above: Nor is the marking placed far away from the spot, in order to avoid wasting any space of the Land of Israel.<sup>3</sup> 'R. Judah says [the presence of trees is no criterion] until there be some elder or disciple [to attest that it has been plowed], for not all are well versed in the subject [of markings]'. Said Abaye: You may infer from here, that when a scholar is resident in a place, all local matters devolve upon him. Said Rab Judah: If one comes across a [single] stone which is marked [with lime], the space under it is defiled; if two stones [with markings] then if there is lime on the space between them, the space between is defiled, and if there is no lime between them, the intervening space is clean, even though there is no [sign of] tilling [there]. But surely it is taught: 'If one comes upon one stone which is marked, the space under it is defiled, if on two stones, if there is tilling between

# MO'ED KOTON – 2a-29a

them, the intervening space is clean, if not, it is defiled'? —

Said R. Papa. Here [it is a case where] the lime had been poured on top of the stones and got spread here and there. [Now] if there is any tilling [in the space] between them, [the space] between is clean, because it may be presumed that the [splashed] lime had got peeled off by the tilling; whereas if there is not [any trace of tilling] the lime is intended to mark the space between and it is 'defiled'. Said R. Assi:<sup>4</sup> If one boundary is marked, that side [alone] is 'defiled', but the rest of the entire field is 'clean'. If two [are marked] those [alone] are 'defiled', but the rest of the entire field is 'clean'; if three [are marked], those are 'defiled', but the rest of the entire field is clean; if the four [boundaries are marked] they are clean and the entire field [within] is 'defiled', for the Masters<sup>5</sup> said: 'Nor is the marking place far away from the spot, in order to avoid wasting space of the Land of Israel'.<sup>6</sup>

**AND [PUBLIC COMMISSIONERS] SET OUT [ALSO] TO INSPECT DIVERSE SEED-CROPS.** But do we set out for inspecting seed-crops during the festival week? This is contradicted by the [following]: On the first of Adar announcements are made about the [contribution of] shekels and about the diverse crops. On the fifteenth thereof the scroll [of Esther] is read in the [ancient] walled cities and [commissioners] go forth to clear the roads of thorns, mend the broadways, measure the [ritual] water-pools and to perform all public needs, and they mark the gravesides and go forth to inspect the diverse seed-crops?<sup>7</sup> —

R. Eleazar and R. Jose b. Hanina [gave differing explanations], One said, The latter statement speaks of earlier crops,<sup>8</sup> the other of later<sup>9</sup> crops; the other said, In one cases [they go out to attend] to grain crops, in the others to vegetable crops. R. Assi, reporting R. Johanan said: The rule laid down [in the Mishnah] applies only when the sproutings

[of the season are late and] had not become recognizable<sup>10</sup> [before then]; but where the sproutings had become recognizable [before], they went forth about them [even earlier]. Why do we particularly set out during the festival week? R. Jacob reporting R. Johanan explained that it was because the wages given for labor are then low with us.<sup>11</sup> R. Zebid, or some say, R. Mesharsheya said: From the afore —

mentioned [explanation] you may infer that when pay was given,<sup>12</sup> it was given them out of the Terumah of the [Shekel] Chamber;<sup>13</sup> for if you should suppose that they [the owners of the fields] themselves paid, what difference does it make to us? Let them pay whatever they ask.<sup>14</sup> And how much [constitutes an admixture]?<sup>15</sup> Said R. Samuel b. Isaac, The same as we learned:<sup>16</sup> Every Se'ah of seeds that contains one quarter [of a Kab]<sup>17</sup>

- (1) And the grave has not been disturbed at all. What is the indication of the trees in such a case?
- (2) Not in even rows, but promiscuously and thus the whole site had to be disturbed by the plowing.
- (3) [And since the marking is in proximity to the trees, it is evident that the defilement lay between the trees].
- (4) Explaining the precise principle and system of marking, by confining the markings close to the spot of defilement.
- (5) In the Baraita, supra 5b.
- (6) [Consequently where the whole field was defiled the whole of the four boundaries had to be marked. As to the cleanliness of the boundaries themselves, v. Tosaf. s.v.  $\text{האם}$ .]
- (7) Shek. I, 1. Meg. 13b.
- (8) In mid Adar.
- (9) In our Mishnah again directing it to be done in mid Nisan during the festival week.
- (10) Cf. e.g., Ex. IX, 32.
- (11) As ordinary work, apart from emergencies, is suspended during the festival week.
- (12) For the work.
- (13) V. Shek. III, 1.
- (14) As this was a punitive campaign against the inobservant, let them be mulcted.
- (15) What quantity of diverse seeds necessitate; the pulling up of the (offensive) crop?
- (16) In reference to initial sowing, Kil. II, 1.
- (17) A Se'ah contains six Kabs and a quarter of a Kab's admixture is therefore one twenty-fourth of

# MO'ED KOTON – 2a-29a

the Se'ah, or enough seed to be sown in a field of 50 X 50 cubits.

## Mo'ed Katan 6b

of another kind must be reduced.<sup>1</sup> But it is taught: They [the authorities] introduced a rule that they should declare ownerless the [crop of the] entire field? —

That is not difficult [to explain]. The former [Mishnah] states the practice before the [new] rule, while the latter [of the Baraitha] gives the practice after the [introduction] of the rule, as it is [distinctly] taught: Formerly they [the public commissioners] used to uproot [the diverse-crop], throwing it to the cattle, at which the owners were doubly pleased, for one thing that they weeded their fields for them, and again that they threw [the forbidden crop] to the cattle; thereupon they made a [new] regulation that they should pull up [the forbidden crop] and cast it on the road. And still the owners were greatly pleased, because they weeded their fields. Thereupon they instituted that they should declare ownerless the crop of the entire field.<sup>2</sup>

**MISHNAH.** R. ELIEZER B. JACOB SAYS: WATER MAY BE DRAWN FROM [ONE] TREE TO [ANOTHER] TREE,<sup>3</sup> PROVIDED THE WHOLE FIELD IS NOT WATERED IN THIS WAY.<sup>4</sup> SEEDS<sup>5</sup> THAT HAVE NOT HAD [ANY] DRINK BEFORE THE FESTIVAL WEEK MAY NOT BE WATERED DURING THE FESTIVAL WEEK.<sup>6</sup> THE SAGES HOWEVER ALLOW IT IN BOTH THE ONE CASE AND THE OTHER.<sup>7</sup>

**GEMARA.** [NOT...THE ENTIRE FIELD]. Said Rab Judah,<sup>8</sup> If the field has a clayey<sup>9</sup> soil he may [water it].<sup>10</sup> It is likewise taught:<sup>11</sup> When they said<sup>12</sup> that it is forbidden to water them during the festival [week], they referred only to seeds that had not drunk before the festival; but seeds that had drunk before the festival may [again] be watered during the festival [week]; and if the field was a clayey soil, it is allowed [to water it]. And a bare<sup>13</sup> field is not watered during the festival [week]; but the Sages allow it<sup>14</sup> in the one case and in

the other. Said Rabina: You may infer from here that a garden plot may be sprinkled<sup>15</sup> in the festival week. For in the case of a bare field, why is it [permitted]?<sup>16</sup> Because it just quickens a tardy soil; here too, it just quickens a tardy soil.

Our Rabbis taught: 'A white field may be sprinkled<sup>17</sup> in the sabbatical year, but not during the festival [week]'. But it has been taught: It may be sprinkled either in the sabbatical year or during the festival [week]?<sup>18</sup> —

Said R. Huna, This [discrepancy] is not difficult [to explain]; the former [quotation] states the view of R. Eliezer b. Jacob<sup>19</sup> and the latter that of the Rabbis.<sup>20</sup> Another [Baraitha] taught: A white field may be<sup>21</sup> sprinkled in the pre-sabbatical year so that the greens may sprout in the sabbatical year. Nay, more, a white field may be<sup>21</sup> sprinkled in the sabbatical year, so that the greens may sprout [better] in the post-sabbatical year.

**MISHNAH.** MOLES AND MICE MAY BE TRAPPED IN A TREE-FIELD OR WHITE FIELD IN THE USUAL WAY<sup>22</sup> DURING THE FESTIVAL [WEEK] AND IN THE SABBATICAL YEAR: BUT THE SAGES<sup>23</sup> SAY, IN THE TREE-FIELD IN THE USUAL WAY AND IN THE WHITE FIELD NOT IN THE USUAL WAY: AND A BREACH MAY BE BLOCKED UP DURING THE FESTIVAL [WEEK] AND IN THE SABBATICAL YEAR ONE MAY BUILD IN THE USUAL WAY.

**GEMARA.** What is ESHUTH?<sup>24</sup> — Said Rab Judah: [It is] a creature which has no eyes. Raba b. Ishmael, some say, R. Yemar b. Shelemia, said, What [may be the] text [for this]? — 'Let them [the wicked] be as a snail which melteth and passeth away; like the young mole [esheth]<sup>25</sup> which hath not seen the sun.'<sup>26</sup>

Our Rabbis taught: Moles and mice may be trapped in a white field and in a tree-field in the usual way and ants' holes may also be



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destroyed. How are they destroyed? Rabbah Simeon b. Gamaliel says: Earth is fetched from one hole and put into another and they<sup>27</sup> strangle each other. R. Yemar b. Shelemia said in the name of Abaye, That is [effective] only if [the nests are] situate on two sides of the river; and that [again], if there is no bridge; and that [again], if there is not [even] a [crossing] plank; and that [again], if there is not even a rope [to cross by].

- (1) Or when already sown and sprouting the admixture is to be pulled up.
- (2) As a deterrent, s.v. Shek. 1, 3.
- (3) If the fruit-trees need it.
- (4) I.e., under this pretext.
- (5) Grain crops, white and leguminous, in contrast to fruit-trees.
- (6) Either because they then require fuller attention, entailing greater exertion, or to discourage leaving the task for this week of leisure.
- (7) The Sages disagree in both clauses of the Mishnah, i.e., that they do allow watering the entire orchard by training from tree to tree, and allow watering seeds even if they had not been watered before the festival.
- (8) D.S.: R. Huna.
- (9) 'Trees, shrubs... generally thrive better in heavy soil'. 'Clays are especially of a porous nature and consequently retentive of water and plant food'. H. J. Webb, *Element, Agriculture*, 1896, p. 20.
- (10) Otherwise the soil goes hard.
- (11) Var. lec. insert, R. Eliezer b. Jacob said.
- (12) R. Eliezer b. Jacob and those who share his view.
- (13) I.e., a plot uncultivated at the moment; cf. Pes. 55a and Lewin Otz. Hag. IV, 3, No. 6, p. 10.
- (14) Both in the case of seeds that were not watered before the festival, and in the case of a bare field when an extra chance supply of water occurs, thereby to fit the soil for its turn to be sown or planted.
- (15) By hand, jug or watering pot but not by regular irrigation, i.e., running the water into the field by ridges or channels.
- (16) According to the Rabbis. So taken in Otz. Hag. l.c. and Tosaf. here s.v. 'א but Han. explains differently.
- (17) Of cereals and legumina. Rashi here takes it as a Baal-field, i.e., one favorably situated as regards rain and sunshine.
- (18) This is in agreement with Rashi and Tosaf. according to the reading in our text. Var. lec.: 'May not be sprinkled... neither in the sabbatical year nor during the festival (week)'. V. Han. Alfasi. The reading is discussed by the Tosafist R.

Shimshon (b. Abraham) of Sens in his commentary on Sheb. II, 10.

(19) Who disallows (in the Mishnah) watering the whole field in the festival week (and sprinkling marrows with 'white earth' even in the sabbatical year). Sheb. II, 10 q.v.

(20) Both in our Mishnah and in the first cited Baraitha, as regards the tree-field and seeds.

(21) Tosef. Sheb. II, 1 reads 'a field'.

(22) Mishnah texts read here 'not in the usual way'.

(23) Var. lec. R. Judah; v. Gemara infra. Obviously, it is ultimately the view adopted by the Sages. 7a.

(24) The Hebrew word for 'moles' in the Mishnah.

(25) Biblical Hebrew for Eshuth.

(26) Ps. LVIII, 9.

(27) The ants of the two nests not knowing each other.

## Mo'ed Katan 7a

How much [apart]? — Up to a parasang.<sup>1</sup>

**R. JUDAH<sup>2</sup> SAYS: IN THE TREE-FIELD IN THE USUAL WAY AND IN THE WHITE FIELD NOT IN THE USUAL WAY.** Our Rabbis taught: How is the usual way? He digs a hole and suspends a trap in it. How is the unusual way? He drives a stake [into the spot] or strikes it with a pick and flattens out the soil underneath.<sup>3</sup> It is taught: R. Simeon b. Eleazar<sup>4</sup> says, When they<sup>5</sup> said, ['And in the white field not in the usual way'], they said it only in reference to a white field situate near the city; but in a white field that is situate near a tree-field [they may trap them] even in the usual way, lest these [pests] come away from the white field and destroy the tree-field.

**AND A BREACH IS BLOCKED UP DURING THE FESTIVAL [WEEK].** How is it 'blocked up'? — Said R. Joseph: With [a hurdle made of] twigs and daphne stakes. In a Baraitha it is taught: 'Loose rubble is piled up without being plastered with clay.<sup>6</sup> Said R. Hisda, This<sup>7</sup> is taught only with regard to a garden wall,<sup>8</sup> but the wall of a court<sup>9</sup> is built in the usual way. Might one suggest that the following supports him: A wall that is bulging out into the public domain may be pulled

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down and built in the usual way, because it constitutes a danger [to the passers-by]!<sup>10</sup> —

[Not necessarily]. There the reason is as stated: 'Because it constitutes a danger'.

Some [put the argument] as follows: Come and hear: A wall that is bulging out into the public domain may be pulled down and built in the ordinary way, because it constitutes a danger. That is, where it constitutes a danger he may, but if it is not a danger he may not build. May we see in this a confutation of R. Hisda? — [Not necessarily], as R. Hisda might reply: There<sup>11</sup> he may 'pull down and build', whereas here<sup>12</sup> he may build<sup>13</sup> but not pull down. Then let one in that case<sup>11</sup> likewise [merely] pull down<sup>14</sup> and not build!<sup>15</sup> — If so, he might refrain even from pulling down.<sup>16</sup>

R. Ashi said: Our Mishnah, here, gives an indication to the same effect,<sup>17</sup> for it states: **BUT IN THE SABBATICAL YEAR, ONE BUILDS IN THE ORDINARY WAY.** Now of what is it [that he may block up the breach]? If it means [the wall of] his courtyard, does this need to be stated?<sup>18</sup> It can only be, therefore [a breach in] his garden [wall] although he might seem to be doing it in order to safeguard his fruits.<sup>19</sup> You can infer it [from this].

**MISHNAH.**<sup>20</sup> R. MEIR SAYS: AN [INITIAL]<sup>21</sup> INSPECTION OF LEPROUS SYMPTOMS MAY BE MADE [DURING THE FESTIVAL 'WEEK']<sup>22</sup> FOR [THE PRIEST TO MAKE] A LENIENT PRONOUNCEMENT<sup>23</sup> [ON THE FINDINGS], BUT NOT TO MAKE A SEVERE<sup>24</sup> PRONOUNCEMENT; BUT THE SAGES SAY: [IT IS TO BE MADE] NEITHER FOR A LENIENT NOR FOR A SEVERE PRONOUNCEMENT.<sup>25</sup>

**GEMARA.** It is taught: R. Meir says that an inspection is made [during the festival week] to make a lenient pronouncement but not for a severe one. R. Jose says: Neither for making a lenient nor a severe pronouncement;<sup>26</sup> as, if you arrive at the necessity of having to make

a lenient pronouncement [on the findings] you are [likewise] bound to make a severe pronouncement.

Said Rabbi: R. Meir's statement seems appropriately applied to the case of an [observational] detention<sup>27</sup> and R. Jose's to that of a decided leper.<sup>28</sup> Said Raba, In the case of one who is [as yet nominally] 'clean',<sup>29</sup> all are agreed that he is not examined.<sup>30</sup> In regard to one under preliminary [observational] detention, all agree that he is examined;<sup>31</sup> where a difference of opinion arises is

- (1) Four Roman miles.
- (2) V. Mishnah note.
- (3) I.e., rams it down to flatten out the tunneled cavities.
- (4) Sheeltoth reads: R. Eleazar b. Jacob. Our reacting, however, is well attested.
- (5) The Sages (adopting R. Judah's view).
- (6) Cf. infra 11a.
- (7) The ruling that he may merely block it up but not build in the usual way.
- (8) Which can wait, as not much damage or loss could be caused by this temporary delay.
- (9) As the Talmudic saying goes: 'The breach invites the thief' (Suk. 26a, SBH), or the possible loss of cattle or poultry, by straying.
- (10) Tosef. I, 4; infra 13a.
- (11) The case of a dangerous wall.
- (12) Where there is no public danger.
- (13) If it had already broken down.
- (14) Just remove the danger.
- (15) During the festival week, as in the other private case.
- (16) It is therefore ultimately a case of public need which may be performed during the festival week. Cf. J.M.K. a.l., 'R. Hananiah in the name of R. Johanan (said), They permitted the last act thereof by reason of the first (the danger)'.
- (17) As R. Hisda's interpretation.
- (18) That he may build it in the ordinary way (cf. the discussion above).
- (19) 'Yet he may in the usual way in the Sabbatical year, but not in Festival week'.
- (20) The technical points involved in the discussion of this Mishnah bearing on the diagnosis of the symptoms of (biblical) leprosy and the treatment of the patient are the following: (a) The diagnosis may be made by any expert, priest or layman, 'save that the pronouncement of "cleanness" or "uncleanness" is assigned to the priest: if the priest be told that the man is "clean", he pronounces him clean; if he be told the man is

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"unclean", he pronounces him unclean'. Neg. III, 1. (b) On the findings of the first inspection the priest pronounced the patient either (i) as 'clean' and discharged, or as 'unclean', to be isolated; and (ii) in some cases of doubt, to be remanded for seven days' observational detention. Cf. Lev. XIII, 2-4ff; Neg. III, 3-4. (c) After a second inspection in doubtful cases, the priest pronounced the patient either 'clean' or 'unclean' as before, or if still in doubt a further remand for seven days' observational detention. Cf. Lev. *ibid.* 5-8; 13-17; Neg. *ibid.* 5-6. (d) On the third and final inspection he declared him 'clean' and discharged or 'unclean' to be isolated, until he recovered from his affection. During these periods the patient was allowed to consort with his wife. (e) On his recovery the patient went through two ritual purifications, (i) a preliminary, outside the town and returned home for seven days, during which, however, he was not to consort with his wife; cf. Lev. XIV, 2-8; Neg. XIV, 1-2. He then went through a second ritual purification which admitted him to the sanctuary for the sacrificial rites. Lev. XIV, 9ff; Neg. *ibid.* 3 and 7ff.

(21) *בתחילה* seems best omitted here, as seems apparent from Raba's comment *infra*, and other ancient texts, e.g., Asheri and commentaries of Alfasi, although our editions of Alfasi as well as the Mishnah texts (Babylonian and Palestinian) have it. V. Heller, *Tosaf. Yom Tob* and particularly Dr E. Baneth's full critical examination in his commentary on the Mishnah, Berlin, 1925, Pt. II, p. 161, n. 26.

(22) This (bracketed) expression is in the Mishnah text and is essential here.

(23) If the findings warrant it, to pronounce him 'clean'; and if not, to withhold the adverse pronouncement pending the festival.

(24) If the symptoms are unfavorable, to order an observational detention (first or second), or his isolation as a confirmed 'unclean' leper. Cf. *supra*, n. 11, b, c, and d.

(25) I.e., no inspection is to be made during the festival week.

(26) I.e., the view adopted by the Sages (in the Mishnah).

(27) V. p. 35, n. 3.

(28) After the first or second detention. V. the following discussion by Raba.

(29) I.e., who has not yet submitted to an inspection.

(30) During the festival.

(31) If he is pronounced 'clean' he is happy; if he is remanded for a second period he is no worse off.

## Mo'ed Katan 7b

in the case of one under a second [observational] detention: one Master [R. Meir] considers that it is left to [the discretion of] the priest, so that if the patient is [found] 'clean' he declares him 'clean', and if he is [found] 'unclean' he holds his peace; while the other Master [R. Jose] considers that, [since] it is written: [This is the law of the plague and leprosy. . .], to pronounce it clean or unclean,<sup>1</sup> [the priest has no choice].<sup>2</sup>

The Master said: Said Rabbi, R. Jose's statement seems appropriately applied to the case of a decided leper<sup>3</sup> and R. Meir's to one under [observational] detention.<sup>4</sup> But the reverse<sup>5</sup> is taught [elsewhere]? — Both versions are [variant] Tannaitic interpretations of Rabbi's observation. One [authority]<sup>6</sup> is of the opinion that the patient prefers the company of the world at large [during the Festival], while the other [authority]<sup>8</sup> holds that he prefers to retain his wife's company.<sup>9</sup> Is that to say that [according to Rabbi]<sup>10</sup> a confirmed leper may have the use of the [conjugal] bed? —

[Yes], it is taught: But he shall dwell outside his tent seven days,<sup>11</sup> [that is] he shall be<sup>12</sup> precluded from the use of the [conjugal] bed; for 'tent' means nothing but [living with] his wife, as it is said: Go, say unto them, return ye unto your tents.<sup>13</sup> R. Judah says:<sup>14</sup> [It is written,] [And after he is cleansed] they shall reckon for him seven days,<sup>15</sup> [which implies that he is precluded only] while counting his seven days ['after he is cleansed] but not while he is a confirmed leper'. R. Jose b. Judah says: '[I take it to mean he is precluded] while counting seven days [and] all the more so while he is a confirmed leper'. 'And' 'said R. Hiyya: 'I argued on this point before Rabbi'. Our Master! [said I], You taught that [King] Jotham could not have been born unto Uzziah<sup>16</sup> save during the time that he was a confirmed leper,<sup>17</sup> [to which] Rabbi replied, 'and I said so too'.<sup>18</sup> Wherein do they differ?—

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R. Jose b. Judah argues that as the All Merciful has plainly indicated<sup>19</sup> that a convalescent leper [‘shall dwell outside his tent’]<sup>20</sup> while counting his seven days [of preliminary ritual purification] it is all the more [to be expected that he be apart from his wife] while being in the state of a confirmed leper; and the [other] Master [Rabbi] argues that what has been plainly indicated is [to be kept as] indicated and what has not been indicated is not [to be assumed as] indicated.<sup>21</sup> [Reverting to Raba's explanation above], do you mean to say that [the postponement of an unfavorable pronouncement or of the time of inspection]<sup>22</sup> is [solely] dependent on the discretion of the priest?<sup>23</sup> —

Yea, indeed, as it is taught [in the following]: And on a day when [raw flesh] shall be seen in him [he shall be unclean; and the priest shall look on the raw flesh and pronounce him unclean],<sup>24</sup> which means that there is a day when you do see it in him as well as a day when you do not see it in him. Hence said they [the Sages] that if a groom developed symptoms of leprosy they grant him [delay of inspection to the end of] the seven days of the [marriage] feast,<sup>25</sup> whether it be his person, or his house<sup>26</sup> or his garment<sup>27</sup> [that is affected]; and likewise [if the symptoms developed] during a festival they grant him [the patient] all<sup>28</sup> the seven days of the festival: thus R. Judah.

Rabbi says: There is no need [to resort to this text] as it says: And the priest shall command that they empty the house<sup>29</sup> [before the priest goes in to see the plague that all that is in the house be not made unclean].<sup>30</sup> Now if [the inspection is] here delayed for his convenience, which is just an optional [matter],<sup>31</sup> may it not all the more be deferred for his [due observance of a] religious obligation?<sup>32</sup> What is the [actual] issue between them? —

Said Abaye: Merely the different expository results obtained by each from his text. And Rab said, it is the delay of inspection in an optional [matter]<sup>33</sup> that is the issue between them, R. Judah [holding] that from the [other] text [cited above by Rabbi]<sup>34</sup> we cannot learn [this],<sup>35</sup> as it is an anomaly,<sup>36</sup>

(1) Lev. XIII, 59.

(2) And he must declare one or the other, according to his findings.

(3) To make no inspection so as to avoid the adverse decision being given in the festival week.

(4) The order of the statements is reversed but not the substance.

(5) Viz., that R. Jose's ruling is appropriate to a case under second observation and R. Meir's to that of a confirmed leper.

(6) The second Baraitha which regards the view of R. Meir as appropriate to a confirmed leper and that of R. Jose to a case under second detention.

(7) Thus: R. Meir, having in mind a confirmed leper, says: ‘Inspect him now to mitigate his plight. If he is still a leper, he loses nothing. If he is found cured, he can at once get back to the town by beginning his first ritual cleansing; and although he has thereupon to part from his wife for seven days, he does not mind it as he prefers to get back to his friends in town’. And R. Jose, thinking of the case of a second detention, says: ‘No inspection! For if you find him a leper you must confirm him as such and send him into complete isolation, right away from everybody (save from his wife)’.

(8) The first Baraitha quoted.

(9) Thus: R. Jose, thinking of a confirmed leper says: ‘No inspection! For if you examine and find him clean' (cured), he must at once begin counting seven days of his ceremonial cleansing (referred to infra) and live apart from his wife. Leave him alone, therefore, just now; he prefers his wife's company to getting back to the town’. And R. Meir, thinking of a case of second observation, says: ‘Examine him to ease his plight. If you find him "clean" (cured) he is happy with the favorable decision; if "unclean", (make no pronouncement just yet, or) even if you declare him a confirmed leper and he had to be strictly isolated, he will not be much worse off, as he still retains his wife's company’.

(10) As implied in the discussion.

(11) ‘And he that is to be cleansed shall wash his clothes... and bathe himself in water and he shall be clean; and after that he may come (back) into the camp, but he shall dwell..., Lev. XIV, 8.

(12) Var. lec. (v. D.S., Han.) add here: ‘As one under a ban and as a mourner and’; cf. infra 15b.



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(13) Deut. V, 27, which is taken to mean the removal of the injunction, 'Come not near a woman' before the theophany. Ex. XIX, 14-15 and Bez. 5b.

(14) I.e., Rabbi, as in the texts of Sifra, ad loc. ed. Weiss, 71b and RID (R. Jacob David of Wishogrod) ed. Warsaw 1866, p. 61 and Yalk. 561.

(15) Ezek. XLIV, 26. Although that passage speaks of the ceremonial cleansing after contact with the dead — cf. Num. XIX, II, 12ff, 19 — it is taken exegetically, as having also a bearing on the leper's ceremonial cleansing. Cf. p. 35, n. 11e.

(16) According to calculation. V. Rashi on II Kings XV, 1; and Tosaf. s.v. יתן.

(17) Cf. II Chron. XXVI, 19ff, and II Kings XV, 5.

(18) That a leper may consort with his wife while a confirmed leper. This proves that Rabbi permits a confirmed leper the use of the conjugal bed.

(19) Lev. XIV, 8 and Ezek. XLIV, 26.

(20) Avoid marital connection.

(21) There is no need or warrant to extend the restriction. V. Tosaf. s.v. יתן.

(22) During the festival week, in a case of a second observational detention, as suggested by Raba.

(23) And not on the condition of the patient, or the ruling of Holy Writ which fixes definite periods for inspection and detention.

(24) Lev. XIII, 14-15. The first part is rendered here according to the needs of the exposition.

(25) Cf. Gen. XXIX, 27-28 with Nachmanides' commentary a.l. also J. Targum a.l.

(26) Lev. XIV, 35-38.

(27) Ibid. XIII, 47,50ff.

(28) Mishnah, Sifra and Han. read 'all the days...', which is more correct than our text, as Shabu'oth is shorter and Tabernacles is longer than seven days.

(29) Affected by symptoms of leprosy.

(30) Lev. XIV, 36.

(31) To save his effects in the house from becoming involved in defilement by the priest's declaration.

(32) Marriage is ordained in Gen. I, 22 and II, 24; the joyous observance of festivals is ordained in Deut. XIV, 26 and XVI, 11, 14-15.

(33) In the case of body leprosy (Rashi).

(34) Lev. XIV, 36.

(35) That inspection is delayed in an optional matter.

(36) Lit., 'novel', something exceptional altogether. You cannot take an exceptional instance as a basis for argument or deductions.

[on the other hand] Rabbi says [that this text] is also needed.<sup>1</sup> For had the All Merciful prescribed [only], 'And on a day when [raw flesh] shall be seen in him...' I might have said that postponement [of inspection or pronouncement on the findings] is granted only for the [due observance of a] religious obligation, but not for the sake of an optional [matter]; therefore did the All Merciful prescribe also, 'And the priest shall command'. Again, had the All Merciful prescribed only 'And the priest shall command that they empty the house...', I might have said that [postponement is granted] in the case of these effects [of the house] because the uncleanness is not that of a person, but where the uncleanness is that of a person I might say that the priest should inspect him, [without delay]: therefore it is necessary [to have both texts]. The Master said: 'There is a day when you do see it in him and there is a day when you do not see it in him. How is this implied? —

Said Abaye, If it is just so,<sup>2</sup> the Divine Law should have written: 'On a day [when]'; what then is the [import of] 'And on a day [when]?' From this you infer that there is 'a day' when you see in him... and there is 'a day' when you do not see... in him. Raba said: The whole text<sup>3</sup> is redundant altogether for if it be just so,<sup>4</sup> Divine Law might have had 'And when [raw flesh] is seen [in him]'. What then is the import of the [amplification] 'And on a day'?<sup>5</sup> From this infer that there is a day when you do see it in him and there is a day when you do not see it in him.<sup>6</sup> And Abaye?<sup>7</sup> He needs that [to teach that the inspection is held] by 'day', and not at night.<sup>8</sup> And whence derives Raba this [point] 'by day and not at night'? —

It is derived by him from, 'According to all the sight of the eyes of the priest'.<sup>9</sup> And Abaye? — He needs that [text] to exclude a person blind in one eye [inspecting a leper]. But does not Raba also require this text for that same point? — Yea, [he does] so also. But then, whence [does he derive the point]

## Mo'ed Katan 8a

inasmuch as wood and stones elsewhere are not subject to [ceremonial] uncleanness whereas here [in a house affected by leprosy] they are [made] subject to uncleanness. And

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‘by day but not at night’? — He derives it from, ‘Like as a plague was seen by me in the house’,<sup>10</sup> [that is, seen] by me, not by [the aid of] my [candle] light. And Abaye?<sup>11</sup> — If he did learn from there, I might have said that these [restrictions] obtain [only] where the uncleanness is not personal [of one's body]; but where uncleanness is that of the body, [it may be inspected] also by one's [candle] light. [Therefore] the [original] text<sup>12</sup> conveys it to us [best].

**MISHNAH.** FURTHERMORE R. MEIR SAID, A MAN MAY GATHER<sup>13</sup> HIS FATHER'S AND MOTHER'S BONES,<sup>14</sup> SINCE THIS IS [AN OCCASION] ‘OF JOY’ FOR HIM;<sup>15</sup> R. JOSE SAYS, IT IS AN [OCCASION] ‘OF MOURNING’<sup>16</sup> FOR HIM. A PERSON SHOULD NOT STIR UP WAILING<sup>17</sup> FOR HIS DEAD, NOR HOLD A LAMENTATION<sup>18</sup> FOR HIM THIRTY DAYS BEFORE A FEAST.

**GEMARA.** AS IT IS A JOY FOR HIM. [The following] was cited in contrast to this: ‘One who gathers his father's or mother's bones holds himself in mourning for them all the day,<sup>19</sup> but in the evening he does not hold himself in mourning for them [any longer].’ And R. Hisda commented thereon, even if he had them by him tied up in a sheet.<sup>20</sup> Said Abaye, I should suggest [it means], ‘because the joyousness of the feast prevails with him’.<sup>21</sup>

**A PERSON SHOULD NOT STIR UP A WAILING FOR HIS DEAD:** What is the meaning of ‘stirring up a wailing for one's dead’? Rab said: In Palestine [it is customary that] whenever a professional lamenter comes round people say, ‘Let all those who are sore at heart weep with him.

**THIRTY DAYS BEFORE A FEAST.** Why [just] thirty days? R. Kahana said that Rab Judah as reporting Rab told him that once it happened that a man saved money to ‘go up for the feast’<sup>22</sup> [to Jerusalem] when a [professional] lamenter came and stopped at his door and the wife took her husband's

savings and gave them to him, and so he was prevented from going. Then it was that they [the Rabbis] said, One should not stir up a wailing for his dead, nor hold a [funerary] lament for him thirty days before a Feast; but Samuel gave another reason, namely,

(1) I.e., although Rabbi holds that delay is afforded in the case of body leprosy even for the sake of an optional matter on the analogy of leprosy of houses etc., yet he requires the verse quoted by R. Judah.

(2) To be read just ordinarily.

(3) The word ‘on a day’.

(4) To be read just ordinarily.

(5) Which suggests, ‘yet another day’.

(6) Cf. Yeb. 72b.

(7) Why does he not explain thus the redundant phrase ‘on a day’?

(8) Cf. Shab. 132a.

(9) Lev. XIII. 12, so lit. This implies that it must be held by day when it can be seen well.

(10) Ibid. XIV, 35.

(11) Why does he not derive it from this latter text.

(12) ‘And on a day etc.’ that there is a time when you see etc.

(13) During the festival (week).

(14) It was an ancient custom to give first a temporary burial, and after the flesh had decayed to transfer the bones to a reserved tomb or mausoleum, where they were kept in cedar or marble coffins. Cf. Sem. XII.

(15) To perform a filial duty while he is free to go and ‘bring them home’ to their assigned resting place. There is another possible meaning, see the discussion later.

(16) And should not be undertaken during the festival week.

(17) The meaning apparently is (as explained by Rab later) to join others in lamenting their dead and resuscitate ones own old grief on the occasion. A funeral in the town or village provided a good occasion for such a renewed lament, when professional funerary orators, ‘lamenters’ and female dirge-singers, were available.

(18) I.e., The ceremonial lament for an individual at the time of his death and funeral.

(19) Contrary to R. Meir who allows it during the festival week and furthermore says, ‘it is a joy for him’.

(20) Even if he had not gathered them himself that day, their presence is mournful enough and it is surprising that R. Meir allowed transference and even said ‘it was a joy for him’.

(21) Not that it is an occasion of joy, but that the joy of the festive season prevails in dispensing with formal mourning. Or, that the performance of his

# MO'ED KOTON – 2a-29a

filial duty will afford him a sense of satisfaction throughout the remaining festival days (J.M.K.).

(22) On one of the three pilgrim feasts. V. Deut. XVI, 16. Cf. Ex. XXIII, 14ff. *ibid.* XXXIV, 23. The festival atmosphere is introduced by the study and discussion of its laws thirty days before. Pes. 6b.

## Mo'ed Katan 8b

because the dead cannot be put out of mind and heart for [at least] thirty days. What practical difference is there between the two [explanations]? — There is [a difference] between them, where [say], the [professional] lamenter does it without a charge.<sup>1</sup>

*MISHNAH.* KUKIN<sup>2</sup> AND BURIAL PLACES<sup>3</sup> MAY NOT BE DUG IN THE FESTIVAL [WEEK]: BUT KUKIN MAY BE ADAPTED<sup>4</sup> DURING THE FESTIVAL [WEEK] AND A NIBREKETH<sup>5</sup> MAY BE MADE IN THE FESTIVAL [WEEK] AND A BOX, WITH THE DEAD [BODY] CLOSE BY IN THE COURT [YARD]: R. JUDAH FORBIDS, UNLESS THERE ARE SAWN BOARDS AT HAND.

*GEMARA.* What are KUKIN and what are BURIAL PLACES? — Said Rab Judah, Kukin are [recesses made] by excavation and 'burial-places' [are structures made by] building. It is [actually] taught thus: 'These are Kukin and these are burial places: Kukin, are [niches made] by excavation and 'burial places' are [structures made] by building'.

**BUT KUKIN MAY BE ADAPTED.** How are they adapted? — Rab Judah said: If [for instance] one is [too] long it may be shortened. A. Tanna taught: 'He lengthens or shortens [the recess] within<sup>6</sup> [the cave]'.

**AND THEY [MAY] MAKE A NIBREKETH<sup>7</sup> ...** What is NIBREKETH?<sup>8</sup> — Rab Judah said: It is [the same as] Bekia'.<sup>9</sup> But then, is it not taught: 'The Nibreket and the Bekia' [etc.]?<sup>10</sup> — Abaye, or as some say R. Kahana, replied [They have the same relation as] a trough and a troughlet.<sup>11</sup>

**AND A RON WITH THE DEAD [BODY] CLOSE BY IN THE COURT [YARD].** We learn here what our Rabbis taught [elsewhere]: 'They [may] do all that the dead requires, they cut his hair and wash a garment for him and make him a box of boards that had been sawn on the day before the Festival. Rabban Simeon b. Gamaliel says, they [may] even bring trees and he saws them [into] boards in his house, behind closed doors'.

*MISHNAH.* ONE MAY NOT TAKE A WIFE DURING THE FESTIVAL [WEEK], WHETHER A VIRGIN OR A WIDOW, NOR EFFECT A LEVIRATE MARRIAGE,<sup>12</sup> AS IT IS A REJOICING FOR THE GROOM; BUT ONE MAY REMARRY HIS DIVORCED WIFE. AND A WOMAN MAY MAKE HER ADORNMENTS IN THE FESTIVAL [WEEK]. R. JUDAH SAYS, SHE MAY NOT USE LIME,<sup>13</sup> AS THAT IS A [TEMPORARY] DISFIGUREMENT TO HER. AN ORDINARY PERSON SEWS IN THE USUAL WAY; BUT A CRAFTSMAN SEWS A TUCK-STITCH.<sup>14</sup> AND THE CORDS<sup>15</sup> IN BED-FRAMES MAY BE INTERLACED. R. JOSE SAYS, THEY MAY [ONLY] BE TIGHTENED.

*GEMARA.* [A REJOICING FOR THE GROOM]. And if it is a rejoicing for him, what is amiss? — Said Rab Judah, as reporting Samuel, and so said R. Eleazar, as reporting R. Oshaia — and some say, R. Eleazar, as reporting R. Hanina: — It is [barred], because one 'rejoicing' may not be merged in another 'rejoicing'.<sup>16</sup> Rabbah son of R. Huna said: It is [barred] because he abandons the 'rejoicing' of the festival and busies himself with that of his wife. Said Abaye to R. Joseph: That explanation of Rabbah son of R. Huna is the same as that given by Rab.

For R. Daniel b. Kattina reporting Rab, said, Whence [is the ruling] that ONE MAY NOT TAKE A WIFE DURING THE FESTIVAL [WEEK]? For it is said, And thou shalt rejoice in thy feast,<sup>17</sup> [that is,] in 'thy feast', but not with thy [new] wife [instead]. 'Ulla

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said, [It is] because of the exertion [it occasions]. R. Isaac b. Nappaha said, Because it may cause a decline in marriage and parenthood.<sup>18</sup> An objection was raised: 'All those who have been declared to be forbidden to take wives during the festival [week]

(1) According to the former view (of Rab), even if performed gratis it may not be held, as the bitterness and grief are thereby being roused too near the festive time. Cf. Tosaf. s.v. אָדקאָ.

(2) כּוּיָן (plural of כּוּיָ) are loculi, or recesses, excavated in the sides of a sepulchral cave. V. B.B. 100bff, (Sonc. ed. p. 421ff.)

(3) A sepulchral tomb, mausoleum, built above the ground.

(4) I.e., one of the loculi already excavated may be adapted to receive a particular corpse during the festival week.

(5) נְבִרְכָה seems to denote a kind of (stone) tank, or trough used by fullers in which they soaked and cleansed soiled woolens. Cf. B.B. 19a. (Sonc. ed. p. 96). From the context however, it is quite obvious as Ritba points out — that here it is not the fuller's trough or tank, but the dead man's sarcophagus, a stone, clay or wooden coffin (box) that is allowed, such as the labella-troughs used as coffins.

(6) Tosef. M.K. I, 9.

(7) V. p. 42, n. 5.

(8) This word (connected with נְבִרְכָה — the fuller's trench or pool in Isa. VII, 3) is most probably of Assyrian origin as the form with initial N instead of M suggests, cf. מְרַבְתָּ with narkabtu. V. J.H.

(9) A small hollow creek.

(10) Which shows that they are not identical.

(11) Lit., 'son of a trough'.

(12) The marriage of a deceased's brother's widow, if the deceased had died absolutely childless. This was an obligation on the brother to keep his deceased brother's memory alive. Deut. XXV, 5ff.

(13) As a depilatory.

(14) Or with irregular stitches, like a dog's teeth. It means here that a craftsman should not do skilled work, only what is barely needed for the festival week.

(15) Or girths that support the bedding.

(16) I.e., the festival will lose its own significance in the marriage festivities.

(17) Deut. XVI, 14.

(18) Lit., '(the precept of) being fruitful and multiplying. If marriages were to be deferred till the festival season when people are free, there would be a likelihood that some might never take place at other times, apart from the congestion that such a practice might cause; and others might come to nothing because of the delay through innumerable other causes. Marriage and

parenthood are a primary duty of man and should receive every consideration. Cf. Gen. I, 27-28; II, 18, 24; IX, 1; Isa. XLV, 18.

## Mo'ed Katan 9a

are free to marry on the day previous to the festival', which presents a difficulty to all those authorities. — There is no difficulty: As to one who states [that it is forbidden] because of the 'rejoicing', [it may be said that] the main rejoicing [of a marriage celebration] lasts mainly one day.<sup>1</sup> As to the one who states [that it is] because of the exertion [it occasions here too] the main exertion falls on one day.<sup>1</sup> As to the one who says [that it is] because it may lead to a decline in marriage and parenthood, [it may be said] that for the sake of one day<sup>2</sup> a person would not put himself off [indefinitely].<sup>3</sup> Whence do we derive the principle that 'rejoicing should not be merged in rejoicing'?

From the text: So Solomon made the feast at that time and all Israel with him, a great congregation from the entrance of Hamath unto the Brook of Egypt, before the Lord our God seven days and seven days, even fourteen days.<sup>4</sup> Now, if it is the fact that one rejoicing may be merged in another rejoicing, he should have kept back the consecration ceremony [of the Temple] for the time of the feast and then have held it for seven days [concurrently], for both one and the other.<sup>5</sup> Maybe that the rule is [only] that we should not [deliberately keep a marriage] for the time of a festival,<sup>6</sup> but where it so turns out to be [opportune], we might as well hold it then? —

[If so], Solomon should have left some small part [unfinished].<sup>7</sup> But perhaps this could not be done because we brook no delay in the building of the Temple!<sup>8</sup> — Then he could have left [say], an ell of the Ravens' Scare Palisade.<sup>9</sup> [But, it may be asked,] The ell of the Ravens' Scare Palisade was an essential part of the Temple building!<sup>10</sup> Rather [it is derived] from [the fact that] the text is redundant. Consider, it is written 'fourteen



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days', wherefore the need of 'seven days and seven days'? Infer from this that these [first] seven days and those [second] seven days were distinct from each other.

R. Parnak, reporting R. Johanan, said that that year Israel did not observe the Day of Atonement, whereat they were perturbed, saying, that perhaps the enemies of Israel<sup>11</sup> had thereby incurred their doom;<sup>12</sup> whereat a Bath Kol<sup>13</sup> came forth and announced to them: 'All of you are destined for the life of the world to come.<sup>14</sup> What was the basis of their exposition? — They argued a fortiori [thus]: If within the Tabernacle, the sanctity of which was not to be in perpetuity,<sup>15</sup> yet an individual's sacrificial gifts<sup>16</sup> were allowed [at the consecration] to be offered on the Sabbath day,<sup>17</sup> which [ordinarily] is an offence punishable by stoning<sup>18</sup> to death; all the more is it the case [that it is permitted] with the Temple, the sanctification of which is to be for ever, and with public<sup>19</sup> offerings, and that on the Day of Atonement, whose desecration is an offence punished only by Kareth! But then, why were they perturbed? — Because there [in the former case] the offerings were brought as dues to the Supreme Being;<sup>20</sup> whereas here, they were brought for their [own] common needs.<sup>21</sup> Then here too, should they not have made their offerings without partaking [on that day] of any meat or drink?<sup>22</sup> —

There is no joyous celebration without eating and drinking.<sup>23</sup> Whence do we know that at [the consecration of] the Tabernacle the Sabbath restrictions were suspended? Shall I say because it is written, 'On the first day [So-and-so offered]... on the seventh<sup>24</sup> day [So-and-so offered], then [say I], maybe it means the seventh day [in the order] of the offerings?<sup>25</sup> Said R. Nahman b. Isaac: The text says, 'On the day of the eleventh, day'<sup>26</sup> just as a day is continuous, so were the eleven days continuous.<sup>27</sup> But perhaps, it means [continuous] on days appropriate?' — Then there is yet another such text, On the day of the twelfth day,<sup>28</sup> — just as a day was

continuous, so had the whole twelve days been entirely continuous. But that too, maybe means only continuous on days appropriate? —

If that be so, why do I require two [peculiarly worded] texts? Again, whence do we know that during the consecration of the Temple the restrictions of the Day of Atonement were suspended? — Shall I say because it is written, 'even fourteen days', maybe it means days appropriate?<sup>29</sup> — That is learnt from the analogy between the repeated word 'day' here and in the other place.<sup>30</sup> 'Whereat a Bath Kol came forth and announced to them: "All of you are destined for the life of the world to come".' And whence know we that pardon was granted them? —

For R. Tahlifa taught: [It is written], On the eighth day he sent the people away and they blessed the king and went unto their tents joyful and glad of heart for all the goodness that the Lord had shown unto David His Servant and to Israel His people.<sup>31</sup> 'To their tents', that is, they went [home] and found their wives in [a state] of purity<sup>32</sup> [to receive their husbands]; joyful', that is, that they had enjoyed the radiance of the Shechinah;<sup>33</sup> 'and glad of heart', that is, each man's wife conceived and bore him a male child. 'For all the goodness' that is, a Bath Kol had come forth and announced to them: 'All of you are destined for the life of the world to come ; That the Lord had shown unto David His servant and to Israel His people': It is perfectly clear [as to what is referred to] by 'all the goodness shown to Israel His people', as indicating that God had granted them pardon for their sin against [the non-observance of] the Day of Atonement; but what is the point of 'the goodness shown unto David His servant'? —

Said Rab Judah, as reporting Rab; At the moment when Solomon wanted to bring the Ark into the Temple, the gates held fast together. Solomon recited [a prayer of] four and twenty [expressions of] intercession<sup>34</sup> but

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had no response. He began [anew] and said: lift up your heads, O ye gates<sup>35</sup> and again he had no response. As soon as [however] he said: [Now therefore arise, O Lord God... Thou and the Ark of Thy strength...] O Lord, turn not away the face of Thine anointed, remember the good deeds of David Thy servant,<sup>36</sup> he was answered forthwith.<sup>37</sup> At that moment the faces of David's foes turned [livid] like the [blackened] sides of a pot and all became aware that the Holy One, blessed be He, had pardoned David that misdeed.<sup>38</sup>

R. Jonathan b.'Asmai<sup>39</sup> and R. Judah son of proselyte parents were studying the section of 'Vows'<sup>40</sup> at the school of R. Simeon b. Yohai. They had taken leave from him in the evening, but in the morning they came and again took leave from him. Said he to them: But did you not take leave of me yester-night? Said they to him: Our Master, You taught us, a disciple who had taken leave from his Master and remained overnight in the city must needs take leave from him once again, for it is said: 'On the eighth day<sup>41</sup> he [King Solomon] sent the people away and they blessed the King,<sup>42</sup> and [then] it is written: 'And on the three and twentieth day of the seventh month he sent the people away'.<sup>43</sup> Hence we learn from here that a disciple who had taken leave from his Master and remained overnight in the city must needs take leave from him once again. Said he to his son, 'These are men of countenance,<sup>44</sup> go along with them, that they may bless you'. He went and found them comparing text with text: It is written: Balance the path of thy feet and let all thy ways be established;<sup>45</sup> and it is written: Lest thou shouldst balance the path of life?<sup>46</sup> It is not difficult [to explain]: the former text applies where an obligation can be discharged through another person:<sup>47</sup>

- (1) In this case on the eve of the festival.
- (2) The eve of the festival.
- (3) For fear he might be prevented from marrying on that day.
- (4) I Kings VIII, 65, and more particularly, II Chron. VII, 9.

(5) To spare the people loss of time and work, as it could best be celebrated leisurely during the festival week.

(6) Even as we find that Solomon did not keep back the consecration.

(7) To be completed just before the festival so that the consecration be held on the festival. As reported, Solomon's Temple had been completed some time before. V. I Kings, VII, 51 — VIII, 1 and II Chron. V, 1-3.

(8) And thus the Temple of Solomon affords no proof for the principle against merging one joy with another!

(9) A projecting palisade of iron spikes, or according to others a sheet of iron one ell wide, was fixed with sharp edge upward all round the Temple walls. V. Mid. IV, 6 and cf. Josephus, Wars, V, 5, 6.

(10) And likewise brooked no delay.

(11) A euphemistic expression for 'Israel'.

(12) Lev. XXIII, 29-30, threatens the non-observance of the Day of Atonement. by working and eating with the penalty of Kareth.

(13) Lit., 'the daughter of the voice'. V. Glos. and R. Hirsch Chajes' study of the subject Immrei Binah, chap. VI.

(14) I.e., they felt reassured of their spiritual existence in the after life.

(15) Temporary, to be replaced by a permanent structure after the settlement in the Land of Promise.

(16) Num. VII, records the gifts which the Princes of the tribes, as individuals, brought day after day, in succession, among them 'burnt-offerings' and 'sin-offerings' which were not permitted to be eaten by the donors or the people, and the male priests alone were allowed to eat of the sin-offerings as if partaking of 'the table of the Lord'.

(17) Only the prescribed offerings were permitted on Sabbaths and festivals. Cf. Num. XXVIII.

(18) If the desecration was deliberate. Ex. XXXI, 14; XXXV, 2-3. For the expression מוֹת יוֹמָת (as by stoning), v. Lev. XX, 2, 27 and Num. XV, 32-36.

(19) I Kings VIII, 62-64, more than the sacrifices prescribed for the consecration of the Tabernacle (Lev. VIII, IX), which were permitted to the priests alone as sacred meat, whereas here they brought many 'peace-offerings' to be partaken of by the whole community. Cf. Lev. VII, 11-16 and I Sam. IX, 19-24.

(20) V. note 3 above.

(21) Making 'peace-offerings' for their own enjoyment, mainly, as only a portion was given to the altar and the priests, and the bulk went to the people.

(22) Fasting, v. supra p 45. n. 9.

(23) Cf. I Sam. IX, 19-24 cited above at the end of n. 6.

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- (24) Num. VII, 12, 18 and 48, the seventh day here being the Sabbath.
- (25) I.e., every day, the Sabbath excepted, when no other offerings save those prescribed for the Sabbath day were offered.
- (26) Num. VII, 72. The repetition of the word 'day' is taken to express the meaning 'day by day', daily without interruption. Cf. verse 11 and Solomon's prayer, I Kings VIII, 59; Lev. XXIV, 8.
- (27) I.e., gift-offerings were brought consecutively on each of the twelve days.
- (28) Num. VII, 78.
- (29) For feasting, exclusive of the Day of Atonement.
- (30) In connection with the offerings in the Tabernacle and here in the repetition 'seven days and seven days, even fourteen days'. This method of analogy is the Gezerah Shawah. See Glos.
- (31) I Kings, VIII, 66.
- (32) On the meaning of 'tent' as denoting wife, cf. supra 7b. As regards the state of purity referred to here, v. Lev. XVIII, 19 and XX, 18; XV, 19-24.
- (33) The elation of feeling the Divine Presence near.
- (34) In I Kings, VIII, 22-53, the expressions for intercession (in their nominal and verbal forms) amount to twenty-four, namely: Five in v. 28; two in 29; two in 30; two in 33; one in 35; two in 38; one in 42; one in 44; two in 45; one in 47; one in 48; two in 49; two in 52, total, twenty-four.
- (35) Ps. XXIV, 7ff.
- (36) II Chron. VI, 41-42.
- (37) The gates yielded an entry.
- (38) Against Uriah the Hittite and his wife Bathsheba, II Sam. XI.
- (39) Many texts have b. Akmai. The theme here on taking leave from a master is in continuation of Solomon's farewell to the people.
- (40) I.e., they were pursuing the method of Midrashic exposition of Num. XXX, on the law of vows ultimately formulated in the Mishnah.
- (41) The eighth day was the twenty-second of Tishri, when they bade the King farewell.
- (42) I Kings VIII, 66.
- (43) II Chron. VII, 10. Which apparently contradicts the former verse.
- (44) Men of importance.
- (45) Prov. IV, 26, i.e., carefully pick and choose your actions and duties.
- (46) Ibid. V, 5, i.e., do not pick and choose.
- (47) Should duty's calls come from several directions some of which may be discharged through some other trusty person, choose the more important and responsible tasks for yourself.

## Mo'ed Katan 9b

the latter where the obligation cannot be discharged through another person.<sup>1</sup> Again they were sitting and enquiring [into the following]: It is written: She [Wisdom]<sup>2</sup> is more precious than rubies; and all the things thou canst desire are not to be compared unto her',<sup>3</sup> [which implies] that heaven's demands [of you] are comparable to Her,<sup>4</sup> Again it is written: And all things desirable are not to be compared unto Her,<sup>5</sup> [which means] that even things that are of Heaven's desire are not comparable to Her?<sup>6</sup> The former text applies where the duty can be discharged through others, the latter — where the Duty cannot be discharged through others.

Then [turning to him] they said: 'What is your business here?'<sup>7</sup> He replied: 'Father told me, "Go along with them that they may bless you".<sup>8</sup> Said they to him: 'May it be [Heaven's] pleasure that you sow and mow not; that what you bring in go not out; that what goes out you bring not in; that your house be desolate and your inn be inhabited; that your board be disturbed and you behold not a new year'. 'When he came home to his father, he said to him: 'So far were they from blessing me that they [even] distressed me sorely<sup>7</sup>. His father asked him: 'What did they say to you?' —

They said thus and thus. Said the father to him: 'Those are all blessings. That "you sow and mow not [means], that you beget children and they do not die. That "what you bring in go not out" [means], that you bring home daughters-in-law and your sons do not die, so that their wives need not leave again. "What goes out you bring not in" [means], that you give your daughters [in marriage] and their husbands do not die so that your daughters need not come back. "That your house be desolate and your inn be inhabited" [means], that this world is your inn and the other world<sup>7</sup> is a home, as it is written, Their grave is their house for ever;<sup>8</sup> reading not "their inward thought" [Kirbam] but "their grave

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(Kibram) is their house for ever, and their dwelling places be for generations."<sup>8</sup> "That your board be disturbed" [that is]; by sons and daughters and "that you behold not a new year [means] that your wife do not die and you have not to take you a new wife".<sup>9</sup> R. Simeon b. Halafta took his leave from Rabbi.<sup>10</sup> Said Rabbi to his son: 'Go along with him that he may bless you' — Said [the parting Rabbi] to him: 'May it be [Heaven's] pleasure that you be not put to shame nor feel ashamed yourself'.<sup>11</sup> When he came to his father, he asked him: 'What did he say to you?' —

He replied: 'He made some commonplace remark<sup>12</sup> to me — Said [Rabbi] to his son: 'He blessed you with the blessing with which the Holy One [blessed be He] blessed Israel twice over; for it is written: And ye shall eat in plenty and be satisfied and shall praise the name of the Lord your God... And My people shall never be ashamed. And ye shall know that I am in the midst of Israel, and that I am the Lord your God, and there is none else; and My people shall never be ashamed.<sup>13</sup>

AND A WOMAN MAY MAKE HER TOILET DURING THE FESTIVAL [WEEK]. Our Rabbis taught: These are [permitted in] woman's adornment. She [plaits her hair]<sup>14</sup> treats her [eyes] with kohl; fixes a parting,<sup>15</sup> [trims her hair and nails<sup>14</sup> and] puts rouge on her face; some say she may use a razor for her privy parts. R. Hisda's wife made her toilet in front of her daughter-in-law.<sup>16</sup> R. Hina b. Hinena sat before R. Hisda;<sup>17</sup> as he sat he said that the instances [mentioned in the Mishnah] applied only to a young woman, but not to an elderly woman. Said R. Hisda to him: God! even to your mother, even to your mother's mother, yea even if she be standing at the [brink of the]<sup>18</sup> grave, as the saying goes: 'At sixty as at six; the sound of a timbrel makes her nimble'.<sup>19</sup>

R. JUDAH SAYS SHE SHOULD NOT USE LIME. It is taught: R. Judah says, a woman

should not use lime, as it is a disfigurement to her. R. Judah concedes, however, that [if it is] a lime [preparation] that can be peeled off during the festival week she may apply it during the festival week, because, although it is irksome to her at the moment, It is a pleasure to her afterwards. But does R. Judah hold this view? Surely we learned [elsewhere]: 'R. Judah said, Debts may be recovered [from pagan creditors during their festivals] as it is irksome to them'. They said to him, Although it is irksome [for them] at the moment, they feel pleased afterwards?<sup>20</sup>—

Said R. Nahman b. Isaac, Do not cite the rules for the festival week, as they all derive from the principle 'that though [the task] is irksome for the moment, it gives satisfaction afterwards'.<sup>21</sup> Rabina remarked that [the recovery of debts is allowed because] to a pagan the payment of a debt is always irksome. Rab Judah [reporting Rab]<sup>22</sup> said: The daughters of Israel, who attain puberty before the [normal] age,<sup>23</sup> if they are poor, put on a cosmetic preparation made of lime; richer girls put on fine-flower,<sup>24</sup> and the wealthy<sup>25</sup> girls put on oil of myrrh, as it is said: 'Six mouths with the oil of myrrh'.<sup>26</sup> What is this 'oil of myrrh'? —

Said R. Huna b. Hiyya, [It is what is called] stacte.<sup>27</sup> R. Jeremiah b. Ammi<sup>28</sup> said, It is oil obtained from olives that have reached but a third of their [normal] growth. It is taught: 'R. Judah says omphacanon<sup>29</sup> is an oil made of [unripe] olives that have reached but a third of their [normal] growth' —

And why do they put it on? Because it is a depilatory and softens the flesh [skin].<sup>30</sup> R. Bebai had a dark-skinned<sup>31</sup> daughter; he applied to her that unguent one limb at a time and this brought her a husband with four hundred zuzim.<sup>32</sup> There was a pagan neighbor of his who had a daughter, and he applied it all over her at once [and] she died; [whereupon] he said, Bebai killed my daughter. Said R. Nahman: 'R. Bebai drinks



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beer, therefore his daughters needed unguents; [but as] we do not drink beer, our daughters need no unguents'.<sup>33</sup>

(1) If there be no trusty person at hand or there be but one call, do not delay action to wait for some more important task; be it great or small, do it promptly, as delay may rob you of your chance of doing it, or you may be too late to do anything at all.

(2) The Torah.

(3) Prov. III, 15.

(4) I.e., your own affairs and wishes are not comparable to the study of Torah; but such pursuits as please Heaven, the calls of duty and religion, are comparable to it.

(5) Ibid. VIII, 11.

(6) I.e., nothing else is comparable to the study of Torah, it is absolutely supreme.

(7) The sepulcher; cf. the term *בית עלמי* and v. Eccl. XII, 5 and Han.

(8) Ps. XLIX, 12. Cf. Targum.

(9) V. Deut. XXIV, 5.

(10) Should be Rabbi instead of Rab.

(11) Reading with MS.M., SBH and Han *לא תיבוש*. the more difficult text, but supported by Rabbi's observation. Cur. edd., 'that you shame not (others) nor feel ashamed' does not accord with the quotation.

(12) So MS. M., cur. edd., 'mere words'.

(13) Joel II, 26-27. The same assurance repeated twice.

(14) So Hananel.

(15) So Ps. Rashi and SBH. Perhaps it means making the hair frizzy or curled. Cf. Shab. 64b, Keth. 4b and 17a.

(16) To show what may and what may not be done. (SBH not so Ps. Rashi). V. Strashun's Glos. ad loc.

(17) To expound the Mishnah (SBH).

(18) So D.S. and SBH.

(19) Lit., 'run', to see a wedding procession. On the custom cf. B.B. 145b (Sonc. ed. p. 625).

(20) V. A.Z. 6b. The idea is to avoid any dealings with pagans

(21) E.g., baking, cooking etc., troublesome at the moment but enjoyed later.

(22) So Han.

(23) Lit., 'years', the statutory age of twelve years and one day.

(24) A cosmetic paste.

(25) Lit., 'daughters of kings'. Cf. The Latin use of *rex, reges* for rich.

(26) Esth. II, 12.

(27) Latin *stacta*, oil of myrrh.

(28) So D.S.; SBH and Meg. 13a read 'b. Abba'.

(29) Latin *omphacium*, oil or juice of unripe olives or grapes.

(30) Cf. Targum Sheni on Esth. II, 12.

(31) So MS.M.

(32) As a gift before marriage. Cf. B.B. 146a (Sonc. ed. p. 628).

(33) Beer produces obesity and growth of hair (Rashi).

## Mo'ed Katan 10a

**AN ORDINARY PERSON SEWS IN THE USUAL WAY.** How do we define 'an ordinary person'? — At the school of R. Jannai they said, [It means] anyone who cannot draw a needle-ful during their festivals, as the means afforded them by the Jew may go to enhance the heathen celebrations. The settlement of a debt leaves the debtor with an easy mind. of stitches in one sweep. R. Jose b. Hainna said, [It means] anyone who cannot sew an even seam on the hem of his tunic.

**BUT A CRAFTSMAN MAY SEW A TUCK-STITCH.** What is meant by sewing a 'tuck-stitch'? — R. Johanan said, [It means] 'overstepping'.<sup>1</sup> Rabbah b. Samuel said, [It means that the stitches resemble] dogs' teeth.<sup>2</sup>

**AND THE CORDS MAY BE INTERLACED IN BED-FRAMES.** [R. JOSE SAYS THEY MAY ONLY BE TIGHTENED]. What is meant by 'interlacing' and what by 'tightening'? When R. Dimi came [from Palestine] he said that R. Hiyya b. Abba and R. Assi had different views on this, both reporting in the name of Hezekiah and R. Johanan. One said that 'interlacing' meant [interlacing] both the warp and the woof, and that 'tightening' meant putting in the warp without the woof;<sup>3</sup> while the other said that 'interlacing' meant putting in the warp without the woof, and tightening' meant that he may tighten a girth cord if it has become slack. But this cannot be [correct], for R. Tahlifa<sup>4</sup> b. Saul taught: 'And all agreed that no cords may be let in afresh'.

Now this is perfectly in accord with the one who says that the 'interlacing' [permitted in the Mishnah] means interlacing both the warp and the woof, and that the 'tightening' [that R. Jose permitted] means putting in the

# MO'ED KOTON – 2a-29a

warp without the woof; hence R. Tahlifa could say: 'And all agreed that no cords may be let in afresh' — But, according to one who says that 'interlacing' means putting in the warp without the woof and that 'tightening' means that he may tighten a cord if it has become slack, [how do you explain R. Tahlifa b. Saul's statement? For,] if you say that interlacing the warp and the woof is forbidden, need one [at all state] that cords are not to be let in afresh? —

This is a difficulty. Said R. Nahman b. Isaac to R. Hiyya b. Abin: Is there anybody who applies the term 'Interlacing' to inserting a warp without the woof? For surely we learned:<sup>5</sup> R. Meir says: A bed [frame] is not [subject to ritual defilement] until three warp spaces in it have been crossed? The fact is that when Rabin came [from Palestine] he said that all agree that 'interlacing' means interlacing the warp and woof; but where the difference arose was on the interpretation of 'tightening'; one Master held that the 'tightening' [that was permitted] was inserting the warp without the woof, and the other Master held [that what was allowed was] the tightening of a cord which has become slack.

An objection was raised: Bed-frames may be interlaced [during the festival week] and needless to say that they may be tightened: these are the words of R. Meir. R. Jose says: They may be tightened, but not interlaced and 'Some say'<sup>6</sup> that tightening may not be done at all — Now here [the several views are] perfectly [understandable] according to the one who says that by 'tightening' is meant 'inserting the warp without the woof', as then, 'Some' come and express their dissent [on that kind of mending]. But according to the one who says that by the 'tightening' [which is allowed] is meant that when a cord has become slack one may make it taut, then according to the view of 'Some' not even this [simple adjustment] is allowed! — Yes, indeed; because, since it is possible [temporarily] to fill [the sag] with bedclothes,

we should not go to [further] exertion [during the festival week].

*MISHNAH.* AN OVEN STOVE<sup>7</sup> OR MILL MAY BE SET UP [IN POSITION] DURING THE FESTIVAL [WEEK]; R. JUDAH SAYS, A PAIR OF MILLSTONES IS NOT TO BE COMPRESSED FOR THE FIRST TIME [IN THE FESTIVAL WEEK].

*GEMARA.* What is meant by 'compressing'? — Rab Judah said that [it means] chiselling the millstones; R. Jehiel said, It means [fixing] an eye-hole.<sup>9</sup> An objection was raised: An oven or stove [or mill] may be set up in the festival [week], provided that the work is not entirely completed; these are the words of R. Eliezer; but the Sages say, It may even be finished off. R. Judah, speaking in his<sup>10</sup> name says: A new one may be set up and an old [mill] compressed, and 'Some'<sup>11</sup> say compressing may not be done at all. Now this accords well with the one who says that 'compressing' means scoring the mill [stones], hence this process is applicable in the case of an old mill; but according to the one who says that it means [fixing] an eye-hole, what fixing of an eye-hole does an old mill need?<sup>12</sup> — I may say, for instance, that it needs widening a little more.

R. Huna [once] hearing someone scraping his millstones during the festival week said: 'Who is that? May he himself suffer desecration that desecrates the festival week!' He [evidently] held the view of 'Some say' [cited above]. R. Hama expounded:<sup>13</sup> 'One [may] scrape millstones during the festival [week]'. In the name of our Master<sup>14</sup> they said: One [may] trim the hoofs of the horse he rides or the ass he rides during the festival week;

(1) Like a baste-stitch, hot contiguous but in and out on either side of the material, alternatively.

(2) Irregular in form, or unevenly. Cf. n. 9. on the Mishnah, supra 8b, p. 43.

(3) I.e., putting in a cord or webbing in one direction only.

(4) MS.M.: Halafta.

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(5) Kei. XVI, 1: 'Straight wooden frames, such as are used for litter or cradle, are not subject to ritual contamination until they are rubbed smooth with a fish-skin; R. Meir says, not (even then) until (the cords have been let in) and three spaces have been crossed by the woof cord'.

(6) Representing the view of R. Nathan the Babylonian. V. Hor., Sonc. ed. p. 104.

(7) Probably of clay.

(8) Scoring the grooves or scraping and removing the sediment of flour dust to make the two stones fit closely together.

(9) Of the upper stone, the runner, through which the grain is poured in.

(10) R. Eliezer's: he often cites R. Eliezer's views, which were stricter, as being of the Shammaite school.

(11) R. Nathan the Babylonian. V. p. 54, n. 2.

(12) Surely an old mill has an eye-hole already.

(13) On a Sabbath within a month before the festival.

(14) So Han. MS. M. and many texts, i.e., Rab, which is the correct reading (not R. Meir of cur. edd.).

## Mo'ed Katan 10b

but not those of the ass turning the mill.<sup>1</sup> Rab Judah<sup>2</sup> declared it permissible to trim the hoofs of the ass turning the mill or to set up the mill or build a mill, or to construct a base for the mill or build a horse stable. Rab<sup>3</sup> declared it permissible to curry horses and to construct a bed<sup>4</sup> or make a mattress-box.<sup>5</sup>

Raba allowed bleeding of cattle during the festival week. Said Abaye to him: There is a Tanna who supports you: Cattle [may] be bled and no curative means are [to be] withheld from an animal during the festival week'.

Raba allowed fulled clothes<sup>6</sup> to be rubbed.<sup>7</sup> On what ground? It is an ordinary unskilled process. Said R. Isaac b. Ammi, as citing R. Hisda: To pleat sleeve-ends<sup>8</sup> is forbidden; on what ground? Because that is a craftsman's process.

Raba said: [With regard to] a man who levels up his ground, if it is to even [the slope of] the threshing floor<sup>9</sup> it is allowed; if merely to level the soil, it is forbidden. How can one

tell? If he takes up heaped [soft] soil to heap on [soft] soil, or stiff soil to lay on stiff soil, it shows that [it is done] for [improving] the threshing floor; but if he takes up heaped [soft] soil and casts it on the stiff soil, this shows that it is for [improving] the ground.<sup>10</sup>

Raba said: With regard to one who clears his field [of chips of wood], if it is for gathering [fire] wood, it is allowed; if for clearing the ground, it is forbidden. How can we tell? If he picks up the larger pieces and leaves the smaller, this shows that it is to gather [fire] wood; but if he picks up both large and small, this shows that it is to clear the field.

Raba said also: With regard to one who opens [sluices] to let water run off into his field, if it be to get the fish,<sup>11</sup> it is permitted; if it is to water the soil, it is forbidden. How can we tell? If he opens two flood-gates one above<sup>12</sup> and another below,<sup>13</sup> this shows that it is for getting the fish; but if only one gate, it is [obviously] for watering the soil.

Raba further said: With regard to one who trims his palm,<sup>14</sup> if it is for the [benefit of his] beasts it is allowed; but if for the [benefit of the] palm it is forbidden. How can we tell? If he trims one side only, this shows that it is for the beasts; if both one side and the other, it is for the [benefit of the] palm, and it is forbidden.

And furthermore said Raba: Those [unripe] taulha<sup>15</sup> dates one may pick, but to press them is not permitted. R. Papa remarked that as [if these are left] the worms get at them, they are on the same footing as a business deal<sup>16</sup> [the postponement of which] would entail loss,<sup>17</sup> and therefore may be [pressed during the festival week].

Raba also said: Any business transaction whatsoever is forbidden. R. Jose b. Abin said: And if there be a risk of loss, it is permitted. Rabina had some deal on hand which would have fetched six thousand zuzim;<sup>18</sup> he deferred the sale till after the festival and sold

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at twelve thousand. Rabina had advanced some money to the people living at Akra di-Shanutha.<sup>19</sup> He came to consult R. Ashi and said: 'What about going over to them just now [during the festival week]?' — Said R. Ashi to him: 'As they had ready cash just then which they might not have later, it is [practically] like a deal [the postponement of which] would entail loss, and [accordingly] is allowed'. It is also similarly taught with reference to heathens: One may go

- (1) As not being so urgent.
- (2) Of Pumbeditha, Rab's disciple.
- (3) Readings vary.
- (4) Latin, grabatus, a Macedonian article of furniture, a very low bed-frame or couch. V. the references in Tosaf. s.v. Ps. Rashi takes it as meaning a crib.
- (5) Stibadium or stibas (Greek) a pallet or mattress, a semicircular low seat for lounging. Cf. Pliny's Letters, V, 6.
- (6) קירמי are fulled or carded sheets of cloth (from the Latin carminare) worn as a mantle or used as coverlets and tapestries. Cf. Suk. 10a, also Kel. XXIII, 4.
- (7) Han. explains (in Arabic) as 'damping to be rubbed and twisted to make them soft (or pliable)'. V. B.M. Lewin, Otz. Hag. IV, Mashkin, II, no. 173.
- (8) Reading קיטורי בי ידי. Lewin, op cit. Yom-tob p. 5, no. 164. Cf. Lat. manicatae tunicae. According to another reading קיטורי בירי to 'pleat' or 'bleach' (with sulfur fumes or with scented perfume ingredients) mantles, birri (Jast. s.v. ביריא. According to Geonic explanation (Lewin, Otz. Hag. IV, Yom-tob, p. 55, no. 164) as al-akmis (Arabic), Camisoles, shirt-tunics. Cf. Persian pirahan.
- (9) Which was raised in the centre sloping outwards.
- (10) Which means that he is simply working the field during the festival week.
- (11) When the water is run off.
- (12) The water that carries the fish into the next section.
- (13) To run off the upper water leaving the fish lower down in the shallows.
- (14) Removing the foliage and young shoots.
- (15) Syriac, Arabic, from Assyrian tuhallu (Brockelmann 70b) palmulla praematura. Cf. Hag. 15b.
- (16) Lit., 'business transaction'.
- (17) Risk of a loss may be prevented during the festival week. V. supra, 2a, p. 3.
- (18) Same as (silver) denarii.

(19) The foot of Shanwatha. V. Obermeyer L.B. 268. From B.M. 73b, (Sonc. ed. p. 425), we learn it was a deal in wine.

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to a heathen fair and buy cattle, male and female slaves, houses, fields and vineyards, and draw up contracts and have them registered at their Registry Offices,<sup>1</sup> because it is [practically] like rescuing something of which they [the heathens] had got possession. Rab permitted R. Hiyya b. Ashi to mend basket-traps<sup>2</sup> during the festival week. What is the reason? — It is ordinary [unskilled] work; but [to mend] mesh-nets is forbidden. What is the reason? It is work of craftsmanship. Rab Judah allowed Ammi the oven-maker to put up ovens and Rabbah b. Ashbi he allowed to plait sieves. But this cannot be [correct], as Rabbah b. Samuel learned: And all [authorities] are agreed that an oven may not be set up for the first time [during the festival week]! — There is no difficulty [here]: The former ruling obtains during the 'warm season'<sup>3</sup> while the latter ruling obtains in the 'rainy season'.<sup>4</sup>

**MISHNAH.** A PARAPET MAY BE PUT ROUND A ROOF OR [A RAILING ROUND] A GALLERY ROUGHLY BUT NOT IN FINISHED STYLE.<sup>5</sup> PLASTER MAY BE SMEARED ON THE CREVICES<sup>6</sup> AND FLATTENED DOWN WITH A ROLLER,<sup>7</sup> WITH HAND OR FOOT, BUT NOT WITH RAMMING TOOLS.<sup>8</sup> PIVOTS AND SOCKETS,<sup>9</sup> LINTELS, LATCHES,<sup>10</sup> BOLT-LOCKS AND DOOR-HANDLES<sup>10</sup> THAT HAVE GIVEN WAY MAY BE REPAIRED DURING THE FESTIVAL [WEEK], ONLY THEY MUST NOT BE LEFT PURPOSELY FOR THE FESTIVAL [WEEK]; AND ALL PRESERVES THAT MAY BE EATABLE IN THE FESTIVAL [WEEK] ONE MAY PUT IN PICKLE.

**GEMARA.** What, for instance, is meant by putting up a parapet or railing 'roughly'? — R. Joseph explained: [Something like a fence of] palm-leaves and daphne-stakes.<sup>11</sup> A Tanna



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taught: One may pile up rubble without daubing with clay.

PLASTER MAY BE SMEARED ON THE CREVICES AND FLATTENED DOWN WITH A ROLLER, WITH HAND OR FOOT, BUT NOT WITH RAMMING TOOLS. Now, if you say it is allowed to flatten down with a roller, need one [be told] 'with hand or foot'? — What it means is: One may smear [plaster on] the crevices and flatten down as with a roller, by hand or foot, but not with ramming-tools.

PIVOTS AND SOCKETS, LINTELS, LATCHES, BOLT-LOCKS AND DOOR-HANDLES THAT HAVE GIVEN WAY MAY BE REPAIRED DURING THE FESTIVAL [WEEK]. Some contrasted this with [the following]: 'Up to his days,<sup>12</sup> the hammer was beating in Jerusalem during the festival [week]...', [that is], 'up to his days', but not thereafter!<sup>13</sup> — [Said R. Huna]<sup>14</sup> that is not difficult [to explain]; the reference there is to the smith's [hammer],<sup>15</sup> while here [the tool allowed] is the joiner's [mallet].<sup>16</sup>

R. Hisda demurred to this [explanation] as according to this some will say that a loud din is forbidden, [but] a faint sound is allowed. No, said R. Hisda, it is not difficult [to explain]: One [the tool allowed here] is the bill-hook<sup>17</sup> and the other [which is not allowed] is an adze.<sup>18</sup> R. Papa said that in one statement we have the [older view held] before the restriction [had been introduced] and in the other the [later] view held after the restriction [was introduced]. R. Ashi said that one [Mishnah] expresses R. Judah's view<sup>19</sup> and the other R. Jose's; for R. Isaac b. Abdimi said: 'Who may be the [anonymous] Tanna that [holds] that work must be done in a different way from the ordinary<sup>20</sup> [in working] during the festival [week] even where its [postponement would entail] loss? Not R. Jose'.<sup>21</sup> Rabina said, Whose ruling do we follow nowadays when we raise the pivot-cups<sup>22</sup> of the doors during the festival week? — R. Jose's.

AND ALL PRESERVES THAT MAY BE EATABLE IN THE FESTIVAL [WEEK] ONE MAY PUT IN PICKLE. On Baditha Luba,<sup>23</sup> everybody engaged in fishing and they brought in fish,<sup>24</sup> and Raba allowed to put them in salt. Said Abaye to him: But [why]? We learned: PRESERVES THAT MAY BE EATABLE IN THE FESTIVAL [WEEK] ONE MAY PUT IN PICKLE? — Said he [Raba] to him, Since they brought them home with the intention of eating them and if they leave them [uneaten] they will be spoilt, it is similar to [a case of] business that might be lost and is therefore permitted.<sup>25</sup> And some say that Raba [actually] allowed them to him, But surely we learned: PRESERVES THAT MAY BE EATABLE go fishing,<sup>26</sup> fetch the fish home and put them in salt. Said Abaye to IN THE FESTIVAL [WEEK] ONE MAY PUT IN PICKLE! — Said he [Raba] to him, These may be eaten [also] by means of 'pressing', as was the case with Samuel when they applied pressure [to the fish in salt] sixty times<sup>27</sup> and he ate [thereof].

When Raba [himself] once happened to be at the house of the Exilarch,<sup>28</sup> they prepared for him [a dish of fish] pressed sixty times and he ate it. Rab was [on a festival week] once at Bar-Shappir<sup>29</sup> [Perissabora?] where they put before him some kind of fish [which was] a third boiled, a third salted and a third broiled. Rab said, Adda the fisherman told me that a fish is at its best when it is about to turn putrid. Rab also said this, Adda the fisherman told me: Broil the fish with his brother [salt], plunge it into its father [water], eat it with its son [sauce] and drink after it its father [water]. This too Rab said: Adda the fisherman told me: [After eating] fish, cress and milk occupy your body, don't occupy your couch.<sup>30</sup> And furthermore said Rab, Adda the fisherman told the: [After] fish, cress and milk drink [rather] water, not mead;<sup>31</sup> mead and not wine. [

(1) Archives.

(2) For fish or fowl.

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- (3) Passover time, when the clay very soon dries and the oven may be used forthwith.
- (4) At the time of Tabernacles, when the rain delays its use, hence the work is untimely during the festival week.
- (5) Lit., 'the work of an ordinary man but not that of a craftsman'.
- (6) On the roof, which was flat and sloping slightly towards the edges to allow the rain to run off'. Cf. Bez. 9a.
- (7) A leveler, so called because of its round shape. It was made of a piece of round log with a long handle fixed at right angles, by which it was drawn to and fro, like our broom. Sometimes it was a flat stone with the edges rounded on moved in a circular motion by a long handle. V. Rashi, Mak. 7a, (Sonc. ed. p. 38).
- (8) Pressing tools; Roman pavicula.
- (9) The doors of the ancients did not hang on hinges, but turned on wedge-shaped pins which fitted into a hollow, or metal ring fixed into the threshold and lintel. V. Krauss, T.A. I, 36ff
- (10) All made of wood. Cf. 'Er. 101a.
- (11) Like a hurdle or hedge fixed temporarily. Daphne is a dwarf shrub often used for hedges.
- (12) Referring to the High Priest, John Hyrcanus I, one of the Maccabean princes. Cf. Sot. 17a.
- (13) Whereas here the Mishnah permits its use!
- (14) So MS.M.
- (15) Publicly plied in the forge.
- (16) Privately, in the house.
- (17) A gardener's tool for a piece of joinery.
- (18) The regular artisan's tool.
- (19) I.e., the stricter view, as he forbids exertion and only allows it where loss is threatened. Cf. supra 2a, p. 3.
- (20) E.g., by using an improvised tool, or be satisfied with a temporary adjustment.
- (21) V. infra 11a and 12a.
- (22) Or the cavity which receives the bolt. Cf. Ar. Compl. s.v. VI, 161b. There are different readings.
- (23) *בדיתא לביא* i.e., the canal Baditha near Luba on the northern Euphrates, v. Obermeyer, p. 311.]
- (24) The time of flood in Mesopotamia is between March and May and there was therefore at Passover-time a plentiful supply of fish in the streams.
- (25) Cf. supra 10b for Raba's view in regard to merchandise, as modified by R. Jose b. Abin.
- (26) Ab initio, or to purchase fish, i.e., to take advantage of the opportunity.
- (27) Sixty is a Babylonian unit, e.g., sixty minutes an hour, a minute sixty seconds etc. and is used often as conventionally as here for 'ever so many times'.
- (28) Resh Galutha. The official head of the Jewish community in Babylon, an office held in succession by descendants of the royal house of David, and recognized by the Government. It was, in this

distance, either Mar Huna III or Abba son of Mar 'Ukban III, to both of whom Raba was official adviser on religious matters. V. W. Bacher's article, Jew. Encycl. V, 289, s.v. Exilarch.

(29) MS.M. Piruz-Shabur = Perisaboras was however rebuilt and so named later by Sapor II. Cf. Obermeyer p. 226.

(30) I.e., move about and do not lie down to sleep.

(31) A fermented beverage made of dates used in Babylon.

## Mo'ed Katan 11b

### CHAPTER II

**MISHNAH.** IF ONE HAD [ALREADY] TURNED HIS OLIVES<sup>1</sup> WHEN MOURNING<sup>2</sup> OR SOME HINDRANCE BEFELL HIM, OR WORKMEN DISAPPOINTED HIM, HE MAY [DURING THE FESTIVAL WEEK] PUT ON THE BEAM FOR THE FIRST TIME AND LEAVE IT [THUS] UNTIL AFTER THE FESTIVAL; THESE ARE THE WORDS OF R. JUDAH. R. JOSE SAYS, HE MAY DRAW OFF [THE OIL] AND COMPLETE THE PROCESS<sup>3</sup> AND BUNG<sup>4</sup> [THE JARS] IN HIS USUAL WAY [DURING THE FESTIVAL WEEK].

**GEMARA.** The Mishnah begins with mourning and finally [only] deals with the festival [week]<sup>5</sup> — Said R. Shisha<sup>6</sup> son of Idi: This implies that things one is permitted [to do] during the festival [week] are forbidden him during [the week of] his mourning.<sup>7</sup> R. Ashi says, [Not so], this wording is cast in the form of, 'No need to say'...,<sup>8</sup> no need to say [that he may put on the beam for the first time] during [the week of] his mourning when [the restriction on work] is but rabbinical, but even during the festival [week], when [work] is restricted on Scriptural grounds, the Rabbis still permit it where loss is involved.

It was taught<sup>9</sup> in the sense of R. Shisha son of Idi: These are the things they may do for the mourner during his [week of] mourning: If his olives had been turned they may put on for him [the beam for the first time], or if his wine [cask] is to be bunged, or his flax is to be lifted from the retting, or his wool is to be

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lifted from the dye-bath; and they may besprinkle his field<sup>10</sup> for him when his turn for water-rights arrives. R. Judah says they may even sow for him the plowed field or the field awaiting a flax-crop. Said they [the Rabbis] to him: [Not so], if the field is not sowed in the early season it could be sowed in the latter season and if It cannot be sowed with flax let it be sowed with some other kind [of crop].<sup>11</sup>

Rabban Simeon b. Gamaliel says, If his olives had been turned and there is no skilled worker save himself, or his cask is [ready] for bunging and there is no skilled worker save himself, or his flax is [ready] for lifting from the retting or his wool for lifting from the dye-bath and there is no skilled worker save himself, such a one may perform [his task] behind closed doors.

Furthermore, said Rabban Gamaliel, if he is a skilled worker engaged in the service of the public, or a hairdresser or a bath-attendant in the service of the public, and the Festival is close at hand and there is no skilled worker save him, such a one may do the work. Farmkeepers,<sup>12</sup> tenant-farmers<sup>13</sup> and contractors of labor may have others doing work for them.<sup>14</sup> Ass-drivers, camel-drivers and bargemen may not work;<sup>15</sup> but if they were [already] engaged on the job or were [just then] in the hire of others, they [themselves] may do their work.<sup>14</sup> A daily worker<sup>16</sup> may not work, even in another town.<sup>17</sup> One who has others' work in hand,<sup>18</sup> even if it is a contract job,<sup>19</sup> he may not do it. [You say,] 'Even if it is a contract job', [which implies] and all the less so if it is not a contract job. On the contrary, a contract job is like his own [work]!<sup>20</sup> Rather, whether it is a contract job or not a contract job he may not do it. If his work<sup>21</sup> was placed in the hand of others, they may not do it in his own house, but in another house they may do it.

Marion the son of Rabin and Mar the son of R. Aha the son of Raba had a yoke of oxen<sup>22</sup> between them, when a misfortune<sup>23</sup> befell

Mar the son of R. Aha the son of Raba; he broke up the team [and did not send his animal to work]. Said R. Ashi, A great man like Mar the son of R. Aha acting in such a manner! Granted that he minds not his own loss [of earning], is he not concerned about the loss [caused] to others? Surely it is taught: 'But if they were [already] engaged [on the job] or were [just then] in the hire of others, these may do their work'?<sup>24</sup> — He [Mar] however held the view that [the case of] a prominent man is different.<sup>25</sup>

- (1) For maturing before pressing (or milling).
- (2) For the death of a parent, wife, child, brother or sister.
- (3) Of a second or third pressing, etc.
- (4) Omitted in most texts as rather more applicable to the next case, that of wine.
- (5) Without stating how to proceed in the case of mourning.
- (6) Var. lec. Shesheth.
- (7) Namely, that the permission to do those things now was granted only in connection with the festival week, but not during the week of mourning.
- (8) 'No need to say only this... but even that' may or may not be done.
- (9) Cf. Sem. II, 2-5, and J.M.K. II, 1 (81a).
- (10) Sem. has 'besprinkle for him a white field' and J.M.K. has 'irrigate for him a languid field'.
- (11) Abstention would thus involve no loss.
- (12) Gardeners or metayers who receive from the owner of the field or orchard a certain proportion of the produce for their labor.
- (13) Who pay a fixed annual rent in money or in kind.
- (14) While in mourning, as their abstention means a loss to the workers besides the mourners themselves.
- (15) Either drive the animal or let it out on hire just then.
- (16) I.e., on a day to day employment.
- (17) Where he is not known. [Since according to the law he may withdraw during any part of the day, v. B.K. 116a.]
- (18) I.e., he does the work at home.
- (19) I.e., he is paid by piece and not by day.
- (20) And therefore should be forbidden.
- (21) Here the quotation is resumed.
- (22) Gemella. A pair of oxen owned in partnership which they let on hire to farmers.
- (23) A bereavement.
- (24) In the Baraita cited above, with a slight variation in the order to suit the case.

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(25) I.e., he was not unaware of the ruling in the Baraitha, but felt that a man of his status (and maybe, his partner too) should be stricter in the application of the law. Cf. Bez. II, 6; 22b; Shab. 51a.

## Mo'ed Katan 12a

Samuel said: '[If non-Jews] take work on contract they may not [work for a Jew]<sup>1</sup> within the [limits of the Sabbath] boundary;<sup>2</sup> but outside the boundary they may'. Said R. Papa, Even outside the boundary we do not say [they may] save where there is no town in the Vicinity; but where there is a town near by, it is forbidden. Said R. Mesharshaya: And even if there be not a town close by we [still] do not say [they may carry on the work] save on Sabbaths and festivals when there are not frequent [Jewish] passers-by, but during the festival week when people are often passing to and from the place it is forbidden.

Mar Zutra son of R. Nahman had a mansion erected for himself by [non Jewish] contractor [builders] outside the boundary.<sup>3</sup> R. Safra and R. Huna b. Hinena happened to come thither and did not enter his house; and some report that he [R. Nahman] himself did not enter the building. But did not Samuel say that contractors may not carry on their work within the boundary, but outside the boundary they may? — [The case of] a prominent man is different. Some say [his servant]<sup>4</sup> had assisted then with straw. R. Hama allowed the Exilarch's table-stewards to do their works during the festival week; he said that as they received no remuneration they only intend to benefit him<sup>6</sup> which concerns us naught.

Our Rabbis taught: Contracts may be made during the festival [week for work] to be executed after the festival [week]; but [to do it] during the festival [week] is forbidden. The general principle on this point is that whatever one may do himself he may tell a non-Jew to do; and what he himself may not do, he may not tell a non-Jew to do. Another [Baraitha] taught: Contracts may be made

during the festival [week] to be executed after the festival [week], only that one should not measure, weigh or count [quantities] after the manner in which this is done on an ordinary day.

Our Rabbis taught: One may not bring a sire to mate during the festival week. Similarly, a 'first-born, sire should not<sup>7</sup> be [used to] mate,<sup>8</sup> nor a votive beast that has become disqualified.<sup>9</sup> Another [Baraitha] taught: They may not bring a sire to mate during the festival week. R. Judah says, Where an ass is hankering [for the male] they may bring her the jackass to mate lest she become chilled. All other beasts are [merely] brought into the stalls.<sup>10</sup>

Our Rabbis taught: Sheep may not be turned out to graze in a hurdled enclosure<sup>11</sup> on Sabbaths, festivals, or in the festival week, but if they come [and do it] of their own accord,<sup>12</sup> it is allowed; and they may not be assisted [to it]. Nor may a watchman be assigned [to the shepherds] to move the sheep about.<sup>13</sup> If [the herdsman was] engaged by the week, month, year or septennate, assistance may be given to these<sup>14</sup> and a watch may be assigned to them to move the sheep about. Rabbi<sup>15</sup> says, [This may be done] on the Sabbath by way of favor, on the festival for meals and during the festival [week] for payment. R. Joseph stated that the law is according to Rabbi.

*MISHNAH.* LIKEWISE IF ONE HAD HIS WINE [ALREADY] RUN INTO THE CISTERN THEN MOURNING BEFELL HIM, OR [SOME OTHER] HINDRANCE, OR WORKMEN DISAPPOINTED HIM, HE MAY DRAW OFF [THE WINE], COMPLETE THE PROCESS AND BUNG [THE CASKS] IN HIS USUAL WAY: THESE ARE THE WORDS OF R. JOSE; R. JUDAH SAYS, HE [MERELY] COVERS [THE CISTERN] WITH SHINGLES TO PREVENT IT TURNING SOUR.

*GEMARA.* [LIKEWISE IF ONE HAD, etc.] And this [wine clause] is necessary. Because,



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if [the Tanna] had told us the first [clause alone], we might have argued that only in that case did R. Jose say [he may complete the process] as the loss on oil is considerable, whereas in the case of wine, where the loss is not much, one might presume that he concurred with the [stricter] view of R. Judah. And if [the Tanna] had told us the latter [clause alone], we might have argued that only in this case [of wine] did R. Judah say [he may not do more], whereas in that [former case of oil], one might presume that he concurred with the more [lenient] view of R. Jose: [therefore] it was necessary [to enunciate both clauses].

Said R. Isaac b. Abba,<sup>16</sup> Who is the Tanna who requires that work [if done] should be done with a difference during the festival [week] where loss is threatened? It is not R. Jose.<sup>17</sup> R. Joseph said, The Halachah is according to R. Jose. Some [scholars] asked of R. Nahman b. Isaac: Is it permitted to coat a mead-cask [with resin]<sup>18</sup> in the festival week? — Said he to them: Sinai<sup>19</sup> stated that the Halachah is according to R. Jose. Supposing that R. Jose said [one may] in the case of wine, [does it follow] that he said [that one may] also in the case of mead? — [Indeed,] for what is the reason [that he allows] in the case of wine? [It is] because the loss on it is considerable; it is also considerable In the case of mead, as Abaye said, Mater<sup>20</sup> told me: ‘Better a coated cask of six se’ahs than an uncoated cask of eight se’ahs’.<sup>21</sup> R. Hama b. Guria citing Rab said: The Halachoth<sup>22</sup> appertaining to the festival [week] are like the Halachoth regulating the dealings with Kuthites.<sup>23</sup> What is the legal import [of this dictum]? —

Said R. Daniel son of R. Ketina, It is to say that they are ‘sterile’<sup>24</sup> [regulations] and communicate nought<sup>25</sup> to each other, as [for instance] Samuel said that they [may] coat a jug with pitch but may not coat a cask; while R. Dimi of Nehardea said that they [may] coat a cask with pitch but they may not coat a jug; one master being solicitous to avert

loss,<sup>26</sup> the other master being solicitous to avoid exertion<sup>27</sup> [during the festival week]. Said Abaye, We have it as tradition<sup>28</sup> that the Halachoth appertaining to the festival [week] are like the Halachoth appertaining to the Sabbath:

- (1) People might say that they were given the work on the Sabbath.
- (2) On a Sabbath or Festival (Rash). V. however, Asheri.
- (3) On a Sabbath or a Festival.
- (4) Han. and other texts.
- (5) He allowed these non-Jewish servants to mend or improvise extra tables for the guests of the Exilarch. R. Hama is mentioned with Mar Zutra in B.B. 7a.
- (6) By working for the Exilarch during the festival week.
- (7) At any time. Cf. Tosef. M.K. II.
- (8) ‘Firstborn’ males of ‘clean’ animals are from birth dedicated to the altar and as such claimed by the priest (v. Num. XVIII, 15, 17). These may not be worked, nor shorn for fleece, nor milked (v. Deut. XV, 19-20). Cf. Mak. 22a, (Sonc. ed. p. 155) and Bek. 15a.
- (9) Having become blemished, it is unfit for the altar and may be redeemed for ordinary slaughter but not for any other use. V. Bek. 15b.
- (10) To mate without assistance.
- (11) To manure the field.
- (12) I.e., if the non-Jewish herdsmen drive the cattle into the field without any Instruction or request from the owner of the field.
- (13) I.e., to use means whereby to expedite the discharge of excrements of the flock on the spot to be manured. V. Jast. s.v. גִּזְרֵי, II.
- (14) As these non-Jewish herdsmen carry out their own work according to undertaking.
- (15) J. Sheb. III, 3 reads here Rabban Simeon b. Gamaliel, besides other variations. Also cf. Tosef. Sheb. end of Chapter LI and Tosef. Shab. XVIII, 16.
- (16) It is Isaac b. Abdimi on 11b.
- (17) Since R. Jose holds that he can complete the process in the usual way.
- (18) Or pitch, to make it air-tight. V. A.Z. 33a (Sonc. ed. p. 162). Han. takes it as sealing the stopper, by smearing it over with clay or pitch to prevent the wine or mead becoming vapid. The mead made from the syrup of dates was a Babylonian beverage, cf. Pes. 107a and 113b.
- (19) A complimentary appellation of R. Joseph as an eminent authority on the body of Baraitha-comments (on the Mishnah), in contrast to Rabbah b. Nahmani, his great contemporary and predecessor as Principal of the Academy and Pumbeditha, who was called ‘Uprooter of

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Mountains', a title descriptive of his method of acute analysis. V. Ber. 64a and Hor. 14a, (Sonc. ed. p. 105).

(20) Abaye was a posthumous child and his mother died in childbirth. He was brought up by a foster mother whose instructive sayings he frequently quotes as here. V. Kid. 31b.

(21) A Se'ah is about two and a third gallons.

(22) Traditional rules of practice.

(23) The Samaritans who, when friendly, were treated as observant Jews, and when hostile and making common cause with the heathens in persecuting Jews and jeering at their religious practices, were treated as heathens. The attitude towards them, therefore, varied from time to time, according to circumstances.

(24) Some texts have עקדויה 'tethered', i.e., inapplicable as 'rules in practice' owing to their frequent variability.

(25) Serving no purpose as definite instances from which to argue any definite principle.

(26) There is more loss involved in neglecting a cask than a jug, which is much smaller.

(27) The exertion entailed in coating a cask is greater than with a jug.

(28) Abaye often uses that expression.

## Mo'ed Katan 12b

some acts involve no penalty, though forbidden,<sup>1</sup> while other acts are allowed ab initio. R. Huna had his harvest reaped during the festival [week], whereupon Rabbah put an objection to R. Huna [from the following]: They may mill flour during the festival [week] for the requirements of the festival; what is not required for the festival is forbidden. A thing that is perishable in the festival [week] is permitted to be done; a thing that is not perishable in the festival [week] is forbidden. When does this [rule] obtain?<sup>2</sup> In the case of something that is [already] severed from the soil, but where [the crop is still] attached to the soil, even if all of it perish it is forbidden; but if he have not food to eat, he may reap, gather into sheaves, thresh, winnow, clean and mill,<sup>3</sup> only that he shall not thresh with cows?<sup>4</sup> —

He replied: That [Baraita] is but an individual's opinion, and is not generally accepted by us, as it has been taught: Rabban Simeon b. Gamaliel stated a general rule in the name of R. Jose, Whatever is [already]

severed from the soil, even though only part of it might perish, yet may it be worked; while that which is [still] attached to the soil, even though it might all perish, is forbidden. But if [as you say] that [anonymous] Baraita be R. Jose's opinion, then he should also be allowed to thresh with cows!<sup>6</sup> For Surely R. Isaac b. Abba said: 'Who is the Tanna that demands some variation In the working during the festival [week] where loss is involved? It is not R. Jose!<sup>7</sup> — [Said R. Huna],<sup>8</sup> He [R. Jose] might reply:<sup>9</sup> 'Yea indeed, so; yet as one does not usually<sup>10</sup> thresh with cows, threshing without them [during the festival week] would be no variation now.<sup>11</sup>

Our Rabbis taught: Flour may be ground during the festival [week] for the needs of the festival; but if not for the requirements of the festival [week], it is forbidden. If, however, one ground<sup>12</sup> and had some flour over, he is allowed to use it.<sup>13</sup> Trees may be cut down during the festival [week] for the needs of the festival, but if it is not for the needs of the festival it is forbidden; if one, however, had cut down<sup>12</sup> and had some over, it is permitted.<sup>13</sup> [The ingredients] for brewing mead<sup>14</sup> may be put in during the festival [week] for the needs of the festival; but if it is not needed for the festival it is forbidden; and if one put in [the ingredients]<sup>12</sup> and had some [brew] left over, it is permitted,<sup>13</sup> provided only that there is no guile.<sup>15</sup> A contradiction was raised [from the following]: 'They may put in [ingredients for brewing] mead during the festival [week] for the needs of the festival, but what is not for the needs of the festival is forbidden, be it a brew of dates or a brew of barley, and even though one have some old [brew] he may act with guile and drink of the new?'<sup>16</sup> —

There is a difference among Tannaim as was taught: There should be no resort to guile in such matters; R. Jose son of R. Judah says, One may act with guile [sometimes].<sup>17</sup> Rab [once] had his harvest gathered for him in the festival week. Samuel heard [of it] and was

## MO'ED KOTON – 2a-29a

annoyed. Might one suggest that Samuel concurred with the view of the individual authority?<sup>18</sup> — No, it was a crop of wheat which [if left a while] would not have deteriorated. What is the reason that Rab acted thus? — He had not then [enough] to eat; and as for Samuel, he had not been fully informed [of the circumstances]. Or, [maybe he thought that the case of] a prominent person is different.

R. Judah the Prince<sup>19</sup> [once] went out [on the Sabbath] wearing an amethyst<sup>20</sup> signet and [once] drank water which an Aramean [non-Jewish] cook<sup>21</sup> had heated. R. Ammi hearing of it was annoyed. Said R. Joseph: What is the reason he was annoyed? Was it on account of the amethyst signet? Why, it is taught: Chains, earrings and rings are like all articles of dress that may be worn in the courtyard!<sup>22</sup> [Again], if because he drank water which an Aramean had made hot? Why, Samuel b. Isaac, citing Rab, stated that whatever can be eaten raw is not [debarred] as in the category of heathen-cooked food! — [The case of] a prominent person is different.<sup>23</sup> R. Hananel, citing Rab, said that one may lop off branches from a palm tree during the festival [week] even though he needs only the chips.<sup>24</sup> Abaye denounced<sup>25</sup> this [dictum] vehemently.

R. Ashi had a wood in Shelania. He went to cut it down during the festival week. Said R. Shela of Shelania to R. Ashi, What is your ground [for acting thus]? Is it because of what R. Hananel, citing Rab, said, that one may lop branches from a palm during the festival [week] even though he needs only three chips?<sup>24</sup> But surely Abaye denounced it vehemently! — Said he [R. Ashi] to him: 'I heard it not', as much as to Say, 'I do not concur [with Abaye's view]'. The hatchet then slipped threatening to cut off his leg. He then abandoned his task and came again.<sup>26</sup> Rab Judah permitted pulling up flax, picking hops and pulling up sesame crops. Said Abaye to R. Joseph: It is quite correct to do this in the case of flax, as if may be used for

covering [fruits]; in the case of hops, as they may be used for [brewing] beer; but sesame — to what [immediate] use can it be put? —

[It may be picked] on account of the seeds<sup>27</sup> it contains. R. Jannai had an orchard<sup>28</sup> that had become ripe for picking during the festival week [and] he picked it. The year [after] all the people kept their orchards waiting for the festival week. R. Jannai [thereupon] renounced his [proprietary rights in the] orchard that year.<sup>29</sup>

**MISHNAH.** A MAN MAY BRING HIS FRUITS INDOORS FOR FEAR OF THIEVES AND PULL HIS FLAX OUT OF RETTING TO PREVENT IT SPOILING, PROVIDED HE DOES NOT PURPOSELY HOLD THE WORK OVER TILL THE FESTIVAL [WEEK]; AND ALL THOSE WHO HAVE DELIBERATELY HAD THEIR WORK HELD OVER FOR THE FESTIVAL [WEEK] SHALL HAVE IT DESTROYED.<sup>30</sup>

**GEMARA.** BRING INDOORS. A Tanna taught: Provided only that he bring them into his house privily. R. Joseph had some beams of timber which he brought in during daylight. Said Abaye, But it is taught: 'Provided only that he bring them into his house privily'! — He replied, The [requisite] privacy for these is [attained best] during daylight, since at night more men would be needed and torchbearers too would be required, making much ado.<sup>31</sup>

**AND PULLS HIS FLAX OUT OF RETTING.** R. Jeremiah asked of R. Zera: If a man keeps work over for the festival [week] and dies, should his children be penalized after him? Should you cite<sup>32</sup> [the case of],

(1) Cf. rules of Ulpian: 'An in imperfect law is one which forbids something to be done, and yet if it be done, neither rescinds it nor imposes a penalty on him who has acted contrary to the Law'. I, l.

(2) That which is perishable may be attended to in the festival week.

(3) I.e., one may do anything and everything that is necessary.

(4) I.e., he must introduce some variation. This Baraita forbidding to reap except in the case

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where he has no food to eat, refutes R. Huna who, it is assumed, was not short of ready food.

(5) R. Jose's view which is given in the citation that follows and which is, however, not generally accepted.

(6) Which, however, is distinctly debarred in the anonymous Baraitha, above.

(7) As may be seen from his attitude in the first and second Mishnah (11b and 12a) in contrast to that of R. Judah in regard to both oil and wine. Whereas, in the anonymous Baraitha ascribed to him he distinctly stipulates not to thresh with cows, insisting on a variation.

(8) To explain that there is really no contradiction in the discrepancy.

(9) SBH reads better: 'Said he, R. Huna, to him (to Raba)'.

(10) Lit., 'every day'.

(11) On the contrary to use cows would be in this case an undesirable offensive display of his work (Rashi).

(12) During the festival week for the needs of the festival.

(13) After the festival.

(14) Or beer.

(15) To prepare which under the guise of forgetfulness or mistake for the needs of the festival with the intention of having some left over after the festival.

(16) Indicating thereby that he made the brew for the festival week.

(17) On the principle, v. Bez. 17b, especially Rashi's observation s.v.

(18) Cf. supra R. Huna's reply to Rabbah's question.

(19) R. Judah III, Rabbi's grandson.

(20) אַמְדִּישָׁא = אַמְדִּישָׁא representing the Greek form \*\*. The amethyst was often worn (as its name implies) as a talisman against drunkenness. Or the phrase may possibly be a talisman ring having a setting of a Medusa head, a popular charm against spells and against the power of enemies; and, although this could not have been the case in our instance, it is not unlikely in the instance cited in 'Er. 69a, where the wearer on sighting R. Judah the Prince, quickly covered it; he is considered there as a semi-heathen or renegade.

(21) Or tavern keeper.

(22) Cf. 'Er. 69a and R. Tam's comments, Tosaf, s.v. כִּיֵּן.

(23) Cf. Shab. 51a.

(24) Or sawdust.

(25) Lit., 'cursed'.

(26) Another time.

(27) For sesame oil.

(28) J.M.K. II, 2

(81a) reads: R. Simeon, R. Jannai's son.

(29) As a self-imposed penalty for having led others to do wrong.

(30) I.e., they must be deprived of any advantage gained.

(31) Lit., 'a noisy affair'.

(32) Lit., 'Find a case to explain (my question) by saying...'; or, 'Extract an answer from the case of...'

## Mo'ed Katan 13a

'One who had [craftily] clipped the ear of his first-born beast', and whose son is penalized after him,<sup>1</sup> [I can reply that] that is because that is [an offence against] a Scriptural prohibition. Or should you cite [the case of], 'One who sold his [non-Jewish] slave to a non-Jew', and whose son was penalized after him, [I can say that] that is because he debarred him daily from the [performance of] religious duties.<sup>2</sup> Here, what do we say? That the Rabbis' intention was to penalize the man personally and he is no more, or, maybe that it was only to impose a pecuniary penalty [on his estate] and that is to be had? —

R. Zera replied, You learned it [in the Mishnah]: 'A field that has been cleared of thorns<sup>3</sup> during the seventh year may be sowed in the post-sabbatical year; if it had been well improved<sup>4</sup> or manured<sup>5</sup> by hurdling cattle<sup>6</sup> on it, it may not be sowed in the post-sabbatical year',<sup>7</sup> and [on this Point] R. Jose b. Hanina said: 'We have it on tradition that if one had well improved his field and died, his son may Sow it'. This shows that our Rabbis did [intend to] penalize him,<sup>8</sup> but his son the Rabbis did not [intend to] penalize; here too, then, it is the man himself that they would penalize, but his son the Rabbis would not have penalized.

Said Abaye, We have it on tradition that if a man has defiled his fellow's clean [produce]<sup>9</sup> and dies they do not penalize his son after him [to pay for the damage caused]. What is the reason? 'Imperceptible damage<sup>10</sup> is not in the category of [legal] damage';<sup>11</sup> the man himself the Rabbis would have penalized, but his son the Rabbis would not have penalized.



# MO'ED KOTON – 2a-29a

**MISHNAH.** HOUSES, [STONES],<sup>12</sup> SLAVES AND CATTLE MAY NOT BE BROUGHT SAVE FOR THE NEEDS OF THE FESTIVAL, OR THE NEED OF A VENDOR WHO HAS NOT [ENOUGH] TO EAT.

**GEMARA.** Raba asked of R. Nahman: What about [affording] ‘earning-jobs’<sup>13</sup> in aid of one who has not [enough] to eat? — He replied: We learned: OR THE NEED OF A VENDOR WHO HAS NOT [ENOUGH] TO EAT. What is this [relative] clause, ‘Who has not enough to eat’ intended to cover?<sup>14</sup> Is it not to include such [casual] ‘earning-jobs’? — Not [necessarily]; it is an explanatory clause.<sup>15</sup> Thereupon Abaye pointed out to him an objection: ‘One should not write credit-bills during the festival [week]; but if [the creditor] does not trust [the person] or he [the clerk] has not [enough] to eat, one may [then] write’.<sup>16</sup> What is the clause, ‘Or he has not [enough] to eat’ intended to cover here? Is it not to include [casual] ‘earning-jobs’?<sup>13</sup>—

[Yes], you may infer that. R. Shesheth raised an objection: ‘And the Sages say, Three craftsmen [may] do work until midday on the day preceding the [Feast of] Passover,<sup>17</sup> [namely], tailors, hairdressers and fullers; tailors, for the same reason that a private person may do [some] sewing in his usual way during the festival [week]; hairdressers and fullers, for the same reason that persons returning home from abroad,<sup>18</sup> or coming out of prison may crop their hair and wash their clothes during the festival [week]’.<sup>19</sup> Now, if you presume that ‘earning-jobs’ are allowed<sup>20</sup> where one has not [enough] to eat, then also all [other] work should have been allowed here,<sup>21</sup> because ‘earning-jobs’ are permitted<sup>20</sup> where one has not [enough] to eat!

R. Papa demurred to this [argument]: Then accordingly, building [work should] be allowed,<sup>22</sup> just as ‘a wall which is bulging outward into the public domain, may be

pulled down and rebuilt in the usual way,<sup>23</sup> because it is a [public] danger’!<sup>24</sup>

Rabina also demurred to this [argument]: Accordingly then, a scrivener<sup>25</sup> should be allowed [to work]<sup>22</sup> just as one may ‘write marriage deeds,<sup>26</sup> bills of divorcement<sup>27</sup> and receipts’!<sup>28</sup> Said R. Ashi:<sup>29</sup> [How] can you argue thus from regulations governing the festival [week] to those governing the fourteenth of Nisan? Those governing the festival [week] are based on [the avoidance of] exertion and where loss is threatened the Rabbis have allowed [exertion]; whereas the regulations governing the fourteenth of Nisan are based on the exigencies of the Festival; anything which is required for the Festival our Rabbis have permitted and anything that is not required for the Festival our Rabbis have not permitted.

**MISHNAH.** ONE MAY NOT REMOVE [EFFECTS] FROM HOUSE TO HOUSE,<sup>30</sup> BUT ONE MAY REMOVE THEM TO HIS COURT. WARES<sup>31</sup> MAY NOT BE BROUGHT HOME FROM THE HOUSE OF THE CRAFTSMAN. IF ONE IS ANXIOUS ABOUT THE THINGS,<sup>32</sup> HE MAY REMOVE THEM TO ANOTHER COURT.<sup>33</sup>

**GEMARA.** [BUT ONE MAY REMOVE THEM TO HIS COURT]. But you said at first that one's effects may not be removed at all? — Said Abaye, The latter part comes to [tell] us that [to another] house in that [same] court he may [remove his effects].<sup>34</sup>

AND WARES MAY NOT BE BROUGHT HOME FROM THE HOUSE OF THE CRAFTSMAN. Said R. Papa: Raba [once] gave us a test: We learned, ‘WARES MAY NOT BE BROUGHT HOME FROM THE HOUSE OF THE CRAFTSMAN’ and this he contrasted [with the following]: ‘Wares may be conveyed [to]<sup>35</sup> and brought home from the house of the craftsman, even though they be not needed for the festival’!<sup>36</sup> And we replied to him: The latter [Baraita] refers to the fourteenth of Nisan, while here it refers to

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the festival week. Or, if you like, I might suggest that both [passages] refer to the festival week, [but that the ruling] here [obtains] where he trusts him<sup>37</sup> [and] the latter [ruling obtains] where he does not trust him.<sup>38</sup>

(1) The firstborn male of 'clean' animals is from birth 'dedicated' or destined for the altar and its flesh is the priests' due (Num. XVIII, 15-18). It may not be used for work or be shorn, unless it be born blemished or becomes accidentally permanently maimed, when it is no longer fit for sacrifice (Deut. XV, 19-22; cf. Lev. XXII, 18ff). If the owner cunningly contrives to get it injured either to avoid the trouble and expense of keeping it or to have the flesh, he is penalized to have it buried and is mulcted to half its value for the loss he caused to a priest. V. Shul. 'Ar. Yor. De'ah. 309-310.

(2) Non-Jewish male slaves who (with their consent) had been circumcised (cf. Gen. XVII. 12-13) and (male and female) ritually received into the household, enjoyed the privileges of resting on the Sabbaths (Ex. XX, 10) and Feasts (Deut. XII, 12, 18) and to partake of holy meats (ibid. XVI, 11) even in the priest's household (Lev. XXII, 11) and to perform such Jewish religious observances as they chose. (Cf. Ber. 20a and Suk. 20b). By selling him to a non-Jew he debarred the slave from the religious observances he learned to love and enjoy, and for this heartless act the offending master was penalized by the loss of his monetary gain.

(3) Merely picked up, cleared, lifted from the soil by the first superficial plowing which did not constitute working the soil, forbidden Scripturally.

(4) By regular harrowing or deeper or cross plowing. V. Tosaf. s.v. נְטִיבָה and commentary of R. Samson of Sens on M. Sheb. IV, 2.

(5) By bringing cartloads of manure and methodically spreading it over the field.

(6) Methodically, instead of just letting cattle roam about on it.

(7) M. Sheb. IV, 2.

(8) For clearing thorns by harrowing, manuring and hurdling cattle on the field, are not of the processes explicitly forbidden in Scripture (Lev. XXV, 1-5); and though some included even such 'secondary processes' under the Scriptural prohibition (cf. supra 3a), the Rabbis did not press the penalty against the dead man's son.

(9) Which had been carefully guarded by the owner from contamination, if the malefactor spitefully threw (for instance) a dead reptile on the heap of washed corn or among the gathered olives or grapes (cf. Lev. XI, 29-34). Priests' due of these could not be eaten, but might only be burnt as fuel. Pious lay-people would not buy such produce.

(10) As there is no visible change in the produce that has been thus deteriorated, he call say that all is still as it was.

(11) MS. M. and in parallel passages add here: 'The penalty (imposed) is rabbinical (in origin) '.

(12) V. D.S. Other texts add also 'fields'.

(13) I.e., find a poor man some odd, unnecessary job to do, as a chance of earning something wherewith to buy provisions for the Festival.

(14) It is assumed that the words THE NEED OF A VENDOR imply that he has not enough to eat.

(15) Explaining the phrase THE NEED OF A VENDOR. But there is no indication according to this interpretation of the Mishnah — to have any unnecessary job done in the festival week.

(16) During the festival week, plainly allowing it as a means of helping the borrower or the (professional) scribe.

(17) The fourteenth of Nisan, when from early afternoon the people began the preparation of the Paschal Lambs. Cf. Pes. V, 1, 5ff.

(18) Lit., 'from the maritime province', generally denoting the Diaspora.

(19) V. Pes. 55b and cf. with the Mishnah 55a on the variations in the text.

(20) During the festival week.

(21) On the fourteenth of Nisan, instead of limiting the permission to three crafts only, because there may be other craftsmen who may be in need of money for food. But, as there is no mention of such a contingency there, it shows that even in such a case, unnecessary odd 'earning-jobs' may not be given in the festival week.

(22) On the fourteenth of Nisan.

(23) During the festival week.

(24) V. supra 7a.

(25) Lat. librarius.

(26) The terms of the marriage contract agreed to by the parents, the bride and bridegroom.

(27) To end an unhappy marriage all the sooner, it is allowed even in the festival week.

(28) V. infra 18b.

(29) There is a flaw in K. Shesheth's argument.

(30) Either (i) from one house to another in the same court, or (ii) from another's house into his own, as this is gratifying to him. V. Han., Asheri and Ritba.

(31) כְּלִיָּם; the term covers articles of household furniture, utensils, clothing and bedding; but obviously not tools, etc.

(32) Fearing they might be stolen.

(33) To ensure their safety.

(34) Cf. p. 75. n. 9 (ii).

(35) So SBH. p. 62. In our text as it stands, both here and Pes. 55b מוֹלִיכִין might possibly refer to the conveyance of larger, unportable objects, while מְבִיאִין refers to smaller, portable things. The concluding words of this discussion, however, do not take note of this possibility.

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(36) V. Pes. 55b.

(37) The craftsman, and may leave his things with him safely to avoid all unnecessary 'exertion'.

(38) Fearing they might be stolen.

## Mo'ed Katan 13b

And [in fact] it is taught [thus]: 'Wares may be brought [home] from the house of the craftsman, for instance, jugs from the jug maker's and tumblers from the glass maker's, but not wool from the dyer's nor articles from the house of the craftsman; but if he has not [enough] to eat one gives him his pay [in advance] and leaves the object with him, if however he does not trust him he leaves It In a house near him<sup>1</sup> and if he is anxious about the things lest they be stolen he<sup>2</sup> brings them home privily'.<sup>3</sup> You have thus explained<sup>4</sup> [the discrepancy] about 'bringing home', [but] the discrepancy about 'conveying' still remains a difficulty; for when it states WARES MAY NOT BE BROUGHT HOME, [it follows] much less may one convey [wares to the house of the craftsman]! Hence [obviously] the explanation given at first<sup>5</sup> is the correct one.

**MISHNAH.** FIGS [WHILE DRYING] MAY BE COVERED WITH STRAW;<sup>6</sup> R. JUDAH SAYS, THEY MAY EVEN BE PILED UP [IN HEAPS].<sup>7</sup> VENDORS OF FRUITS, CLOTHING AND [OTHER] WARES MAY SELL Privily FOR THE REQUIREMENTS OF THE FESTIVAL [WEEK]. FISHERMEN, GROATS-POUNDERS AND GRIST GRINDERS<sup>8</sup> PLY THEIR TRADE PRIVILY FOR THE REQUIREMENTS OF THE FESTIVAL [WEEK]. R. JOSE SAYS, THEY HAVE IMPOSED A RESTRICTION ON THEMSELVES.<sup>9</sup>

**GEMARA.** R. Hiyya b. Abba and R. Assi differ [in their interpretation] both in the name of Hezekiah and R. Johanan.<sup>10</sup> One says that the [former expression], they MAY BE COVERED, MEHAPPIN, means [covering but] lightly, and [the latter] MAY EVEN BE PILED UP, ME'ABBIN, means [spreading the straw] closely; the other says that MAY BE COVERED, means [spreading the straw] lightly or densely, while [the latter

expression], MAY EVEN BE PILED UP, means making a sort of pile.<sup>11</sup> It is also taught thus: 'May be piled up [Me'abbin] — making a sort of pile: these are the words of R. Judah'.

**VENDORS OF FRUITS, CLOTHING AND [OTHER] WARES MAY SELL PRIVILY.** The question was asked: Does THEY HAVE IMPOSED A RESTRICTION ON THEMSELVES, mean that they do not work at all, or perhaps that they do it privily?

Come and hear: 'Vendors of fruits, clothing and [other] wares sell privily for the requirements of the festival [week]; R. Jose says, The Tiberian traders have imposed a restriction on themselves not to sell at all. Deerstalkers, fowlers and fishermen catch privily for the requirements of thee festival [week]; it. Jose says, The catchers of Acra have imposed a restriction on themselves not to catch at all. Groats-pounders make Hilka<sup>12</sup> [coarse meal], Tragus<sup>13</sup> [pulse-porridge] and Tisana<sup>14</sup> [pearl-barley] privily for the requirements of the festival [week]; R. Jose says, The grist-pounders of Sepphoris have imposed a restriction on themselves not to pound at all'. Abaye explained:<sup>15</sup> Hilka means [groats of] one [grain broken] in two;<sup>16</sup> tragus, one into three;<sup>17</sup> tisana, one into four.<sup>18</sup>

When R. Dimi came [from Palestine] he said: [All these are] Kuntha [spelt]. An objection was raised: Hilka, Tragus and Tisana are [considered as] 'tainted'<sup>19</sup> everywhere.<sup>20</sup> Now this harmonizes well with the explanation that it is one [grain broken] in two, three or four; they are [considered] 'tainted' everywhere, because they have been rendered 'fit' [liable to take the taint of impurity]; but according to the explanation that they are all 'spelt', why then are they taken as 'tainted' everywhere, for these have not [necessarily] been rendered 'fit' [by damping]? [Sometimes they are], for instance, where the groats are [made of] peeled [spelt]; because, unless the grain had been soaked in water it

# MO'ED KOTON – 2a-29a

would not peel. And why is it called Hilka? Because it has had its 'tunic'<sup>21</sup> [husk] taken off.

An objection was raised: 'One who vowed [to abstain] from Dagan<sup>22</sup> is debarred even from [partaking of] the Egyptian bean<sup>23</sup> when dry, but is allowed to eat it when fresh [green];<sup>24</sup> and he is permitted rice,<sup>25</sup> Hilka, tragus and tisana.<sup>26</sup> Now, this harmonizes well with the explanation that these [varieties] are so called because one [grain] is broken into two, three or four; it is Proper [to allow him to eat] because these [being now meal] no longer belong to the [category] of Dagan [grain]; but according to him who says that Hilka is [what we call] 'spelt', it is [still] properly [designated as] Dagan! — This is a difficulty.

R. Huna<sup>27</sup> permitted vendors of Pot-herbs<sup>28</sup> to go and sell in the festival week in the market Place in the ordinary way. R. Kahana thereupon put an objection to him [from the following]: 'A shop which opens into a colonnade may be opened and closed in the ordinary way; if it opens into the public domain, [the shopkeeper] may open one door and close one; and on the day preceding the last day of the Feast [of Tabernacles]<sup>29</sup> he may bring out fruit and decorate the markets all round the town in honor of the last day of the Feast'. [That is to say], 'In honor of the last day of the Feast, [he may open]; but if not in honor of the last day of the Feast, he may not [open]! That is not difficult [to explain]: This latter prohibition refers to the sale of fruits, whereas in the former case it is the sale of seasoning [pot-herbs that is allowed].

## CHAPTER III

**MISHNAH.** AND THESE [MAY] CROP<sup>30</sup> [THEIR HAIR] DURING THE FESTIVAL [WEEK]: ONE ARRIVING [HOME] FROM ABROAD,<sup>31</sup> OR FROM A PLACE OF CAPTIVITY OR ONE COMING OUT OF PRISON, OR ONE UNDER A BAN<sup>32</sup> TO WHOM THE SAGES HAVE [JUST] GRANTED ABSOLUTION. AND LIKEWISE ONE WHO

APPLIED TO A SAGE<sup>33</sup> AND WAS ABSOLVED [BY HIM], AND A NAZIRITE<sup>34</sup> OR A LEPER ON EMERGING FROM HIS [STATE OF RITUAL] IMPURITY TO [BEGIN] HIS PURIFICATION.<sup>35</sup> AND THESE [MAY] WASH [THEIR GARMENTS] DURING THE FESTIVAL [WEEK]: ONE ARRIVING [HOME] FROM ABROAD,<sup>31</sup> OR FROM THE PLACE OF [HIS] CAPTIVITY, OR COMING OUT OF PRISON,

- (1) The craftsman.
- (2) The owner takes the things into his house.
- (3) V. supra n. 3.
- (4) Lit., 'straightened out'.
- (5) Namely that the Baraita ruling (cf. Pes. 55b) refers to the fourteenth of Nisan while our Mishnah refers to the festival week. Cf. R. Ash's reply, above. For further notes on this passage v. Pes., Sonc. ed. p. 276.
- (6) During the festival week, to protect them from rain. קציני are split figs, which are sun-dried and pressed into cakes. V. commentaries on Alfasi's text and Krauss, TA II, 246.
- (7) The figs or the covering straw. V. Gemara.
- (8) Coarse and fine.
- (9) V. Gemara.
- (10) All four were Palestinian teachers (Tiberias).
- (11) Supra n. 2.
- (12) Latin halica, alicia. Cf. Martial, Epigr. XIII, 9: 'Villio est alicia, carior illa faba'. It is mentioned there with the fine Egyptian lentil (Niliacam... lentem).
- (13) Lat. tragus, pulse, porridge.
- (14) Lat. pitsana, barley crushed and cleansed from the husks.
- (15) By popular etymology.
- (16) Derived from חלק 'divide' (into halves).
- (17) From the Greek \*\* in three parts.
- (18) Greek \*\* four.
- (19) Literally (ritually) defiled, potentially or actually, by the grain being washed before the milling. Fruits, grain and vegetables are not subject to ritual defilement until washed or sprayed or have purposely been left exposed to get damped by rain or dew. After that deliberate damping these take ritual defilement by contact with defiling objects. Cf. Lev. XI, 34. 37-38 with commentaries of Rashi and Nachmanides and B.M. 22a-b, (Sonc. ed. p. 138-9).
- (20) M. Maksh. VI, 2, and cf. Pes 40a.
- (21) Another popular derivation from חלוק a shirt or tunic.
- (22) Means 'cereal' in the (final) form of grain.
- (23) V. supra p. 77, n. 7.
- (24) When it is not called a 'cereal' but a 'vegetable' and 'in vows we follow the (meaning of



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terms in) popular parlance', Ned. 49a; cf. 55a (top) commentaries.

(25) Or hirse. V. Pes. 35a.

(26) V. Ned. 55b; Tosef. Ned. IV, 1, ZM. p. 279. 17-18.

(27) Of Sura, Rab's disciple and successor. Many texts (v. D.S. and SBH) read here Rab Judah at Pumbeditha, also a disciple of Rab, as was also R. Kahana, mentioned next.

(28) And other ingredients for food seasoning or 'corn-chandlers'. V. Tosaf. s.v. בתבלין and כרופייתא (sing. כרופיתא), probably connected with the Greek \*\*

(29) The bracket is omitted in the Tosefta (M.K. II, 13) and other texts and rightly so, as the addition confines the permission only to the last part of Tabernacles, whereas there is no reason to exclude that of Passover.

(30) Lit., 'shave'.

(31) Lit., 'From a maritime province'.

(32) Lit., 'repelled' for some flagrant breach of discipline, a religious or moral offence. The matter is discussed fully infra 16aff. The 'repelled' person was expected to go about in sorry apparel, with disordered hair during the time of disgrace. as if in mourning.

(33) A Hakam, an ordained Rabbi, to absolve him of a vow to go unkempt for a period, which is found to have been made rashly and is now extremely inconvenient or impossible of fulfillment. Cf. e.g., Ned. IX, 6; 66a.

(34) V. Num. VI, 1-21. If he became defiled by contact with a corpse he had first to be ritually purified and shaved (ibid 6-9); or, on the completion of his Nazirite period

(13, 18).

(35) He had likewise to be shaved and to wash his garments. Lev. XIV, 8-9.

## Mo'ed Katan 14a

OR ONE UNDER A BAN TO WHOM THE SAGES HAVE [JUST] GRANTED ABSOLUTION. AND LIKEWISE ONE WHO APPLIED TO A SAGE AND WAS ABSOLVED [BY HIM]. HAND-TOWELS, BARBERS' TOWELS AND BATH-TOWELS [MAY BE WASHED]. MEN OR WOMEN [AFFECTED] WITH 'THE FLUX'<sup>1</sup> OR MENSTRUANTS,<sup>2</sup> OR WOMEN AFTER CHILDBIRTH<sup>3</sup> AND ALL THOSE EMERGING FROM [A STATE OF RITUAL.] IMPURITY<sup>4</sup> TO [BEGIN] THEIR PURIFICATION ARE ALLOWED [TO WASH THEIR GARMENTS]; BUT ALL OTHER MEN ARE FORBIDDEN.

**GEMARA.** What is the reason that all other men are forbidden? — As we learned: 'Members of the ward on duty<sup>5</sup> and [communal] Deputies at their Posts<sup>6</sup> are forbidden [during their turn] to crop [their hair] or wash [their garments]. But on Thursday they are allowed, in honor of the Sabbath'. Now Rabbah b. Bar-Hana reporting R. Eleazar [as commenting on this] said: 'What is the reason [they may on Thursday]? So that they should not enter [on the duty of] their Ward in a state of untidiness'. Here also the reason is that they do not enter upon the festival in a state of untidiness.

**R. Zera inquired:** Suppose one had lost something on the day before the festival? [Do we say], since he was prevented [from attending to himself before] he may,<sup>7</sup> or perhaps, as the reason is not obvious, he may not? — Said Abaye: [Obviously not], as people would then say: '[So] all Syrian [fancy] loaves are forbidden, but the Syrian [fancy] loaves of Boethus are allowed'?<sup>8</sup> But admitting your argument [against], yet what about it. Assi's statement, who citing R. Johanan said: 'Anybody who has but one tunic<sup>9</sup> is allowed to wash it during the festival week'. Would not people say in that case, too: '[So] all Syrian [fancy] loaves are forbidden, but the Syrian [fancy] loaves of Boethus are allowed'? — Surely it has been stated in this connection: 'Said Mar son of R. Ashi, His girdle<sup>10</sup> proves his plight'.<sup>11</sup>

**R. Ashi's comments on our Mishnah were [in this form]:** R. Zera enquired, What if a craftsman<sup>12</sup> had lost something on the day before the festival? Do we say that since he is a craftsman, the reason [why he is allowed] is obvious, or since the reason is not so obvious as in those other cases [mentioned in the Mishnah], he may not [attend to himself in the festival week]? Let this question stand [adjourned].<sup>13</sup>

[ONE ARRIVING HOME] FROM ABROAD [MAY CROP]. [The anonymous view of] our

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Mishnah is not that of R. Judah. For it is taught: R. Judah says, One arriving [home] from abroad may not crop himself [during the festival week] because he had set out [on his voyage] without the approval [of the Rabbis].<sup>14</sup> Said Raba: 'If he merely went on a tour all [authorities] are agreed that he is forbidden;<sup>15</sup> if to seek his bread, all are agreed that he is allowed.<sup>15</sup> Difference of opinion arises only in the case of a voyage for business profits, one master looking upon it as equivalent to [mere] traveling, and the other master looking upon it as equivalent to seeking his bread'.

An objection was raised: 'Said Rabbi: R. Judah's opinion seems apposite where he had set out without approval and the Sages' opinion seems apposite where he had set out with approval'. Now, what is 'without approval'? If I say for going on a tour, did you not say that all are agreed that he is forbidden?<sup>15</sup> Again [should it mean] for seeking [his] bread; surely did you not say that [if with this object] all are agreed that he is allowed?<sup>16</sup> It is obvious therefore that it means for profit-seeking.<sup>17</sup> Now consider the latter clause: 'And the Sages' opinion seems apposite where he had set out with approval'; what is meant by 'with approval'? If I say [approval to set out] for earning his bread, have you not said that all are agreed that he is allowed?<sup>16</sup> Again, should it [rather] mean for profit [seeking]; but surely then, did you not say that' R. Judah's [adverse] opinion seems apposite in this case [that he is forbidden]?<sup>18</sup>

This is what he [Rabbi] meant to say: The Rabbis accept R. Judah's opinion where he had started out 'without approval', and what means it? For going on a tour; because, even the Sages disagree with him only on [the question of a voyage] for gaining profit, whereas in regard to going on a tour they concur with him.<sup>19</sup> And again, R. Judah accepts the Rabbis' opinion [that he may attend to himself]<sup>16</sup> where he had set out 'with approval', and what means it? For

seeking his bread; because even R. Judah disagrees with them only on [the question of a voyage] for gaining profit, whereas in regard to going out for seeking his bread he concurs with them.<sup>20</sup>

Samuel said: 'If an infant is born during the festival [week] it is allowed to cut his hair<sup>21</sup> during the festival [week] because there is no imprisonment<sup>22</sup> more real than this'. [That is, only 'if... born] during the festival [week]' it may be done, but [if born] before then, it is [presumably] not allowed.<sup>23</sup> R. Phineas raised all objection: 'Every one of those mentioned [by the Sages] as being permitted to crop his hair during the festival [week] may [likewise] crop his hair during the [thirty]<sup>24</sup> days of his mourning';<sup>25</sup> [which means conversely] that every one of those who is forbidden to crop his hair during the festival [week] is [likewise] forbidden to crop his hair during the [thirty]<sup>26</sup> days of his mourning.

(1) Ibid. XV, 2, 5, 13.

(2) Ibid. 19-27.

(3) Ibid. XII, 2; cf. XV, 25ff.

(4) Ibid. XI, 24-25, 28, 40 and Num. XIX, 19.

(5) Mishmar, v. Glos. The priests and Levites were grouped in twenty-four wards to take their turn in the Temple. V. I Chron. XXIV, 1-19 (Priests) and 20-25 (Levites). Cf. Neh. XII, 44-47 and XIII, 29-31.

(6) Ma'amad, v. Glos. Palestine was divided into twenty-four stations or districts which sent their deputies of priests, Levites and lay Israelites to represent the community at the Temple service and they served for a week. While on duty the Deputies observed a daily fast during the day, from Monday to Thursday and in a side chapel recited Holy Writ. V. Ta'an. IV, 1; Talm. 26a and 27a.

(7) Trim himself and wash his garments during the festival week.

(8) A proverbial expression, protesting against discrimination. The origin of the proverb is found in Pes. 37a where it is objected to fancy-shaped loaves for Passover use, as the shaping of the piece of dough may delay the baking to the point of leavening. R. Boethus b. Zonin suggested that the use of moulds might easily obviate this fear, which evoked the (proverbial) retort.

(9) Or shirt.

(10) Or loin cloth.

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(11) While washing his shirt, he is either girded with a loin cloth or wears his outer garment fastened by the belt to avoid exposure of his body.

(12) A barber or bath attendant who is permitted to work on the fourteenth of Nisan, who mislaid or lost one of his tools, and his customers see him worried and hindered in his work.

(13) For a future adequate solution.

(14) Quoted in J.M.K. I, 1: 'For R. Judah said it is forbidden to set out on a voyage on the great sea'. The reason for his disapproval is probably on account of the risk of not arriving home in time for the festival. Cf. Shab. 19a and J. Shab. 1, 3.

(15) To attend to his personal appearance during the festival week.

(16) To attend to his personal appearance during the festival week.

(17) I.e., R. Judah does not approve of a sea voyage for mere gain or profit.

(18) All of which shows that the difference cannot be as stated on the question of a voyage for profit.

(19) That he is to be penalized if his homecoming was delayed, and not allowed to trim himself during the festival week.

(20) The accepted view is that a voyage for profit is an extenuating circumstance. V. Han., Asheri and Codes.

(21) If its hair is abnormally long and, for convenience, would best be shortened. If, however, the shortening is imperative for hygienic reasons there is no question.

(22) In the pre-natal state.

(23) Since it could have been cut before the festival.

(24) So in Tosef. II, 2. I. e., if he suffered a second bereavement before the mourning days of the first expired. V. infra 17b.

(25) V. infra 17b.

(26) V. p. 83, n. 9.

## Mo'ed Katan 14b

Now if you say that there is a difference here in the case of the infant,<sup>1</sup> you are this implying that [the observance of] mourning obtains in the case of a minor, whereas it is taught: 'A minor's garment is rent out of grief of soul'<sup>2</sup> R. Ashi said [that the negative inference is faulty, for] does it [actually] state 'but those who are forbidden'<sup>3</sup> Perhaps [it means to state] that some there are who are forbidden<sup>4</sup> and some others who are permitted.<sup>5</sup> Amemar, or some say.

R. Shisha son of R. Idi, taught thus: 'Samuel said: "An infant may be cropped in the

festival [week]: it makes no difference whether he was born during the festival [week] or was born before".' Said R. Phineas: We learned this also [indirectly] from [the following]: 'Every one of those mentioned [by the Sages] as being permitted to crop during the festival [week] may likewise crop his hair during the [thirty] days of his mourning'; which means conversely, but every one of those who is forbidden to crop during the festival [week] is likewise forbidden to crop during the [thirty] days of his mourning. Now if you say that a [newly-born] infant is forbidden [to be cropped] you find yourself [implying] that [the observance of] mourning obtains in the case of a minor; whereas it is taught [distinctly]: 'The garment of a minor is rent [merely] out of grief of soul'? —

Said R. Ashi: [That negative inference is faulty for] does it [actually] state, 'But he who is forbidden [in the festival week] is also forbidden during his [thirty] days of mourning? Probably it means that some there are who are forbidden and some others who are permitted. A mourner does not deport himself as one in mourning during a festival, as it is said: And thou shalt rejoice in the feast.<sup>6</sup> [For], if his mourning began before [the festival], a positive precept incumbent on the community<sup>7</sup> overrides one incumbent on him as an individual;<sup>8</sup> and if his mourning began just then [during the festival], an individual's function cannot come and put off that of the public. Now what about one separated [under a ban]? Should he deport himself as one in 'separation' during a festival? —

Said R. Joseph: Come and hear: 'They [the Courts] deal with capital offenses, with [offenses involving judicial] floggings<sup>9</sup> and monetary suits,<sup>10</sup> [during the festival week]'. [This implies that] if one heeds not the [court's] decision, we put him under a ban.<sup>11</sup> Now if you presume that he should not deport himself during the festival like one under 'separation', [then] seeing that where one is already fallen under a ban, the festival comes

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and suspends [the ban],<sup>12</sup> shall we pronounce him banned in the first instance [during the festival]?

Abaye replied: Perhaps [the object of the adjudication is] to examine the charge against him.<sup>13</sup> For, should you not say thus, then 'capital offenses' therein mentioned would likewise mean indeed that they would have him slain; but surely thereby they [the judges] themselves would be debarred from 'rejoicing in the feast' [as is Scripturally ordained], as it is taught:<sup>14</sup> Says R. Akiba: Whence may it be shown that a Sanhedrin [Court] that put a [sinning] soul to death do not taste [food] all that day? From the instructive text 'Ye shall not eat on the blood'.<sup>15</sup> Therefore [I say] it must be only to examine the charge against him, and likewise here it is only to examine the charge against him.

Said R. Joseph to him: If [you explain it] so, the result is that you delay the execution of his sentence [which is forbidden]?<sup>16</sup> But [I take it], they come early in the morning and examine the charges against him; then they go home and eat and drink all that day<sup>17</sup> and, coming back with the setting sun, they do give a final decision and [also] have him put to death.<sup>18</sup>

Said Abaye: Come and hear:<sup>19</sup> OR ONE UNDER A BAN TO WHOM THE SAGES HAVE GRANTED ABSOLUTION.<sup>20</sup> Said Raba: Does it state: 'Whom the Sages granted absolution'? It says: OR ONE UNDER A BAN TO WHOM THE SAGES HAVE [JUST] GRANTED ABSOLUTION, [that is] where he [the offender] went and appeased the plaintiff and then came before our Rabbis<sup>21</sup> and they then set him free [from restraints].<sup>22</sup> What about a leprous person; does he deport himself as a leper during the festival?<sup>23</sup> —

Said Abaye: 'Come and hear: AND [ALSO] A NAZIR OR LEPER EMERGING FROM HIS [STATE OF] IMPURITY TO [BEGIN]

HIS PURIFICATION [may crop his hair and wash his garments],<sup>24</sup> which implies that during the days of his impurity he does deport himself [as a leper]'! —

[No]; the Tanna considered that this goes without saying [and is to be understood thus]: It goes without saying that he does not deport himself [as a leper] during the festival.<sup>25</sup> But when [he is emerging] into his state of cleanness we might [be inclined to] restrict him, in case he might defer<sup>26</sup> making his [preliminary] offerings [of purification].<sup>27</sup> Therefore he informs us [that he may, nevertheless].<sup>28</sup>

Said Raba: Come and hear:<sup>29</sup> '[It is taught]: And the leper. [in whom the plague is, his clothes shall be rent and the hair of his head shall be loose...],<sup>30</sup> that is meant to include a High Priest [in this rule]'. Now [we learned] a High Priest all through the year is on a par with any other person on a festival, as we learned: The High Priest may make sacrifice [on the altar] even when he be onen,<sup>31</sup> without however eating thereof! From this [latter restriction of even a High Priest] you can infer [about the former] that he should deport himself as a leper during the festival. — Infer that. A mourner is forbidden to cut his hair, because since the Divine Law ordained the sons of Aaron:<sup>32</sup> Let not the hair of your heads go loose,<sup>33</sup> we infer that for everybody else [cutting the hair] is forbidden.

(1) Whether the infant was born during or before the festival, in which latter case he must not be cropped, and consequently on the principle just enunciated he may not be cropped on his days of mourning.

(2) V. infra 26h. It is done, not as an obligatory observance on the part of the child, but merely to deepen the poignancy of grief among the mourners by including the young, unknowing child in the sorrow.

(3) 'But those who are forbidden to crop their hair during the festival (week) are (likewise) forbidden to do it during the (thirty) days of mourning'.

(4) In the case of adults.

(5) In the case of minors.

(6) Deut. XVI, 14.



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- (7) The divine charge, an 'ordinance' to the community to observe the joyous celebration of the festival.
- (8) The observance of mourning.
- (9) Of thirty-nine stripes, for a well-attested breach of a Scriptural prohibition after due warning. V. Deut. XXV, 1-3; Mak., Sonc. ed. p. 90, n. 1.
- (10) Claims or fines. So Tosef. M.K. II, 11.
- (11) Shammetha, to enforce public discipline.
- (12) I.e., his disabilities of seclusion and wearing a mourner's garb as in the case of the mourner.
- (13) Without pronouncing judgment.
- (14) Sanh., Sonc. ed. p. 430.
- (15) Lev. XIX, 26.
- (16) Cf. Aboth. V, II and Shab. 33a.
- (17) In fulfillment of the precept of rejoicing on the Festival.
- (18) [Since after all a final decision is given on the festival week, it follows that the ban is necessarily imposed on the disobedient and consequently proves that the regulations of the ban are in force on the festival week.]
- (19) In support of my view.
- (20) The relative clause is at present assumed to mean that one who is banned is automatically released by the Sages on the festival from the disabilities of a ban.
- (21) During the festival week.
- (22) Otherwise he remains under his disabilities during the festival.
- (23) I.e., to remain isolated, let his hair remain long and wear torn or soiled clothes as a leper, during the festival week.
- (24) Cf. Mishnah supra 13b.
- (25) I.e., it is immaterial either way so long as he is still an unclean leper, as he, in any case, has to resume his disabilities after the festival. V. Ritba.
- (26) I.e., after having trimmed himself and changed his clothes during the festival he might postpone the offerings and bring them on the last day of the festival when a private sacrifice may not be offered.
- (27) I.e., taking two live birds and spring water for the ritual sprinkling with the hyssop, as prescribed in Lev. XIV, 2-8, after which he washed his clothes and shaved his body and was to return to the camp' (home) and after another seven days to complete his 'purification and atonement by sacrifice at the Temple.
- (28) Crop his hair and cleanse or change his torn clothes during the festival week.
- (29) That the leper deports himself as a leper in the festival week also.
- (30) Sifra on Lev. XIII, 45 where by laying stress on 'And the' together with the descriptive clause 'in whom the plague is' still, the wording is taken to include especially the otherwise exceptional person of the High Priest, who may never grow

long hair or wear torn clothes, even when a mourner. Lev. XXI, 10.

(31) I.e., on the day of poignant grief, when the death of his near and dear occurred. This law is based on the sad experience of Aaron who lost two of his soils on the day of his induction as High Priest. He then offered up the sacrifices, but did not partake of the holy meat. V. Lev. X, 16; 16-20. Cf. Hor., Sonc. ed. pp. 90 and 93. Any other priest may not officiate during the state of Onen, except on festivals when the law of Onen does not apply.

(32) When Nadab and Abihu died.

(33) I.e., keep it in trim. V. Lev. X, 6 and cf., Ezek. XLIV, 20.

## Mo'ed Katan 15a

What about those 'separated' [under a ban], and [segregated] lepers in regard to cutting [their hair] during the festival week? —

Come and hear. 'Those "separated" [under a ban] and [segregated] lepers are forbidden to cut [their hair] and wash [their garments]. If one "separated" [under a ban] died,<sup>1</sup> the Beth Din stone his coffin; R. Judah says, not that they set up a heap of stones over him like the heap of Achan,<sup>2</sup> but the Beth Din send [commissioners]<sup>3</sup> and have a large stone<sup>4</sup> placed on his coffin, which teaches you that if anyone is placed under a ban and dies in his "separation", the Beth Din stone his coffin'.<sup>5</sup> A mourner is obliged to muffle his head. Since the All Merciful enjoined Ezekiel: And cover not thine upper lip,<sup>6</sup> we infer that everybody else is obliged [to do so].<sup>7</sup> What about one 'separated' [under a ban] in regard to muffling the head? —

Said R. Joseph, Come and hear: 'And they<sup>8</sup> muffle themselves and sit as men "separated" [under a ban] and like mourners until Heaven grants them mercy'. Said Abaye: Perhaps it is different with one who is 'separated' [under a ban] by displeasure of Heaven<sup>9</sup> [as it were]; for that is [more] serious [than being in disfavor with man]! What about a leper, in regard to muffling the head? —

Come and hear: And he shall cover his upper lip;<sup>10</sup> we infer from this that he is obliged to

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muffle his head. — Infer that. A mourner is forbidden to put on Tefillin.<sup>11</sup> Since the All Merciful ordained Ezekiel: Bind thy head-tire upon thee,<sup>12</sup> this implies that everybody else is forbidden [to do so in deep mourning]. What about one ‘separated’ [under a ban], in regard to Tefillin? — It stands [adjourned]. What about a leper, in regard to [putting on] Tefillin? —

Come and hear: [Holy Writ prescribes], ‘And the leper’;<sup>13</sup> this [amplification] is to include [even] a High Priest [in this law];<sup>14</sup> ‘his clothes shall be perumim’,<sup>15</sup> that is, they shall be torn. ‘And [the hair of] his head shall be parua’.<sup>16</sup> ‘Parua’ means only letting the hair grow long;<sup>17</sup> these are the words of R. Eliezer. R. Akiba explains [otherwise]: ‘Shall be’ is stated in connection with the leper’s head;<sup>18</sup> and ‘shall be’ is stated in connection with the leper’s garment.<sup>19</sup> [Therefore] just as ‘shall be’ stated in connection with the garment refers to something external to the body [clothes],<sup>20</sup> so also ‘shall be’ stated in connection with the head refers to something external to the body.<sup>21</sup> What then [is to be discarded]? Is it not the reference to Tefillin?—

Said R. Papa, [Not necessarily these], it may refer to [not putting on] a cap or sudarium.<sup>22</sup> A mourner is forbidden to give the usual greeting [of wellbeing],<sup>23</sup> because the All Merciful said to Ezekiel: Sigh in silence.<sup>24</sup> What about one ‘separated’ [under a ban] in regard to [abstaining from] the usual greeting?<sup>23</sup> —

R. Joseph said, Come and hear: And in regard to greeting one another ‘with peace’, as man to man, they [that are fasting]<sup>25</sup> behave like persons who are ‘separated’ [under a ban] by the Omnipresent.<sup>26</sup> Said Abaye to him, Perhaps [the case of] the ‘separated’ [as under a ban] by displeasure of Heaven is different because it is [more] serious. What about a leper in regard to [abstaining from] greeting one ‘with peace’?—

Come and hear: [It is written]: And he shall cover his upper lip,<sup>27</sup> that is, his lips shall be compressed together, that he should behave like one ‘separated’ [under a ban] and like a mourner, and he is forbidden to greet one ‘with peace’ Infer that. Then why not solve now<sup>28</sup> [the above question] about one ‘separated’ [under a ban]?<sup>29</sup> — Said R. Aha b. Phineas in the name of R. Joseph: Does it [actually] state that he [the leper] is forbidden [to greet one ‘with peace’ like one ‘separated’]? It only states that he behaves like one ‘separated’ or like a mourner with reference to other things and at the same time that he is also forbidden to greet one ‘with peace’. A mourner is forbidden [to engage] in the words of the Torah, because the All Merciful said to Ezekiel: ‘Sigh in silence’.<sup>30</sup> What about one ‘separated’ [under a ban engaging in] the words of the Torah? —

Said R. Joseph, Come and hear: One ‘separated’ [under a ban] may teach [others] and others may teach him; he may be hired [for work] and others may be hired by him. One under anathema<sup>31</sup> neither teaches others, nor do others recite it to him; he is not hired [for work] nor are others [to be] hired by him; but he recites to himself in order that he does not interrupt his study;<sup>32</sup> and he makes a small stall for himself [as a means] for ‘his livelihood’.<sup>33</sup> Whereat Rab<sup>34</sup> remarked, [As for instance] selling water at the pass of Araboth.<sup>35</sup> Infer from that.<sup>36</sup> What about a leper [engaging in] the words of the Torah?—

Come and hear: [It is written], And make them known<sup>37</sup> unto thy children and thy children’s children; the day that thou stoodest before the Lord thy God in Horeb. [that they may learn to fear Me all the days... and that they may teach their children],<sup>38</sup> that is, just as [they heard God’s word] then [at Sinai] with awe, fear, trepidation and perspiration;<sup>39</sup> [so be it now studied with awe, fear, trepidation and perspiration]. Hence sad they [the Sages], that men who are [affected] with flux,<sup>40</sup> lepers, or such as [in error]

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consorted with their wife while in separation<sup>41</sup> are allowed to read [Scripture] out of the Torah [Pentateuch], the Prophets or the Hagiographa<sup>42</sup> or to recite [orally] Mishnah,<sup>43</sup> Midrash,<sup>44</sup> Gemara,<sup>45</sup> Halachah or Aggadah;<sup>46</sup> while those who have night pollutions are forbidden.<sup>47</sup> You may infer it from that. A mourner is forbidden to wash his clothes, for it is written, And Joab sent to Tekoa and fetched thence a wise woman and said unto her: 'I pray thee, feign thyself to be a mourner and put mourner apparel, I Pray thee and anoint not thyself with oil, but be as a woman that had a long time mourned for the dead'.<sup>48</sup> What about the 'separated' [under a ban] and the lepers washing their clothes? —

Come and hear: Persons 'separated' [under a ban] and lepers are forbidden to cut [their hair] or wash [their clothes]. You may infer it from here. A mourner is in duty bound to rend [his garments], because the All Merciful enjoined the sons of Aaron, 'Neither rend [your clothes]'.<sup>49</sup> From here you infer that everyone else is bound to do it. What about one 'separated' [under a ban] rending his garments? It stands [adjourned]. What about the leper rending his garments?—

Come and hear: 'His clothes shall be perumim'<sup>50</sup> which means they shall be rent. [Yes], infer it. A mourner is bound to overturn his couch, because Bar Kappara taught:

- (1) Sem. V, 11 adds: 'he requires a stoning'.
- (2) Josh. VII, 25.
- (3) Sem. *ibid.* has: But a messenger of the Beth Din takes a stone and puts it on his coffin to carry out on him the ordinance of a stoning.
- (4) Cf. Lev. XXIV. 23.
- (5) Cf. 'Ed. V, 6 (Sonc. ed. p. 25) and Ber. 19a.
- (6) Ezek. XXIV, 17.
- (7) Under similar circumstances of bereavement, as Ezekiel's grief was meant to be excessively poignant.
- (8) Some of the leading Rabbis who meet to fast and pray on account of the shortage of rain. V. Ta'an. 14b.
- (9) The drought being the sign of Heaven's displeasure.

- (10) Lev. XIII, 45. 'Cover' here is the same term as used in Ezek. XXIV, 17; 22-23.
- (11) Phylacteries. Cf. Deut. VI, 4-9; XI, 19 and Prov. III, 3; VI, 20-23.
- (12) Ezek. XXIV, 17-23. Cf. Targum *ad loc.*
- (13) Lev. XIII, 45. V. the full text cited by Raba p. 87.
- (14) V. *supra* p 87, n. 5.
- (15) Note the phrase, also the specific meaning of the root פָּרַע, to tear, rend clothes, as here. It is used again twice (Lev. X, 6; and XXI, 10) and Lily in connection with Aaron and his sons; (not) to rend their garments for the dead.
- (16) Note this phrase as well as the several meanings of the root פָּרַע; (a) to be, or get free (from restraint or debt), be loose; (b) to grow freely (of hair, foliage or branches), Num. VI, 5; (c) to let go free, without restraint (Ex. XXXII, 25); (d) to uncover, loosen, disarrange (hair etc.), Num. V, 18.
- (17) V. 3b. Cf. Pseudo Jonathan on Lev. XIII, 45.
- (18) V. *supra* p. 87, n. 5.
- (19) V. *supra* *ibid.*
- (20) I.e., his clothes are to be rent exposing parts of the body as a sign of distress and mourning.
- (21) I.e., his head to be left bare, uncovered, by not putting on any external covering, as a sign of distress and mourning. Cf. Onkelos on Lev. XIII, 45.
- (22) A Latin word meaning a napkin; here a cloth used as a kerchief.
- (23) Lit., 'ask after peace'. E.g., Gen. XXIX, 6: 'Is it (peace) well with him? 'Is well': *ibid.* XLIII, 27. To ask such a question would be invidious and a happy reply even painful to the mourner who is in deep sorrow.
- (24) Ezek. XXIV, 17; 22-23. Keep your grief to yourself, but outwardly chat and greet people freely, implying that other mourners may not greet, Han.
- (25) on account of the prolonged drought.
- (26) V. Ta'an. 12b.
- (27) Lev. XIII, 45, with reference to a leper.
- (28) From the leper's silence.
- (29) Left in suspense because of Abaye's query that perhaps the demeanor of the faster is no criterion, as a public calamity such as drought, Hood, or epidemic disease etc. seems a more serious indication of divine displeasure than the sorrow of an individual.
- (30) But converse and talk freely, as if nothing is amiss; implying that other mourners are forbidden. The learned discussion on the words of the Torah is deemed as a joy. V. Ps. XIX, 9-11; CXIX, 15-16 etc.
- (31) One put under Herem. This is the extreme disciplinary measure taken against a refractory offender, who persists in his defiance of the first reprimand' (for seven days); the 'separation' (or

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exclusion) for another seven days (in Babylon and thirty days in Palestine), refusing to submit. The matter is dealt with fully infra 16a.

(32) MS.M., 'Does not impair his studies'.

(33) Cf. Sem. V, 12-13 (where the text is defective).

(34) MS.M., R. Hisda.

(35) A place proverbially notorious for its lack of water, and highly infested by brigands. Cf. Ber. 54a; Naz. 43b. The best place where a man like him would find ready customers.

(36) That one under a ban is permitted to engage in the words of the Torah.

(37) 'The things which the eyes saw', i.e., the scene at Sinai.

(38) Deut. IV, 9-10.

(39) 'And when people saw it they trembled...' Ex. XX, 15.

(40) Lev. XV, 2ff.

(41) I.e., within the forbidden period of menses. V. Lev. XV, 19, 24 and XX, 18.

(42) Because 'The sacred word is not subject to defilement'; besides, it cleanses the mind and heart.

(43) The Mishnah par excellence. Inserted by MS.M.

(44) Lit., 'exposition' of the Biblical text.

(45) Lit., 'oral' or 'complementary' teaching and explanations of the Mishnah received from the mouth of a master. These constitute the study of the Talmud.

(46) Halachah is matter of legal import, and Aggadah is ethical and homiletical exposition.

(47) V. Ber. 22a, where the subject is discussed at length showing the divided opinions of teachers, who ultimately inclined to recognize human weakness along with the value of the study of Torah as a moral aid. Cf. Mak. 10a and 23b (Sonc. ed. pp. 62, 169ff).

(48) II Sam. XIV, 2.

(49) Lev. X, 6. At the death of their brothers Nadab and Abihu, during their installation into their priestly office.

(50) Ibid. XIII, 45. Cf. Supra p. 89, n. 2.

forbidden to engage in work during mourning. What about one 'separated' [under a ban] in regard to doing work? —

Said R. Joseph: 'Come and hear: "When the Sages said that it is forbidden them<sup>3</sup> to engage in work, [about themselves, bathe, don shoes. . .], they laid this down only for the daytime, but at night it is all permitted and [the same restrictions] you find also in the case of one 'separated' and a mourner."<sup>4</sup> Does not this refer to all those [restrictions]?' — No, it is only to the other things, [but not to work].

Come and hear: 'One "separated" [under a ban] teaches [others] and others teach him; he is hired [for work] and others are hired by him'.<sup>5</sup> You may infer from that. What about a leper engaging in work? — Let this stand [adjourned]. A mourner is forbidden to wash himself, as it is written, And anoint not thyself with oil,<sup>6</sup> and bathing is implied in anointing.<sup>7</sup> What about one 'separated' [under a ban] bathing? —

Said R. Joseph, Come and hear: 'When the Sages said that it is forbidden then, to wash [on the fast day] they meant only in regard to washing the whole body, but one is permitted to wash one's face, hands or feet, and [the same restrictions] you find also in the case of one "separated" [under a ban] and a mourner's<sup>8</sup>. Now, does not this refer to all the restrictions? — No, [only] to the others [but not to bathing]. What about the leper washing himself? — Let this stand [adjourned]. A mourner is forbidden to put on sandals [shoes], as the All Merciful ordained Ezekiel, And put thy shoes upon thy feet,<sup>9</sup> which implies that for everyone else it is forbidden [to do so]. What about one 'separated' [under a ban] putting on sandals? —

Said R. Joseph, Come and hear: 'When the Sages said that it is forbidden then, [on the fast day] to put on sandals, they meant only in town, but on the road it is permitted. When, for instance? When one sets out on the road

## Mo'ed Katan 15b

'[God says], "I have set the likeness of mine image on them and through their sins have I upset it; let your couches be overturned<sup>1</sup> on account thereof".' What about one 'separated' [under a ban] and a leper overturning couches? Let this stand [adjourned]. A mourner is forbidden to engage in work, for it is written: And I shall turn your feasts into mourning;<sup>2</sup> [hence we say] that just as it is forbidden to engage in work during a Feast [festival], so is it



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he puts on [shoes], on entering town, he takes them off: and [the same] you find also in the case of one "separated" [under a ban].<sup>8</sup> Now, does not this refer to all those [restrictions]?<sup>10</sup> — No, [only] to the other.<sup>11</sup> What about the leper putting on sandals? — Let this stand [adjourned]. A mourner is forbidden the use of the [conjugal] bed, as it is written: And David comforted Bath-Sheba his wife and went in unto her,<sup>12</sup> which implies that before then<sup>13</sup> it was forbidden [him]. What about one 'separated' [under a ban] in regard to the use of the [conjugal] bed? —

Said R. Joseph, Come and hear: All those years that Israel spent in the wilderness they were 'separated' [under a ban]<sup>14</sup> yet they used their [conjugal] beds.<sup>15</sup> Said Abaye: But, maybe, the case of those who are 'separated' by [displeasure] of Heaven is different because it is less serious? [You say], 'less serious'! But you argued [before]<sup>16</sup> that it was more serious? — He is uncertain on the point; [if you] go [and argue] this way, he rebuts it, and if you go [and argue] the other way, he [again] rebuts it. What about a leper, in regard to the use of the [conjugal] bed? —

Come and hear, for it is taught: '[It is written], But [he] shall dwell outside his tent seven days',<sup>17</sup> that is, he shall be like one 'separated' [under a ban] and like a mourner; and he is forbidden the use of the [conjugal] bed, as '[outside] his tent' means only [apart from] his wife, as it is said: Go say to them: Return ye to your tents.<sup>18</sup> You may infer it from that. Then could not one now by this [conclusion] solve the above question [on this point] about one 'separated' [under a ban]? — Said R. Huna<sup>19</sup> son of Phineas in R. Joseph's name: Does it state [categorically] that he [the leper] is forbidden [like one 'separated']? It only states that he is like one 'separated' [under a ban] and like a mourner in respect of other things and that he be [also] forbidden the use of the [conjugal] bed.<sup>20</sup> A mourner does not send his sacrifices [to the Temple], for it is taught: Says R. Simeon, [It is written, And thou shalt sacrifice] peace-

offerings<sup>21</sup> and eat there,<sup>22</sup> and thou shalt rejoice before the Lord thy God,<sup>23</sup> that is, one offers 'peace-offerings' [only] at times when one is untroubled,<sup>24</sup> but not at a time when one is onen,<sup>25</sup> What about one 'separated' [under a ban], should he [then] send his offerings? —

Said R. Joseph, Come and hear: All those years that Israel spent in the wilderness they were 'separated' [under a ban]<sup>26</sup> and [yet] they sent their offerings [to the Tabernacle]. Said Abaye to him: But perhaps one 'separated' by [the displeasure of] Heaven is different, because it is not so serious? [You say], 'Not so serious'! But you argued [before] that it was more serious! — [Abaye] being uncertain on the point rebutted it [either way]. What about a leper, may he send his [sacrificial] offerings? —

Come and hear: And after he [a defied priest] is cleansed<sup>27</sup> — [that is, cleansed]<sup>28</sup> after coming away from his dead near of kin — they shall reckon unto him seven days<sup>29</sup> — those are the seven days which he has to count<sup>30</sup> — and in the day that he goeth into the Sanctuary,<sup>31</sup> into the inner court,<sup>32</sup> to minister in the Sanctuary, he shall offer his sin-offering<sup>33</sup> —

- (1) So MS.M.; cur. edd.: 'overturn their couches'. Cf. Ezek. XXIV, 23 and J. Ber. III, 1.
- (2) Amos VIII, 10.
- (3) Those praying and fasting on account of persistent drought.
- (4) Ta'an. 13a; Tosef. Ta'an. 1, 6; J. Ta'an. I, 3 twice, and J.M.K. III, 5.
- (5) V. supra 15a.
- (6) II Sam. XIV, 2.
- (7) V. Ruth III, 3 and Yoma<sup>76</sup>.
- (8) Cf. supra p. 92, nn. 5 and 6.
- (9) Ezek. XXIV, 17.
- (10) Including that of not wearing sandals.
- (11) Exclusive of sandals.
- (12) II Sam. XII, 24 and infra 21a.
- (13) During the period of mourning.
- (14) Deut. 1, 34-35; 43-44. Cf. Mekilta, Bo. Poem, based on Deut. II, 15-16.
- (15) Deut. I, 39.
- (16) V. supra p. 90.
- (17) Lev. XIV, 8.
- (18) Deut. V, 27. Cf. supra 7b.

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(19) Var. lec. Aha.

(20) V. supra p. 93.

(21) שלמים derived here from שלם, to be whole, hale and at peace.

(22) These 'peace-offerings' were usually brought to the Temple by the pilgrims during the festivals (of Passover, Weeks and Tabernacles) and after the altar rites had been performed and the priests given their due portions (Lev. VII, 29-34), the worshippers with their family group ate the remainder of the sacrificial meat in a state of ritual purity as joyous celebrants (Deut. XII, 6-7; 17-19; XXVII, 7).

(23) Deut. XXVII, 7.

(24) Lit., 'whole'. Cf. n. 1.

(25) V. Supra p. 87, n. 6.

(26) V. n. 2 and Yeb. 72a.

(12) Lev. XVII, 5. (Private peace-offerings). V. however Men. 45b.

(27) Ezek. XLIV, 26.

(28) V. verse 25; about the ritual sprinkling after being defiled by the dead (before one may enter the sanctuary), Num. XIX, 11-13; 19-20.

(29) The (above) ritual sprinkling from defilement by contact with the dead was done on the third and seventh days after having separated from the corpse; but the use of the phrase 'they shall reckon seven days' instead of 'they shall sprinkle upon him' is taken to be reminiscent of the seven days for a leper on his recovery and his preliminary ritual cleansing, before leaving his place of Isolation (Lev. XI V, 1-8), which were followed by another seven days of ritual purification before he may proceed on the eighth day with his final purification and atonement. (Ibid. 8-11). Accordingly, the case of a leprous priest is read into the text of Ezekiel. For obviously it would be useless to cleanse a leprous priest (or layman) from his defilement by the dead while still being unclean as a leper, and as such unfit to enter the camp or sanctuary.

(30) As a leper, 11 the course of his cleansing.

(31) After having been purified from both defilements.

(32) As a priest.

(33) Prescribed for a recovered leper (Lev. Xlv, 19 or 22); or it might be translated, 'His (offerings for) cleansing' (cf. Lev. Xlv, 52; Num. VIII, 7; XIX, 9, 12, 19). V. supra n. 3.

## Mo'ed Katan 16a

which is his [own meal-oblation<sup>1</sup> consisting of] one tenth part of an Ephah [of fine flour]: These are the words of R. Judah. R. Simeon says, [the wording:] And in the day that he goeth into the sanctuary [into the inner court to minister in the sanctuary], he shall offer

his sinoffering<sup>2</sup> [implies that only] when he is fit to go into the sanctuary he is fit to offer up [his own oblation]: and when he is not fit to go into the sanctuary, he is not fit to offer up [his own oblation].<sup>3</sup> Raba said: Whence do we know<sup>4</sup> the regulation that we send a messenger of the Court?<sup>5</sup> —

From what is written: And Moses sent to call Dathan and Abiram the sons of Eliab.<sup>6</sup> And whence do we know that we summon<sup>7</sup> him to attend [in person]? — From what is written, And Moses said to Korah, Be thou and all thy congregation before the Lord, thou and Aaron [tomorrow].<sup>8</sup> [Whence, to appear] 'before a great personage'? — From what is written, Before the lord.<sup>8</sup> [To name both parties], 'thou and So-and-so'? — From what is written, Thou and they [that are with thee] and Aaron.<sup>8</sup> That we fix a time? — As it is written, To-morrow.<sup>8</sup> Time and again?<sup>9</sup> — As it is written: They called there,<sup>10</sup> Pharaoh the king of Egypt [the author of] 'commotion'; he hath let the appointed time pass by. [As I live, saith the King, the Lord of Hosts, surely like Tabor among the mountains and like Carmel by the sea, so shall he come].<sup>11</sup> And whence do we know that if one behaves insolently towards the Court's messenger and the latter comes and reports it, this is not deemed slander [on his part]? —

As it is written: [And Moses sent to call Dathan and Abiram the sons of Eliab]; And they said: [We will not come up]<sup>6</sup>... Wilt thou put out the eyes of these men? [We will not come up].<sup>12</sup> Whence do we derive that we [may] pronounce a Shammetha<sup>13</sup> [imprecation]? —

From the text: Curse ye Meroz.<sup>14</sup> Whence do we derive that it must be according to the considered opinion of some prominent person? — From the text: [Curse ye Meroz] said the angel of the Lord<sup>14</sup> [to Barak]. And whence do we derive that we pronounce the Herem?<sup>15</sup> — From the [same] text: Curse ye a cursing.<sup>16</sup> Whence do we derive that [it falls on one who] eats and drinks with the offender

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or stands within four cubits of him? — From the same text: [Curse ye a cursing] the inhabitants thereof.<sup>17</sup> Whence do we derive that we publish the details of his offence? — From the [same] text: Because they [the denizens of Meroz] came not to the help of the Lord. And, said 'Ulla, Barak pronounced the Shammetha<sup>18</sup> against Meroz with [the blast of] four hundred horns. Some say that Meroz was [the name of] a great personage;<sup>19</sup> others say that it was [the name of] a star,<sup>20</sup> as it is written [there]: They fought from Heaven, the stars in their courses fought against Sisera.<sup>21</sup> Whence do we derive that his property may be forfeited?<sup>22</sup> —

From the text: And whosoever come not within three days, according to the counsel of the princes and the elders, all his substance should be forfeited and himself separated from the congregation of the captivity.<sup>23</sup> Whence do we derive that we may quarrel [with an offender], curse him, smite him, pluck his hair and put on him an oath?<sup>24</sup> — From the text: And I contended with them, and cursed them, and smote certain of them and plucked off their hair and made them swear by God.<sup>25</sup> Whence do we derive that we may fetter, arrest and prosecute them?— From the text: [Let judgment be executed upon him with all diligence], whether it be unto death, or to uprooting, or to confiscation of goods or to imprisonment.<sup>26</sup> What is meant by 'uprooting? Said [R.] Adda Mari, reporting Nehemiah b. Baruch, who said in the name of R. Hiyya b. Abin, who had it from Rab Judah, it mean the Hardafah.<sup>27</sup> What is denoted by Hardafah?—

Said Rab Judah son of R. Samuel b. Shelath in the name of Rab: It means, They declare him 'separated'<sup>28</sup> forthwith; then [if he still persists] they repeat [the same declaration] after thirty days,<sup>29</sup> and finally they pronounce the Herem on him after sixty days. Said R. Huna b. Hinena, This is what R. Hisda said: They [first] warn him on Monday, [then] on the Thursday<sup>30</sup> [following] and [again on the] Monday. This rule applies if he disregards a

monetary judgment; but in a case of sheer contumacy the ban is imposed forthwith.

When a certain butcher had been insolent to R. Tobai b. Mattena, Abaye and Raba were appointed<sup>31</sup> to investigate and they pronounced the Shammetha on him. In the end, the fellow went and appeased his litigant.<sup>32</sup> Said Abaye, What is one to do? Should we absolve him now? The Shammetha had not lasted [its] thirty days.<sup>33</sup> Shall we not absolve him? The Rabbis want to go in to him!<sup>34</sup> Said lie to R. Idi b. Abin: 'Have you [perchance] heard aught bearing on this?' He replied: 'Thus said R. Tahlifa b. Abimi as reporting Samuel: "A toot<sup>35</sup> binds and a toot releases!"' [Said Abaye] to him, Yea, but this obtains only in the case of disregarding a monetary decision, but in a case of contumacy [it holds] until it has rested on him for thirty days! Anyhow, that shows that Abaye was of opinion that if three people had pronounced the Shammetha on a man three others cannot come and release him!<sup>36</sup> For the question was raised: If three people had pronounced the Shammetha on a man, can three others come and remit it for him? —

Come and hear: 'One who has been "separated" [under a ban] by the master is [deemed as] "separated" from the disciple;<sup>37</sup> but one who has been "separated" by the disciple is not [considered as] "separated" from the master. One who is "separated" by his own town is also "separated" from another town; but one who is "separated" by another town is not [considered] "separated" from his own town. One who is "separated" by the Nasi [Prince] is "separated" in all Israel; but one who is "separated" by all Israel is not [thereby] "separated" from the "Prince". Rabban Simeon b. Gamaliel says that if one of the disciples had "separated" someone and died, his part is not nullified'. From this you derive three points: —

[a] That if a disciple 'separated' someone in [defense of] his personal dignity,<sup>38</sup> the 'separation' lies, and you infer [b] that each

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person revokes his own part, and you infer [c] that if a body of three have pronounced a Shammetha on a person, three others may not come and release him.<sup>39</sup> Amemar said: 'The rule in practice is, that if a body of three have laid a Shammetha on a person, a body of three others [can] come and release him'. Said R. Ashi to Amemar, But it is taught: 'Rabban Simeon b. Gamaliel says that if one of the disciples "separated" someone and died, his part is not nullified! Does not this meal, that it cannot be nullified at all? —

No, [it means] not until a body of three others come and release him. Our Rabbis taught: No 'separation' ban holds less than thirty days and no 'reproof'<sup>40</sup> holds less than seven days; and although there is no direct proof on that point, there is an [indirect] 'indication' of it: If her father had but spit in her face, should she<sup>41</sup> not hide in shame seven days? [Let her be shut up without the camp seven days and after that he shall be brought in again].<sup>42</sup>

R. Hisda remarked, 'Our "separation" [in Babylon] corresponds to their "reproof" [in Palestine]'. But is their 'reproof' of only seven days' duration, not more? Is it not a fact that R. Simeon, Rabbi's son, and Bar Kappara were once sitting rehearsing the lesson together when a difficulty arose about a certain passage<sup>43</sup> and R. Simeon said to Bar Kappara, 'This [matter] needs Rabbi [to explain it]', and Bar Kappara replied: 'And what forsooth can Rabbi [have to] say on this?' He went and repeated it to his father, [at which] the latter was vexed, and [when] Bar Kappara next presented himself before Rabbi, he said: 'Bar Kappara, I have never known you!'<sup>44</sup> He realized that he [Rabbi] had taken the matter to heart and submitted himself to the [disability of a] 'reproof' for thirty days. Again, on one occasion, Rabbi issued an order that they should not teach disciples in the open public market place. (What was his exposition?<sup>45</sup> — How beautiful are thy steps in sandals, O prince's daughter!<sup>46</sup> The roundings of thy thighs are like the links of a chain [the work of the

hands of a skilled workman].<sup>47</sup> As the thigh is covered

(1) If he is a common priest, after full purification and re-admission into the inner court of the priests, he might on that very day officiate and offer up his own free-gift oblation (v. Men. 73-74a). This proves that as long as he is unclean, whether through contact with dead or through leprosy, he cannot bring his offerings.

(2) Ezek. XLIV, 27.

(3) That is, R. Simeon does not allow a leper and common priest or a layman to send his offerings to the Temple until after his purification and atonement by sacrifices. For a leper had to attend in person to be purified by the stated ceremony (Lev. XIV, 11, 14-18, 20).

(4) Scripturally.

(5) So amended by Bah. V. D.S. To invite one to a suit.

(6) Num. XVI, 12.

(7) The defendant.

(8) Ibid. 16.

(9) If he does not obey the first summons.

(10) 'Summoned', so the Targum.

(11) Jer. XLVI, 17-18. V. Rash. Cf. Targum and Rashi ad loc cit.

(12) Num. XVI, 12-14. V. Rashi.

(13) מְשַׁמְתִּין probably a dialectical form for מְשַׁמְדִּין from שָׁמַד to curse, which occurs in this sense of 'cursing' in a Nabatean El-Hejra inscription (Cooke N. Sem. Inscr. No. 80p. 220 line 8); cf. infra 17a note on etymology.

(14) Judg. V, 23.

(15) V. supra p. 90, n. 5.

(16) I.e., a repeated cursing (of the defiant sinner).

(17) Cf. Judg. V, 23.

(18) Note that Shammetha is here used as the equivalent of Herem, or its Aramaic form ahramta.

(19) Or hero, who gave his name to the city 'Meroz'. V. Gen. IV, 17, Num. XXXII, 41-42; also cf. Alexandria, Antioch, Caesarea, Constantinople.

(20) A planet, like Mars, Mercury, Jupiter; or a constellation, like Perseus or Orion.

(21) Judg. V, 20.

(22) In the case of disobedience of the court.

(23) Ezra X, 8.

(24) To desist from his malpractices.

(25) Neh. XIII, 25.

(26) Ezra VII, 26.

(27) Active pursuit, 'prosecution'; cf. Judg. XX, 43 for the term in this sense

(28) Repel or expel him from their midst. Niddui and Herem are Mishnaic, Palestinian terms, while Shammetha is a popular Babylonian term loosely used for either, and whose legal denotation was the subject of discussion in Talmudic times (e.g., Ned. 7a-b) and later in Geonic responsa; as to its precise



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meaning, v. B.M. Lewin's *Otzar ha-Geonim IV* on *Mashkin*, Responsa 29ff, pp. 17-19.

(29) The ordinary period of Niddui, 'separation'.

(30) The Beth Din had their regular sessions on Mondays and Thursdays: a practice said to have been one of the Ten Institutions introduced by Ezra, B.K. 82a (Sonc. ed. p. 466).

(31) With a third person, v. *infra*.

(32) Apologized to R. Tobai.

(33) The normal period of a 'separation'. V. R. Han.

(34) They need him to obtain their meat. [Var. lec. 'The Rabbis wish to depart' (Han.). The Rabbis, who took part in imposing the ban and who must consequently be present at the absolution, wish to depart and the opportunity of releasing him will thus be lost, v. *infra*].

(35) The horn blown at banning.

(36) [Rashi! Since he himself was anxious to perform the release. In var. lec. *supra* n. 6 the question is clear.]

(37) I.e., the ban is effective also as far as the disciple is concerned; and similarly in all the other cases that follow.

(38) [Since we find that a disciple's ban has no force as far as the teacher is concerned, which can apply only to a ban imposed in defense of the disciple's own dignity, and not to one for a general transgression.]

(39) [(b) and (c) are inferred from the statement of R. Simeon b. Gamaliel. The phrase 'his part is not nullified' is taken to mean that it can never be nullified.]

(40) *Nezfah*, a 'snub'; sometimes *ge'arah*, a 'shout'. Cf. Gen. XXXVII, 10 and Zech. II, 2.

(41) *Miriam*.

(42) Num. XII, 14.

(43) שמעתי; something 'heard' or 'repeated', usually a Halachic interpretation repeated in the name of a well-known master.

(44) I.e., I don't (want to) know you, stay away, or I have never been able to understand your attitude towards me. B. Kappara clashed with Rabbi on several occasions. The cause, it seems, was not personal, but rather due to the different schools to which they each belonged. B. K. belonged to the 'Southern Sages' (Lydda and Caesarea) and was himself the compiler of an often quoted collection of Mishnah (*Baraita*).

(45) A question interrupts the quotation.

(46) The Torah, which is allegorically represented by Shulammith, 'Perfection' or 'Peace', the beloved of Solomon (the divine) King of Perfection or Peace. Cf. Prov. III, 13-18; VIII, 1 ff.

(47) Cant. VII, 2. (Cf. its counterpart V, 15).

so the [discussions on the] words of the Torah are also [to be] under cover.)<sup>1</sup> —

R. Hiyya went out and taught the sons of his two brothers in the [open] marketplace, Rab and Rabbah son of Kar Hana. Rabbi heard [of this and] was vexed. [When] R. Hiyya [next] presented himself before him, Rabbi said to him, 'Iyya!<sup>2</sup> Who is calling you outside?' He realized that he [Rabbi] had taken the matter to heart, and submitted himself to [the disability of] a 'reproof' for thirty days. On the thirtieth day Rabbi sent him a message saying 'Come!' Later he sent him a message not to come! (What<sup>3</sup> was his idea in sending the first [message] and what in sending the second? At first he thought 'part of the day may be deemed equivalent to the whole day' and in the end he thought, we do not say part of the day may be deemed equivalent to the whole day'.)<sup>4</sup> In the end he came. Said Rabbi to him, Why have you come? R. Hiyya replied: 'Because you, Sir, sent for me to come'. But then I sent to you not to come! He replied: 'The one [messenger] I saw and the other I have not seen'. Thereupon he [Rabbi] cited [as appropriate] the text: When a man's ways please the Lord, He maketh even his enemies to be at peace with him.<sup>5</sup> Wherefore, Sir, [asked Rabbi] did you act thus [contrary to order]? —

Because, replied R. Hiyya, it is written: Wisdom crieth aloud in the street: [She uttereth her voice in the broad places; she calleth at the head of the street; at the entrance of the gates, in the city she uttereth her words].<sup>6</sup> Said Rabbi to him: 'If you read Holy Writ [once], you have not read it a second time; if you have read it a second time, you have not read it a third time; and if you have read it a third time, they [who taught you] have not explained it to you'.<sup>7</sup> [The text] 'Wisdom crieth aloud in the streets' is [to be taken] in the sense in which Raba [explained it];<sup>8</sup> for Raba said: 'If one studies the Torah indoors, the Torah proclaims his merit abroad'. But then is it not written

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[otherwise]: ‘From the beginning I have not spoken in secret’?<sup>9</sup> —

That has [special] reference to the ‘Kallah’ days.<sup>10</sup> And what [use] does R. Hiyya make of the text — ‘The roundings of thy thighs’? — He explained it in reference to the dispensing of charity and acts of lovingkindness.<sup>11</sup> Thus<sup>12</sup> [you see] the disability of their ‘reproof’ [in Palestine] lasts thirty days! — The ‘reproof’ of a Nasi is different. And our ‘reproof’, how long [is its disability]? —

One day [only], as in the case of Samuel and Mar ‘Ukba.<sup>13</sup> When they were sitting together [at the College] engaging in the revision of some theme, Mar ‘Ukba sat before him<sup>14</sup> at a distance of four cubits; and when they sat together at a judicial session, Samuel sat before him<sup>14</sup> at a distance of four cubits and a place was dug out<sup>15</sup> for Mar ‘Ukba where he sat on a matting so that what he<sup>16</sup> said should be heard. Every day Mar ‘Uba accompanied Samuel to his house.

One day he<sup>16</sup> was [rather] engrossed in a suit, and Samuel walked behind him. When he<sup>16</sup> had reached his house, Samuel said to him: ‘Haven’t you been rather a long time at it?<sup>17</sup> Take up now my case!’<sup>18</sup> He<sup>16</sup> then realized that he [Samuel] felt aggrieved and submitted himself to the [disability of a] ‘reproof’ for one day. There was a certain woman who sat sprawling on the footway fanning the husks out of her barley groats, and when a Collegiate was walking past her she did not make way for him. He said, ‘How impudent is this woman!’

She came before R. Nahman. Said he to her, Did you hear him utter the Shammetha?<sup>19</sup> She replied [she had] not. Said he to her, Go and submit yourself to the [disability of a] ‘reproof’ for one day.<sup>19</sup> Zutra b. Tobiah was [once] expounding a Scriptural lesson in the presence of Rab Judah. Coming to the verse: And these are the last words of David,<sup>20</sup> he said to R. Judah. ‘Last words’: this implies that there were former words; which are

those former [words]? He [Rab Judah] kept silent, without saying anything. Again said the former: ‘Last words! This implies there were former words; which are those former [words]’? — He [then] replied: What, think you that one who does not know an explanation of that text is not an eminent man? He [Zutra] realized that he [Rab Judah] had taken the matter to heart [and] submitted himself to the [disability of a] ‘reproof’ for one day. Now, however, that we have come upon this question: “‘Last words’, this implies that there were former words’, what were they? —

[These:] And David spoke unto 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.<sup>21</sup> The Holy One, blessed ‘be He, said to David, David do you compose a song on the downfall of Saul? Had you been Saul and he David, I would have annihilated many a David out of regard for him. Hence it is written, ‘Shiggaion<sup>22</sup> of David, which he said unto the Lord, concerning Cush a Benjamite.<sup>23</sup> Was Cush that Benjamite’s name? And was not his name Saul? —

But, just as a Cushite [Ethiopian]<sup>24</sup> is distinguishable by his skin, so was Saul distinguished by his deeds. In like manner you explain: ‘[And Miriam and Aaron spoke against Moses] because of the Cushite woman that he had take,; to wife.<sup>25</sup> Was she a Cushite [woman]? Was not her name Zipporah? But as a Cushite woman is distinguishable by her skin so was also Zipporah distinguished by her deeds. In like manner you explain: Now Ebed-Melek the Cushite... heard.<sup>26</sup>

Now was his name Cushite? Was not his name Zedekiah?<sup>27</sup> But as the Cushite is distinguishable by his skin so was Zedekiah distinguished by his deeds. In like manner you explain: Are ye not as the children of the Cushites unto me, O children of Israel, saith the Lord?<sup>28</sup> Now is their name [children of] Cushites? Was not their name [children of]

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Israel? The truth is that as the Cushite is distinguishable by his skin, so are Israel distinguished by their ways<sup>29</sup> from all other nations.<sup>30</sup> R. Samuel b. Nahmani citing R. Jonathan. explained: [And these tire the last words of David], The saying of David the son of Jesse and the saying of the man raised on high,<sup>31</sup> [means, it is] the saying of David the son of Jesse who established firmly the yoke [discipline] of repentance.<sup>32</sup> [The spirit of the Lord spoke by the 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 that ruleth through the [reverent] fear of God.<sup>33</sup> What does this mean? —

Said R. Abbahu, It means this: 'The God of Israel said, to the [David] spake the Rock of Israel; I rule man; who rules Me? [It is] the righteous: for I make a decree and he [may] annul it'.<sup>34</sup> And these tire the names of the mighty of David: Josheb-basshebeth a Tahchemonite [etc.].<sup>35</sup> What does this mean? — Said R. Abbahu, It means: And these are the mighty deeds of David: 'Josheb-basshebeth' — [which means], sitting at the session;<sup>36</sup> [that is], When David sat at the College Session he was not seated on cushions and coverlets but on the [bare] ground.<sup>37</sup>

For all the time that his Master, Ira the Jairite,<sup>38</sup> was alive he taught the Rabbis whilst being himself seated on cushions and coverlets; when his soul found rest David used to teach the Rabbis being himself seated on the ground.<sup>39</sup> Said they [the Rabbis] to him: 'Sit, sit on the cushions and coverlets'; but he would not accede to their request. 'Tahchemoni'.<sup>40</sup> Rab explained: The Holy One, blessed be He, said to him [to David], 'Since you have humbled yourself you shall be like Me [that is], that I make a decree and you [may] annul it'. 'Chief of the Captains',<sup>41</sup> [that is] you be chief next to the three Fathers. He is Adino<sup>42</sup> the Eznite,<sup>43</sup> [that is] when he was sitting engaged in the [study of] Torah he rendered himself pliant as a worm, but when he went marching out to [wage] war

he hardened himself like a lance. 'On eight hundred slain at one time', [that is] when he threw a javelin he felled eight hundred slain at one time and moaned for the [shortage of] two hundred, for it is written: How one should chase a thousand.<sup>44</sup> But an echo came forth and said: 'Save only for the matter of Uriah the Hittite'!<sup>45</sup>

Said R. Tanhuni son of R. Hiyya a man of Kefar Acco as citing R. Jacob b. Aha who reported R. Simlai; and some say, R. Tanhun, said as reporting R. Huna; and again some say, R. Huna alone said that

- (1) The motive of this new restriction is not given. It was an old common practice to teach in the open. perhaps it was to avoid misrepresentation on the part of the passing crowds who might mistake the heated discussions for acrimonious disputations. The quotation is now resumed.
- (2) Imitating Hiyya's defective pronunciation; he could not correctly pronounce the guttural letters. Cf. Meg. 24b.
- (3) The quotation is here again interrupted.
- (4) Cf. infra p. 129 and Pes. 4a where R. Hiyya's action determines the former alternative to be the 'rule in practice'.
- (5) Prov. XVI, 7.
- (6) Ibid. I, 20-21.
- (7) Cf. Ber. 18a where R. Hiyya makes the same retort to R. Jonathan.
- (8) Much later; Rabbi died about 200 C.E. and Raba lived 299-352 C.E.
- (9) Isa. XLVIII, 16, the prophet speaking in the name of God. This is taken to refer to the Revelation when the Torah was given to all Israel assembled at Sinai and heard by all the other nations. Cf. Shab. 88b and Zeb. 116a.
- (10) These were half-yearly assemblies held in Adar and Elul, before the great Festivals.
- (11) I.e., to 'be practiced privately.
- (12) Reverting to the original question.
- (13) 'Mar' is a Babylonian title of rank and is sometimes also borne by Samuel, but mostly by the members of the Exilarch's family. Samuel was the principal of the Academy at Nehardea and the Chief justice, while Mar 'Ukba was both a disciple of Samuel and Exilarch, the supreme civil Head of the Jewish community invested with authority by the Persian king. This Mar 'Ukba is probably the same as Nathan 'Ukban who succeeded his father 'Anan or Huna as Exilarch shortly before the rise of the Neo-Persian rule of the Sassanids (c. 226 C.E.). V. W. Bacher, Jew. Encycl. Vol. V, 289a s.v. Exilarch.

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(14) I.e., in his presence, probably sitting at his right.

(15) Either a kind of recess or alcove in the wall or a marked-off enclosure with a rich matting for the Exilarch. [Aliter: A place was hollowed out in the ground over which the Exilarch's matting was spread for Mar 'Ukba to sit on, in order that his seat may not be on a higher level than that of Samuel; cf. Maharsha and D.S. a.l. The text is not clear.]

(16) Mar 'Ukba.

(17) Lit., 'is it not yet clear to you?'

(18) So MS.M. Cur. edd. 'his case'. V. Rashi.

(19) Which as a 'separation' 'would take effect for seven days; v. R. Hisda's observation, supra 16a,

(20) II Sam. XXIII, 1.

(21) Ibid. XXII, 1.

(22) שגיון (from שגה) is here taken to mean an error'. It was an error on his part to celebrate in song the downfall of Saul.

(23) Ps. VII, 1.

(24) Aithiops in Greek means 'fiery-looking', 'flashing'.

(25) Num. XII, 1.

(26) Jer. XXXVIII, 7ff.

(27) Sifre on Num. XII, 1 has it obviously more correctly: Baruch, son of Neriah (Jer. XXXVI, 4ff) his disciple.

(28) Amos IX, 7.

(29) Sifre. ibid. has: 'By their commandments'.

(30) On this antiphrasis, cf. Juvenal, Sat. VIII, 32-33: 'Somebody's dwarf we call an Atlas and an Aethiopian a swan'. And L. Friedlander's note ad loc. quotes Isid. Orig. I, 36, 24, 'antiphrasis — hoc tropo et nani Atlantes — et vulgo Aethiopes appellatur argentei?'

(31) II Sam. XXIII, 1.

(32) He showed the way of repentance for a heinous sin. Cf. p5, LI, 15 and A.Z., Sonc. ed. p. 19.

(33) II Sam. XXIII, 2-3. V. Hananel.

(34) The righteous have power to move God to change his adverse decree by prayer. Cf. Gen. XVIII, 20ff; Ex. XXXII, 7-14.

(35) II Sam. XXIII, 8.

(36) Playing on the meaning of the words: josheb \_ sitting; Basshebeth \_ at the 'sitting' or 'Session' (of scholars).

(37) Cf. Mar 'Ukba above.

(38) II Sam. XX, 26.

(39) Cf. 'Er. 63a and Sit. 59a.

(40) II Sam. XXIII, 8. (From חכמים), a session of the sages; but here Rab divides it into תהא כמוני 'be (thou) like me'.

(41) Explained as Chief of the Trio, the three Patriarchs.

(42) From עדין = 'gentle'; he was gentle, tender.

(43) \*\* \_ wood; the wooden lance. Cf. I Sam. XVII, 7. Cf. on this section, Seder Elijahu Rabbah Ed. M. Friedmann, III, pp. 15-16.

(44) Deut. XXXII, 30.

(45) I Kings XV, 5.

## Mo'ed Katan 17a

if a disciple 'separates' someone in [defense of] his personal dignity his 'separation' is an [effective]. For it is taught: 'One who has been "separated" [as under a ban] by the Master is [deemed] "separated" from the disciple; but one who has been "separated" by the disciple is not [deemed] "separated" from the Master'.<sup>1</sup> [That means], not 'separated' from the Master; but in regard to everybody else he is ['separated']. [Now let us see; 'separated'] for what [offence]? If [it was imposed] for some offence towards Heaven, then there is no wisdom nor understanding nor counsel against the Lord!<sup>2</sup> Therefore [presumably] it is only so<sup>3</sup> [where a disciple had pronounced it] in [defense of] his personal dignity.

R. Joseph said that a Collegiate<sup>4</sup> may enforce his own rights in a matter where he is perfectly certain [as to the law]. There was once a certain Collegiate whose reputation was objectionable. Said Rab Judah, How is one to act? To put the Shammetha on him [we cannot], as the Rabbis have need of him [as an able teacher]. Not to put the Shammetha on him [we cannot afford] as the name of Heaven is being profaned.

Said he to Rabbah b. Bar Hana, Have you heard alight on that point? He replied: 'Thus said R. Johanan: What means the text, For the priest's lips should keep knowledge and they should seek the law at his mouth; for he is the messenger of the Lord of Hosts?<sup>5</sup> [It means, that] if the Master is like unto a messenger of the Lord of Hosts, they should seek the law at his mouth; but if [he be] not, they should not seek the law at his mouth'. [Thereupon] Rab Judah pronounced the Shammetha on him. In the end Rab Judah became indisposed.



## MO'ED KOTON – 2a-29a

The Rabbis came to enquire about him and that man came along with them. When Rab Judah beheld him he laughed. Said the man to him: Not enough for him that he put upon that man [me] the Shammetha, but he even laughs at me! Replied he [Rab Judah]: I was not laughing at you: but as I am departing to that World [beyond] I am glad to think that even towards such a personage as you I showed no indulgence. Rab Judah's soul came to rest.<sup>6</sup> The man [then] came to the College [and] said, 'Absolve me'. Said the Rabbis to him, There is no man here of the standing of Rab Judah who could absolve you; but go to R. Judah Nesi'ah<sup>7</sup> that he may absolve you. He went and presented himself to him. Said he to R. Ammi: 'Go forth and look into his case; if it be necessary to absolve him, absolve him'. R. Ammi looked into his case and had a mind to absolve him.

Then R. Samuel b. Nahmani got up on his feet and said: 'Why, even a "separation" imposed by one of the domestics in Rabbi's house was not lightly treated by the Rabbis for three years; how much more so one imposed by our colleague, Rab Judah!' Said R. Zera, From the fact that this venerable scholar<sup>8</sup> should just now have turned up at this College after not having come here for many years, you must take it that it is not desirable to absolve that man. He [R. Judah Nesi'ah]<sup>9</sup> did not absolve him. He went away weeping. A wasp then came and stung him in the privy member and he died. They brought him into 'The Grotto of the Pious', but they admitted him not.<sup>10</sup> They brought him into 'The Grotto of the Judges' and they received him.<sup>11</sup> Why was he admitted there? — Because he had acted according to the dictum of R. Il'ai.

For R. Il'ai says, If one sees that his [evil] yezer<sup>12</sup> is gaining sway over him, let him go away where he is not known; let him put on sordid<sup>13</sup> clothes, don a sordid wrap and do the sordid deed that his heart desires rather than profane the name of Heaven openly.<sup>14</sup>

What [was the incident] of the domestic in Rabbi's house? It was one of the maidservants in Rabbi's house that had noticed a man beating his grown-up son and said, Let that fellow be under a Shammetha! because he sinned against the words [of Holy Writ]: Put not a stumbling-block before the blind.<sup>15</sup> For it is taught: 'And put not a stumbling-block before the blind', that text applies<sup>16</sup> to one who beats his grown-up son.<sup>17</sup>

Resh Lakish was once guarding an orchard [when] a fellow came and ate [some] figs; he shouted at him, but the fellow heeded him not, [whereupon] he said: 'Let that fellow be under a Shammetha!' He replied: 'Rather be that other fellow [Resh Lakish] under a Shammetha! Though I have incurred a pecuniary liability towards you, did I incur a "separation"?' [Resh Lakish] went to the College [and reported it]; they said to him: 'His "separation" is a [justified]<sup>18</sup> "separation", yours was not a [justified] "separation".' And what is the remedy for it? — 'Go to him that he [himself] may absolve you'. [But] I know him not! Said they to him [to Resh Lakish]: 'Go to the Nasi that he absolve you;' for it is taught: '[If] they "separate" him and he knows not who he was that "separated" him, let him go to the Nasi and let him absolve him from his "separation".'

Said R. Huna, At [one of the Synods at] Usha<sup>19</sup> they made a regulation that if the Ab Beth Din<sup>20</sup> committed an offence he was not to be [formally] 'separated', but someone was to tell him, Save your dignity and remain at home.<sup>21</sup> Should he again offend they 'separate' him, because [otherwise there would be] a profanation of the Name [of God]. And this is at variance with Resh Lakish; for Resh Lakish said: If a scholar-disciple has committed an offensive deed they do not 'separate' him publicly, because it is said: Therefore shalt thou stumble' in the day and the prophet also shall stumble with thee in the night, [that is to say], Keep it dark,<sup>22</sup> like night. Mar Zutra, the Pious,<sup>23</sup> if ever a

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Collegiate incurred the Shammetha, pronounced the Shammetha first on himself<sup>24</sup> and then pronounced it on the culprit; as he entered his house he first absolved himself and then absolved the other.<sup>25</sup> Said R. Giddal, as citing Rab: 'A scholar-disciple may Pronounce "separation" on himself and absolve himself'.

Said R. Papa, 'May [good] befall me, for I have never put the Shammetha on any Collegiate.'<sup>26</sup> But then, when a Collegiate did incur the Shammetha, how did he act? — As they do [in the West]; for in the West [Palestine] they appoint a tribunal for chastising a Collegiate but do not appoint a tribunal for pronouncing a Shammetha. What is [the etymology of the word] Shammetha? —

Said Rab, [It is], Sham-mitha, 'death is there'. Samuel said, [It is], Shemamah Yihye,<sup>27</sup> 'he shall be a desolation'; and its effects adhere to one like grease to the oven. And this is in disagreement with [what] Resh Lakish said. For Resh Lakish said that just as when it [the Herem] enters, it penetrates the two hundred and forty eight joints [on one's body],<sup>28</sup> so on its withdrawal it departs from the two hundred and forty eight joints. When it enters, as it is written; And the city shall be Herem, [a curse<sup>29</sup> [i.e.,] Herem being in its letter value two hundred and forty eight,<sup>30</sup> So at its withdrawal, as it is written: In wrath remember Rahem [to have compassion]<sup>31</sup> the letter value being the same. R. Joseph said, 'Cast a Shammetha on the dog's tail and it will do its work'. For there was a dog that used to eat the Rabbis' shoes and they did not know what it was [that did it], so they pronounced a Shammetha on the culprit, and the dog's tail caught fire and got burnt. There was a domineering fellow who bullied a certain Collegiate.

The latter came before R. Joseph [for advice]. Said he to him: 'Go and put the Shammetha on him'. 'I am afraid of him', he replied. Said he to him, 'Then go and take [out] a Writ<sup>32</sup>

against him.' — 'I am all the more afraid to do that!' Said R. Joseph to him: 'Take that Writ, put it into a jar,

(1) Supra p. 98.

(2) Prov. XXI, 30. That is to say, there should be no distinctions: the offender must be debarred from all and everybody.

(3) That the 'separated' is not debarred from his Master.

(4) צורבא מריבנא, the Babylonian appellation of an acknowledged scholar, a member of the Academy. The term has not been satisfactorily explained; but it is obviously from an Aramaic form, צרב = Hebrew צרף to be joined, adhere to, the equivalent of the Palestinian term קבר = associate, colleague, Collegiate.

(5) Mal. II, 7.

(6) In 299 C.E. Succeeded after a short interregnum by Rabbah b. Nahmani. V. Sherira's Epistle, ed. B. M. Lewin, p. 86.

(7) R. Judah II, grandson of Rabbi Judah I and son of Rabban Gamaliel III. Nesi'ah is the Aramaic form of Nasi 'the Prince'; it is conveniently used to indicate the second Judah (and sometimes the third).

(8) R. Samuel b. Nahmani.

(9) Or his Beth Din among whom were prominent R. Ammi and R. Zera.

(10) It is forbidden to bury a bad man next to a good man. V. Sanh. 47a.

(11) He was such himself and had repented.

(12) I.e., the evil (formative) imagining, prompting, 'urge'. V. Gen. VI, 5; VIII, 21; Deut. XXXI, 21. There is, however, a 'steady' (formative) urge for good. V. Isa. XXVI, 3 and P.B. p. 7.

(13) Lit., 'black clothes'. He had probably in mind the Roman custom for a discredited official to be sordidatus. For an earlier reference v. Mid. V, 4; 37b. Cf. however Hag. 16a.

(14) V. kid., Sonc. ed. p. 199 notes.

(15) Lev. XIX, 14.

(16) Lit., 'speaks of'.

(17) And this caused him to rebel.

(18) An effective ban, because deserved. J.M.K. III, 1 gives another version of this incident.

(19) V. e.g., Keth. 49b-50. J.M.K. III, 1.

(20) V. Glos.

(21) II Kings XIV, 10.

(22) Do it as quietly as possible for his sake and that of the community.

(23) Seemingly one of the Exilarchs or of their family. Cf. Sanh. 7b.

(24) So hateful was it to him.

(25) To be free himself before he freed another. Cf. Tosaf. s.v., משמי

(26) Some take it as an asseveration, 'May evil befall me if I ever did that'. Cf. II Sam. III, 35.

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(27) Cf. *fer.* XLII, 18; *Han.* and *Aruch* have *sham tehi*, i.e., 'be it there'; let it stay there as a curse, citing *Zech.* V, 3-4.

(28) Cf. *Mak.* 23b.

(29) *Josh.* VI, 17, 'even it and all that; is therein'.

(30) ה = 8; ט = 200; ס = 40.

(31) *Hab.* III, 2.

(32) *Lit.*, the Opening', preliminary action after a verbal *Shammetha*. It is to write out the *Shammetha* against him.

## Mo'ed Katan 17b

take it to a graveyard and hoot into it a thousand *Shipur* [horn-blasts] on forty days'. He went and did so. The jar burst and the domineering bully died. What is the [significance of using a] *Shipur*'? — That he'll pay, the penalty.<sup>1</sup> What signifies the *tabra*<sup>2</sup> [tooting]? — Said R. Isaac son of R. Judah: [It suggests] 'the tumbling of high houses': for it is taught: *Rabban Simeon b. Gamaliel* said that wherever the Sages set their eye against one, [the result was] either death or poverty.<sup>3</sup>

AND THE NAZIRITE OR LEPER, EMERGING FROM HIS [STATE OF] IMPURITY TO [A STATE OF] PURITY. . . R. Jeremiah enquired of R. Zera whether this [concession]<sup>4</sup> was allowed [only] when they had not an [earlier] opportunity.<sup>4</sup> or, maybe, even if they had an [earlier] opportunity? — He replied, We learned it [in a *Baraita*]:<sup>5</sup> All those who were mentioned [in the *Mishnah*]<sup>6</sup> as being allowed to crop their hair during the festival [week, are allowed] where they had no [earlier] opportunity, but if they had an [earlier] opportunity [and did not use it] are forbidden.<sup>7</sup> The Nazirite and the leper [however] are allowed,<sup>7</sup> even if they had an opportunity [and did not use it]; the reason being that they should not delay bringing their [prescribed] offerings<sup>8</sup> [on their release from their respective restrictions].

A *Tanna* taught: A priest and a mourner also<sup>9</sup> are allowed to crop themselves.<sup>7</sup> Now, as to this mourner, under what conditions [may he do so]? Shall I assume that the eighth day of his [mourning] fell on the day before the

festival? Then he ought to have trimmed himself then, on the day before<sup>10</sup> the festival! Again, if the eighth day of his [mourning] came on a Sabbath which was the day before the festival; [if so] then he should have trimmed his hair on the Friday. as R. Hisda stated, citing *Rabina b. Shila*, that 'the rule in practice' followed *Abba Saul's* view and that the Sages concurred with *Abba Saul*,<sup>11</sup> [namely] that where the eighth day of his [mourning] came on a Sabbath which was the day before a festival, [in such a case] he was allowed to trim himself on the Friday!<sup>12</sup>

—

No, this [statement in the *Baraita*] is required for the case where the seventh day of his [mourning] came on a Sabbath which was also the day before the festival. [In that case] the external *Tanna* takes the view of *Abba Saul* who says that part of a day may be deemed as an entire day; and [accordingly] the seventh day of his [mourning] is counted both with the preceding and with the following period<sup>13</sup> and as that happens to be a Sabbath day,<sup>14</sup> the mourner was prevented [from trimming himself on the festival eve].<sup>15</sup> [Whereas], our *Tanna*<sup>16</sup> takes the view of the Sages who say that part of a day is not deemed as an entire day, and [accordingly] the mourner has not yet completed the seven days of his mourning [before the festival].<sup>17</sup>

Now as to the priest,<sup>18</sup> under what conditions [may he]? Shall I assume that [the turn of] his *Ward*<sup>19</sup> terminated on the day before the festival?<sup>20</sup> He should have trimmed himself then on the day before the festival! No, it is necessary to assume that [the turn of] his *Ward* terminated on the festival [day].<sup>21</sup> [In that case], our *Tanna*<sup>16</sup> then holds in view of what we learned: At three periods of the year, all the *Wards* have an equal right to [assist in placing] the 'ordained' parts<sup>22</sup> of the festival offerings [on the altar] and sharing the 'shewbread'<sup>23</sup> — that we consider him as one whose *Ward* had virtually not yet completed [its turn].<sup>24</sup> Whereas the external *Tanna* holds that although [in a way] he belongs to

# MO'ED KOTON – 2a-29a

the other Wards [also], his own Ward had nevertheless [actually] completed [its turn, and therefore he may trim himself].<sup>25</sup> Our Rabbis taught: All those who were mentioned [in the Mishnah] as being allowed to crop their hair during the festival [week] are likewise allowed to crop their hair during the days of their mourning. But surely it is taught that they are forbidden?—

Said R. Hisda as citing R. Shela: When it is taught here that they ‘are allowed [to crop their hair during the days of their mourning]’, it refers only to persons who suffered one bereavement immediately after another. If it refers only [as you say] to persons who suffered one bereavement immediately after another, what is the point in wording it ‘all those who were mentioned [in the Mishnah]’ whereas [under such unfortunate circumstances] it is even applicable to anybody, as it is taught: ‘If a person suffered one bereavement immediately after another and his hair has become oppressively [long], he may ease it with a razor and wash his raiment with water’? — But that has already been explained: R. Hisda said [it means], ease it with a razor but not with scissors: wash his raiment with water but not natron or lye.<sup>26</sup> [Furthermore] said R. Hisda: This [Baraita] indicates that [otherwise] a mourner is barred from washing [his clothes].

Our Rabbis taught: ‘Just as it was said that cropping the hair during the festival [week] is not allowed, so is paring the nails during the festival [week] not allowed. This is R. Judah's opinion; but R. Jose allows it. And just as it was said that a mourner is not allowed to crop his hair within [the period of] his mourning, so is paring the nails not allowed to him within [the period of] his mourning. This is R. Judah's opinion; but R. Jose allows it ‘Ulla stated that the Halachah follows the view of R. Judah in the case of a mourner, and that of R. Jose in regard to the festival [week]. Samuel said

(1) She-nifra'im; lit., ‘they will exact punishment’.

(2) Lit., ‘broken’. The short broken toots which were sounded at a Shammetha.

(3) Cf. Hag. 5b (top).

(4) To trim themselves during the festival week.

(5) V. supra 14a-b and cf. Tosef. M.K. II.

(6) V. supra 13b-14a.

(7) To trim themselves during the festival week.

(8) The Nazirite, Num. VI, 10ff; the leper, Lev. XIV, 9ff.

(9) These are not mentioned in the Mishnah list.

(10) As the seven days of mourning are over, the festival cancels the rest, down to 30 days (in all).

(11) The issues are discussed at length, infra 19b.

(12) Why then should he be allowed to crop himself during the festival week.

(13) Lit., ‘with this way and that way’.

(14) On which he may not trim himself.

(15) I.e., it is not on account of his negligence, but owing to the force of circumstances, and therefore he may have his hair cut in the festival week.

(16) Of the Mishnah who does not include the priest or mourner in his list.

(17) And consequently the rest of the period is not canceled and therefore he is not among those who are allowed to trim in the festival week.

(18) Mentioned above with the mourner by the external Tanna (in the Baraita) as being allowed to trim in the festival week.

(19) Mishmar, v. Glos.

(20) Priests were not allowed to trim themselves or wash their garments while their Ward was on duty in the Temple, save on the Friday in honor of the Sabbath. Cf. supra 14a.

(21) When he could not trim himself.

(22) V. e.g., Lev. 1, 5-9; 11-13; II, 1-3ff; VII, 1-10 etc.

(23) Ibid. XXIV, 5-9.

(24) Therefore he is not in the list of the Mishnah among those who may.

(25) Cf. n. 1.

(26) [In the case of those mentioned in the Mishnah, where they in addition suffered one bereavement after another, the said restrictions do not apply].

## Mo'ed Katan 18a

that the Halachah follows the opinion of R. Jose [both] in regard to the festival [week] and to mourning. For Samuel said that in [questions appertaining to] mourning, the Halachah follows the authority of the more lenient view. Phineas, Mar Samuel's brother, suffered a bereavement<sup>1</sup> and Samuel called on him to ask him the cause of it.<sup>2</sup> Noticing that his nails were long, he asked him why he had not cut them. He replied: Had this



## MO'ED KOTON – 2a-29a

happened to you, would you have been so regardless of it [as to cut them]? This was [inauspicious], 'like an error which proceedeth from a ruler;<sup>3</sup> and Samuel [later] suffered a bereavement himself. When his brother [Phineas] called on him to ask the cause of it, Samuel took his cut nails and cast them down in front of his brother, saying, 'Do you not hold that a covenant has been made with the lips?'<sup>4</sup>

For R. Johanan said: Whence is derived the notion that the lips are subject to a covenant? From what is said: And Abraham said unto his young men: 'Abide ye here with the ass, and I and the lad will go yonder; and we will worship and [we will] come back to you';<sup>5</sup> and the words came true<sup>6</sup> so that they both came back. Some argued from the above [incident] that [only] the fingernails may [be cut],<sup>7</sup> but not the toe-nails. But R. 'Anan b. Tahlifa said, 'I myself had it explained to me by Samuel, that there was no distinction made between the finger-nails and the toe-nails'. R. Hiyya b. Ashi citing Rab said: But with a nail-cutter it is forbidden.

Said R. Shaman b. Abba: 'I was once standing before R. Johanan<sup>8</sup> at the College during the festival week when R. Johanan bit off his nails and threw them away. Learn from this [incident] three points: Learn that it is allowed to take off nails during the festival week; that [doing it with the teeth] was not considered objectionable, and that [nails] may be thrown away'.

But this [deduction] is not [correct]? as surely it is taught, 'Three things were said in reference to nails: One who buries them is righteous;<sup>9</sup> one who burns them is pious<sup>10</sup> and one who throws them away is a villain'! What is the reason? Lest a pregnant woman should step over them and miscarry; [but then], women do not 'often come to the College. And should you say that sometimes the nails are gathered and thrown away outside, once they have been shifted their spell has been lifted.<sup>11</sup>

Rab Judah. as citing Rab, said: 'A pair [of scholars] came from Hammathan<sup>12</sup> before Rabbi...', and Mar Zutra taught [the same as a Baraita]. 'A pair [of scholars] came from Hammathan before Rabbi, and asked him about [paring] the nails [during mourning]; and he permitted it to them. And if they had asked him about [trimming] the upper lip. he would<sup>13</sup> have permitted it to them likewise'. And Samuel stated that they did ask him also about the upper lip and that he permitted them. Abitol the hair-dresser<sup>14</sup> said in the name of Rab that [trimming the] upper lip means from corner<sup>15</sup> to corner; [and of the drooping ends<sup>16</sup> too, all that causes inconvenience].

Said R. Ammi, And as regards the upper lip [it also means only] whatever part causes inconvenience. Said R. Nahman b. Isaac, And to me [all of it]<sup>17</sup> is like the [end of the] upper lip causing inconvenience. And Abitol the hair-dresser, citing Rab, said [also this]: Pharaoh<sup>18</sup> the contemporary of Moses, was [a puny fellow] a cubit [in height] with a beard a cubit long and his shock of hair<sup>19</sup> a cubit and a span, justifying what is said: And He setteth up over it [the kingdom of men] the lowest of men.<sup>20</sup> And [furthermore] said Abitol the hair-dresser, as citing Rab, Pharaoh, the contemporary of Moses, was a Magus,<sup>21</sup> because it is said: [Get thee unto Pharaoh in the morning,] lo he goeth out unto the water.<sup>22</sup>

AND THESE [MAY] WASH [THEIR CLOTHES] DURING THE FESTIVAL [WEEK], ONE ARRIVING FROM ABROAD.<sup>23</sup> R. Assi, as citing R. Johanan said that one who has but one tunic is allowed to wash it during the festival week. Thereupon R. Jeremiah put an objection to him: 'AND THESE [MAY] WASH [THEIR CLOTHES] DURING THE FESTIVAL [WEEK]. ONE ARRIVING FROM ABROAD, etc.' [which enumeration implies that only] those here mentioned may [wash] but one who has but one tunic<sup>24</sup> [may] not? —

# MO'ED KOTON – 2a-29a

Said R. Jacob to R. Jeremiah [b. Tahlifa],<sup>25</sup> I will explain that to you: Our Mishnah [permits to wash] even if he has two garments if they be soiled.<sup>26</sup> R. Isaac son of R. Jacob b. Giyora sent [a message] in the name of R. Johanan that garments made of flax<sup>27</sup> one may wash during the festival week.

## Raba raised an objection: HAND-TOWELS, BARBERS'-WRAPS AND BATHTOWELS [MAY BE WASHED].

- (1) Lit., 'something befell him'.
- (2) Rashi: to console him.
- (3) Eccl. X, 5.
- (4) I.e., the way in which a thing is expressed may contain a prognostication for the future.
- (5) Gen. XXII, 5.
- (6) Lit., 'the thing was furthered'.
- (7) Because they are visible.
- (8) Waiting on him.
- (9) By justly removing a stumbling block, a believed cause for injury,
- (10) By going to greater trouble in disposing of the injurious matter effectively, beyond recovery. Cf. B. K. 30a; 50b.
- (11) I.e., they are quite harmless once the nails have been shifted from their first place.
- (12) Ancient Emmaus, a famous spa about a mile from Tiberias. Hanimatha(n) means 'Hot Springs'.
- (13) Judging by his attitude.
- (14) Hardly 'scribe', as his observation shows. He is otherwise unknown; he may have consulted Rab professionally.
- (15) Of the mouth.
- (16) So Rabad and SBH (p. 92). Cf. Asheri (section 20) and Ritba.
- (17) So D.S.
- (18) Under Pharaoh, Rab alluded veiledly to the new Persian rulers as may be gathered from the following description of the Parthians (or Persians). Two Palestinian Rabbis had visited Nehardea and had there an awkward experience. R. Jose b. Kippar, on his return, explained his timidity, thus: 'Those people are a cubit (in height) with a cap a cubit high, speaking as ventriloquists, bearing formidable names (such as) Arda(shir) and Arta(xerxes) and having a shock of hair on their head. If they say, "Fetter" they put on fetters; if they say "Kill" they kill... and they were related to royalty', Git. 14b. 'Surena (a Parthian grandee) had his face painted and his hair parted after the fashion of the Medes, whereas the Parthians (whom he led against Crassus 53 B.C.E.) made a more terrible appearance with their shaggy hair gathered in a mass upon their forehead after the Scythian manner'. Plutarch's

Lives, Crassus (Everyman's Library, Vol. II, pp. 292-293). 'But to describe their persons and customs (says Ammianus Marcellus) they are nearly all slight in figure, swarthy... fierce-looking with goat-like eyes, eyebrows arched in semi-circle and joined, handsome beards and long hair'. Amm. Marcell. Chapter XXIII, VI, 75 (Bohn's ed. pp. 343ff expedition of Julian in 363 C.E.).

(19) פרמשתקו Adopting J. Perles' suggested etymology cited in (Ar. Compl. s.v. 430b) as more likely correct, \*\* meaning here not the side whiskers but the other hair, the shock of hair on top of the head.

(20) Dan. IV, 14, in reference to Nebuchadnezzar who turned beast, with hair grown like eagles' feathers (v. 30). Cf. Kid. 72a (and parallel passage, Meg. 11a) where Persians are compared to a restless, corpulent, shaggy bear, with a corresponding reference to the Book of Daniel.

(21) I.e., a priest of the Zoroastrian religion, who adored Ahura-Mazda (Ormuzd) 'the Lord of Light' who would vanquish Angra-Mainyus, (Ahriman) 'the Lord of the Demons, Darkness and Evil'.

(22) Ex. VII, 15. It is the reference to the light of morning which is the emphatic part of this quotation. Rab undoubtedly referred to the then national revival of Zoroastrianism on the defeat of Artaban IV and the overthrow of the Parthian, Arsacid dynasty by Ardashir I — (Artaxerxes) and the establishment of the Sassanid dynasty in 226 C.E. Artaban (who is said to have been friendly disposed towards Rab) was captured, held a prisoner and finally put to death in 233. i.e., at the time when Alexander Severus repelled the Persian attacks on the Roman outposts in Northern Mesopotamia. Ardashir 'was an ardent devotee of the Zoroastrian doctrine and closely connected with the Priesthood and in his royal style assumed the designation Mazdayasman' (i.e., devotee of Ahura-Mazda) and depicted himself on rock-reliefs as King and Ormuzd both on horseback, i.e., King and god as Pharaoh did of old. Shapur I, his son and successor, was more liberal and friendly to Samuel. Hence the discussion between Rab and Samuel (Shab. 75a) as to what is a magus, a sorcerer (a muttering quack-priest) or a blasphemer, reviler of God? On the historical facts cf. Enc. Brit. II (1911) Art. Peria, VIII, p. 219a-b.

(23) Lit., 'from a maritime province'.

(24) Or shirt.

(25) So MS.M.

(26) Bit where he has only one tunic he may in all circumstances wash it.

(27) Linen, in contrast to woollens that require more skill and exertion in cleaning.

# MO'ED KOTON – 2a-29a

## Mo'ed Katan 18b

This [detailed enumeration] implies that these only [one may wash], but not [all sorts of] garments made of flax? —

Said Abaye to him, [Not necessarily]; Our Mishnah included even those other kinds [of material].<sup>1</sup> Said Bar Hedyā: I have myself seen at the lake of Tiberias [people] bringing along basins full of flax garments [and washing them] during the festival week. Abaye [however] strongly contested this [testimony]. Who can vouch to us that they did it with the approval of the Sages? Possibly they did so without the approval of the Sages!

**MISHNAH AND THE FOLLOWING DOCUMENTS MAY BE INDITED DURING THE FESTIVAL [WEEK]: INSTRUMENTS OF BETROTHAL,<sup>2</sup> BILLS OF DIVORCE<sup>3</sup> AND RECEIPTS;<sup>4</sup> TESTA MENTS, BEQUESTS<sup>5</sup> AND PROSBOLS;<sup>6</sup> VALUATION CERTIFICATES<sup>7</sup> AND ORDERS FOR ALIMONY;<sup>8</sup> RECORDS OF HALIZAH<sup>9</sup> AND OF REPUDIATION [OF MARRIAGE]<sup>10</sup> AND ARBITRATION RECORDS;<sup>11</sup> JUDGMENT ORDERS AND DIPLOMATIC<sup>12</sup> CORRESPONDENCE.**

**GEMARA.** [INSTRUMENTS OF BETROTHAL]. Said Samuel, 'One is allowed to betroth a woman during the festival week, [the reason being] lest another [rival suitor] anticipate him'. Might one suggest that [the wording here] lends support to Samuel's view: **AND THE FOLLOWING MAY BE INDITED DURING THE FESTIVAL [WEEK]: INSTRUMENTS OF BETROTHAL.** What is [meant by this]? Is it not actually inditing the formula of Kiddushin?<sup>13</sup> —

No, [it means, drawing up] the [preliminary] terms, and as R. Giddal, citing Rab, stated: 'How much do you give to your son?' 'So much and so much.' 'How much do you give to your daughter?' 'So much and so much'. [If] they then stood up and pronounced the 'dedication' [espousal formula] they have

acquired their legal rights [to the offers]; these are [among] the matters that are [legally] acquired by word of mouth.<sup>14</sup> Might one suggest [then] the following as lending support to him [to Samuel]? 'One may take a wife during the festival [week], whether a virgin or a widow, but not effect a levirate marriage;<sup>15</sup> as it is a rejoicing for him [the groom]',<sup>16</sup> [which implies] that betrothing is allowed. —

Not [quite so]. He stated [the rule in the form] 'Not merely [this is not allowed but even that]: Not merely [it is forbidden] to betroth,<sup>17</sup> by which no scriptural obligation is carried out; but even to take [a wife in wedlock] whereby a scriptural obligation is fulfilled,<sup>18</sup> he is forbidden.

Come and hear [a support for this]: For it was learnt in the School of Samuel:<sup>19</sup> [Grooms] may betroth, but not bring [a bride] home: and they may not make a feast of betrothal nor effect a levirate marriage, as this is a rejoicing for him [the groom]'. Infer this.<sup>20</sup> But [yet], could Samuel have said 'Lest another [rival suitor] anticipate him'? Surely Rab Judah, as citing Samuel, said: ['Forty days before the embryo is formed<sup>21</sup> an echo issues<sup>22</sup> forth [on high] announcing, "The daughter of So-and-so is [to be a wife] to So and-so"'.] [Similarly]. 'Such and such a field<sup>23</sup> is [to belong] to So and-so'. —

No; what it means is, 'Lest another [rival suitor] anticipate him' by means of prayer, as is illustrated by what occurred to Raba, who overheard a certain fellow praying for grace saying: 'May that girl be destined to be mine!' Said Raba to the man: 'Pray not for grace thus; if she be meet for you, you will not lose her, and if not, you have challenged Providence'.<sup>24</sup> Later he overheard him praying that either he should die before her or she before him. Said Raba to him: 'Praying Jack,<sup>25</sup> did I not tell you not to pray for grace in this matter?'

## MO'ED KOTON – 2a-29a

Thus said Rab in the name of R. Reuben b. Estrobile, from the Torah,<sup>26</sup> from the Prophets and from the Hagiographa it may be shown that a woman is [destined to] a man by God. From the Torah: Then Laban and Bethuel answered and said, The thing proceedeth from the Lord.<sup>27</sup> From the Prophets: But his [Samson's] father and mother knew not that it was of the Lord.<sup>28</sup> And from the Hagiographa: House and riches are the inheritance of fathers, but a prudent wife is from the Lord.<sup>29</sup>

And Rab said [also this] in the name of R. Reuben b. Estrobile: 'A person does not incur suspicion unless he has done the thing [suspected]; and if he has not done it wholly he has done it partly; and if he has not done it partly, he has a mind to do it; and if he has not had a mind to do it, he has seen others doing it and enjoyed [the sight of it]'. [As against this], R. Jacob [of Nehar Pekod]<sup>30</sup> raised an objection [from the following text]: 'And the children of Israel did impute things that were not right unto the Lord their God.<sup>31</sup> There they did it [purposely] to provoke [God]. Come [then] and hear [this statement]: And [Moses heard and fell on his face].<sup>32</sup> What tidings had he heard? —

Said R. Samuel b. Nahmani, as reporting R. Jonathan: [He heard that] they suspected him of [adultery with] a married woman, as it is said: And they were jealous<sup>33</sup> of Moses in the camp and of Aaron the holy one of the Lord.<sup>34</sup> And, said R. Samuel b. Isaac, this indicates that everyone was jealous of his wife because of Moses. —

There [again] it was done out of hatred.<sup>35</sup> [Then] come and hear [this statement]: Said R. Jose, May my share be with him whom they suspect of something of which he is innocent. Nay further, R. Papa said, They suspected me myself of something of which I was innocent! — It is not difficult [to explain]. One [speaks of a] rumor that dies away, the other of a rumor that persists. And how long would a persistent rumor be?—

Said Abaye. 'Nanna' told me, Local gossip lasts a day and a half; and that holds good only if it did not cease in the meantime, but if it had ceased in the meantime, we take no notice of it. If, however, it does cease in the meantime, the rule is [to disregard it] only where it was not [stopped] out of fear, but if it was stopped out of fear, it is not [to be disregarded]; again, the rule is [to disregard it] only where it does not break out again, but where it breaks out again [we do] not [disregard it]; also, the rule is [to disregard it] when he [the maligned] person has no enemies, but if he has enemies, [we say] it is his enemies who have spread the [adverse] rumor.

*MISHNAH.* BILLS OF CREDIT MAY NOT BE WRITTEN DURING THE FESTIVAL [WEEK]; BUT IF HE [THE CREDITOR] DOES NOT TRUST HIM OR HE<sup>36</sup> HAS NOT [ENOUGH] FOOD TO EAT, HE MAY WRITE. SCROLLS [OF THE LAW] AND THE [SCRIPTURAL SECTIONS FOR] PHYLAETERIES<sup>37</sup> AND MEZUZOTH<sup>38</sup> MAY NOT BE WRITTEN DURING THE FESTIVAL [WEEK]; NOR MAY A SINGLE LETTER BE CORRECTED, EVEN IN THE [ANCIENT] TEMPLE-SCROLL.<sup>39</sup> R. JUDAH SAYS, A PERSON MAY WRITE THE [SCRIPTURAL SECTIONS FOR] THE PHYLAETERIES OR MEZUZOTH FOR HIMSELF

(1) [E.g., woolen which requires more skill in cleaning, yet in the case of hand-towels, washing is permitted. But as to those made of linen, all sorts of garments may be washed].

(2) Either (a) the formula of espousal: 'Behold thou art dedicated unto me according to the law of Moses and Israel' (Cf. Kid. 5b and 6a), to be handed by the suitor to his bride (thereby to secure her for himself forthwith in case of another rival suitor) as a 'marriage' may not be celebrated during the festival week (Rashi); or, (b) the terms of the marriage settlement (instrumenta dotalia). V. Gemara and SHB ad loc. p. 95; also Lewin, Otz. Hag. Mashk No. 52.

(3) Cf.. Deut. XXIV, 1-4.

(4) Or part-cancellation of a debt. Cf. Keth. 89a ff and B.M. 18a, 19a-b.

(5) During his lifetime. B.M. 19a. palest. Mishnah reads: 'and bequests'.



# MO'ED KOTON – 2a-29a

- (6) A formal written declaration made by a creditor before the Judges assigning to the Court the collection of an outstanding debt, thus preventing its cancellation by the incidence of the Sabbatical year. Cf. Deut. XV, 2, and Sheb. X, 4; Git. 36a. The Prorbol is said to have been instituted by Hillel.
- (7) Valuation of a debtor's property by order of Court prior to a public auction to meet the payment of his debt. Cf. B.M. 20a and 'Arach. 21b.
- (8) E.g., to keep a step-daughter for a certain period. V. Keth. 101b.
- (9) The ceremony on the refusal of the levirate marriage by the brother of a man who died absolutely childless. V. Deut. XXV, 5-10. For the text see J.M.K. ad loc. and Yeb. 3 9b.
- (10) By a girl minor who before attaining puberty had been given in marriage (after her father's death) by her mother or brothers. Her repudiation before a tribunal of three judges was sufficient to nullify the marriage. Cf. Yeb. 107b ff.
- (11) 'Compromissium', a covenant to abide by the decision of arbitrators, according to J.M.K. III, 3 or copies of the pleadings and award, according to B.M. 20a.
- (12) = ראשות = רשות government 'letters of credentials', 'diplomas'; or רשות voluntary, private, friendly letters, J.M.K., ibid; also Lewin Otz. Hag. IV, Mashk. Nos. 53-55.
- (13) The dedication formula, v. n. 6 on Mishnah.
- (14) Without formal, symbolical 'delivery'. Cf. Keth. 102a and b.
- (15) Deut. XXV, 5-6. V. p. 117, n. 5.
- (16) V. supra 8b.
- (17) During the festival week.
- (18) The duty of procreation. Gen. I, 27-28; II, 18, 22-24.
- (19) [Han.: Menasseh.]
- (20) I.e., this is conclusive.
- (21) V. D.S. note ad loc and cf. Sot. 2a and Sanh. 22a (Sonc. ed. p. 124).
- (22) Cur. edd. have here 'daily'.
- (23) Or house, family, D.S.
- (24) You will (in the end) challenge Providence for not having granted your sincere prayer.
- (25) SBH. (Cf. Ex. XXXII, 11).
- (26) The Pentateuch.
- (27) Gen. XXIV, 50.
- (28) Judg. XIV, 4.
- (29) Prov. XIX, 14.
- (30) So MS.M. and parallels.
- (31) II Kings, XVII, 9. Surely, God has not been guilty of improper intentions. Yet ill is imputed to Him.
- (32) Num. XVI, 4. According to MS.M. Cf. Sanh. 110a.
- (33) Connecting this expression with that of Num. V, 14.

(34) Ps. CVI, 16.

(35) It was not suspicion, but sheer spite.

(36) The borrower or the scribe. V. J.M.K. 82a.

(37) Cf. Deut. VI, 8; XI, 18 and supra.

(38) Deut. VI, 9; XI, 20.

(39) According to some, a copy written by Ezra, according to others, the scroll kept in the 'Court' of the Temple.

## Mo'ed Katan 19a

**AND MAY SPIN ON HIS THIGH THE BLUE-WOOL FOR HIS FRINGE.<sup>1</sup>**

**GEMARA.** Our Rabbis taught: A person [may] write [the scriptural sections for] phylacteries or Mezuzoth for his own use [and spin on his thigh the blue threads for his own fringe],<sup>2</sup> and for others [he may do so] as a favor:<sup>3</sup> this is R. Meir's view; R. Judah says, He may artfully dispose of his own and [then] write fresh ones for his own use. R. Jose says, He may write and sell [them] in his usual way enough for his [personal] requirements,<sup>4</sup> Rab gave a decision to R. Hananel and some say, Rabbah b. Bar-Hanah to R. Hananel<sup>5</sup> — that the Halachah is that one [may] write and them in his way to the extent of his requirements.

**AND [MAY] SPIN ON HIS THIGH BLUE-WOOL FOR HIS FRINGE.** Our Rabbis taught: A person [may] spin on his thigh the blue [thread] for his fringe, but [may] not do so with a stone [as a spindle-whorl]: that is R. Eliezer's view; but the Sages say [he may] even with a stone. R. Judah says in his [R. Eliezer's] name: [He may] with a stone, but not with a spindle; but the Sages say, [He may] either with stone or with spindle. Said R. Judah as citing Samuel, and similarly R. Hiyya b. Abba said as citing R. Johanan: The Halachah is that [one may spin the blue-wool for his fringe] whether with a stone [as whorl] or with a spindle;<sup>6</sup> and it is also the Halachah that one [may] write in his usual way and sell sufficient for his requirements.<sup>7</sup>

**MISHNAH.** IF ONE BURIES HIS DEAD THREE DAYS<sup>8</sup> BEFORE A FESTIVAL, THE RESTRICTIONS<sup>9</sup> APPERTAINING TO HIS

# MO'ED KOTON – 2a-29a

SEVEN DAYS' MOURNING FALL AWAY; [IF HE BURIES HIS DEAD] EIGHT DAYS BEFORE A FESTIVAL, THE RESTRICTIONS OF THE THIRTY [DAYS] FALL AWAY,<sup>10</sup> BECAUSE THEY [THE SAGES] SAID THAT THE SABBATH ENTERS INTO COUNT BUT DOES NOT INTERRUPT,<sup>11</sup> WHILE FESTIVALS INTERRUPT<sup>12</sup> AND DO NOT ENTER INTO COUNT.<sup>13</sup> R. ELIEZER SAYS, SINCE THE SANCTUARY [AT JERUSALEM] WAS LAID IN RUINS, [THE FEAST OF] 'AZERETH'<sup>14</sup> IS [RECKONED] AS AN [ORDINARY] SABBATH [DAY];<sup>15</sup> RABBAN GAMALIEL SAYS, NEW YEAR AND THE DAY OF ATONEMENT ARE [RECKONED] AS FESTIVALS; WHILE THE SAGES SAY, [THE RULE IS] NEITHER ACCORDING TO THE STATEMENT OF THE ONE NOR ACCORDING TO THE STATEMENT OF THE OTHER, BUT AZERETH IS [RECKONED] LIKE [THE OTHER] FESTIVALS AND NEW YEAR AND THE DAY OF ATONEMENT ARE [RECKONED] AS A SABBATH [DAY].

**GEMARA.** [THE RESTRICTIONS... FALL AWAY]. Said Rab, [this means only] 'the restrictions'<sup>16</sup> fall away, but the days [of mourning] do not fall away<sup>17</sup> and so said also R. Huna:<sup>18</sup> The 'restrictions fall away but the 'days' do not fall away; and R. Shesheth<sup>19</sup> said that even the days also fall away.<sup>20</sup> What is the meaning of, 'But the days [of mourning] do not fall away'? [It means] that if he had not cropped his hair on the day before the festival he is forbidden to crop himself after the festival

(1) Num. XV, 38ff.

(2) This bracketed part is omitted in many texts. Cf. D.S.

(3) Without payment for his work.

(4) פִּרְנָסָה includes 'food, raiment and home' for himself, wife and children or his father's widow. Cf. Shab. 118a and Keth. 69a.

(5) V. J.M.K. III, 4.

(6) It being for the performance of a Biblical ordinance which gives him joy.

(7) To help him joyously to keep the festival.

(8) V. infra 20a.

(9) גִּטְרוּהָ means generally a restrictive measure. (Cf. Be. 4b, 8b, 36b). Here it refers to the abstention, during the seven days of mourning, from work

and bodily comforts — bathing, anointing, footwear and fresh clean clothes, i.e., the maintenance of a neglected disconsolate appearance in honor of the deceased. The public, religious, festive rejoicing suspends, or according to some, cancels the formal observance of sorrow.

(10) I.e., the remaining period of formal mourning down to thirty days lapses on his having duly observed the first seven days plus one day of the remaining period before the festival.

(11) I.e., it neither counts as a blank day, nor does it cancel the rest. The remaining days of mourning continue after the Sabbath.

(12) Cancel the remaining days of mourning.

(13) If the interment took place during the festival. But v. Rashi.

(14) The rabbinic term for the 'Feast of Weeks' (Deut. XVI, 10). or the Day of Bikkurim, First Fruits (of wheat; Lev. XXIII, 17). Both terms occur in Num. XXVIII, 26. V. Targums on the last, and Mid. Lekah Tob, ad loc. p. 272; cf. also infra 24b.

(15) It enters into count and does not interrupt.

(16) I.e., only the outer, formal observances of mourning but not the obligation.

(17) I.e., the period of mourning of seven or (down to) thirty days (as the case may be, according to the wording of the Mishnah) is not canceled but only deferred pending the festive time.

(18) Rab's disciple and his successor at the Academy of Sura.

(19) Var. lec., Samuel; v. D.S. a.l.

(20) I.e., they are not to be compensated after the festival to the number of the days during which the mourning formalities were suspended.

## Mo'ed Katan 19b

and that is [exactly] what is taught [in a Baraita]: If one buries his dead three days before a festival his restrictions of the seven fall away;<sup>1</sup> if eight days before a festival his restrictions of the thirty fall away;<sup>1</sup> and he crops [his hair] on the day before the festival.<sup>2</sup> If he had not cropped himself on the day before the festival, he is forbidden to crop himself after the festival.<sup>3</sup> Abba Saul says, He is permitted to crop himself after the festival; for just as the '[observed] obligation<sup>4</sup> of three' [days] quashes the restriction of the seven's<sup>5</sup> so does the '[observed] obligation of seven' quash the 'restrictions of thirty'.<sup>6</sup> [You Say, 'The observed obligation of] seven'? But we learned [in our Mishnah] 'eight' [days before the festival]! —

# MO'ED KOTON – 2a-29a

Abba Saul maintains the view that part of a day is [reckoned] as an entire day and [here] the seventh day [of mourning] enters into the count both this way and that.<sup>7</sup> R. Hisda, as citing Rabina son of Shela, said the Halachah follows the opinion of Abba Saul;<sup>8</sup> and the Sages concur with Abba Saul that when his eighth day comes on a Sabbath which is the day before a festival he is permitted to crop himself [even] in the Friday.<sup>9</sup> Whose opinion is followed in the statement in which R. Amram, citing Rab, said: '[As to] the mourner, as soon as the comforters have risen to depart from his house, he is permitted to bathe'? Whose view [is it]? —

It is Abba Saul's [view]. Said Abaye, The Halachah follows Abba Saul's view in regard to the seventh day [of mourning] and the Sages concur with Abba Saul in regard to the thirtieth day [of mourning] that we say, part of the day is regarded as the whole day. Raba said, The Halachah follows Abba Saul's view in regard to the thirtieth day, but in regard to the seventh day the Halachah does not follow the view of Abba Saul. And the Nehardeans<sup>10</sup> say the Halachah follows Abba Saul's view in both instances, because Samuel stated that in matters appertaining to mourning the Halachah is to follow the view of the more lenient authority. Whence [in Scripture] do we derive the term of thirty days [of mourning]? —

It is obtained by an analogy<sup>11</sup> between two texts which have in common the term *pera'* used [in connection] with mourning<sup>12</sup> and again used [in connection] with the Nazirite,<sup>13</sup> [namely]: Here [in the law about mourning] it is written, Let not the hair of your heads grow long [Tifra'u];<sup>12</sup> and there [in the law of the Nazirite] it is written: He shall let the locks of the hair of his head [*pera'*] grow long.<sup>13</sup> Just as the period there [for the Nazirite] is thirty days, so also here [for the mourner] it is thirty days. And whence do we derive it there? —

Said R. Mattena: An unspecified Nazirite-vow is [binding] for thirty days. What is the reason? The text there reads: He shall be [Yihyeh] holy;<sup>14</sup> the [consonant] letter value of Yihyeh being [ten + five + ten + five] thirty. Said R. Huna the son of R. Joshua,<sup>15</sup> [Authorities] all accept the view that when the third day [of mourning] occurs on the day before the festival the mourner is forbidden to wash [his whole body]<sup>16</sup> till the evening.<sup>17</sup>

Said R. Nehemiah the son of R. Joshua: I once found R. Pape and R. Papa sitting together and stating that the Halachah is in accordance with the statement of R. Huna the son of Joshua. Some report it thus: R. Nehemiah the son of R. Joseph said, I once found R. Pape, R. Papa and R. Huna the son of R. Joshua sitting together and stating that all are agreed that when the third day occurs on the day before a festival, the mourner is forbidden to bathe till the evening. Abaye enquired of Rabbah: What if one buried his dead during the festival? Does the festival enter into his counting of the thirty days, or does the festival not enter into his counting of the thirty days?<sup>18</sup> I am not asking about [counting the festival as part of] the seven days, because the 'due observance of seven [days of mourning] does not obtain during the festival;<sup>19</sup> but what I do ask is about the period of thirty days, because the 'due observance of thirty days does [partly] obtain during the festival;<sup>20</sup> what [is your view]? —

He [Rabbah] replied, The [days of the] festival do not enter into the counting. [Thereupon] he put to him an objection from [the following]: If one buried his dead two days before the festival, he counts five [supplementary] days after the festival,<sup>21</sup> and his work is done [for him] by others; his men-servants and maid-servants do [their domestic] work quietly indoors, privily; and the public do not [need to] condole formally<sup>22</sup> with him

(1) As then his obligation to the dead is already sufficiently fulfilled.

# MO'ED KOTON – 2a-29a

- (2) In honor of the festival, although he is still within the thirty days.
- (3) I.e., the remaining period of mourning up to thirty is resumed: it having been only suspended but not canceled.
- (4) גְּזִירָה means a positive order and denotes rather the positive aspect, the active fulfillment of the obligation to the departed, in contrast to the גְּסִירָה, the restrictive aspect of mourning.
- (5) Not to be resumed again.
- (6) I.e., again, if he had not cropped himself before the festival he is permitted to do so immediately after the festival.
- (7) I.e., that after part has served for the seventh day, the remainder can count as part of the eighth day with its easier regimen.
- (8) [With reference to his latter ruling, cf. D.S. note<sup>7</sup> and Han].
- (9) Though it is still the seventh.
- (10) Represented by R. Han., Sanh. 17b. Also by R. Nahman b. Isaac (according to another source). V. A. Hyman, Toledoth II, p. 919.
- (11) This question interrupts the discussion. The method of equaling two texts is Gezerah Shawah, v. Glos.
- (12) V. Lev. X, 6; Aaron and his sons were thus commanded at the death of Nadab and Abihu, not to allow their hair to go loose, i.e., not to grow freely or long.
- (13) Num. VI, 5. Cf. supra 15a.
- (14) Num. VI, 5: = י 10, = י 5 (twice).
- (15) The discussion on the former theme is resumed here.
- (16) I.e., to bathe in warm water which affords pleasure.
- (17) Even Abba Saul will in this case not regard a part of the day as the whole.
- (18) Formal mourning alter burial falls into three periods: (i) three days of weeping and (ii) up to the seventh day (part-inclusive) for lamenting with abstention from work and attention to the person; then (iii) down to the thirtieth day (part-inclusive) in slightly mitigated formal mourning.
- (19) Therefore it is certain that the mourner begins his observance of the seven after the festival; and as these had not begun, there was as yet no part to be taken, into account.
- (20) For on it too, like during the thirty days, washing clothes and cropping hair are forbidden.
- (21) To make up the requisite seven days of mourning.
- (22) Lit., 'busy themselves'.

## Mo'ed Katan 20a

as they have already done that Service towards him during the festival. As a general principle on this matter [it may be stated]:

‘Whatever appertains to the mourner [himself],<sup>1</sup> that the festival interrupts,<sup>2</sup> but whatever appertains to the [obligations of] the public,<sup>3</sup> that the festival does not interrupt’. If he buried his dead three days towards the conclusion of the festival,<sup>4</sup> he counts seven days [of mourning] after the festival. During the first four days [alter the festival] the public engage [in condoling] with him, but in the last three days the public do not [need to] condole with him as they have already done [this service] towards him during the [three days within the] festival; and the festival enters into the counting. Now, does not [this last sentence] refer to the latter part [of the statement]?<sup>5</sup>—

No, [said Rabbah] it refers to the former part [of the statement].<sup>6</sup> Thereupon he put an objection to him [from the continuation of the Baraitha]: The festival enters into the counting of thirty days: how, for instance? If one buried his dead at the beginning of the festival he counts seven days [of mourning] after the festival and his work is done by others; his men-servants and maid-servants do work quietly indoors, and the public do not [need to] engage [in condoling] with him, as they have already done that service towards him during the festival; and the festival enters in the counting!<sup>7</sup>—

That is a confutation [of Rabbah]. When Rabin came [from Palestine] he reported R. Johanan to have said, Even if one buried his dead during the festival;<sup>8</sup> and similarly R. Eleazar gave as his decision to his son R. Pedath, Even if one buried his dead during the festival. Our Rabbis taught: ‘If one carried out the rule of overturning the couch<sup>9</sup> for three days before the festival, he need not overturn it [any more] after the festival; these are the words of R. Eliezer; but the Sages say: [He need not] even if he had [done so] only for one day or even for one hour. Said R. Simeon b. Eleazar, Those were the very words of Beth Shammai and the very words of Beth Hillel: for Beth Shammai say: ‘For three days [before the festival]’, and the



# MO'ED KOTON – 2a-29a

Hillelites Say: Even [if] for one day'. R. Huna said: R. Hiyya b. Abba, as citing R. Johanan, stated<sup>10</sup> — some say that R. Johanan told R. Hiyya b. Abba and R. Huna: [He need not], even if he had [overturned the couch] for one day; even for one hour. Raba stated<sup>11</sup> that the Halachah is according to our Tanna [of the Mishnah] who said three days.<sup>12</sup> Rabina once came to Sura-cum-Euphrates.<sup>13</sup> Said R. Habiba to Rabina: What is the law [on this point]? —

He replied: 'Even [if he had the couch overturned] one day and even for one hour'. R. Hiyya b. Abba, R. Ammi and R. Isaac were [once] seated in the marquee of R. Isaac b. Eleazar<sup>14</sup> when a discussion was begun between them: Whence is it authentically derived that the observance of mourning is for seven days? From the text, And I shall turn your feasts<sup>15</sup> into mourning... [and I will make it as the mourning for an only son];<sup>16</sup> just as the 'Feast' lasts seven days.<sup>15</sup> so [the period of] mourning is also for seven days. But why not [draw an analogy with] the feast of 'Azereth,<sup>17</sup> which lasts but one day? —

[No], that [analogy] is needed [for another lesson] as explained by Resh Lakish; for Resh Lakish said in the name of R. Judah Nesi'ah:<sup>18</sup> Whence is it derived that on [the receipt of] belated tidings<sup>19</sup> [formal] mourning obtains for one day only? From the text, And I shall turn your feasts into mourning;<sup>20</sup> and we find 'Azereth as an instance where one day's celebration is designated [a 'Feast'].

Our Rabbis taught: On receiving near tidings [formal] mourning obtains for seven [days] as well as [up to] thirty [days]; on distant tidings, it obtains for one day only. Which are 'near' tidings and which 'distant' tidings? 'Near' tidings are [recent tidings] within, thirty [days] and 'distant' tidings are [belated tidings] after thirty [days]: these are the words of R. Akiba; the Sages, however, say, One and the same [practice obtains in both], on [the receipt of] 'near' tidings or of

'distant' tidings, [formal mourning] obtains for seven as well as [up to] thirty [days].

Said Rabbah b. Bar Hanah, as citing R. Johanan: Wherever you find a single authority expressing a lenient view and a number expressing a strict view, the Halachah is in accordance with the strict view, save in this case: that although R. Akiba is lenient and the Sages are strict, the Halachah is in accordance with R. Akiba, as Samuel stated, that in matters obtaining to mourning the Halachah follows the lenient authority. R. Hanina<sup>21</sup> received tidings from Be[th]-Hozai about [the death of] his father; he consulted<sup>22</sup> R. Hisda, [who] told him, 'On [receipt of] distant tidings [formal mourning] obtains for one day only'.

R. Nathan b. Ammi received tidings from Be[th]-Hozai about his mother; he consulted<sup>22</sup> Raba, who told him: The authorities have already stated [that] on [receipt of] distant tidings [formal mourning] obtains for one day only. Thereupon he put to him an objection [from the following]: When does this ruling apply? In the case of the [other] five nearest-of-kin [for whom mourning is] obligatory;<sup>23</sup> but for one's father or mother [mourning is for] seven [days] and [up to] thirty [days] —

[Raba] replied: That is the ruling of an individual<sup>24</sup> with which we do not concur, as [will be made clear from what] is taught [in the following]: 'There was the case of the father of R. Zadok who had died at Ginzak,<sup>25</sup> and he was not informed till after three years. He [thereupon] came and asked of Elisha b. Abuyah and the elders that were with him and they told him to observe seven [days] and [up to] thirty, and when R. Ahiyya's son died in the Diaspora,<sup>26</sup> he [too] sat on his account seven and [observed mourning up to] thirty'. But this is not so? For when Rab, R. Hiyya's brother's son — who was also R. Hiyya's sister's son<sup>27</sup> — came up there [to Palestine], he [R. Hiyya] said to his nephew [Rab]: 'Is father alive'?<sup>28</sup>

# MO'ED KOTON – 2a-29a

- (1) I.e., the observance of formal mourning by the mourner.
- (2) Is deferred till after the festival.
- (3) Lit., 'the business of the public', i.e., to pay visits of condolence and offer words of comfort.
- (4) בתוך הרגל probably a misreading of בסוף הרגל 'within', 'during the festival', as in MS.M.
- (5) 'If one buried his dead during the festival, three days before towards conclusion...' As the seven days have been dealt with already, the last sentence must refer to the thirty days, namely, that the festival days enter into the counting; i.e., not as Rabbah replied, negatively.
- (6) 'If one buried his dead two days before the festival', when two days of the seven were also two days of the thirty, as Abaye himself admitted when he put the question to Rabbah.
- (7) Of the thirty days, obviously.
- (8) That part of the festival enters in the counting of thirty days.
- (9) Cf. supra p. 92.
- (10) As the Palestinian practice.
- (11) As the Babylonian practice.
- (12) As the minimum observance of formal mourning before the festival secures remission of the remainder.
- (13) The Western part of Sura which lay along the junction of the Sura canal. V. Obermeyer p. 293.
- (14) Palestinian authorities.
- (15) I.e., Passover and Tabernacles, Lev. XXIII, 7-8 and 34-35.
- (16) Amos VIII, 10.
- (17) The Feast of Weeks; Deut. XVI, 10, 16 and cf. Num. XXVIII, 26.
- (18) Judah II. grandson of R. Judah ha-Nasi (Judah I).
- (19) Lit., 'distant tidings' (of a death), defined below.
- (20) Amos VIII, 10.
- (10) The Feast of Weeks, Deut. XVI, 1, 16, cf. Num. XXVIII, 26.
- (21) Var. lec. R. Hinena of Be(th)-Hozai (Chuzistan).
- (22) Lit., 'came before'.
- (23) I.e., for brother, sister, wife, son and daughter. Lev. XXI, 2-4. This is again taken up lower down.
- (24) The authority is named lower down.
- (25) Gazaka, a city in North Media (Atropatene); according to Rawlinson it is Shiz near Lake Urmia. V. Obermeyer p. 10.
- (26) Golah, the ancient place of the 'Captivity' when the first Temple fell, Babylon, Nehardea and later, Pumbeditha, were considered the most ancient centers of the Golah.
- (27) R. Aha of Kafri married a widow and his eldest son Aybu married her daughter. From these unions Aha had a son R. Hiyya, and Aybu had a

son Rab ('R. Abba the Long', later the famous principal of Sura). Rab's mother was R. Hiyya's half-sister (from one mother, i.e., R. Ala's second wife); and Rab's father Aybu was R. Hiyya's eldest half-brother (from the same father, namely, R. Aha of Kafri). R. Hiyya was therefore doubly related to his nephew Rab, being his paternal uncle as well as his maternal uncle, cf. Pes. 4a (Rashi).

(28) I.e., is my father Aha alive?

## Mo'ed Katan 20b

He replied, 'Mother<sup>1</sup> is alive'. [Again] he asked 'Is mother<sup>2</sup> alive?' He replied: 'Father is alive'.<sup>3</sup> R. Hiyya thereupon said to his attendant: 'Take off my shoes and bring along my things after me to the [public] baths'. Now from this instance we learn three lessons: We learn that a mourner is forbidden to don shoes;<sup>4</sup> that distant tidings [entail formal mourning] but for one day; and that part of the day is [deemed] as all entire day's [mourning];<sup>5</sup> [In fact], R. Hiyya is one person and R. Ahiyya [whose son died in the Diaspora] is another person.<sup>6</sup>

Said R. Jose b. Abin: [If] one received near tidings on a festival and by the [time of its] termination it became distant tidings, [the festival-time] enters into the counting and [accordingly] he observes but one day [of formal mourning]. R. Adda<sup>7</sup> of Caesarea recited in the presence of R. Johanan: If one hears near tidings on a Sabbath day and by the termination of the Sabbath it has become distant tidings, he observes but one day [of formal mourning]. Does one [in such a case] rend his garment, or does he not rend his garment? —

R. Mani said: He does not [need to] rend his garment; R. Hanina said, He does rend [his garment]. Said R. Mani to R. Hanina: My view that he does not rend [his garment] is consistent with the fact that there is no [observance of] 'seven'. But according to your view that he [should] rend his garment, tell me, is there a rending of [one's garment] without [the observance of] the seven [days of mourning]? But is there not? Surely, Isi,

## MO'ED KOTON – 2a-29a

father of R. Zera — or as some say, R. Zera's brother, recited in the presence of R. Johanan: If one had no tunics to rend [at the time] and he obtained one during the seven [days], he should rend it then; [if it became available] after the seven days, he does not rend it! [Thereupon] R. Zera chimed in after him: 'When does this ruling apply? In the case of the [other] five nearest-of-kin [for whom mourning is] obligatory,<sup>9</sup> but in the case of father or mother one always rends one's garment!' — What you cited [in fact] refers to the deference to be shown to one's father or mother.<sup>10</sup>

Our Rabbis taught: For all [nearest-of-kin] mentioned in the Priest's Section<sup>11</sup> for whom a priest is to defile himself, a mourner is to observe [formal] mourning, namely, these: [For] his wife, father or mother, brother or [single] sister, son or daughter. To these they added: His brother or single sister from the same mother,<sup>12</sup> as well as his married sister, be it from the same mother or the same father.<sup>13</sup> And just as he observes [formal] mourning for these, he likewise observes [formal] mourning for their relatives in the second degree:<sup>14</sup> this is R. Akiba's ruling.

R. Simeon b. Eleazar says: [Extended, formal] mourning is not observed except for one's son's child and a father's father,<sup>15</sup> and the Sages say [by way of definition]: Whomever he mourns for he should also mourn with.<sup>16</sup> Is not the Sages' view [practically] the same as that of the former Tanna?<sup>17</sup> — Not [quite]; there is a [practical] difference between them, whether [we require him to be, that is to say when he is] with him in the [same] house,<sup>18</sup> as Rab<sup>19</sup> said to his son Hiyya, and as R. Huna likewise said to his son Rabbah:<sup>20</sup> 'In her presence observe mourning; away from her presence do not observe mourning'.

[When] Mar Ukba's father-in-law's son died, he thought of sitting for him<sup>21</sup> seven [days of mourning] and [continuing to] thirty. R. Huna going to his house found him [in formal

mourning]. 'Do you desire', said he, 'to eat of mourners' fare?'<sup>22</sup> They [the Sages] did not say that [one should observe formal mourning] out of deference to his wife only in the case of [the death of] his father-in-law or his mother-in-law,<sup>23</sup> as it is taught: 'If his father-in-law or mother-in-law died the husband may not compel his [mourning] wife to put on kohl or do her hair<sup>24</sup> [as usual], but he should overturn his [own] couch and observe [formal] mourning with her; and likewise she, when her father-in-law or mother-in-law dies, may not put on kohl or do her hair [as usual]; but she should overturn her couch and observe [formal] mourning with him'. And another Baraita taught: 'Although it was stated [that] he may not compel his wife to put on kohl or do her hair [as usual] it is — said they — indisputably correct<sup>25</sup> that she [may] mix his wine for him, make his bed and wash his face, hands and feet'.<sup>26</sup> [Now the regulations in] the two citations contradict each other.<sup>27</sup> Hence infer from this that the one Baraita refers to [the death of] a father-in-law or mother-in-law,<sup>28</sup> while the other to [the death of] other near of kin.<sup>29</sup> —

This proves it.<sup>30</sup> It is also taught thus [explicitly]: 'They did not lay down [that one should observe formal mourning] out of deference to his wife, save [at the death of] his father-in-law or his mother-in-law alone'. Amemar lost his son's son, and he rent [his garment]. Thereupon his son came and he [again] rent [his garment] in his [son's] presence. He then recollected that he had done it while sitting; he rose and relit [his garment again] standing.

Said R. Ashi to Amemar: Whence do we derive that the rending [of a garment] is [to be done] standing? From the text: Then Job rose<sup>31</sup> and rent his mantle.<sup>32</sup>

(1) To evade a direct doleful reply, Rab said that his own mother was alive, but said nothing about his grandfather, R. Aha of Kafri.

(2) I.e., is my mother alive? I.e., R. Hiyya's mother, Rab's grandmother, R. Aha's wife.

# MO'ED KOTON – 2a-29a

(3) Again to evade the direct and sad answer Rab replied that his own father (i.e., Aybu, R. Hiyya's half-brother) was alive, but nothing about it. Hiyya's mother, Aha's wife. This is according to R. Hananel. Rashi and Tosaf. s.v. אייבו offer different interpretations. V. Pes. 4a (Sonc. ed. p. 11.)

(4) Cf. supra p. 93.

(5) Even in the case of a parent one short while and one simple demonstration of respectful, sorrowful mourning, such as doffing the shoes, are enough; as soon after R. Hiyya went to the baths, which is forbidden to a mourner for a recent bereavement. Cf. supra p. 101.

(6) That is, do not confuse Ahiyya of the Baraita with Hiyya, Rab's uncle as being the same person who had acted differently on two occasions, at receiving belated distant news of the loss of a son and again of the loss of parents. They are two different persons.

(7) Var. lec. Abba.

(8) Of his own, to rend it at the poignant moment of hearing the sad tidings. Cf. infra, 24a and Tosaf. s.v. יָבֵן.

(9) Brother, sister, wife, son and daughter. see next citation.

(10) [I.e., though there is no observance of seven days he rends his garments not as an obligation but as a special mark of respect for his parents; v. Nimmuke Yosef.]

(11) Lev. XXI, 1ff.

(12) [Though not of the same father. The text implies only a paternal brother or sister.]

(13) [Although the text speaks only of a single sister (ibid. v. 3).]

(14) I.e., for his grandfather, grandmother or grandchildren; also for brothers and sisters of parents, i.e., uncles and aunts.

(15) I.e., for these only but no others of those included in R Akiba's extended list. Cf. n. 7.

(16) E.g., One mourns (in sympathy) with his father on the death of his father's father; likewise a father mourns (in sympathy) with his son who loses a child.

(17) I.e., R. Simeon b. Eleazar

(18) As implied in the words of the Sages, 'he should mourn with him'.

(19) When Rab's sister died, v. J.M.K. III, 5.

(20) When Rabbah's wife was in mourning.

(21) Out of deference to his wife.

(22) Food provided by friends. Cf. infra 24b arid 27aff.

(23) Cited in Samuel's name, J.M.K. III, 5.

(24) I.e., to insist that she should keep up her personal appearance, instead of looking neglected and dejected when numerous callers come to condole with her; kohl was used for the eye-brows.

(25) Lit., 'in truth, they said'. V. B.M. 6.

(26) I.e., she may attend to his usual needs. [Washing hands and feet means in warm water which is forbidden to a mourner (Tosaf.).]

(27) In the former it is insisted that the husband must observe formal mourning out of deference to the wife, while in the latter, it implies that the husband need not.

(28) In which case he must mourn with her.

(29) In which case he need not mourn with her.

(30) That the distinction made by R. Huna supra is correct.

(31) I.e., stood up to perform the act of rending.

(32) Job I, 20.

## Mo'ed Katan 21a

But if that is so,<sup>1</sup> [the text]: And if he stand and say, I like not to take her,<sup>2</sup> [will be interpreted] similarly? But surely it is taught: [And if she loose the shoe from off the foot of a grownup levir], whether he be standing or sitting or stooping, [the ceremony is valid]?<sup>3</sup>—

He replied: [It is because] there it is not written, 'And he stood and said';<sup>4</sup> whereas here [in our instance] it is written, 'And Job rose and rent his mantle'. Rami b. Hama said: Whence [is it derived] that the rending [of a garment] is to be done standing? From what is said: And Job rose and rent his mantle. But perhaps what he did was something extra? For should we not say so, [what of the next thing Job did], And he shaved his head, [should we] likewise [have to conform with it]? —

Rather it is [to be derived] from here: Then the king arose and rent his garments.<sup>5</sup> But here too, perhaps, what he did was something extra? For should you not say so [what of the next thing he did], And he lay on the earth,<sup>6</sup> [should we] likewise [have to conform with it]? Whereas it is taught: 'If a mourner sat on a bed,<sup>7</sup> on a chair<sup>8</sup> or on a stall for urns [and cans],<sup>9</sup> or even goes to the extreme<sup>9</sup> of sleeping on the bare ground, he has not discharged his duty [to the dead]'. And, explained R. Johanan, [It is] because he has not carried out the [custom of] overturning the bed? —



# MO'ED KOTON – 2a-29a

He replied: [It means that David lay] as it were on the ground. Our Rabbis taught: The following things are forbidden to a mourner: He is forbidden to do work, to bathe or anoint himself, to have [marital] intercourse, or don sandals; he is forbidden to read the Pentateuch, Prophets or Hagiographia, or to recite the Mishnah, or Midrash and Halachoth or the Talmud or Aggadath.<sup>10</sup> If, however, the public have need of him, he need not abstain.

There was all actual case, when a son of R. Jose of Sepphoris<sup>11</sup> died, he went into the Beth Hamidrash<sup>12</sup> and expounded there all day long; [also<sup>13</sup> when a daughter of Rabbi died at Beth-Shearim, he went into the Beth Hamidrash and expounded there all day long]. Rabbah b. Bar Hanah had a bereavement [and] he thought he ought not to go out to [give] his lecture. Said Rab to him, We learned:<sup>14</sup> 'And if the public have need of him he does not refrain'. He then thought of calling upon his 'expositor' [assistant].<sup>15</sup> When Rab said to him, 'We learned:<sup>14</sup> 'Provided only that he does not place [at his side] an expositor [assistant]'. But then how is he to do? —

After the manner taught [in the following]: 'It happened, that when a son of R. Judah b. Il'ai died, he went into the Beth Hamidrash and R. Hananiah b. Akabia also went in and sat him down at his side: he then whispered to R. Hananiah b. Akabia and R. Hananiah b. Akabia [whispered] to the Turgeman and the Turgeman spoke aloud to the public'.

Our Rabbis taught: '[During] the first three days a mourner is forbidden to put on phylacteries.<sup>16</sup> From the third day onward, the third day included, he is allowed to put on phylacteries and he does not<sup>17</sup> [have to] take them off at the entry of fresh personages [visitors]:<sup>18</sup> this is R. Eliezer's opinion. R. Joshua says, A mourner is forbidden to put on phylacteries [during] the first two days. From the second day onward, the second day included, he is allowed to put on phylacteries;

but at the entry of fresh personages [visitors] he takes<sup>17</sup> them off.<sup>19</sup> Said R. Mattana: What is the reason for R. Eliezer's view? —

Because it is written: And the days of weeping in the mourning of Moses were ended.<sup>20</sup> Said R. Ena: What is the reason for R. Joshua's view? —

Because 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 thereof as a bitter day.<sup>21</sup> But as to R. Joshua, surely it is written: [And the days of weeping in the mourning for Moses] were ended? —

He may reply. The case of Moses was different; the mourning for him was [more] intense. And what of R. Eliezer too, surely it is written, 'And the day thereof [I will make] as a bitter day'? — The poignancy of the bitterness is but on one day. Said 'Ulla: The Halachah follows R. Eliezer in regard to taking off [the phylacteries]<sup>22</sup> and R. Joshua in regard to putting on [the phylacteries].<sup>23</sup> They enquired: What of the second day [of mourning], according to 'Ulla? Does he [at the entrance of fresh personages] have to take them off, or does he not [have to] take them off? —

Come and hear: 'Ulla said: He takes them off and puts them on [the second day] even a hundred times'.<sup>24</sup> Likewise it is taught: Judah b. Tema Says, He takes them off and puts them on even a hundred times. Raba said, Having put them on he does not take them off. But was it not Raba who said [above],<sup>25</sup> The Halachah follows our Tanna [of the Mishnah],<sup>26</sup> who says [that the minimum observance of formal mourning is] three [days]? —

(1) That the brother of the deceased husband must declare his rejection of a levirate marriage standing.

(2) Deut. XXV, 8.

(3) Yeb. 103a.

(4) The distinction is not clear, and texts vary; v. D.S. ad loc.

(5) II Sam. XIII, 31.

# MO'ED KOTON – 2a-29a

- (6) Without any bedding.
- (7) Var. lec. a bench.
- (8) אוריני is the correct form derived from the Latin urnari(um), a low bench or stand for the urnae-cans and water buckets. This derivation fits in with the requirements of all the passages where this obscure word occurs. B.B. 144a and עיריני J.B.B. IX, 4; Tosef. Kel. 587, 22 and Sifra, Mezora II, Weiss 75c. Cf. however, Dictionaries and S. Krauss, T A. I., 273 n. 60 and addenda III, 361.
- (9) V. marginal note according to Han. and Alfasi.
- (10) The study of the Torah is considered a source of joy. Cf. Ps, XIX and CXIX, e.g. vv. 14, 16, 24, 47 etc.
- (11) R. Jose b. Halafta, prominent in the College of Rabbi.
- (12) The College.
- (13) This bracketed part (which occurs in MS.M.) has accidentally fallen out through the same ending 'all day long'.
- (14) So MS. M.
- (15) It was the practice to call upon a competent scholar or scholars at the college to stand at the side of the Principal or lecturer of the day and expound the theme to the listeners in several groups. He was called Amora or Turgeman (Meturgeman) – expounder, interpreter (dragoman).
- (16) Cf. supra 15a.
- (17) In Sem. VI, and J.M.K. III, 5, it is the reverse.
- (18) [Although they might be led to assume that he had donned the phylacteries also in the first two days.]
- (19) Rashi: on the second day; according to J.M.K. (ibid.) in the week of mourning.
- (20) Deut. XXXIV, 8. That the main mourning is during the first three days is derived by counting the three expressions. 'days', 'weeping', 'mourning'.
- (21) Amos VIII, 10, which indicates that the essential mourning is but one day. .
- (22) That he need not take them off on the third day at the entry of fresh visitors.
- (23) On the second day.
- (24) Each time at the entry of new visitors, to show the visitors that he has not been disregarding the law hitherto.
- (25) 20a about keeping the bed overturned for at least three days before a festival.
- (26) Supra 19a.

## Mo'ed Katan 21b

It is different in the case of a religious precept. [like phylacteries].<sup>1</sup>

**Our Rabbis taught:** A mourner is forbidden, during the first three days [to do] work, even

a poor man who receives maintenance from charity; thereafter he does [his work] privately, in his house: and a woman [in mourning] plies the spindle in her house.

**Our Rabbis taught:** A mourner should not go during the first three days to a place of mourning;<sup>2</sup> thereafter he may go but not take a place among the comforters, but among those who are [to be] comforted.

**Our Rabbis taught:** A mourner is forbidden during the first three days to give greeting [of peace];<sup>3</sup> after three and to seven [days], he responds but does not give greeting [of peace]; thereafter he gives greeting [of peace] and responds in his usual manner. [It is stated above] 'Forbidden during the first three days to give greeting of peace'.

**But surely it was taught:** It happened, when [two]<sup>4</sup> sons of R. Akiba, [bridegrooms],<sup>5</sup> died, all Israel entered<sup>6</sup> and made a great lament for them, and as the people were about to depart, R. Akiba stood on a large bench<sup>7</sup> and addressed them: Our brethren, the House of Israel, hear ye! Even though these two sons were 'bridegrooms',<sup>8</sup> I am<sup>9</sup> consoled on account of the honor you have done [them].<sup>10</sup> And even though you have come on account of Akiba, there is many an Akiba!<sup>11</sup> But this it is what you said [to yourselves]: The law of God is in his heart, [his footsteps will not falter].<sup>12</sup> All the more then, two-fold be your reward: Go home unto peace!<sup>13</sup> —

Deference towards the public is a different matter. [It was stated above 'After three to seven [days]; he responds but does not give greeting [of peace]; thereafter, he gives greeting [of peace] and responds, in his usual manner'. Some contrasted this statement with the following: 'One who meets his fellow mourner within thirty days, tenders him [words of] consolation but enquires not about his peace; after the thirty days he enquires about his peace, but tenders him not [words of] consolation.<sup>14</sup> If his [friend's] wife had died and he married another [formally],<sup>15</sup> he

# MO'ED KOTON – 2a-29a

is not allowed to call at his house to tender him [there,<sup>16</sup> words of] consolation; if he meets him in the street he expresses [his condolence] to him in a low voice and with downcast looks!<sup>17</sup> —

Said R. Idi b. Abin: The mourner enquires about the peace of others [within his period of mourning]<sup>18</sup> because others' are abiding in peace; others enquire not about the peace of the mourner, because he is not abiding in peace [but in sorrow].<sup>19</sup> But then, since it states [in the former Baraitha]: [After three to seven days] 'he responds. . .', does this not imply that others may enquire [about the mourner's peace]?<sup>20</sup> — Where they are unaware [of his bereavement]. If so, does not the same apply also to the other earlier period?<sup>21</sup> —

[No,] then<sup>21</sup> he is obliged to acquaint them [of his sorrow] and makes no [further] response, whereas here<sup>22</sup> he need not acquaint them [of it]. Thereupon some contrasted [this latter Baraitha] with the following: One who meets another mourner within a twelvemonth tenders him [words of] consolation, but does not enquire about his 'peace';<sup>23</sup> after a twelvemonth, he enquires about his 'peace and does not tender him [words of] consolation, but may refer to his sorrow indirectly.<sup>24</sup>

Said R. Meir: If one meets another mourner after a twelvemonth and tenders him [then words of] consolation, to what can he be likened? To [the case of] a man who had his leg broken and healed when a physician met him and said to him, Come to me and let me break it and set it [again], to convince you that my medicaments are good? — This offers no difficulty: This last citation refers to [the death of] father or mother, while the former refers to [the death of] other near of kin. But in that case<sup>25</sup> too, why not tender him [words of] consolation indirectly? — Yes indeed [he may], and what means: ['After thirty days he may] not tender him [words of]

consolation' is, [not] in one's usual manner — but he refers to his sorrow indirectly.

Our Rabbis taught: A mourner who arrives home during the first three days from a place in the near vicinity, counts [his days of mourning] with them.<sup>26</sup> If he came home from a distance, he counts on his own. Thereafter even if he came home from a place in the vicinity he counts on his own. R. Simeon says: Even if he came home on the seventh day from a place in the vicinity, he counts with them.<sup>26</sup> The Master said: 'During the first three days from a place in the vicinity, he counts with them'. R. Hiyya b. Abba, as citing R. Johanan said that this is done only where the chief person of the household was at home. The following question was then raised:

(1) Deut. VI, 8; XI, 18.

(2) Lit., 'House of mourning', i.e., either to a private house or to the cemetery to attend a funeral. Cf. Sem. VI.

(3) Lit., 'enquire about his "peace"' (welfare). E.g., Gen. XXIX, 6 and cf. supra p. 89, n. 10.

(4) Cf. D. note 7: probably during a plague.

(5) So Sem. III, 6. The expression denotes that they died in the prime of life, under thirty years of age.

(6) The cemetery.

(7) An improvised rostrum.

(8) V. p. 135 n. 8.

(9) The text reads, 'He is consoled' by way of euphemism, to avoid an omen for one who reads or recounts this.

(10) By your presence.

(11) I.e., I am not so great a man as to be entitled to it all.

(12) Ps. XXXVII, 31.

(13) Thus R. Akiba tendered 'peace' to his audience on the very first day of mourning. Cf. Sem. VIII, where this incident among others is told at length.

(14) Here ends the part that causes difficulty. The attempted reply follows later after the conclusion of the whole quotation.

(15) That is by betrothal within the thirty days of mourning: this is permitted for the sake of little children, left motherless; often it is the deceased wife's sister. He may thus marry her formally but is not to live with her as man and] wife till after the period of mourning is over. Generally a widower should wait till after the three Festivals — Passover, Weeks and Tabernacles have passed, before he marries again. Cf. infra, 23a.

# MO'ED KOTON – 2a-29a

(16) Not to embarrass the second wife.

(17) Lit., 'with faint lip and heavy head', so as to avoid giving the impression of being cynical. | This Baraitha thus teaches that within the thirty days one may not greet a mourner, which is in opposition to the ruling of the former Baraitha that the mourner himself is permitted to exchange greetings once the seven days are over].

(18) Within the thirty days.

(19) [I.e., the two Baraithas are not contradictory: whereas the former teaches that the mourner may greet others within the thirty days, the latter forbids others to greet him within, that period.]

(20) And thus the two Baraithas are still contradictory.

(21) I.e., during the first three days.

(22) After three days.

(23) Whereas above it was ruled that after thirty days one may tender greetings.

(24) Rashi: He merely utters a word of comfort without mentioning the name of the deceased.

(25) I.e., in the case of other near-of-kin to which the former Baraitha refers.

(26) With the other members of the family.

## Mo'ed Katan 22a

What if the chief person<sup>1</sup> of the household had gone to the place of interment?<sup>2</sup> —

Come and hear: For R. Hiyya b. Abba as citing R. Johanan. said that even if the chief person of the household went to the place of interment, he [still] counts with them. [You say] 'He counts with them?' Why, it is taught [definitely]: 'He counts by himself'! — That is not difficult [to explain]: The former [ruling] obtains where he returned within three [days]; the latter [ruling] obtains where he had not returned within three [days]. Similar it is to what Rab told the sons of Hazzalponi:<sup>3</sup> Those that come [home] within three [days] should count with you; those that do not come [home] within three [days] should count by themselves.

Raba told the people of Mahoza: You who do not follow the bier,<sup>4</sup> should begin counting [the days of mourning] as soon as you turn your faces from the city gates. 'R. Simeon says, Even if he came home on the seventh day from a place in the vicinity he counts with them'. Said R. Hiyya b. Gamada that R.

Jose b. Saul as reporting Rabbi said: That is [done] only where [on his arrival] he found comforters still present.<sup>5</sup> R. 'Anan then enquired: What if they [the comforters] had just made ready<sup>6</sup> themselves to get up [and leave] but had not yet left? —

This stands over [for a solution]. The fellow-collegiate of R. Abba b. Hiyya had it as a tradition from R. Abba — Who was that [fellow-collegiate]? — R. Zera; and some say that it was the fellow-collegiate of R. Zera who had heard it from R. Zera. — And who was that [fellow-collegiate]? — R. Abba son of R. Hiyya b. Abba — who reported R. Johanan [to have stated]: 'The Halachah is to follow R. Simeon b. Gamaliel's view on the point of terefoth<sup>7</sup> and the Halachah is to follow R. Simeon on the point of mourning'. The view of R. Simeon on the point of mourning is this one which we have just cited; and the view of R. Simeon b. Gamaliel on Terefoth is that which is taught:<sup>8</sup> 'If intestines had become perforated and mucilage blocks the perforation, it [the animal's flesh] is Kasher'.<sup>9</sup> What is 'mucilage'? —

Said R. Kahana: it is the viscous matter inside the intestines which comes away under pressure. Said someone; May I be granted to go up to [Palestine] and learn the legal dictum from the mouth of the Master himself! When he went up he came upon R. Abba son of R. Hiyya b. Abba. Said he to him: 'Did you, sir, say that the Halachah is to follow R. Simeon b. Gamliel on the point of Terefoth'? — He replied: 'I said that the Halachah is not so'! And what about the point of mourning', [is the Halachah in that case] to follow R. Simeon? — He replied: Opinions are divided on that, as it has been stated: 'R. Hisda said, [R. Simeon's view is] the Halachah, and R. Johanan said likewise; [but] R. Nahman said, [R. Simeon's view is] not the Halachah. The [present] Halachah however does not follow R. Simeon b. Gamaliel's view in Terefoth; but as to the point of mourning. The Halachah is like R. Simeon's, because of Samuel's dictum



# MO'ED KOTON – 2a-29a

that in matters of mourning, the Halachah is to follow the [view of the] lenient authority’.

[Our Rabbis taught]:<sup>10</sup> ‘[If] for all [other] dead one expedites [the departure of] the bier,<sup>11</sup> he is praiseworthy; but in the case of one's father or mother, he is blameworthy. If it was the day before the Sabbath or a festival,<sup>12</sup> [or if pouring rain was falling on it], he is praiseworthy, as he expedites [the interment] out of deference to his father or mother. For all [other] dead, if he desires, he minimizes his business<sup>13</sup> or if he does not desire,

(1) Not necessarily the senior person of the family, but the person in charge of the affairs of the household.

(2) And was away for three days. Does he count on his return with the folks at home whose period of mourning commenced as soon as the cortege departed. or does he count from the time of interment?

(3) Cf. I Chron. IV, 3. Or were these Jewish converts of the Beni-Solibi clan of Bedouin Arabs, hailing from the neighborhood of Zulfa in N.E. Arabia? V. Enc. Brit. s.v. Bedouins, III, (11th ed.) p. 623h. [Obermeyer, p. 298, identifies it with Zalfiun near Sura, the seat of Rab.]

(4) [The cemetery was far removed from the town so as not to offend the susceptibilities of the Persians who disapproved of the burial of the dead; v. Obermeyer, p. 174].

(5) Lit., ‘at his side’.

(6) Lit., ‘bestirred themselves’.

(7) Plur. of Trefah, a defect indicating a disease in animals or birds slaughtered for food. Cf. Hul. III, 1ff.

(8) תניא is more correct than תני Cf. Hul. 50a.

(9) Fit for Jewish consumption, not rejected on account of some organic defect.

(10) So D.S. and many other texts. Cf. Sem. IX.

(11) I.e., hastens the interment.

(12) When delay involves keeping the body till the day after their termination.

(13) I.e., his business affairs (Rashi) before the funeral. Or, according to Han. quoting Palestinian Talmud, he minimizes the expenses of the funeral and lament. Cf. J.M.K. III, 8.

## Mo'ed Katan 22b

he does not minimize it’; but for his father or mother he should minimize [his business].<sup>1</sup> For all [other] dead, if he desires, he bares

[his shoulder] and if he does not desire he does not bare it; for his father or mother he must bare [his shoulder].<sup>2</sup> It happened once with a certain ‘great man of the generation’ whose father had died, that he desired to bare [his shoulder],<sup>3</sup> and [another] ‘great man of the generation’ that was with him desired to bare his too, and on that account he [the mourner] refrained and did not bare [his shoulder].<sup>4</sup>

Said Abaye, The ‘great man of the generation’ referred to was Rabbi, and the [other] ‘great man of the generation’ that was with him was R. Jacob b. Aha [the elder]. Some say that ‘the great man of the generation’ was R. Jacob b. Alia and the [other] great man of the generation’ that was with him was Rabbi. Now it seems correct if Rabbi was the ‘great man of the generation’ that was with him [with the mourner], we understand why [R. Jacob b. Aha]<sup>5</sup> refrained and did not bare [his shoulder and heart];<sup>6</sup> but according to the [other] report that Rabbi [was the mourner] and that R. Jacob b. Aha was the ‘great man of the generation’ that was with him, why did not he [Rabbi] bare [his shoulder and both hands] as Rabban Simeon b. Gamaliel [Rabbi's father] was the Nasi, and everybody should by rights have bared [their shoulders]!<sup>7</sup> —

This is difficult [to explain]. ‘Fors all dead one has his hair trimmed after thirty days; for one's father or mother [one lets his hair grow long]<sup>9</sup> until his companions rebuke him. For all dead one enters a house of rejoicing after thirty days; for his father and mother [not] till after twelve months’. Rabbah b. Bar Hanah<sup>10</sup> said:<sup>11</sup> ‘And [one may go] to a joyous entertainment of comrades’.<sup>12</sup> An objection was raised: ‘And [one may not go to a joyous [feast] as well as to [an entertainment of] rejoicing and to comrades [for] thirty days’!<sup>13</sup> —

This [divergence] presents difficulty. Amemar taught [his comments] on that [same] Baraita thus: Said Rabbah b. Bar

## MO'ED KOTON – 2a-29a

Hanali, 'But [to go] to a joyous entertainment of comrades is allowed forthwith'.<sup>14</sup> But then [in another version] it is taught: '[One may go] to a joyous [feast] after thirty [days] and to an entertainment of comrades [after] thirty days'? —

This [discrepancy] is not difficult [to explain]; the latter [version] refers to a first<sup>15</sup> [invitation to an] entertainment [of comrades], while the former [version] refers to a return entertainment<sup>16</sup> [of comrades]. 'For all<sup>17</sup> [other] dead one makes a rent [in his tunic] of a handbreadth [in depth]; for one's father or mother [he rends his clothes] till he bares his heart [chest].'

Said R. Abbahu, What text is there [which teaches this]? Then David took hold on his clothes and rent them,<sup>18</sup> and there is no taking hold [of anything] by less than a hand's breadth.<sup>19</sup> 'For all [other] dead one rends only the uppermost [garment] even though he be wearing [then] ten; but for one's father or mother one rends them all'. And [the rending of] one's undershirt is not indispensable, be it in man or woman; R. Simeon b. Eleazar says. 'A woman rends her undermost garment and turns it [front to] back and then again rends her uppermost garment,<sup>20</sup> For all [other] dead, if one desire he divides the [upper] selvage-border of his [garment],<sup>21</sup> and if he does not desire he does not divide it; for his father or mother he must divide, R. Judah says, Any rending [of a garment] that divides not the selvage-border thereof is mere make-believe.

Said R. Abbahu: What is the reason for R. Judah's [statement]? — The text: [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 own clothes and rent them in two pieces.<sup>22</sup> Once it says 'and he rent them' do I not know that he rent them in two? But [the addition of 'in two'<sup>23</sup> implies] that [at the rent] the garments appeared as if torn into two [separate] pieces.<sup>24</sup> 'For all [other] dead, one

tacks<sup>25</sup> the rent together after seven [days] and [completely] reunites [the edges] after thirty [days]; for one's father or mother one tacks it together after thirty [days], but never reunites [the edges]; a woman tacks it together forthwith, out of the respect due to her.

When R. Abin came [from Palestine] he said as citing R. Johanan: 'For all [other] dead, if one desires, he rends [his garment] with the hand, or if he desires he rends by an instrument; for one's father or mother one rends with the hand'. And R. Hiyya b. Abba said, as citing R. Johanan: 'For all [other] dead [one rends] inside;<sup>26</sup> for one's father or mother one rends outside'.<sup>27</sup> R. Hisda observed: And the same rule obtains<sup>28</sup> on the [death of a] Nasi.

An objection was raised: '[Those other dignitaries]<sup>29</sup> were not deemed equal to one's father or mother save in regard to re-uniting [the edges of the rent] alone'. Does not this [inequality] hold also for the Nasi?<sup>30</sup> — No, the Nasi alone [is an exception].<sup>30</sup> The Nesi'ah<sup>31</sup> died. Said R. Hisda to R. Hanan b. Raba:<sup>32</sup> Turn the mortar<sup>33</sup>, upside down, stand on it and show the rending [of garments] to all the people! For a Hakam [sage]<sup>34</sup> one bares [the hand and shoulder] on the right; for the Ab Beth Din, on the left, and for a Nasi on both sides'.

Our Rabbis taught: When a Hakam dies, his Beth Hamidrash is in vacation; when the Ab Beth Din dies all the Colleges in his city are in vacation and [the people of the synagogue]<sup>35</sup> enter the synagogue[s] and change their [usual] places: those that [usually] sit in the north sit in the south and those that [usually] sit in the south sit in the north. When a Nasi dies, all the Colleges are in vacation<sup>36</sup> and the people of the synagogue enter the synagogue<sup>37</sup>

(1) I.e., even after the burial, during the thirty days of mourning. Han. and Hay Gaon, quoted Otz. Hag. no. 199.

(2) And also bares his heart (chest). Sem. IX.

# MO'ED KOTON – 2a-29a

(3) For a Hakam (doyen), the (shoulder and) right hand are bared; for the president of the Beth Din, the (shoulder and) left hand are bared; for the Nasi both (shoulders and) hands are bared. It happened, when R. Eliezer died, that R. Akiba bared 'both his hands' (arms) and beat his breast till it was bleeding and he said: my father, my father, the chariots of Israel, and the horsemen thereof. (II Kings, II, 12). Sem. IX. Cf. infra 22b.

(4) Here the series of citations from Sem. IX is interrupted by an observation of historical interest.

(5) D.S. and many other texts.

(6) Out of deference to Rabbi who was the Nasi, and therefore for him it was infra dignitatem. This was no disrespect to R. Jacob's father, as this is provided for in the rules: 'And if they (one's father or mother) seem not important (enough) for (the baring), he (the son) does not bare himself even for his father or mother'. Sem. IX. It should be noted that R. Jacob's father was not a qualified Rabbi, and that if 'Rabbi' Judah, the Nasi did out of deference to R. Jacob b. Aha bare himself, it would cause adverse comment among those present at the funeral. On R. Jacob b. Aha's status, v. Shab. 31a and A. Hyman, Toledoth s.v. II, 774a.

(7) V. p. 140, n. 8.

(8) The quotation is resumed.

(9) So D.N. and other texts. V. Tosaf. s.v. 77.

(10) Var. lec. Rabbah b. R. Huna.

(11) [In commenting on the rule that one may enter a house of rejoicing after thirty days].

(12) שמחת מריעות. For the expression, cf. Judg. XIV, 10ff, where it is connected with a betrothal or marriage celebration. It is thus taken by SBH p. 110. Generally, however, it is taken to denote an ordinary social repast shared with one's intimate friends. The import of Rabbah's observation is rather ambiguous and, accordingly, taken variously: — (a) A comrade's entertainment may not be attended until before the thirty days are over, as there is conviviality, eating and drinking; much less may one go to a joyous celebration, such as a betrothal, or marriage ceremony with music and singing. (b) That a comrade's entertainment which provides enjoyment for one's own boon companions should not be entered upon before thirty days; but at a religious ceremonious celebration, a marriage ceremony, a circumcision etc. one may attend sooner, especially if one does not join in the feasting. V. Tosaf., Asheri par. 41, Nachmanides (Torath ha-Adam) and Ritba.

(13) [This proves that the two phrases are not identical].

(14) At the termination of the seven days.

(15) There are various readings: D.S. reads — ארשייתא; SBH: ארשייתא — from רשא, 'to begin

with'. Cf. Ber. 46a and Ritba: \*\* — a 'voluntary' entertainment, which can be fixed for a later date.

(16) I.e., when it is his turn to entertain or to attend and he cannot defer it or absent himself and therefore may hold his entertainment forthwith. So Han.

(17) The quotation is resumed. V. supra p. 141, n. 8.

(18) II Sam. I, 11.

(19) Cf. Suk. 32fr, and Nid. 26a.

(20) Thus avoiding exposure of her chest.

(21) About the neck and shoulders.

(22) II Kings, 11, 12.

(23) Lit., 'And he rent them in two rent pieces'.

(24) So infra 26a (for parents or one's teachers). V. D.S. p. 76 n. 7.

(25) Roughly, large basting stitches.

(26) Privately, aside, turned away from the bystanders (Rashi); or, rending an interior garment (Giat). V. Ritba.

(27) Coram populo, demonstratively displaying his grief before all present.

(28) As in the case of a parent, to rend publicly.

(29) One's master, the Nasi, and the president of the Beth Din. Cf. infra 26a (top).

(30) In regard to rending the garment publicly.

(31) The descendant-successors of R. Judah Hanasi were denominated Nesi'ah (Aramaic form of ha-Nasi).

(32) Var. lec. R. Nahman b. Ammi.

(33) The mortar was a large crib or trough (for pounding olives for the press or soaking barley for brewing beer) cf. A.Z. 8b and Keth. 8a.

(34) The official title of the consultative expert of a constituted Beth Din, next in rank to the Ab Beth Din, Vice President of the Court and the Nasi. V. Hor., Sonc. ed. p. 101, nn. 6 and 8.

(35) So Han; Asheri etc. read: and the people of his town.

(36) Cf. Keth. 103a-b.

(37) On the Sabbath day.

## Mo'ed Katan 23a

and seven persons read [the weekly portions of the Torah]<sup>1</sup> and thereafter they come away. R. Joshua b. Korhah says, Not that they go and walk about in the street but they sit [at home] in silence.<sup>2</sup> Neither a Halachic theme<sup>3</sup> nor an Aggadah should be discussed in the house of mourning. It was related of R. Hananiah b. Gamaliel that he used to speak on Halachic and Aggadic themes in the house of mourning.

# MO'ED KOTON – 2a-29a

Our Rabbis taught: during the first week a mourner does not go out of the door of his house; the second week he goes out but does not sit in his [usual] place [in the synagogue];<sup>4</sup> the third week he sits in his [usual] place but does not speak; the fourth week he is like any other person. Says R. Judah: There was no need to say 'In the first week he does not go out of the door of his house', as then everybody comes into his house to comfort him; [what it should] rather [say is that] the second [week] he does not go out of the door of his house; the third [week] he goes out but does not sit in his [usual] place [in the synagogue]; the fourth [week] he sits in his place but does not speak; in the fifth [week] he is like any other person.

Our Rabbis taught: For [the whole] thirty days [the mourner is debarred from] taking a wife. If his wife died, he is forbidden to take another until three Festivals have gone by. R. Judah says. [Until] the first festival and the second he is forbidden [to marry]; before the third he is allowed. If he have no children he may take a wife forthwith,<sup>5</sup> lest [otherwise]<sup>6</sup> he may fail in [the duty of] procreation.<sup>7</sup> If she left him little children, he is allowed to take a wife forthwith to take care of them. It happened that the wife of Joseph the Priest died and he said on the burial ground to her sister: Go and take care of your sister's children: nevertheless he did not go in to her [as husband] till a long time after. What is [meant by] a 'long time'? — R. Papa said, Alter thirty days.

Our Rabbis taught: [During the whole] thirty days [the mourner is debarred from donning] pressed<sup>8</sup> clothes: it makes no difference whether they be old or new clothes coming out of the press.<sup>9</sup> Rabbi says, They only forbade new clothes; R. Eleazar son of R. Simeon says, They only forbade new white linen clothes. Abaye went out<sup>10</sup> in a worn sarbal,<sup>11</sup> in accordance with Rabbi.<sup>12</sup> Raba went out<sup>13</sup> in a new Roman re tunic,<sup>14</sup> in accordance with R. Eleazar son of R. Simeon.<sup>15</sup>

BECAUSE THEY [THE SAGES] SAID<sup>16</sup> THAT THE SABBATH ENTERS [INTO COUNT] BUT DOES NOT INTERRUPT; [WHILE FESTIVALS INTERRUPT, AND DO NOT ENTER INTO COUNT]. The Judeans and the Galileans [differed in regard to this Mishnah], the one party saying

- (1) But pray individually, not as a congregational service. So Rashi. This however is contradicted by a responsum of Natronai Otz. Hag. (Lewin) n. 91.
- (2) Han. Alfasi, MS.M. etc. read: 'sit in anguish'. Sem. X (end) enlarges: They sit or stand saddened and are like people who have Parnes (leader). When the time of rising arrives they minimize their affairs and rise'.
- (3) שמועה — a novel exposition of the legal import of a Mishnah, Baraitha 'heard' from some prominent teacher. Aggadah, is a homiletical exposition of ethical import.
- (4) Sem. X.
- (5) If the date of nuptials had been fixed before the bereavement took place.
- (6) Delay might lead to a cancellation of the match and loss of his only opportunity for a suitable spouse.
- (7) V. Gen. I, 27-28; II, 24.
- (8) I.e., ironed, or pressed smooth out of their creases. S. Krauss, TA I, 156, 581 translates, 'bleaching';
- (9) After bleaching, the clothes were put in a press; v. Krauss, loc. cit.
- (10) During the thirty days of mourning.
- (11) גרדא דסרבלא: In Syrian grida means a worn garment, or piece of cloth. Is גרדא perhaps the Aramaic equivalent of the Greek \*\* or \*\*? which means a shabby, rough cloak or cape. Sarbal means a mantle (and sometimes, Persian trousers). V. Kohut Ar. Compl. s.v. סרבל. Jast. renders, in a fresh scraped and smoothed cloak.
- (12) [Who permitted freshly pressed or bleached clothes provided they were not new].
- (13) During the thirty days of mourning.
- (14) Or shirt.
- (15) [Who forbade new pressed clothes only if white].
- (16) In reference to the efficacy of festivals or the Sabbath to cancel or defer the observances of formal mourning. V. Mishnah, supra 19a.

## Mo'ed Katan 23b

that [some] mourning is to be observed<sup>1</sup> on the Sabbath and the others saying that there is no [observance of] mourning on the



# MO'ED KOTON – 2a-29a

Sabbath. Those that said that [some] mourning is observed on the Sabbath based themselves on the wording in the Mishnah, [THE SABBATH] ENTERS [INTO COUNT]; the others who said that mourning is not observed on the Sabbath based their view on the wording [AND] DOES NOT INTERRUPT. For, [said they], should you assume that mourning is to be observed on the Sabbath, why need we have [the reservation] AND DOES NOT INTERRUPT? But surely it states [also], [THE SABBATH] ENTERS [INTO COUNT]! —

Because he has to teach in the latter part that [FESTIVALS]... DO NOT ENTER INTO COUNT, he teaches also [for the sake of symmetry] in the former part [THE SABBATH] ENTERS [INTO COUNT]. And as to the other side who said that [some] mourning is to be observed on the Sabbath, surely it states AND DOES NOT INTERRUPT? —

Because he has to state in the latter part that [FESTIVALS] INTERRUPT [the mourning], he teaches also [for the sake of symmetry] in the former part [THE SABBATH...] DOES NOT INTERRUPT. Might not one suggest that their disagreement goes back to the [divergent] views of [older] Tannaim [as set out in the following Baraitha]? For it has been taught: 'One who has his dead laid out before him eats [his meals] in another house [room]; if he have not another house [room], he eats in his friend's house; if he have not a friend's house [available], he makes him a partition [ten handbreadths high];<sup>2</sup> if he have not the wherewithal to make a partition, he turns away his face as he takes his meals.

And he does not recline<sup>3</sup> as he eats [nor does he eat his fill]<sup>4</sup> — he eats not meat nor drinks wine, nor does he say the grace. nor does he invite others [partaking in the meal to join in grace with him]<sup>5</sup> nor do others invite him;<sup>6</sup> and he is exempt from a recital of Shema',<sup>7</sup> from Saying the Tefillah<sup>8</sup> or donning phylacteries, and [exempt] from the

performance of any religious duties that are commanded in the Torah. [When do these said restrictions obtain? On weekdays];<sup>9</sup> but on Sabbath<sup>10</sup> he takes meals reclining, eats meat and drinks wine, recites grace, invites others [to join him] and others invite him and it is incumbent on him to recite the Shema' and to say the Tefillah<sup>11</sup> and to perform all the religious duties commanded in the Torah.

Rabban Gamaliel<sup>12</sup> says,<sup>13</sup> Since he re-enters into these several obligations [here mentioned] he enters into the obligation of all [religious duties]. [And commenting on this] R. Johanan said that the actual difference between them is the question of 'using the [marital] couch'.<sup>14</sup> Now, is not this the issue between them: One Master<sup>15</sup> takes the view that [some] mourning is to be observed on Sabbath and the other Master<sup>16</sup> that there is to be no mourning on Sabbath? Why [do you think so]? Perhaps there<sup>17</sup> the first Tanna might not have gone so far as to forbid,<sup>18</sup> save only because his dead is still laid out in front of him; but here,<sup>19</sup> he might not [forbid].<sup>20</sup> Again, Rabban Gamaliel there<sup>21</sup> would not have gone so far as to allow,<sup>20</sup> save only because there<sup>21</sup> the incidence of mourning has not yet occurred;<sup>22</sup> whereas here,<sup>19</sup> where the incidence of mourning has already occurred, he might also [forbid].<sup>20</sup>

(1) Privately, at home, e.g., covering the head, sleeping on an overturned couch, not occupying the marital couch, not greeting with 'peace'. 'In Judea they greeted mourners with "peace" on entering and leaving his house, to show that mourning did not obtain on Sabbath'. Sem. X (end.).

(2) This is a gloss — not found in the parallel texts — on the technical height of a partition. Cf. Shab. 6a — and Tosa, Suk. 5b s. v. עשרה.

(3) On a couch or seated round the table with others; that is, he does not have his meals in style.

(4) Sem. adds: 'Nor does he eat all he requires' — i.e., his fill.

(5) Three or more eating together should join as a group in saying grace. Cf. Ber. 45a.

(6) [Rashi Ber. 17b explains differently: He recites no benediction before meals, nor does he say grace after meals. Nor do others recite the benediction before meals on his behalf, nor does he join in the grace after meals.]

# MO'ED KOTON – 2a-29a

- (7) 'Hear, O Israel. . . , Dent. VI, 4ff Cf. P.B. pp. 30ff
- (8) The 'Amidah, or the 'Eighteen Benedictions
- (9) Prayer' for weekdays. V. P.B. p. 44ff.
- (9) So Sem. X.
- (10) Sem. ibid. adds, he eats according to his requirements.
- (11) The 'Amidah or Seven Benedictions for the Sabbath. MS. M. omits 'phylacteries', as these are never donned on Sabbath.
- (12) So also Sem. and other texts. In Ber. 17b Rabban Simeon b. Gamaliel.
- (13) Sem. inserts: A mourner on Sabbath is as if he were no mourner.
- (14) I.e., marital intercourse during the Sabbath, which is otherwise forbidden during the week of mourning. Rabban Gamaliel's statement implies that he is permitted to use the marital couch on the Sabbath of the week of mourning. Conjugal rights are among the Scriptural obligations of a husband to his wife. Ex. XXI, 10 and cf. Keth. 61a.
- (15) The first Tanna in the cited Baraitha.
- (16) R. Gamaliel.
- (17) In the Baraitha which deals with the case before burial.
- (18) The conjugal couch on the Sabbath.
- (19) In the Mishnah which deals with mourning after the burial.
- (20) The conjugal couch on the Sabbath.
- (21) In the Baraitha which deals with the case before burial.
- (22) The observance of formal mourning does not begin till after the funeral.

## Mo'ed Katan 24a

Mar Yohani<sup>1</sup> enquired of Samuel, Was there [some] mourning [to be observed] on Sabbath or was there no mourning on the Sabbath? —

He replied, There is no mourning [to be observed] on the Sabbath. Some Rabbis sitting in the presence of R. Papa reported in the name of Samuel that a mourner who used the conjugal couch during the [seven] days of his mourning is guilty of a mortal offence. Said R. Papa to them, What was reported was that it is 'forbidden', not 'a mortal offence', and in the name of R. Johanan it was reported [and not in the name of Samuel]; and if you heard aught [condemned] in the name of Samuel [as a mortal offence] it was this: 'Said R. Tahlifa b. Abimi, as reporting Samuel, A mourner who did not let his hair grow long and did not rend his clothes is

guilty of a mortal offence. For it was said [to Aaron and his surviving sons]:<sup>2</sup> Let not the hair of your heads go loose neither rend your clothes, that ye die not. . .,<sup>3</sup> which [clearly] implies that any [other] mourner if he has not let the hair [of his head] go loose and has not rent his clothes, is guilty of a mortal offence'.

Rafram<sup>4</sup> b. Papa said, It is taught in the Ebel Rabbathi:<sup>5</sup> 'A mourner is forbidden to use the [conjugal] couch during his [seven] days of mourning'; and it happened [once] with one who used his [conjugal] couch during the [seven] days of his mourning that swine hauled away his carcass.<sup>6</sup> Samuel said, Pahaz,<sup>7</sup> are obligatory; Natar,<sup>7</sup> are optional [on the Sabbath] i.e., the unveiling of the head,<sup>8</sup> turning the rent side [of his garment] from front to back and tilting up the couch [into its normal position] are obligatory [on the mourner, in honor of the Sabbath]; donning sandals, the use of the conjugal bed and washing his hands and feet with warm water at [the approach of the] Sabbath even are optional.<sup>9</sup> But Rab says, The unveiling of his head is also optional. Now, what is the difference in the case of the donning of sandals [on the Sabbath] that Samuel treats it as optional? [presumably] because not everyone usually wears shoes;<sup>10</sup> is it not so likewise with the unveiling of the head, as not everybody generally goes about with head unveiled? —

Samuel is consistent in this, as Samuel said, 'Any rending [of clothes] not done in the flush [of grief]<sup>11</sup> is not a [proper] rending, and any muffling [of the face] not alter the manner of the Ishmaelites,<sup>12</sup> is not a proper muffling [for a mourner]'. R. Nahman demonstrated it [by covering himself up in his mantle] right up to the sides of the beard.<sup>13</sup> Said R. Jacob, as reporting R. Johanan: This statement was made [above]<sup>14</sup> only in reference to one who has no shoes on his feet, but if he has shoes on his feet [on the Sabbath] his shoes give evidence about him.<sup>15</sup> 'Any rending [of clothes] not done in the flush [of grief] is not a [proper] rending'. But yet [when] they said to

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Samuel, 'Rab's soul has gone to rest', he rent on account of him thirteen garments [and] said: 'Gone is the man before whom I trembled'!<sup>16</sup> When they told R. Johanan. 'The soul of R. Hanina has gone to rest', he rent on account of him thirteen robes<sup>17</sup> of Milesian wool and said: 'Gone is the man before whom I trembled'!<sup>18</sup> —

Rabbis are in a different category, since their discussions are always recalled it is [for us] like 'the first flush [of grief]'.<sup>19</sup> Said Rabin b. Adda to Raba: Your disciple R. Amram said that it was taught, 'A mourner [hearing of a fresh bereavement] at any time during the seven [days] rends his [clothes] in the forepart thereof, and if he has [occasion] to change [the garment]. he changes and rends afresh; on the Sabbath he rends [on hearing the news] in the hinder part [of the garment]. and if he has [occasion] to change it, he changes but tears not [afresh]'?<sup>20</sup> —

That was taught only where [it was] in honor of one's father or mother, [but not for other near of kin]. Are such rents [to be] sewed up<sup>21</sup> or are they not [to be] sewed up? — On that, [Nahmani]<sup>22</sup> father of R. Oshaia and Bar Kappara held different views, one saying that the rents are [to be] sewed up and the other saying that they are not [to be] sewed up. May it be inferred that it was the father of R. Oshaia that said that these were not [to be] sewed up, as R. Oshaia said that they were not [to be] sewed up; from whom had he heard this if not from his father? — Not [necessarily]: he [R. Oshaia] heard it from his master, [who was] Bar Kappara. Raba said, A mourner may walk about in his [rent] wrap<sup>23</sup> indoors [on the Sabbath].

Abaye found R. Joseph going in and out of his house, his head covered with a sudarium<sup>24</sup> [on the Sabbath]. Said he to him:<sup>25</sup> Do you not, sir, hold the view that there is to be no [observance of] mourning on the Sabbath? — He replied: Thus said R. Johanan: 'Intimate [forms of] mourning may be maintained [on the Sabbath]'.

R. ELIEZER SAYS, SINCE THE SANCTUARY [AT JERUSALEM] WAS LAID IN RUINS [THE FEAST OF] 'AZERETH<sup>26</sup> [IS CONSIDERED] AS AN [ORDINARY] SABBATH, etc. Said R. Giddal b. Menashia as citing Samuel, The Halachah follows the opinion of Rabban Gamaliel. And some attach this comment of R. Giddal b. Menashia to [the following Baraita]: 'Any infant up to thirty days old is carried out in arms<sup>27</sup> and buried by one woman and two men, but not by one man and two women.<sup>28</sup>

(1) According to older editions and MS.M. V. D.S. p. 78. n. ג R. Johanan in our text is corrupt. V. Tosaf. s.v. בעט. V. also Hyman, 'Toledoth, 653a who cites A.Z. 16b.

(2) When Nadab and Abihu died on the day of their induction.

(3) Lev. X, 6.

(4) An abbreviated form of R. Ephraim.

(5) אבל רבתי Major (tractate) on Mourning mentioned again infra 26b, identified with Sem. Reference is also made to a 'Minor Tractate on Mourning' — אבל זשורתי by Salomo beli Hajathom (SBH) in his Commentary on M.K. (ed. H. P. Chajes, 1909, p. 125) who saw both at Rome. V. Strack's Einleitung in Talmud und Midrash (5th ed., 1921, p. 73, c).

(6) A liter: his membrum virile, as per talionem.

(7) Abbreviation used as a word of the rules that follow. P = Pri'ath ha-Rosh (unveiling of the head); H = Hazarath Keran' (turning of rent). Z = Zekifath ha-mittah (tilting up the couch); N = Ne'ilath Ha-sandal (donning sandals); T = Tashmish ha-mittah (Use of conjugal bed); R = Rehizath yadaim etc. (washing hands etc.).

(8) Ct infra n. 5.

(9) Opinion differed considerably on this also in Palestine. V. J.M.K. III, 5. Cf. n. 7 infra.

(10) On the Sabbath, and therefore the variation in honor of the Sabbath is not so marked after all.

(11) At the moment of death, or on first hearing the sad news.

(12) Samuel is speaking of the customs in Babylon where many Arabs had come to settle in constant streams from Arabia.

(13) That is, drawing the mantle together so as to enfold the forehead above and the chin and mouth below, leaving only nose and eyes exposed, as a mourner is to keep silence.

(14) In regard to the differences between Rab and Samuel about uncovering the head.

# MO'ED KOTON – 2a-29a

(15) That he is not observing mourning on the Sabbath.

(16) On account of his great learning.

(17) Stolae.

(18) On account of his great learning.

(19) I.e., each time when their discussions are recalled.

(20) Which shows that rending is not limited to the first flush of grief.

(21) Lit., 're-united', properly mended.

(22) V. Hyman Toledoth I, 116a.

(23) Heb. אונקלי, probably the Latin amiculum, an upper cloak. Cf. Becker's Gallus (E.T. ed. 4) Exotirsus II on dress, p. 436ff.

(24) A square piece of cloth worn as a kerchief.

(25) Abaye was a disciple of R. Joseph.

(26) The Feast of Weeks. V. Mishnah and notes supra 19a.

(27) Lit., 'bosom'.

(28) For reasons of propriety. Cf. Kid. 80b.

## Mo'ed Katan 24b

Abba Saul says, Even by one man with two women. And they [the people] do not stand in line<sup>1</sup> on the [immature] infant's account, nor do they [need] to recite the [usual] mourners' benediction,<sup>2</sup> nor tender the [usual] condolence to the mourners. An infant thirty days old is taken forth [to burial] in a case.<sup>3</sup>

R. Judah says: Not a case that is borne on the shoulder, but one that is borne in the arms; and the people stand in line<sup>1</sup> on its account, and recite the [additional] mourners' benediction<sup>2</sup> and tender the [usual] condolence to the mourners. One twelve months old is taken forth [to burial] on a bier; R. Akiba says, If the infant is twelve months old and its limbs are like those of one two years old, or two years old and its limbs are like those of one twelve months old, it is carried out on a bier.

R. Simeon b. Eleazar says, For any one that is taken out on a bier the public [should] show their distress;<sup>4</sup> for any one that is not taken out on a bier the public do not [need] to show their distress. R. Eleazar says, If he is known to the public at large, the public should participate in the proceedings; if he be not known to many [of the public] they do not

[need] to participate. And what is the rule in respect of making lamentation for them?

R. Meir in the name of R. Ishmael says: In the case of the poor lamentation is made for a child of three and in the case of the rich for a child of five.<sup>5</sup> R. Judah speaking in his [R. Ishmael's.] name says: With the poor [they make a lament] for children of five; with the rich for children of six. And [as for] the children of 'elders', they are [treated] in the same way as the children of the poor.<sup>6</sup>

Said R. Giddal b. Menashia, as citing Rab,<sup>7</sup> The Halachah is as stated by R. Judah in the name of R. Ishmael. R. 'Anani b. Sason<sup>8</sup> gave a discourse at the door of the Prince<sup>9</sup> [and said]: 'One day [of mourning] before 'Azereth<sup>10</sup> [the Feast of Weeks] with [one day of] 'Azereth count as fourteen days [out of the thirty].' R. Ammi heard of this and was indignant saying, Is that his own view? It is what R. Eleazar [b. Pedath] said as citing R. Oshaia!

R. Isaac the smith gave a discourse at the marquee<sup>11</sup> of the Exilarch [and said]: 'One day [of mourning] before 'Azereth with the [one day of] 'Azereth, count as fourteen days [out of the thirty]'. R. Shesheth heard of this and was indignant, saying, Is that his own view? It is what R. Eleazar said, as citing R. Oshaia! For R. Eleazar, citing R. Oshaia, said: Whence is derived the ruling that 'Azereth [the Feast of Weeks] is allowed a supplementary extension to full seven days?<sup>12</sup> From what is said: Three times in a year shall all thy males appear before the Lord thy 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 thy God empty.<sup>13</sup> Just as the Feast of Unleavened Bread has a supplementary [period] to full seven days [for the celebration offerings],<sup>14</sup> the Feast of Weeks<sup>15</sup> has likewise a supplementary extension [for festive offerings] of full seven days.<sup>16</sup>



# MO'ED KOTON – 2a-29a

R. Papa invited<sup>17</sup> the elder R. Awia [to act as expositor] and he expounded [the theme]: 'One day [of mourning] before New Year and New Year's Day [together] account for fourteen [out of the thirty days]'. Said Rabina, According to this, then, one day [of mourning] before 'the Feast' [of Tabernacles] together with the [seven days of the] festival and 'the Eighth Day' [of 'Solemn Assembly'] account [together] for twenty-one [out of the thirty days of mourning].

Rabina turned up at Sura-on the Euphrates<sup>18</sup> when R. Habiba of Sura-on-the Euphrates put the question to him: Did you, sir, say that one day<sup>19</sup> before New Year and New Year's Day [together] account for fourteen [out of the thirty days]? — He replied, I did say that, arguing on [the basis of] Rabban Gamaliel's view.<sup>20</sup>

**MISHNAH. NONE REND [THEIR CLOTHES] NOR BARE [THEIR SHOULDER], NOR PROVIDE A REPAST [FOR THE MOURNERS]<sup>21</sup> SAVE THOSE [WHO ARE] NEAR OF KIN TO THE DEAD; NOR DO THEY PROVIDE A REPAST SAVE [SEATED] ON AN UPRIGHT COUCH.<sup>22</sup>**

- (1) To offer condolence to the mourners.
- (2) V. Keth. 8b, foot-note.
- (3) דלוסקמא (a Doric form of) \*\*.
- (4) מַעֲצִיבֵינָם (פְּנִיָּם) = מַעֲצִיבֵינָם (פְּנִיָּם) Cf. e.g., Gen, VI, 6; Neh. VIII, 9-10.
- (5) [The grief of the poor at the loss of a child is greater than among the rich, since a child is the poor's only joy (Rashi)].
- (6) For variations on the passage v. Sem. III, 2-4.
- (7) Han. has, 'As citing Samuel'.
- (8) Identical with עֲנִיָּאֵל בְּרַשְׁוֹן וְעֲנִיָּאֵל בְּרַשְׁוֹן V. Zuri's שלטון הנשיאות (London, 1934) Voi I, book 3, sec. 2, pp. 36 and 142.
- (9) Judah II.
- (10) Pentecost, a one-day feast.
- (11) Or castle.
- (12) For making the prescribed 'festive' offering at the Temple. If one had been unable to make it on the festival itself, it may be done up to the seventh day after.
- (13) Deut. XVI, 16.
- (14) Cf. Hag. 9a.
- (15) I.e., Azereth, though essentially a Feast of but one day.

(16) The same argument applies to the analogy with the Feast of Tabernacles which has a range of eight days; but this argument is logically questioned, as thereby the one-day Feast of Weeks would be entitled to a day more than the seven-day Feast of Mazzoth; besides, it is shown that the eighth day of Tabernacles is, by virtue of its special sacrificial tariff a distinct Feast by itself. Cf. Hag. 17a and note discussion that follows.

(17) אַדְבָּרִיָּה Lit., 'took him along, brought or led him forward'. R. Papa, as Principal, invited him to act as Amora or Turgeman of the occasion (cf. supra p. 133, n. 10). probably on one of the two or four Sabbaths preceding a festival — שְׁבֻתָּה — when the theme was seasonal. Cf. Pes. 6a-b and more fully in Tosef. Meg. IV, 5: 'And they enquire about the laws of Passover at Passover; the laws of Azereth at 'Azereth; the laws of the Feast (of Tabernacles) at "the Feast" in the House of the Assembly (בְּבֵית הַדְּבָרִים). And they enquire about the laws of Passover thirty days preceding the Festival'. And on the expression אַדְבָּרִיָּה v. Bez. 29a (Sonc. ed., p. III, n. 3).

(18) Cf. supra 20a, p. 127.

(19) 'Even one hour's mourning before the festival'.

(20) V. Mishnah supra 19a.

(21) After the interment at the house of the mourners, and sometimes in the special forum on the burial ground, where the lament was held. Cf. supra 5b and the formal tendering of comfort with the first repast which followed. Cf. infra 27a. Shab. 105a (Rashi), and Keth. 8b.

(22) I.e., a couch in its normal position. J.M.K. and other texts read, 'upright couches', i.e., couches for both the comforters and the mourners. 'Such was the custom; when they provided the mourners' fare and wished to take the meal, they set up the couches erect, and after the comforters left (the house) they overturned (upset) them (again)'. V. B.M. Lewin, Otz. Ha.; IV, n. 132.

## Mo'ed Katan 25a

**GEMARA.** [NONE REND etc.] even though [the dead be] a recognized scholar.<sup>1</sup> But then, it is taught [otherwise]: If a scholar dies, all are his near of kin?<sup>2</sup> 'All are his near of kin', say you? — Rather All are like his near of kin. — All rend their clothes on his account and all bare [their shoulders] on his account and all provide a repast for those that mourn on his account in the broad space?<sup>3</sup> —

It<sup>4</sup> is a necessary ruling where the deceased was not a scholar. But then if the deceased

## MO'ED KOTON – 2a-29a

was a worthy person, one is [still] in duty bound to rend his clothes, as it is taught: 'Wherefore do a person's sons and daughters die in infancy? That one should weep and mourn for a worthy person.' — [You say]. 'That one should weep and mourn [for a worthy person]!'<sup>5</sup> What, levy a distress on one [in advance]?<sup>6</sup> — Say rather, 'Because one has not wept and mourned for a worthy person'. — 'For<sup>7</sup> whoever weeps and mourns for a worthy person, all his sins are forgiven him, on account of the honor he rendered to him [the deceased]?' —

It is necessary<sup>8</sup> where the deceased is not a [particularly] worthy person. But yet if one stands here, at the time of a person breathing his last, one is [also] in duty bound [to rend his clothes]. as it is taught: R. Simeon b. Eleazar says, One who stands near the dying, at the time when he breathes his last, he is in duty bound to rend [his clothes]: To what is this like? To a scroll of the Law that is burnt,<sup>9</sup> when one is in duty bound to rend [his clothes]. — It is a necessary<sup>10</sup> ruling where one was not standing there at the time when the dying breathed his last.

When the soul of R. Safra<sup>11</sup> went into repose, the Rabbis did not rend [their clothes] on account of him,<sup>12</sup> since, they said, We have not learnt from him [directly].<sup>13</sup> Said Abaye, Is it taught: 'When a Master died'? The teaching is: 'When a scholar dies [all are his near-of-kin]'. Besides, we repeat daily the Halachic interpretations reported [in his name] at the College! The [Rabbis of the College] then took the view that what was done was done.<sup>14</sup> Said Abaye to them, We learned: 'If a scholar dies, as long as they are engaged in a lament for him they are in duty bound to rend [their clothes]'. They thought then of rending forthwith [their clothes].<sup>15</sup> Said Abaye to them, [No], it is taught: 'A scholar is honored at the lament held [on his account].'<sup>16</sup>

When the soul of R. Huna<sup>17</sup> came to repose, they thought of Placing a scroll of the law on

his bier.<sup>18</sup> Said it. Hisda to them: Should one do for him now something that he did not countenance in his life-time? For R. Tahlifa<sup>19</sup> said: I myself [once] saw R. Huna when he wanted to sit down on his couch, but there was a scroll of the law lying on it, so he put an inverted jar on the ground and put on it the scroll of the law. Obviously he thought that it was forbidden to sit on a couch when there was a scroll of the law lying thereon. Then the bier could not be got through the doorway<sup>20</sup> and they thought of letting it down from the roof.

Said R. Hisda, I have learnt this from himself: 'The honor of a scholar requires that his bier should pass through the door'. They then thought of transferring him from this bed to another, but said R. Hisda to them, I have learnt thus from himself: 'The honor of a scholar requires that he should be taken out on the first bier'. For Rab Judah, as citing Rab, said, Whence is derived the lesson that the honor of a scholar requires that he should be borne on his first bier? From what is said: And they set the ark of God on a new cart<sup>21</sup> and brought it out of the house of Abinadab that was on the hill.<sup>22</sup> They then readied the gateway and brought it out.

R. Abba then opened [his funerary address]: 'Our Master [said he] was worthy that the Shechinah<sup>23</sup> should abide with him, but [the fact of his being in] Babylon prevented it'.<sup>24</sup> Thereupon R. Nahman, son of R. Hisda — some say it was R. Hanan, son of R. Hisda — referred to [the text]: The word of the Lord came expressly unto Ezekiel the priest, the son of Buzi in the land of the Chaldeans by the river Chebar.<sup>25</sup> His father tapped him with his sandal, saying to him: Have I not told you not to worry everybody [with this point]? What is meant by the [double expression] 'Hayoh [Hayah]?'<sup>26</sup> That it had been [had come] before [he came to Babylon].

When they brought him up thither [to Palestine, for burial] people told R. Ammi and R. Assi<sup>27</sup> that R. Huna had come. They

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said: 'When we were there [in Babylon] we had not [a chance] of raising our heads because of him;<sup>28</sup> now that we have come here he is come after us'.<sup>29</sup> They then were told that it was his coffin that had arrived. R. Assi and R. Assi went out [to meet him]; R. Ela<sup>30</sup> and R. Hanina did not go out. Some say, R. Ela went out, R. Hanina did not go out. What was the reason of the one who went out? According to what is taught [in the following]: 'If a coffin is passing [on its way] from place to place they stand in a row<sup>31</sup> on account of the deceased, and say the mourners' benediction on account of him and also offer condolence to the mourners'. What was the reason of the one who did not go out? —

According to what is taught [in the following]: 'If a coffin is passing [on its way] from place to place, they do not stand in a row on account of it, nor say on his account the mourners' benediction, nor [offer] condolence to the mourners'. These citations contradict one another! —

This is not difficult [to explain]; the former [ruling obtains] where the body is intact; the latter where the body is not intact, and R. Huna's body was intact. Why did one not go out [to meet it]? Because he had not been fully informed of this. Then they said, Where shall we lay him to rest? [Said some, Let us lay him at the side of R. Hiyya];<sup>32</sup> for R. Huna disseminated Torah in Israel<sup>33</sup> and R. Hiyya had likewise disseminated Torah<sup>34</sup> in Israel. Who will bring him into [the cave of] R. Hiyya? —

Said R. Hagga 'I shall bring him in, because I sustained [revised] my studies [before him]<sup>35</sup> when I was but eighteen years of age, never having experienced the effects of an unchaste dream<sup>36</sup> and he made me his attendant<sup>37</sup> and therefore I know of his [pious] deeds. For one day the strap of his phylacteries was [accidentally] reversed,<sup>38</sup> whereupon he sat fasting forty days'. He then brought him in [to the cave].<sup>39</sup> Judah was laid there at the

right of his father [R. Hiyya] and on his left was his [twin brother]<sup>40</sup> Hezekiah.

Said Judah to Hezekiah: 'Rise from your place, for it is not good manners that R. Huna be left standing'. As he [Hezekiah] rose a column of fire rose with him<sup>41</sup>. R. Hagga, seeing that, was overcome with fear, set up the coffins and came away. And the reason that he came to no harm<sup>42</sup> [from the pillar of fire] was because he set up the coffin of R. Huna.<sup>43</sup>

When the soul of R. Hisda went to its rest they [the Collegiates] thought of placing a scroll of the law on his bier. Said R. Isaac to them: What he had disapproved of being done for his master, shall we now do to himself? They then thought that they should not stitch the rent in their garments, when R. Isaac b. Ammi said to them, It is taught:<sup>44</sup> In the case of a Scholar, [who died] as soon as they have turned away their faces, at the rear of the bier, they [may] stitch together [the rent]'. —

When the soul of Rabbah<sup>45</sup> son of R. Huna went to its rest and [that of] R. Hamnuna, they took them [both] up thither.<sup>46</sup>

(1) ככה an ordained Rabbi.

(2) The citation is here interrupted by a question and continues after the explanation.

(3) V. p. 153. n. 8.

(4) I.e., the ruling in our Mishnah, here.

(5) Again the citation is interrupted.

(6) I.e., give one cause to weep in anticipation that some worthy person shall die and not be fittingly mourned by the punished person. Cf. Rashi, Shab. 105b.

(7) Here the citation is resumed.

(8) I.e., the ruling in our Mishnah. So MS.M. and Shab. 105b. I.e., there is no contradiction between this citation and the ruling in our Mishnah.

(9) Cf. infra 26a and Rashi Shab. 105b. The divine Law is the inner Light that guides and at death it is as if the candle has been taken out of the lantern. Cf. Prov. VI, 33; XX, 27; and Sot. 21a.

(10) V. p. 154. n. 9.

(11) A great scholar, saint and merchant who used to go to and fro between Babylon and Palestine. Cf. supra 12a; Mak. 24a.

(12) At the news of his death.

# MO'ED KOTON – 2a-29a

- (13) I.e., we are not really of his disciples.  
(14) And nothing more is to be done.  
(15) Without waiting for the holding of a lament for him.  
(16) And it is on that occasion that the rending is proper to take place.  
(17) Rab's great disciple and his successor in 247 as Principal of Sura. He died in 297, C.E.  
(18) 'They laid a scroll of the law on his (King Hezekiah's) bier and said: This one maintained what is written in this (scroll)'. B.K. 17b.  
(19) Cf. Me. 32b, where as here MS.M., SBH and other texts read R. Helbo who often cites R. Huna's dicta.  
(20) Lit., 'the gateway'.  
(21) The same that had been provided originally by the Philistines. I Sam. VI, 7ff. Cf. Elijah Rabbah (ed. Friedmann) XXIX (XXXI) p. 157: 'All Israel were gathered and David with them, to bring up the ark. And the Halachah had been forgotten by them; said (Ahitophel) and all, The ark came from the field of the Philistines in the cart, likewise in the cart let it come (back) to the house of David'.  
(22) II Sam. VI, 3.  
(23) The 'Divine Presence'.  
(24) Caused it to (be otherwise for) him.  
(25) Ezek. I, 3. On this point cf. Mekilta Bo, Proemium s.v. (Ed. Friedmann 1b n. 21).  
(26) Taken as pluperfect.  
(27) Two Babylonians who had become leading scholars in Palestine. Cf. Keth. 17b.  
(28) Being aware of his superiority and seniority. Cf. Meg. 22a(bottom).  
(29) They thought we were still alive.  
(30) Also a Babylonian who became very famous in Palestine. Cf. supra 3a.  
(31) To condole with the mourners.  
(32) So MS.M.  
(33) Cf. Keth. 106a.  
(34) Cf. B.M. 85b. He was accounted as a second Ezra or Hillel; Suk. 20a.  
(35) For the expression cf. אוקימתון מסכת פלן Hor. 10b (Sonc. ed. p. 72.) It was customary for students to revise their studies by reciting alone before their master, periodically. Cf. Ber. 11a (R. Hiyya b. Ashi I before Rab). 38b (R. Hiyya b. Abba before R. Johanan), Hul. 86b and Ker. 27a. R. Ash did so every thirty days. (M.K. 28a). Resh Lakish did every forty days. Ta'an. 8a.  
(36) A night pollution, cf. Ber. 10b about Elisha as a holy man.  
(37) Cf. A.Z. 37a (of R. Simlai) and 58a (of R. Elyakim). Then he (Elisha) arose and went after Elijah and ministered unto him (I Kings XIX, 21). It is not said 'and he (Elijah) taught him', but 'and he (Elisha) ministered unto him'; hence they said: Greater is (practical) ministration in (connection

with) Torah than the teaching (or study) thereof. Elijah Rabbah, V (ed. Friedmann, p. 23).

(38) Cf. Men. 3a-b.

(39) Cf. B.M. 85b. Like a second Ezra or Hillel. Suk. 20a. The family cave of R. Hiyya was probably at Tiberias.

(40) Yeb. 65b.

(41) Tilted it hastily in front of the fiery column. (Rashi); or set the coffin in its place (on stones or trestles).

(42) V. J. Kii. IX, 4, where it is stated that R. Hagga was then eighty years old and his years were doubled.

(43) This R. Huna II was one of the Exilarch's family. Moreover, Rab, Hiyya's nephew, had one of his daughters married into the Exilarch's family (Hul. 92a). Furthermore, the Exilarchs of Babylon were senior and held as superior both in civil authority and descent to the Nasi in Palestine, and admitted by Rabbi himself (J. Keth. XII, 3) by R. Hiyya (and his sons). Hor. 11b (Sonc. ed. p. 81) and Sanh. 5a (Sonc. ed. p. 15.) Cf. Bacher, J.E. s.v. Exilarch V, 289a.

(44) So MS.M.

(45) Son of the above R. Huna II.

(46) To Palestine for burial.

## Mo'ed Katan 25b

As they came to a bridge the camels<sup>1</sup> halted. Said a certain Arab<sup>2</sup> to those [who accompanied the cortege], What is that?<sup>3</sup> —

They replied that the [deceased] Rabbis were doing honor to one another: one saying [as it were], 'You, Sir, proceed first', and the other saying, 'You, Sir, proceed first'. Said he, [the Arab]: [In my judgment],<sup>4</sup> it is right that [a notable the son of a notable],<sup>4</sup> Rabbah son of R. Huna, should take precedence. The camel bearing Rabbah son of R. Huna then passed along first. The molars and teeth of that Arab fell out.<sup>5</sup> Then a certain child opened [his funerary oration] thus: 'A scion of ancient stock from Babylon<sup>6</sup> came With records of prowess in combat<sup>7</sup> and fame; Twice numerous pelican and bittern<sup>8</sup> from far came for the ravage and ruin<sup>9</sup> in Shinear.<sup>10</sup> 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 Arboth<sup>11</sup> in empyrean height, He welcomes the souls of the pure and right'.<sup>12</sup>



## MO'ED KOTON – 2a-29a

When the soul of Rabina went into repose, a certain orator opened [his funerary oration] thus: 'Ye Palms, sway your heads [and deplore] A Saint, a noble Palm<sup>13</sup> that is no more Who days and nights in meditation spent; For him, day and night, let us lament.' Said R. Ashi to Bar-Kipok,<sup>14</sup> What would you say on such a day [about me]? He responded thus: 'If a flame among the Cedars fall What avails the lichen<sup>15</sup> on the wall?<sup>16</sup> If Leviathan<sup>17</sup> by hook be hauled to land, What hope have fishes of a shallow strand? If fish in rushing stream by hook<sup>18</sup> be caught What death may in marshy ponds be wrought!' Said Bar Abin<sup>19</sup> to him: '[God] forefend that I should talk of "hook" or "flame" in connection with the righteous'. Then what would you say? —

I should say: 'Weep ye for the mourners Not for what is lost: He found him rest; 'Tis we are let distressed'. R. Ashi was' offended<sup>20</sup> with them,<sup>21</sup> and their feet<sup>22</sup> were turned.<sup>23</sup> On that day [of R. Ashi's demise] they did not come to make a lament for him, and that is what R. Ashi had said: 'Neither shall Bar-Kipok<sup>24</sup> bare [his shoulder] nor shall Bar-Abin<sup>24</sup> bare<sup>25</sup> [his shoulder, for me]'.

When Raba once came to Dagleth [Tekrit],<sup>26</sup> he said to Barabin,<sup>27</sup> Get up and say something. He rose and said [the following]:<sup>28</sup> When more than a 'third'<sup>29</sup> wadeth in water deep Remember the covenant<sup>30</sup> and mercy keep.<sup>31</sup> We strayed from Thee as a wayward wife;<sup>32</sup> Leave us not: as at Marah<sup>33</sup> save our life.

R. Honin<sup>34</sup> was a son-in-law in the Nasi's family. He had no children but he prayed for mercy and had [his wish granted]. On the day when the child was [born] unto him he himself went to his repose, and the funeral orator on that occasion opened [his lament] thus: Joy is turned to sorrow and Gladness linked with sadness. When the time of joy<sup>35</sup> came nigh the father heaved a dying sigh: At [the birth of] his Gracious-little-son<sup>36</sup> The

Gracious-sire's life was done. They gave the child the name of Hanan after his father.

When the soul of R. Pedath<sup>37</sup> went into repose, R. Isaac b. Eleazar<sup>38</sup> opened [his address] thus: This day is as hard for Israel as the day when the sun set at noon-tide, as it is written: And it shall come to pass in that day... that I will cause the sun to go down at noon and I will darken the earth in the clear day. And I will turn your feasts into mourning and all your songs into lamentation... as the mourning of an only son,<sup>39</sup> And, said R. Johanan, that was the day of King Josiah's death.<sup>40</sup>

When the soul of R. Johanan went into repose R. Ami observed [on his account] the seven [days of mourning] and the thirty. Said R. Abba son of R. Hiyya b. Abba: What R. Ammi did, he did but on his own initiative;<sup>41</sup> for thus said R. Hiyya b. Abba, as citing R. Johanan: 'Even for his master who had taught him Wisdom<sup>42</sup> one sits but one day'.

When the soul of R. Zera<sup>43</sup> went into repose the orator of that occasion opened [his address] thus: 'The land of Shinear<sup>44</sup> was his home of birth The land of Glory<sup>45</sup> reared her Darling<sup>46</sup> to fame; "Woe is me!" saith Rakath<sup>47</sup> in lament, For she hath lost her choicest ornament.'

When the soul of R. Abbahu went into repose the columns at Caesarea ran with tears.<sup>48</sup> At [the death of] R. Jose<sup>49</sup> the roof gutters at Sepphoris ran with blood. At that of R. Jacob [b. Aha],<sup>50</sup> Stars were visible in daytime. At that of R. Assi [all cedars]<sup>51</sup> were uprooted; [at the death of R. Samuel b. Isaac]<sup>51</sup> all trees were uprooted. At that of R. Hiyya [b. Abba]<sup>50</sup> fiery stones came down from the sky; at that of R. Menahem [b. Simai]<sup>50</sup> all images were effaced<sup>52</sup> and came to be [used] as stone rollers;<sup>53</sup> at that of Tanhum son of R. Hiyya [of Kefar Acco]<sup>51</sup> all human statues were torn out of their position; at that of [R. Isaac, son of R.]<sup>51</sup> Eliashib seventy houses were broken into [by thieves] at Tiberias;<sup>54</sup> at that of R.

# MO'ED KOTON – 2a-29a

Haninuna,<sup>55</sup> hail stones came down from the sky; at that of Rabbah and R. Joseph the rocks of the Euphrates kissed each other;<sup>56</sup> at that of Abaye and Raba the rocks of the Tigris kissed each other.

When the soul of R. Mesharsheya went into repose the palms were laden with thorns.<sup>57</sup>

## Our Rabbis taught:

- (1) Which were carrying the coffins.
- (2) Tayi'a, the name of an Arab tribe which came to be used for Arabs in general.
- (3) What does this strange thing indicate?
- (4) The bracketed words which form the reading of MS.M. are here combined with the text of cur. ed. to bring out the import of the Arab's remarks more fully.
- (5) A proverbial expression. He received the need for his irreverence.
- (6) The Babylonian Exilarchs to which Rabbah b. R. Huna belonged traced their descent to Jehoiachim, King of Judah. V. JEV, 288ff.
- (7) Referring to his prowess and triumphs at the Collegiates' discussions.
- (8) An echo of Isa. XXXIV, 11; Zeph. II, 14.
- (9) Cf. Isa. LI, 19 and Jer. XLVIII, 3.
- (10) I.e., Babylon. Cf. Gen. XIV, 1.
- (11) Ps. LXVIII, 5 is taken as 'High-Heavens'; cf. v. 34 and Deut. XXXIII. Hoffin. Mid. Tann. ad loc. p. 221 and Hag. 12b.
- (12) With this thought, cf. Midr. Tehil. on Ps. CXVI, 15: Precious in the sight of the Lord is the death of His saints, a parable of a king who sent an eparchos (prefect) to a place which he directed well. Having completed his term, the king gave him another eparchia (province). In the place which he was leaving they praised him that he had directed them well, and in the place that he was entering they (also) praised him, that he was going to rule them well. Likewise, when the Holy One, blessed be He, sent a righteous man into the world to direct the age and he directed it well, on his departure from the world, people are distressed about him (leaving): for so long as the righteous man is among them he prevents tribulation from coming into the world while the Ministering Angels rejoice about his coming to abide among them. (Edition Buber, p. 478)
- (13) Cf. Ps. XCII, 13.
- (14) A noted orator.
- (15) The hyssop is frequently associated with the cedar, the high and low in contrast. Cf. Lev. XIV, 51, 52 and I Kings V, 13. Cf. 'And he (Solomon) spake of trees, from the cedar that is in Lebanon

even unto the hyssop that springeth out of the wall'.

(16) V. Elijah Rabbah (ed. Fried.) XIV (XIII) p. 65.

(17) The monster fish. 'Canst thou draw out Leviathan with a fish hook, or press down his tongue with a cord?' Job XL, 25. Cf. Isa. XXVII, 1; Ps. CIV, 25-26.

(18) גפלה הרבה Var. lec. (v. D.S. p. 86) 'If rushing stream run dry What water may marshy ponds supply?' — Cf. Jer. XIV, 3; Ezek. XLVII, 11.

(19) A noted orator.

(20) Lit., 'his mind weakened', felt discouraged, disappointed.

(21) At their ill-chosen metaphors, such as a flame among the cedars (cf. Judg. IX, 15); hooking the Leviathan (cf. n. 5), or marshy shallows, or 'what is lost', implying as it were that all his life's best work, the encouragement of scholarship and the careful redaction of the Talmud, are of no lasting value.

(22) Lit., 'knees'.

(23) I.e., they turned about and fled in confusion, ashamed of their indiscreet and almost impudent poetic effusion. For the idiomatic use of this expression, cf. R. Johanan's similar utterance in a sharp disputation with Resh Lakish who was his junior: 'We cut off the legs of the youngster'. Me'ila 7b and also Bez. 25b. The traditional interpretation takes it literally, that they both became crippled. V. next notes.

(24) Yeb. 103a has בר קיפוף and בר אובבא

(25) I.e., shall not attend my funeral nor bare their shoulder as is done at the lament of a Principal of an Academy. Cf. supra p. 140, n. 7. The traditional explanation takes the above observation as referring to their 'lameness' in connection with a discussion between R. Ashi and Amemar on the possibility of effecting the rite of Halizah, i.e., taking off the shoe, by the levir or brother of a deceased childless husband, if he is a cripple where the malformation of his foot is such as to render it impossible to walk or don or take off a shoe, as required by Scriptural law. Deut. XXV, 5-10. According to this interpretation the translation of the sentence is: 'Neither Bar-Kipok nor Bar-Abin are fit to submit to the rite of Halizah.' V. Yeb., Sonc. ed. p. 709.

(26) דגלת. Tagrit, Tekrit or Tikrit (cf. Obermeyer p. 142). It could not be here the Tigris, as Mahozza itself lay on the Tigris. Tagrit or Tekrit lies higher up on the Tigris between Mosul and Baghdad and is often mentioned in Syrian literature.

(27) It seems doubtful whether it is the same Bar-Abin as above.

(28) The following poem seems to be part of a סליחה which had been composed by Bar-Abin on

# MO'ED KOTON – 2a-29a

the occasion of a bad flooding of the Tigris in spring time, April-May, cf. Ta'an. 14a (bottom).

(29) A third of the country is flooded. Perhaps שלישייה here refers to Israel, the Jewish quarter in the town. Cf. Isa. XIX, 24 and Shab. 88a.

(30) That a flood come not again. Cf. Gen. IX, 15, 16.

(31) Cf. Hab. III, 2 and P.B. P. 65.

(32) A faithless wife was tried by water, Num. V, 22. The flooding has made the waters undrinkable and caused many deaths.

(33) Var. lec. באות מי מרה by virtue of the old favor at Marah's water', or, as our text: באות מי מרה. Deliver us now miraculously as when the bitter water was healed and sweetened for our forefathers at Marah, Ex. XV, 23-25.

(34) probably pronounced Honein. He may be identical with 'Anani b. Sason mentioned supra 24b. R. Honein is cited infra 28a.

(35) The joyous birth of the child.

(36) הנינוח (from הניחה Grace) a diminutive form (fu'ailah) i.e., 'Little Honein' — a play on his father's name, from הניח (graced, favored).

(37) So MS.M. and other texts; but cur. edd. R. Johanan, which seems however incorrect.

(38) Lived and taught at Caesarea.

(39) Amos VIII, 9-10.

(40) At Megiddo. V. li Chron. XXXV, 23-25; Rashi on v. 25; Targum on Lam. IV, 20; infra p. 188 and Ta'an. 22b.

(41) I.e., as his personal tribute to R. Johanan; but it is not to be taken as a rule to be followed generally.

(42) I.e., Torah.

(43) A great Babylonian sage highly esteemed for his learning, piety and noble character. Cf. supra 17a; Meg. 28a (twice) and Sanah. 14a (Sonc. ed., p. 65).

(44) Babylon.

(45) Palestine. Cf. Dan. XI, 16, 41.

(46) Cf. Jer. XXXI, 19.

(47) An ancient name identified with Sepphoris or Tiberias, both the seat of the Nasi. V. Meg. 6a (top).

(48) דמעתא (instead of מים water, sweat). So MS. M., J.A.Z. III, 1 and other texts.

(49) Jose b. Halafta. J.A.Z. ibid. names Laodicea as the place.

(50) So MS.M.

(51) MS.M. and other texts, v. J.A.Z. ibid.

(52) As he refused to look even at the image of coins. Cf. J.A.Z. ibid. 'At the death of R. Nahum b. Simai they covered all the images, saying that as he never looked at them in his lifetime he should not see them after he fell asleep'.

(53) Cf. supra 11a.

(54) So MS.M. CC. more correctly than Nehardea of cur. edd., as J.A.Z. ibid. states it happened in Galilee and Ta'an. 23b shows this R. Isaac b. El. to

have been with R. Mani of Tiberias. Besides, Nehardea had been in ruins since 259 C.E.

(55) Mentioned supra p. 158.

(56) I.e., they were thrown together, probably referring to the tier rocks which carried the bridges of the river. Cf. B.M. 86a where it is related that at Rabbah's death there arose so violent a storm that an Arab with his camel were bodily carried across the Nehar Papa canal. Cf. Obermeyer pp. 166 and 238.

(57) [According to the Meiri (Jerusalem 1937), these were figures of speech introduced by orators as the funerary orations respectively on the deaths of the above-named scholars, describing the gravity of the loss.]

## Mo'ed Katan 26a

And these are rents that are not [to be] sewed up: One who rends [his clothes] for his father or mother; or his master who taught him Wisdom,<sup>1</sup> for a Nasi, or Ab Beth Din;<sup>2</sup> or on hearing evil tidings or [hearing] God's name blasphemed, or when a scroll of the law has been burnt; or at the [sight of the ruined] cities of Judea, the Holy Temple or Jerusalem. And one rends [first] for the Temple and then enlarges [the rent] for Jerusalem. 'For his father or mother or for his master who taught him Wisdom'. Whence derive we [these rulings]? —

From what is written: And Elisha saw it and he cried: My father. my father, the chariots of Israel and the horsemen thereof.<sup>3</sup> 'My father, my father', that is, [to rend on the loss of] one's father or mother. 'The chariots of Israel and the horsemen thereof', that is [for] a Master who taught one Torah. How exactly does it convey this [meaning]? — As R. Joseph rendered it [in Aramaic]: 'My master, my master, who was better [protection] to Israel with his prayer than chariots and horsemen'. And whence that these rents are not [to be] reunited? —

From what is written [in the same passage]: And he [Elisha] took hold of his own clothes and rent them in two pieces.<sup>3</sup> Once it says 'and he rent then;', do I not know that he rent them in two [asunder]? It must be meant to teach that the severed parts ever remain

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rent [apart] in two.<sup>4</sup> Said Resh Lakish to R. Johanan: Elijah [however] is alive!<sup>5</sup> — He replied, Since it is written there ‘And he saw ‘him no more,’ he was as dead to him [to Elisha]. ‘For a Nasi or Ab Beth Din or on hearing evil tidings’. Whence do we derive [these rulings]? —

From what is written: Then David took hold of his clothes and rent them,’ and likewise all the men that were with him. And they wailed and wept and fasted until even, for Saul and for Jonathan his son and for the people of the Lord and for the house of Israel, because they were fallen by the sword.<sup>6</sup> Now ‘Saul’, that is the Nasi [Prince]; ‘Jonathan’, that is the Ab Beth Din. ‘And for the people of the Lord and for the house of Israel’, that refers to ‘evil tidings’ [that reached them].

Said Rab b. Shabba to R. Kahana: Might not one explain that [they did] not [rend their clothes] until [after hearing] all those misfortunes [that had then happened]?<sup>7</sup> He replied, The repetition of ‘for’ this ‘and for’ that ‘and for’ separate the items [from one another]. Yet do we [have to] rend [clothes] on hearing evil tidings? For when they informed Samuel that King Shapur had slain twelve thousand Jews at Caesarea-Mazaca,<sup>8</sup> he did not [then] rend his clothes?—

They [the Sages] did not say [it should be done] save where the misfortune involves the larger part of the Community resembling the typical instance.<sup>9</sup> And is it a fact that King Shapur slew Jews? For [it is reported] that King Shapur said to Samuel,<sup>10</sup> ‘May [ill] befall me if I have ever slain a Jew!’ —

For there, it was they [the Jews] that had brought it on themselves, as R. Ammi said, that the noise of the harp-strings<sup>11</sup> about Caesarea-Mazaca burst the wall of Laodicea.<sup>12</sup> ‘[Rents] on [hearing] God's name blasphemed’.<sup>13</sup> Whence do we derive this? —

From what is written: Then came Eliakim the son of Hilkiyah who was over the household

and Shebna the scribe and Joah the son; of Asaph the recorder to Hezekiah with their clothes rent and told him the [blasphemous] words of Rabshakeh.<sup>14</sup> Our Rabbis taught: ‘It makes no difference whether one hears it [himself] or hears it from another who had heard it, he is in duty bound to rend [his clothes], but the witnesses are not in duty bound to rend [again on reporting] as they have already rent at the time they heard [the blasphemy]’. [You say], ‘as they have already rent at the time they heard [the blasphemy]’, what matters it, since they do hear it now [again in reporting]? —

Do not imagine such a thing. For it is written, And it came to pass, when the King heard it, that he rent his clothes:<sup>15</sup> the King [we are told], rent [his clothes], but they [who reported it] did not rend [again]. And whence [do we know] that these rents are not [to be] mended? —

That is learnt from a comparison<sup>16</sup> between the ‘rending’ [here] by King Hezekiah and ‘rending’ [elsewhere].<sup>17</sup> ‘[Rents] when a scroll of the law has been burnt’. What is the source for this? —

What is written: And it came to pass when Jehudi had read three or four columns that he cut it with a penknife and cast it into the fire that was in the brazier.<sup>18</sup> What is the point of saying ‘[had read] three or four columns’? —

They told [King] Jehoiakim that Jeremiah had written a book of Lamentations, [and] he said to them: What is written there? [They quoted] ‘How doth the city sit solitary’.<sup>19</sup> —

[The King] replied: I am the King.<sup>20</sup> They then cited to him [the second verse]: She weepeth sore in the night. He replied [again]: I am the King. [They then cited the third verse]: Judah is gone into exile because of affliction. [Again he replied]: I am the King. [They continued with verse four]: The ways of Zion do mourn. I am the King [he replied].



# MO'ED KOTON – 2a-29a

[They continued with the fifth verse]: Her adversaries are become the head. He asked: Who said that? —

[They continued with that same verse]: For the Lord hath afflicted her for the multitude of her transgressions. Forthwith he [began to] cut out all the names of God mentioned therein and burnt them in the fire; hence it is written [in the report there]: Yet they were not afraid, nor rent their garments, neither the King, nor any of his servants that heard all these words,<sup>21</sup> which implies that the [bystanders] should have rent [their clothes].

Said Abaye to R. Papa: Might it not be suggested that the reason [why they should have rent was] for hearing evil tidings?<sup>22</sup> — He replied: [Hardly, for] were there at that time any evil tidings as yet? Said R. Helbo, as citing R. Huna: One who witnesses a scroll of the law being torn<sup>23</sup> is in duty bound to make two rents: one on account of the [injury to the] parchment<sup>24</sup> and one for [the injury to] the writing, as [may be gathered] from what is said: Then the word of the Lord came to Jeremiah after that the King had burned the roll and the words which Baruch wrote at the mouth of Jeremiah.<sup>25</sup> 'The roll,' that is, the parchment and 'and the words', that is, the writing.<sup>26</sup>

R. Abba and R. Huna b. Hiyya were once sitting together. R. Abba got up to [go and] relieve himself. He took off his head phylactery and put it down on a pillow, when a young ostrich came and wanted to swallow it.<sup>27</sup> Said he [R. Abba]: [If that had been swallowed] I should now have had to make two rents.<sup>28</sup> Said the other:<sup>29</sup> Whence do you derive this? A similar thing happened to me and I came to R. Mattenah [asking for guidance] and he had none to give me. I then came to Rab Judah and he told me: Thus said Samuel: 'The [Rabbis] taught [that one should rend] only where [a sacred text is torn or burnt] by force majeure<sup>30</sup> and as in the example cited'.<sup>31</sup> 'Or at the [sight of the

ruined] cities of Judea: the Holy Temple or Jerusalem'. Whence do we learn this? —

From what is written: And it came to pass the second day after he<sup>32</sup> had slain Gedaliah and no man knew it that there come certain men from Shechem, front Shiloh and from Samaria, even fourscore men, having their beards shaven and their clothes rent and having cut themselves, with meal-offerings and frankincense in their hand to bring them in the house of the Lord.<sup>33</sup>

Said R. Helbo as citing 'Ulla of Beraï who reported R. Eleazar: One who sees the cities of Judah in their [state of] ruin, recites the verse: Thy holy cities are become a wilderness,<sup>34</sup> and rends his garment. [On seeing] Jerusalem in its [state of] ruin, one recites: Our holy and our beautiful house, where our fathers praised Thee, is burned with fire and all our pleasant things are laid waste,<sup>35</sup> and rends his garment. 'He [first] makes a rent for the Holy Temple and then enlarges [the rent] for Jerusalem'. [In contrast to this] some cited [the following Baraita]: 'It is all the same whether one hears [that Jerusalem is fallen into ruin]<sup>36</sup> or sees [Jerusalem in ruin he is] in duty bound to rend [his garment].<sup>36</sup> As soon as he reaches the Scopus he rends; and he rends for the holy Temple separately and for Jerusalem separately?' — This [seeming discrepancy] is not difficult [to explain]. The former ruling obtains where he first [of all] encounters the site of the [ruined] Sanctuary<sup>37</sup> and the latter, where he encounters Jerusalem [ruins] first [and afterwards the Sanctuary].

Our Rabbis taught: 'And all these [rents] they may tack together,<sup>38</sup> baste or pick up [the frayed edges]<sup>39</sup> or with a ladder-stitch, but may not reunite the edges [by a sewn seam]'.<sup>40</sup> Said R. Hisda:

(1) I.e., Torah.

(2) V. Glos.

(3) II Kings II, 12.

(4) I.e., the two edges of the torn part remain as they are, apart. Cf supra 22b.

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(5) He constantly reappears, from time to time, communing with saintly persons. Cf. B.M. 85b and Ta'an. 22a. How can this be the guiding instance for a ruling on a loss by death?

(6) II Sam. I, 11-12.

(7) The case of Saul and Jonathan.

(8) Shapur I

(241-272) is said to have destroyed Caesarea-Mazaca, the capital of Cappadocia, a vital military post on the main roads leading to the East, in 260 C.E. after he defeated the Emperor Valerian. It is said that there were then four hundred thousand inhabitants. Cf. Enc. Brit. (11th ed.) IV, 943a. The date 260 however makes this statement rather difficult, as Samuel died in 252 and Papa bar Nasr of Palmyra (Odenath) destroyed Nehardea 259. The occasion must therefore have been earlier, after the murder of Gordian III at Zaitha in 244 when Philip the Arab (of Hauran) made the best terms he could with Shapur [V. Graetz MGWJ 1852, p. 512 and Hoffmann D. Mar Samuel, p. 48.]

(9) Of Saul and Jonathan.

(10) They were on very friendly terms.

(11) Played by the Jews rebelling against the Persians (Rashi).

(12) I.e., brought about the destruction of Laodicea. Laodicea Combusta lay further West.

(13) Resuming the discussion of the points quoted in the Baraitha.

(14) II Kings XVIII, 37.

(15) Ibid. XIX, 1.

(16) Gezerah Shawah, v. Glos.

(17) In the case of Elisha as explained above from 'and he rent them in two pieces'. II Kings II, 12.

(18) Jer. XXXVI, 23ff.

(19) Lam. I, 1ff.

(20) There is nothing in that verse about the King himself, but only lamentations about the city of Jerusalem.

(21) Jer. XXXVI, 24.

(22) And not for blasphemy.

(23) MS.M., Asheri and other texts read here burnt.

(24) Which is especially prepared as dedicated for a sacred text.

(25) Ibid. v. 27.

(26) So MS.M. and J.M.K.

(27) 'R. Huna seized the bird and held it by the throat'. J.M.K. III, 7.

(28) If the ostrich had swallowed or destroyed it. for the parchment and also for the text.

(29) R. Huna b. Hiyya. In J.M.K. the names are reversed.

(30) An irresistible attack, lit., 'by arm'.

(31) Blasphemously, as did Jehoiakim and his friends; but not when happening casually, as in this instance.

(32) Ishmael the son of Nethaniah.

(33) Jer. XLI. 4.5.

(34) Isa. LXIV, 9.

(35) Ibid. 10.

(36) Enlarged according to the version in J.M.K. III, which is merely condensed in our texts.

(37) Without somehow having caught sight of the ruins of Jerusalem on entering the city, traveling in a covered van, for instance or entering at dusk. He then rends first for the ruined Sanctuary and enlarges the rent on beholding the ruins of Jerusalem.

(38) Soon after, the next day.

(39) With a herringbone or cross stitch.

(40) Sew up permanently.

## Mo'ed Katan 26b

Nor may the Alexandrian<sup>1</sup> mending [be used].

**Our Rabbis taught:** One who rends [his garment] in a part that had been tacked together, basted, or [the edges] picked up by cross or ladder-stitch, has not discharged his duty; if in a part which had been rejoined [in a seam], he has discharged his duty. Said R. Hisda: Also [if he rent] in a part [which had been done up] with the Alexandrian mending.

**Our Rabbis taught:** One is allowed to turn [a garment] upside down<sup>2</sup> and [then] completely mend the rent. R. Simeon b. Eleazar forbids complete mending of the rent. And just as the vendor [of the garment] is forbidden to reunite the rent [completely] the buyer too is forbidden to reunite it [completely] and accordingly the vendor is bound to inform the buyer of [the nature of the rent].

**Our Rabbis taught:** The initial rending is [to the extent of] a handbreadth,<sup>3</sup> and any extension thereof<sup>4</sup> is to be to the depth of three fingers: these are the words of R. Meir. R. Judah says: The initial rending is [to the extent of] three fingers and the extension may be as small as he cares.<sup>5</sup> Said 'Ulla, The Halachah; follows R. Meir in regard to the [initial] rending and in regard to the extension, the Halachah follows R. Judah. It is likewise taught: R. Jose Says. The initial rending is [to the extent of] one handbreadth and the extension may be as little as one cares.<sup>5</sup>

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Our Rabbis taught: If one was informed that his father died and he rent [his garment], [then] that his son died and he added thereto, the lower [inner portion] may be reunited; the upper parts is not to be reunited; that his son died and he rent his garment, [then] that his father died and he added thereto, the upper part may be reunited [and] the lower parts is not to be reunited. [If one was informed] that his father died, that his mother died, that his brother died, that his sister died,<sup>7</sup> he makes one rent for all.

R. Judah b. Bathyra<sup>8</sup> says: For all [near of kin he makes] one rent; for his father and/or mother<sup>9</sup> [he makes] another rent: because a rent made for one's father or mother is not to be added to.<sup>10</sup> What is the reason [for this differentiation]? —

Said R. Nahman b. Isaac, it is because there is no extension [of a rent] in their case.<sup>11</sup> Samuel said: The Halachah follows the view of R. Judah b. Bathyra. But did Samuel say that? Inasmuch Samuel stated that the Halachah in matters of mourning is to follow the view of the [more] lenient authority!<sup>12</sup> — The [observance<sup>13</sup> of] mourning comes under one category and the [act of] rending<sup>14</sup> under another [category], To what extent does one rend [his garment]? — To [exposing his breast down to] the [region of the] navel; some say, [only] down to the [region of the] heart — Although there is no [authentic] proof on this point, there is some [Scriptural] allusion to it, as it is said: And rend your hearts and not your garments.<sup>15</sup>

Having reached to the navel, [on hearing another evil report] he moves away a space of three fingers [from the former rent] and rends [afresh]. If the forepart of his garment is become full [of rents], he turns the garment front to back and then rends [again]; if it become full [of rents] in the upper parts. he turns the garment [upside] down; but one who rends the lower part or on the sides [of the garment] has not discharged his duty,

save the High Priest, who rends [his garment] below.

[On the extension rending] R. Mattenah and Mar 'Ukba held different views and both advanced them in the names of [Abba] Samuel's father and R. Levi [b. Sisi]. One said: 'Anytime during the seven days. one rends [anew for another bereavement] and after the seven he [merely] adds [to the first rent]'. The other said: 'Anytime during the thirty. one rends [anew for another bereavement] and after the thirty he [merely] adds thereto'.

To these statements R. Zera demurred. Now [said R. Zera], in regard to the one who says: 'Anytime during the seven days one rends [anew for another bereavement]',<sup>16</sup> why [rend anew]? Because the rent may not be tacked together;<sup>17</sup> then [in the case of a woman] in view of the Master's statement: 'A woman [mourner] tacks the rent together forthwith' [may she not] just as well [add even to the first rent]?<sup>17</sup> —

[No, because] there<sup>18</sup> it is [a concession merely] out of the respect due to a woman.<sup>19</sup> Again [said R. Zera], in regard to the one who says: 'Anytime during the thirty, one rends [anew for another],<sup>16</sup> why is that? Because the rent is not to be reunited;<sup>20</sup> then [in the case of] a rent made for a father or mother that is never to be reunited, [may he not] just as well [add to the rent]?<sup>21</sup> — [No, because] there [also the restriction is merely] out of the deference<sup>22</sup> due to one's father and mother.

Our Rabbis taught: One who goes forth before the dead with a garment already rent, robs the dead and the living [relatives of their due]. Rabban Simeon b. Gamaliel says: If a man says to his friend, 'Lend me your cloak and I shall go and visit my father who is ill', and he went and found him already dead, he rends it and then mends the rent. After returning home he returns the cloak and compensates him for the damage done by the

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rent; but if he had not informed him [of his intention to visit his sick father], he must not touch it.

**Our Rabbis taught:** If one who is ill sustains bereavement, they should not inform him thereof, lest he thereby become distracted in mind; nor do they direct to have any garments rent in his presence and they direct the women to keep silent [from lamenting] in his presence. Children may be made to rend their clothes in order to stir up sadness and garments are also rent for a father-in-law or mother-in-law, out of deference to one's wife. **R. Papa said:** It is taught in the Ebel Rabbathi:<sup>23</sup> 'A mourner should not set an infant on his knee, because the child may amuse him and he may thereby incur censure from his fellow men'.

**NOR DO THEY PROVIDE A REPAST SAVE<sup>24</sup> [SEATED] ON UPRIGHT COUCHES.<sup>25</sup>** **Our Rabbis taught:** 'One who goes to the house of a mourner, if he be on familiar terms with him, may provide the repast for him [to be taken]<sup>26</sup> on overturned couches, but if not, he provides the repast for him [to be taken] on couches in erect position'.<sup>27</sup> Raba suffered a misfortune and Abba b. Martha, who is the same as Abba b. Manyomi, went to the house [to provide the mourner's repast for him]. Raba sat on all upright couch while Abba b. Martha sat on an overturned one. Said Raba: How lacking in [good] sense<sup>28</sup> is that Associate of the Rabbis!

**Our Rabbis taught:** One who goes from place to place [and mourning befell him while being on the road],<sup>29</sup>

(1) Neatly sewed together on the surface with the joined ends on the wrong side of the material, or darned invisibly, or a piece neatly let in. V. Tosaf. s.v. אִיזוּרִי.

(2) I.e., adapting the bottom part for the neck.

(3) Four fingers, the width of the palm.

(4) on the intermediate occurrence of another bereavement.

(5) Lit., 'whatever it be'.

(6) Of the rent made for a parent.

(7) I.e., the news of their several deaths reached him simultaneously. J.M.K. III, 7 reads thus: 'Even if he heard of the death of his father and mother and of his Master who had taught him wisdom, he makes one rent for all'.

(8) J.M.K. III, 7 reads: 'R. Judah b. Tema says. 'He makes a rent for this one separately and for that one separately: only that he does not make that for his father and that for his mother as an extension'. But is not this (latter part) to the same effect as the former part? Only, what he means is, that one shall make no extension on a rent made for a father or a mother'.

(9) Note the ambiguity indicated here by 'and/or', that is, either (a) a separate rent for father and mother jointly, quite apart from the rent made for the other near-of-kin on that occasion; or (b) a separate rent for each, even if the news of their deaths was communicated to him at the same moment. The former interpretation (with some reservations) is accepted by Ritba. V. infra n. 1.

(10) Cf. n. 1 *suf'ra*. Sem. IX reads as follows: One whose father and mother died (together) makes one rent for both; R. Judah b. Tema says: He makes a rent for this one separately and a rent for this one separately.

(11) Tosaf. s.v. אָמַר fails to see the purport of this remark of R. Nahman b. Isaac and favors the view that the last clause ('because a rent made. . .') is probably a gloss (and is in fact not found in Sem. I.e.). Rabad, however, cited by Asheri, n. 71, explains the comment thus: Since a rent for a parent extends to the region of the heart (or even to the navel), any extension of it (for another sorrow) would fail to be any indication thereof, as his friends would take the enlarged rent as the sign of the mourners excessive grief for his parent.

(12) Whereas R. Judah's view is in fact stricter than the first.

(13) I.e., the period of seven or thirty days. which begins after the interment.

(14) Which is effected at the most poignant moment of grief, at witnessing the death of a beloved (even before the interment) or at the first intelligence of it. It is a tribute to the dead.

(15) Joel II, 13.

(16) It is the last part of the quotation on which the argument turns.

(17) Within the seven days.

(18) V. *supra* 22b, p. 142.

(19) V. *ibid*. Not the law, whereas rending the garment is a duty according to the law for all, it is a tribute she owes to the dead, and like everybody else she should act in the regular way for all, i.e., rend anew.

(20) During the thirty days. V. *supra* p. 143.

(21) Even during the thirty days; as, even after the thirty days he would, according to the view expressed above, act like any other person



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according to the law and merely add to the rent a little, in tribute of the fresh loss; otherwise there is no concession in the case of a son mourning for a parent until the end of the year.

(22) Not the law; hence after thirty days he merely adds to the rent.

(23) Cf. supra p. 148, n. 10.

(24) [MS.M. omits 'save', v. n. 6.]

(25) For the reading, v. supra p. 154, n. I.

(26) The one who provided the mourner's would also join him at the meal.

(27) [Our Mishnah accordingly speaks of one who is not on familiar terms with the mourner. Raabad and others (v. Asheri) explain the Mishnah as referring to festival week, when in no case is the meal provided on overturned couches. As, however, no couches are overturned on festival week, the word 'SAVE' is redundant and on this interpretation is to be omitted, v. n. 3.]

(28) As Raba and his visitor were not on intimate terms, it was presumptuous on the part of the visitor to sit low, while Raba out of deference to the visitor sat on the couch in its normal position.

(29) So MS.M. Asheri and other texts.

## Mo'ed Katan 27a

if he can reduce his business affairs, he should do so, and if not, let him carry on with them [as best he may].

**Our Rabbis taught:** When do mourners overturn the beds? From the moment [the corpse] is taken from the house: these are the words of R. Eliezer; R. Joshua Says, From the moment that the rolling slab<sup>1</sup> closes the tomb. It happened [when] Rabban Gamaliel the Elder<sup>2</sup> died, as soon as he was taken out of the door of his house, R. Eliezer said to them,<sup>3</sup> Overturn your beds. And after the 'rolling slab' had been placed [to close the tomb] R. Joshua said to them:<sup>3</sup> 'Overturn your beds'. Said they to him, 'We have already overturned them by order of the Elder' [R. Eliezer].

**Our Rabbis taught:** When do they place the beds in erect position on the [approaching] eve of the Sabbath? From the time of the evening offering<sup>4</sup> onwards'. Said Rabbah son of Huna,<sup>5</sup> Nevertheless he [the mourner] does not sit down on it until it gets dark, and on the termination of the Sabbath, although he

may have but one day [more] to sit [in mourning] he overturns it again.<sup>6</sup>

**Our Rabbis taught:** One who [has to] overturn his bed, over turns not his own bed alone, but all the beds he has in the house;<sup>7</sup> even though he has ten beds in ten places, he overturns them all.<sup>8</sup> And even if there be five brothers one of whom died, they all overturn [their beds].<sup>9</sup> If, however, it be a bed specially set apart for vestments,<sup>10</sup> that one need not be overturned. A Dargesh<sup>11</sup> [couch] need not be overturned, but should be tilted up;<sup>12</sup> Rabban Simeon b. Gamaliel says, [In the case of] a Dargesh [it is enough if] he loosens the bolster-frame and lets it drop [down] of its own accord. What is a Dargesh? —

Said 'Ulla, It is a Couch of Fortune.<sup>13</sup> Said Rabbah to him: But then [how does that] meaning fit the ruling in reference to a king, for we learned:<sup>14</sup> '[And when they provide for him the mourner's repast] all the people recline [at the repast ] on the ground while the king sits on the Dargesh'.<sup>15</sup> Is there any reason why he should now be seated on [a special couch] which he had hitherto not been able to sit on?<sup>16</sup>

To this question R. Ashi demurred, [saying]: What is this difficulty? It may be just as exceptional as eating and drinking [with the king], because heretofore they [the people] did not provide for him food and drink, whereas now [in his mourning] they do provide for him food and drink! But, if difficulty there be [in the offered explanation] it arises from what is taught: 'There is no need to overturn a Dargesh, but he [merely] tilts it up'. Now if Dargesh be a 'Couch of Fortune' why is there no need to overturn it, surely it is taught: 'One who [has to] overturn his bed overturns not his own bed alone but all the beds he has in his house! And what is this difficulty? Why, a Dargesh is similar to a bed specially set apart for vestments,<sup>17</sup> as it is taught [there]: 'If it be a bed specially set apart for vestments, that need not be overturned'. But if difficulty there be [in the

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explanation] it is this [from what is taught there]: ‘Rabban Simeon b. Gamaliel says, [In the case of] a Dargesh [it is enough if] he unfastens the inner bolster-frame and lets it drop [down]’. Now if you suppose that Dargesh means a ‘Couch of Fortune’, what bolster-frame is there [at all]?

When Rabin came [home from Palestine] he said, One of the Rabbis whose name is R. Tahlifa the Palestinian, who used to frequent the leather-mart, told me: What is a Dargesh? It is [said he] a couch covered with a hide.<sup>18</sup> It has also been stated: ‘R. Jeremiah said,<sup>19</sup> In a Dargesh the interlacing<sup>20</sup> [of the girths] is on the inside; in a bed [couch] the interlacing [of the girths] is on the outside’. Said R. Jacob b. Aha as reporting R. Joshua b. Levi: The Halachah follows the opinion of R. Simeon b. Gamaliel.<sup>21</sup> Also this, R. Jacob b. Ala is to have said as reporting R. Assi that where a couch has projecting lean-backs,<sup>22</sup> it is enough if he merely tilts it up.<sup>23</sup>

Our Rabbis taught: If he slept [during the seven days] on a chair, or on a large bench for water-jugs<sup>24</sup> or [even] on the ground. he has not discharged his duty.<sup>25</sup> Said R. Johanan: [He has not discharged his duty] because he has not conformed to [the practice of] overturning the bed.<sup>26</sup>

Our Rabbis taught: We may sweep or strew<sup>27</sup> [the floors] in a house of mourning and wash dishes, cups, jugs and wine-goblets<sup>28</sup> in a house of mourning; but do not bring perfumes<sup>29</sup> or spices into a house of mourning. But this is not [correct]? For Bar Kappara taught: One should not say a benediction for [enjoying the scent of] perfumery or spices in a house of mourning, which implies that while we do not say a benediction, they may yet be taken into the house? — That presents no difficulty: the former ruling is for the house of mourning,<sup>30</sup> while the latter ruling is for the house of comforters.<sup>31</sup>

**MISHNAH.** [PROVISIONS]<sup>32</sup> SHOULD NOT BE CONVEYED TO THE HOUSE OF MOURNING

ON AN [ORNAMENTAL] TRAY,<sup>33</sup> SALVER,<sup>34</sup> OR FRUIT-BASKET,<sup>35</sup> BUT IN [PLAIN] BASKETS. AND THE MOURNERS BENEDICTION [IN GRACE AFTER MEALS] IS NOT SAID DURING THE FESTIVAL [WEEK]. BUT COMFORTERS MAY STAND IN A ROW AND COMFORT [THEM].<sup>36</sup> AND THE MOURNERS GIVE LEAVE OF DEPARTURE TO THE MANY [COMFORTERS]. THE BIER IS NOT SET DOWN IN THE BROADWAY [DURING THE FESTIVAL WEEK] SO AS NOT TO ENCOURAGE THE [FUNERARY] LAMENT; AND THE BIER OF WOMEN IS NEVER [SET DOWN IN THE BROAD WAY] FOR THE SAKE OF PROPRIETY.

**GEMARA.** Our Rabbis taught: Formerly they were wont to convey [victuals] to the house of mourning, the rich in silver and gold baskets and the poor in osier baskets of peeled willow twigs, and the poor felt shamed: they therefore instituted that all should convey [victuals] in osier baskets of peeled willow twigs out of deference to the poor.

Our Rabbis taught: Formerly, they were wont to serve drinks in a house of mourning, the rich in white glass vessels and the poor in colored glass, and the poor felt shamed: they instituted therefore that all should serve drinks in colored glass,<sup>37</sup> out of deference to the poor.<sup>38</sup> Formerly they were wont to uncover the face of the rich and cover the face of the poor, because their faces turned livid in years of drought and the poor felt shamed; they therefore instituted that everybody's face should be covered, out of deference for the poor.<sup>38</sup> Formerly. they were wont to bring out the rich [for burial] on a Dargesh<sup>39</sup> aid the poor

- (1) גלל, a stone rolling in a groove to close a tomb.
- (2) Rightly omitted in J. Ber. and J.M.K. (loc. cit.), as this could be only Rabban Gamaliel II (of Jabne). R. Eliezer's brother-in-law. Cf. B.M. 59b (Sonc. ed., p. 354, nn. 3 and 4.)
- (3) To his wife Imma Shalom, Rabban Gamaliel's sister and others in the house. J. Ber. and J.M.K.: ‘To his disciples’.

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(4) I.e., 3.30 p.m. The Minhah was a meal-offering which accompanied the 'daily offerings', morning and afternoon. Num. XXVIII, 5, 8.

(5) Asheri read, 'Rabba b. 'Ulla'.

(6) To remind him that he is still a mourner within the seven days. J.M.K. III, 5.

(7) 'His own as well as those of his wife and children, who observe mourning in the house out of deference to him, but not those of strangers staying in the house'. Raabad, cited in Asheri.

(8) If he occupies any of those, even away from the place where the death had taken place (Asheri). Cf. Sem. XI.

(9) If they sleep in their own homes.

(10) A kind of sofa or couch like our ottomans, for clothes or coverlets; i.e., one not used for sleeping.

(11) An elaborate couch, explained and discussed below at length.

(12) To make it uncomfortable for sleeping or sitting on it.

(13) Among non-Jews. Among the Romans the lectus genialis was a symbolical, ornamental marriage-bed placed on the day of marriage in the front hall, the atrium, (as the bride's domain). 'Genialis lectus, qui nuptiis sternitur in honorem genii' quoted by Becker, Gallus, Excursus I (on Woman and Roman Marriage) p. 166. Cf. *ibid.* p. 154.

(14) Sanh. 20a.

(15) So that the king does not go down to the level of the people and sit with them.

(16) I.e., how call Dargesh possibly mean a 'Couch of Fortune'? It can only mean a couch other than the ordinary, for the king.

(17) Not for sleeping.

(18) I.e., a bedstead with a hide thrown on girths or stretched on the frame which serves as a mattress or bolster. So Han., v. Becker's Charicles, Scene VIII, n. 8 (Eng. Trans. p. 136).

(19) In J.M.K. III, 5 we have: 'Where the interlacing (girths) are attached to the body (i.e., the frame of the bedstead itself) it is a bed; where the interlacing is not attached to the body (i.e., that the mattress-frame is a separate piece, the grabatus) it is a Dargesh. Cf. further the notes on the discussion of the Mishnah.

(20) Horace's *tenta cubilia*.

(21) That it is enough, in the case of a Dargesh, if he unfastens the inner bolster-frame and lets it drop down.

(22) גקליוי = \*\*, lit., 'something to lean back on'; here are meant head-rests and the back of a couch to support the cushions as well as the poles, at the head and the foot of a bed, to support a curtain or net. Cf. Suk. 10b.

(23) To show that it is not in use and does not need to be overturned.

(24) The Roman *urnariun*, a low oblong bench or kitchen-table, used for keeping near to hand urns,

water vessels and other earthenware utensils and out of the way of being broker. אורוריני for אוריני is the correct rendering and this meaning of the word fits all the parallel passages.

(25) J.M.K. III, 5 explains the context: 'If he said, I am not going to up turn the bed, for behold, I shall sleep on a bench, they do not listen to him, because he said, "I am not going to upturn the bed"; but if he said, lo, I am going to upturn the bed... they do listen to him'.

(26) Cf. Sem. XI, (end). 'But they say to him, There is the Mizwah (duty) of upturning'.

(27) With sawdust or said.

(28) and \*\* a Lacoman earthen drinking vessel or goblet.

(29) Spices to be burnt on 'coals' in fumigation pans.

(30) While the corpse is still in the house; it suggests that the dead is objectionable. Cf. Baraitha on the next Mishnah.

(31) I.e., after the burial, when comforters come in to visit and condole with the mourner.

(32) 'The mourners fare'.

(33) *Tabella* or *tabula*.

(34) *Scutella*.

(35) *Calathus*.

(36) On the cemetery after the burial, during the festival week.

(37) Tosef. Nd. IX, 17 has: 'Then they reverted to bringing (drink) in colored or white (glass vessels)'.

(38) MS.M. inserts: Our Rabbis taught.

(39) דרגש a tall state bed, ornamented and covered with rich coverlets. V. Targum and Kimhi on Ezek. XXIII, 41 מטה כבודה. In Lewin, *Otz. Hag. No. 208* it is explained by מטה משובה and SBH explains it by מטה חשובה. Cf. Persius, Sat. III, 103, 'tandemque beatulus alto Compositus lecto....' and at last our blessed (dead) little friend being laid out on a tall bier'. Cf. also Jos., Ant. XVII, 8, 3

(197) and War, XXXIII, 9

(671) about Herod's gorgeous bier.

## Mo'ed Katan 27b

on a plain bier,<sup>1</sup> and the poor felt shamed: they instituted therefore that all should be brought out on a plain bier, out of deference for the poor. Formerly they were wont to set a perfuming-pan under [the bed of] those that died of intestinal disorders, and the living suffering from intestinal disorders felt shamed: they instituted therefore that it should be set under all [alike], out of deference to the living that suffer from intestinal disorders. Formerly they were wont

## MO'ED KOTON – 2a-29a

to subject to [ritual] ablution all utensils that had been used by [dying] menstruants,<sup>2</sup> and the living menstruant women felt thereby shamed: they instituted therefore that they should subject utensils used by all [dying] women alike, out of deference to the living menstruants. Formerly they were wont to subject to [ritual] ablution all utensils used by those suffering from a flux.<sup>3</sup> while dying, and the living suffering from a flux felt shamed: they therefore instituted that they should subject to ablution utensils used by all, out of deference to the living suffering from flux.<sup>4</sup> Formerly the [expense of] taking the dead out [to his burial] fell harder on his near-of-kin than his death so that the dead man's near-of-kin abandoned him and fled, until at last Rabban Gamaliel came [forward] and, disregarding his own dignity, came out [to his burial] in flaxen vestments and thereafter the people followed his lead to come out [to burial] in flaxen vestments. Said R. Papa. And nowadays all the world follow the practice of [coming out] even in a paltry<sup>6</sup> [shroud] that costs but a Zuz.

**THEY SET NOT DOWN THE BIER IN THE BROADWAY.** Said R. Papa,<sup>7</sup> in the case of a scholar [who died] no regard is paid to the festival [week],<sup>8</sup> and much less so during Hanukkah<sup>9</sup> or Purim,<sup>10</sup> and this ruling obtains only in his presence, but away from his presence no [lament is allowed]. But that is not [correct]? For R. Kahana did make a lament for R. Zebid of Nehardea at Pum-Nahara? —

Said R. Papi,<sup>11</sup> it was on the day of [receiving] the tidings [of his death] and that is deemed the same as in his presence. Said 'Ulla: [The technical meaning of] a hesped<sup>12</sup> is [lamenting with striking] upon the breast, as it is written: [Tremble ye... strip you... and gird sackcloth upon your loins]. striking upon the breast.<sup>13</sup> [The technical meaning of] tippuah<sup>14</sup> is clapping one's hands [in grief], and that of killus<sup>15</sup> is [tapping] with the foot [in mourning].

Our Rabbis taught: One who does the tapping with the foot. should not do so when wearing either sandal or boot, because of the danger.<sup>16</sup> Said R. Johanan, As soon as the mourner nods his head,<sup>17</sup> the comforters are no longer allowed to remain seated by him. R. Johanan said also, All are in duty bound to rise at the Presence of the Nasi,<sup>18</sup> save a mourner, or one who feels ill. And furthermore, said R. Johanan, To all we may say<sup>19</sup> 'be seated' save to a mourner or one who feels ill.<sup>20</sup> Said Rab Judah, as citing Rab: A mourner is forbidden to eat of his own bread on the first day [of mourning].<sup>21</sup> as the All-Merciful said to Ezekiel: And eat thou not the bread of men.<sup>22</sup> Rabbah and R. Joseph alternately provided the repast to each other. This also said Rab Judah as reporting Rab: When a person dies in town, all the townspeople are forbidden from doing work.

R. Hamnuna once came to Daru-matha;<sup>23</sup> he heard the sound of the funerary-bugle<sup>24</sup> [and] seeing some people carrying on their work, he said: Let the people be under the Shammetha [ban]! Is there not a person dead in town? They told him that there was an Association<sup>25</sup> in the town. If so, said he to them, it is allowed you [to work]. And furthermore, Rab Judah said, as citing Rab, Whoever indulges in grief to excess over his dead will weep for another. There was a certain woman that lived in the neighborhood of R. Huna; she had seven sons one of whom died [and] she wept for him rather excessively. R. Huna sent [word] to her: 'Act not thus'. She heeded him not [and] he sent to her: If you need my word it is well; but if not, are you anxious to make provision<sup>26</sup> for yet another? He [the next son] died and they all died. In the end he said to her, Are you fumbling with provision for yourself? And she died.

[Our Rabbis taught]:<sup>27</sup> 'Weep ye not for the dead, neither bemoan him<sup>28</sup> [that is], 'Weep not for the dead' [that is] in excess, 'neither bemoan him' — beyond measure. How is that [applied]? — Three days for weeping and seven for lamenting and thirty [to refrain]



# MO'ED KOTON – 2a-29a

from cutting the hair and [donning] pressed clothes; hereafter, the Holy One, blessed be He, says, 'Ye are not more compassionate towards him [the departed] than I'. Weep sore for him that goeth away.<sup>28</sup> Said Rab Judah [as reporting Rab],<sup>29</sup> that means, Weep for him who goes [to his long home] childless.<sup>30</sup>

R. Joshua b. Levi would not go to [visit] a house of mourning save to that of one who had gone childless, for it is written [said he]: Weep sore for him that goeth away,<sup>31</sup> for he shall return no more nor see his native country.<sup>28</sup> R. Huna said this [verse refers to] one who committed a sinful act and repeated it again. R. Huna is here adhering to his own view, as he said: 'As soon as a person has continued a sinful act and has repeated it, it has become unto him permissible'. [You say]. 'Become unto him permissible'? Can you conceive such a thing? — Say rather that it has become unto him as though it were something permissible. Said R. Levi: A mourner [during] the first three days should look upon himself as if a sword is resting between his shoulders;<sup>32</sup> from the third to the seventh, as if it stands in the corner facing him; thereafter as if it is moving alongside him in the [broad] market place.

**AND THE BIER OF WOMEN IS NEVER [SET DOWN IN THE BROADWAY] FOR THE SAKE OF PROPRIETY.** Said the Nehardeans:<sup>33</sup> This [Mishnah] was taught only

- (1) Or box.
- (2) A menstruant's touch defiled persons, her bed, clothes and utensils. Cf. Lev. XV, 19-24.
- (3) Lev. XV, 4-12.
- (4) MS.M. inserts: Our Rabbis taught.
- (5) That is, dressed in linen instead of woolen expensive vestments, as had been the custom heretofore.
- (6) צרדא: This is the correct reading for צרדא a popular pronunciation of the Latin word *sordida* which means cheap, poorly, mean, ragged. Cf. *sordido amictus* and the Latin proverb: 'Saepe est etiam sub palliolo sordido sapientia' (Wisdom is often hidden under a ragged cloak). Also Juv. III, 149: *Si toga sordidula est* etc. (If the toga is

somewhat threadbare...). This meaning fits also R. Papa's statement in B.M. 51b as cheap, slightly soiled (second-hand?) clothes dealers. Cf. also Hul. 105b רוח צרדא with רוח זרהמא Shab. 82a.

- (7) MS.M. and other texts read: Rabbah b. R. Huna.
- (8) I.e., lament may be made for a scholar even on festival week.
- (9) The Maccabean Feast of Lights beginning on the 25th of Kislev. V. I Macc. IV; II Macc. X, 1ff.
- (10) V. Esth. IX, 19ff.
- (11) MS.M., R. Papa.
- (12) הספד.
- (13) Isa. XXXII, 11-12.
- (14) טפוח, v. Tosaf.
- (15) קלוס, cf. Ezek. VI, 11.
- (16) Of twisting the ankle or hurting another's foot.
- (17) Thereby indicating to the comforters that they may retire, whatever his reason may be, whether his wish or necessity; he may not bid them farewell with the word 'Peace' — שלום.
- (18) At his entry.
- (19) E.g., to distinguished visitors or elderly persons.
- (20) As this might be taken ill, as an ominous expression wishing one to 'be seated' as a mourner.
- (21) I.e., after the funeral.
- (22) Ezek. XXIV, 17. to be taken there as having been contrary to all regular practice, and done by the prophet to convey to his hearers the magnitude of the threatening calamities.
- (23) Obermeyer, p. 197 suggests that this place is identical with Darukart, in the neighborhood of Wasit. SBH reads: Dara (N. of Nisibis).
- (24) Cf. Meg. 29a (top).
- (25) A collegium that attended to burials.
- (26) Provision for the long way, shrouds, etc.
- (27) So Han. and SBH.
- (28) Jer. XXII, 10.
- (29) So MS.M. and Yalkut.
- (30) Cf. B.B. 116a (Sonc. ed. p. 477.)
- (31) 'Goeth away' also means 'to die childless'. Cf. Gen. XV, 2.
- (32) Close by and ready to slay him.
- (33) R. Hama, R. Nahman and Samuel. V. Sanh. 17b and A. Hyman Toledoth III, 919b.

## Mo'ed Katan 28a

with reference to a woman who died in childbirth,<sup>1</sup> but [that of] other women may be set down [in the Broadway]. R. Eleazar says: [The rule applies] even to other women, as it is written: And there Miriam died and was buried there,<sup>2</sup> which shows that her death

## MO'ED KOTON – 2a-29a

was close to her [place of] burial. R. Eleazar also said that Miriam also died by the Divine kiss [like Moses]: We interpret the expression 'there' [used at Miriam's death] in the same sense as that of the expression 'there' used of Moses.<sup>3</sup> Wherefore then is it not said about her [that she died] by the mouth of the Lord?<sup>3</sup> Because it would be unbecoming to say so.

Said R. Ammi, Wherefore is the account of Miriam's death<sup>4</sup> placed next to the [laws of the] red heifer?<sup>5</sup> To inform you that even as the red heifer afforded atonement [by the ritual use of its ashes], so does the death of the righteous afford atonement [for the living they have left behind]. R. Eleazar said, Wherefore is [the account of] Aaron's death closely followed by [the account of the disposal of] the priestly vestments?<sup>6</sup> [To inform you] that just as the priest's vestments were [means] to effect atonement,<sup>7</sup> so is the death of the righteous [conducive to procuring] atonement.

Our Rabbis taught: If one die suddenly, this is [reckoned] as being 'snatched away'; if one is ill one day and dies, that is reckoned as being hustled away; R. Hanania b. Gamaliel says, That is death by a stroke, for it is said: Son of Man, behold I take away from thee the desire of thine eyes with a pestilential stroke,<sup>8</sup> and it is written [there. after], So I spoke unto the people in the morning and at even my wife died.<sup>9</sup> After two days' [illness], it is a rather precipitous death.<sup>10</sup> [After] three — it is one of reproof; [after] four — it is one of rebuff [snubbing]; [after] five is the ordinary death of all men.<sup>11</sup> (Said R. Honin: What is the text [for this]? Behold thy days are approached that thou must die.<sup>12</sup> 'Behold' [accounts for] one;<sup>13</sup> 'thy days' accounts for two [more]; 'are approached' [gives us] two [more], which makes five. 'Behold' makes one because the word for 'one' in Greek is hen.)<sup>13</sup> 'If one dies [under]<sup>14</sup> fifty years [old] — that is death by Kareth;<sup>15</sup> at fifty-two years — that is the death of Samuel of Ramah; at sixty — that is by the hand of Heaven'.<sup>11</sup> (Said Mar

Zutra: What is the text [for this]? Thou shalt come to thy grave in ripe age,<sup>16</sup> as the [numerical value of the] word for 'in ripe age' yields sixty.) 'At seventy, it is the death of the hoary head; at eighty it is the death of a vigorous [old man]. for it is written, The days of our years are three score and ten, or even by reason of strength four score years.<sup>17</sup> Said Rabbah,<sup>18</sup> From fifty to sixty years [of age]. that is death by Kareth, and the reason why this has not been mentioned was out of deference to [the prophet] Samuel of Ramah.

R. Joseph, on his attaining the age of sixty, made a festival day for the Rabbis [of the Academy] saying, 'I have just passed beyond [the limit of] Kareth'. Said Abaye to him: 'Granted, Sir, that you have passed the [limit of] Kareth as to years. but as to the [limit of sickening] days<sup>19</sup> have you escaped that?' He replied: 'Nevertheless, hold on to the half'.<sup>20</sup>

R. Huna's soul went into repose suddenly<sup>21</sup> and the Rabbis [of the academy] were perturbed [thereat] when Zoga<sup>22</sup> who hailed from Adiabene taught them:<sup>23</sup> 'What we learned applies only when one has not attained the "age of strength" [eighty] but if one has attained the "age of strength" [eighty] a sudden death is dying by the kiss'. Raba said: [Length of] life, children and sustenance depend not on merit but [rather on] Mazzal.<sup>24</sup> For [take] Rabbah and R. Hisda. Both were saintly Rabbis; one master prayed for rain and it came, the other master prayed for rain and it came.

R. Hisda lived to the age of ninety-two,<sup>25</sup> Rabbah<sup>26</sup> [only] lived to the age of forty. In R. Hisda's house there were held sixty marriage feasts, at Rabbah's house there were sixty<sup>27</sup> bereavements. At R. Hisda's house there was the purest wheaten bread for dogs, and it went to waste;<sup>28</sup> at Rabbah's house there was barley bread for human beings and that not to be had. This too, Raba said: These three requests I made of Heaven; two were granted me and one was not. [I prayed for] the scholarship of R. Huna and the wealth of R.

# MO'ED KOTON – 2a-29a

Hisda which were granted me; but the modest disposition of Rabbah son of R. Huna,<sup>29</sup> that was not granted me.

R. Se'orim, Raba's brother, while sitting at Raba's bedside<sup>30</sup> saw him [Raba] going into sleep [dying],<sup>31</sup> when he [the invalid] said to his brother: 'Do tell him,<sup>32</sup> Sir, not to torment me'. R. Se'orim replied: 'Are you, Sir, not his intimate friend?'<sup>33</sup> Said Raba: 'Since [my] Mazzal<sup>34</sup> has been delivered [to him], he takes no heed of me'. R. Se'orim then said to the dying: 'Do, Sir, show yourself to me [in a dream]'. He did show himself and when asked: 'Did you, Sir, suffer [pain]?' He replied: 'As from the prick of the cupping instrument'.

Raba, while seated at the bedside<sup>30</sup> of R. Nahman, saw him sinking into slumber [death].<sup>35</sup> Said he to Raba: 'Tell him,<sup>36</sup> Sir, not to torment me'. Said Raba: 'Are you, Sir, not a man esteemed?'<sup>37</sup> Said [R. Nahman] to him, 'Who is esteemed, who is regarded, who is distinguished [before the Angel of Death]?' Said [Raba] to him: 'Do, Sir, show yourself to me [in a dream]'. He did show himself. [Raba] asked him: 'Did you suffer pain, Sir?' He replied: 'As [little as] the taking of a hair from the milk; and were the Holy One, blessed be He, to say to me, Go back to that world as you were, I wish it not, for the dread thereof [of death] is great'.

R. Eleazar was eating some Terumah [priest's holy food] when he<sup>36</sup> showed himself to him. Said he, Am I not [in the pious act of] eating Terumah and is not that designated 'holy [meat]?'<sup>38</sup> The [fatal] moment [thus] was past! R. Shesheth caught sight of him<sup>36</sup> in the market place. Quoth he: 'Do you [seize me] in the market place like a beast? Come to [the] house!' R. Ashi<sup>39</sup> caught sight of him<sup>36</sup> in the market place. Quoth he: 'Grant me thirty days' respite and I shall revise my studies, inasmuch as you say [in Heaven above]: "Happy he that cometh hither [to Heaven] bringing his learning ready with him".'<sup>40</sup> he came [again] on the thirtieth day; quoth he,

'What is the urgency?' He replied: R. Huna<sup>41</sup> b. Nathan is close on your heels<sup>42</sup> and, 'No sovereignty encroaches upon the sphere of another even to a hair's breadth'.

As for R. Hisda, he<sup>36</sup> could never overcome him as his mouth was never silent from [repeating] his learning by rote. So he went and settled on the cedar tree of the Schoolhouse. The tree cracked; R. Hisda stopped [and] he overcame him. As for R. Hiyya. he<sup>36</sup> could not gain access to him. So one day he adopted the guise of a poor man and came and rapped at the gate, saying, 'Bring me out some bread'. They [others] brought out some bread to him. Said he then to R. Hiyya: 'Don't you, Sir, treat the poor kindly? Why not, Sir, [also] treat kindly this man [standing outside]?'<sup>43</sup> He [R. Hiyya] opened the door to him,<sup>44</sup> whereupon, showing him a fiery rod, he made him yield his soul.

(1) For obvious reasons of delicacy; they might stain their clothing and bier.

(2) Num. XX, 1, 'There' being repeated twice.

(3) Deut. XXXIV, 5: So Moses the servant of the Lord died there in the land of Moab by the mouth of the Lord. In the is passage 'there' could have been omitted, and in the above passage we have also a superfluous 'there', which suggests the Gezerah Shawah, v. Glos.

(4) Num. XX, I.

(5) Ibid. XIX. It is called a 'sin-offering' and the ritual use of its ashes afforded the means of purification as well as the desire to sanctification.

(6) Ibid. XX, 26, 28.

(7) Lev. XVI, 4, 24, 32, 33. Cf. Zeb. 88b.

(8) Ezek. XXIV, 16.

(9) Ibid. verse 18.

(10) Cf. P5. CXVIII, 13,  $\text{ההך דהיתני}$  and XXXVI, 13.

(11) Here the quotation is interrupted.

(12) Deut. XXXI. 14.

(13) The word  $\text{הן}$ , — hen — similar in sound to \*\* — hen — the Greek neuter for one. The quotation is now resumed.

(14) So Sem. III, 8.

(15) 'Cut off' for certain sins. E.g., Lev. XVIII. V. Mak. Chapter III, 13aff. (Sonc. ed., p. 90. n. 2). Cf. Tosaf. here, s.v.

(16) Job V, 26.  $\text{בכלה} = 2 + 20 + 30 + 8$ , in letter value.

(17) Ps. XC, 10.

(18) Raba is probably more correct, as Rabbah himself died at forty.

# MO'ED KOTON – 2a-29a

- (19) I.e., there is yet the danger of dying suddenly without any warning as cited above.  
(20) Take what you get, a proverbial phrase.  
(21) 297 C.E. Cf. supra 25a.  
(22) Or Zawa.  
(23) I.e., cited to them a Baraita on the point.  
(24) 'Destiny'. Cf. however, Shab. 156a.  
(25) Died 309 C.E.  
(26) 13. Nahmani, died 330 C.E.  
(27) A proverbial number. The number sixty is a Babylonian unit, e.g., the hour and minute are divided into sixty.  
(28) Lit., 'was not wanted'.  
(29) Died 322 C.E.  
(30) Lit., 'in front of R.'  
(31) 252 C.E.  
(32) The Angel of Death.  
(33) Lit., 'a bosom friend', cf. Sanh. III, 5. As a teacher of Torah, he is God's messenger himself. V. Mal. II, 6-7.  
(34) The guardian Angel.  
(35) 320 C.E.  
(36) The Angel of Death.  
(37) To make your appeal direct to the Angel of Death; He would surely grant your request.  
(38) Cf. Num. XVIII, 11-12. If he were to die just then the Terumah would be defiled which is not a correct thing to do. Besides, 'a pious deed acts as a shield against tribulation'. Cf. Aboth. IV, 11, P.B. p. 107 (top).  
(39) Var. lec. Assi.  
(40) Lit., 'in his hand'. Cf. Pes. 50a.  
(41) So MS.M. V. Git. 59a and Zeb. 19a. Var. lec. R. Huna b. Hisda,  
(42) I.e., waiting to succeed you.  
(43) Why not yourself befriend me, this poor man, and give me the bread with your own hand?  
(44) Cf. A.Z. 58a (Sonc. ed., 11. 289). Here probably to be one word גליליה 'he pushed the door aside'; cf. גילל for a slab used for closing the entrance to a tomb.

## Mo'ed Katan 28b

**MISHNAH.** WOMEN MAY RAISE A WAIL DURING THE FESTIVAL [WEEK], BUT NOT CLAP [THEIR HANDS IN GRIEF]; R. ISHMAEL SAYS, THOSE THAT ARE CLOSE TO THE BIER CLAP [THEIR HANDS IN GRIEF]. ON THE DAYS OF NEW MOON, OF HANUKKAH AND OF PURIM<sup>1</sup> THEY MAY RAISE A WAIL AND CLAP [THEIR HANDS IN GRIEF]. NEITHER ON THE FORMER<sup>2</sup> NOR ON THE LATTER OCCASIONS DO THEY CHANT A DIRGE. AFTER [THE DEAD] HAS BEEN INTERRED THEY NEITHER RAISE A

WAIL NOR CAP [THEIR HANDS IN GRIEF]. WHAT IS MEANT BY RAISING A WAIL? [INNUI]?<sup>3</sup> WHEN ALL SING IN UNISON. WHAT IS MEANT BY A DIRGE [KINAH]?<sup>4</sup> WHEN ONE SPEAKS<sup>5</sup> AND ALL RESPOND AFTER HER, AS IT IS SAID: AND TEACH YOUR DAUGHTERS WAILING AND ONE ANOTHER [EACH] LAMENTATION [KINAH].<sup>6</sup> BUT AS TO THE FUTURE [DAYS] TO COME, [THE PROPHET] SAYS: HE WILL DESTROY DEATH FOR EVER AND THE LORD GOD WILL WIPE AWAY TEARS FROM OFF ALL FACES.<sup>7</sup>

**GEMARA.** What say the women [in lament]? — Said Rab:<sup>8</sup> 'Cry woe o'er him that is now departing! Cry woe o'er his wounds<sup>9</sup> [and smarting]!' Raba<sup>10</sup> said, The women of Shoken-Zeb<sup>11</sup> speak thus: 'Cry woe o'er him that is departing! Cry woe o'er his wounds and smarting!' Raba also said, The women of Shoken-Zeb speak thus: 'Withdraw the bone from out the pot<sup>12</sup> And the kettles<sup>12</sup> fill with water [hot]'. Raba said this also: The women of Shoken-Zeb speak thus: 'Be muffled,<sup>13</sup> ye high mountains, [Clouds] covering your head; Of high lineage and grand ancestry Came he that is dead'.

Also this said Raba: The women of Shoken-Zeb speak thus: 'Borrow [and buy] a Milesian<sup>14</sup> robe To dress a free-born son; [Give it free of charge] for Provision left he none'.<sup>15</sup> And furthermore said Raba: The women of Shoken-Zeb speak thus: 'Comes hurrying and scurrying<sup>16</sup> Tumbling aboard the ferry And having to borrow his fare'.

Again this said Raba: The women of Shoken-Zeb speak thus: 'Our brothers are merchants who At the custom houses<sup>17</sup> are searched'. And again said Raba: The women of Shoken-Zeb speak thus: 'This death or that death [is the end of the quest]; Our bruises are the rate of interest'. It is taught: R. Meir was wont to say: '[It is written], It is better to go to the house of mourning than to go to the house of feasting; for that is the end of all men and the living will lay it to heart.<sup>18</sup> ['And the living



## MO'ED KOTON – 2a-29a

will lay it to heart'], what is that? Things about death; if one makes lament, others will lament for him; if one assists at burial, others will bury him; if one bears the bier, others will bear him; if one raises [his voice]<sup>19</sup> others will raise [their voice] for him'.

Others read [the last]: 'And he that raises not [himself with pride], others will raise him, as it is written: Glorify not thyself in the presence of the King and stand not in the place of great men; for better is it that it be said unto thee, Come up hither, than that thou shouldst be put lower in the presence of the prince.'<sup>20</sup>

Our Rabbis taught: When the sons of R. Ishmael died, four Elders went into his house to comfort him. R. Tarfon, R. Jose the Galilean, R. Eleazar b. 'Azaria and R. Akiba. Said R. Tarfon to them: 'Know ye, he is a great sage and erudite in homiletic exposition, let none of you break in while another is speaking'. Said R. Akiba: 'And I be last!' R. Ishmael opened<sup>21</sup> [the conversation] and said: 'His<sup>22</sup> sins were many, his sorrowful bereavements came in close succession; he<sup>22</sup> troubled his Masters once and a second time!'

R. Tarfon responded and said: 'But your brethren, the whole house of Israel bewail the burning which the Lord hath kindled.<sup>23</sup> Is not this universal sorrow more due<sup>24</sup> now [even than there]? Why, if Nadab and Abihu who had performed but one office — as it is written: And the sons of Aaron presented the blood unto him<sup>25</sup>... were thus [universally mourned] — how much more due to the sons of R. Ishmael!'

R. Jose the Galilean then responded and said: It is written: And all Israel shall make lamentation for him and bury him.<sup>26</sup> Is not more due now? Why, if Abijah Jeroboam's son who had done but one good thing — as it is written: Because in him there is found some good thing towards the Lord God of Israel,<sup>26</sup> — was mourned in such universal manner,

how much more is due to the sons of Ishmael! What was that 'good thing'?

R. Zeira and R. Hanina b. Papa [gave different explanations]: one Saying that he left his charge [post] and went on a festive pilgrimage [to Jerusalem]; the other saying that he removed the military guards<sup>27</sup> that his father had posted on the roads to prevent the Israelites from going on a pilgrimage [to Jerusalem].<sup>28</sup>

R. Eleazar b. 'Azaria then responded and said: 'Thou shalt die in peace and with the burning of thy fathers, the former kings that were before thee, so shall they make a burning for thee.<sup>29</sup> Is not more due now? Why, if Zedekiah King of Judah who had performed but one office in having had Jeremiah lifted from the mire,<sup>30</sup> was to be mourned thus, how much more is due to the sons of Ishmael!'

R. Akiba then responded and said: 'In that day there shall be a great mourning in Jerusalem, as the mourning of Hadadrimmon in the valley of Megiddon'.<sup>31</sup> [On this] R. Joseph said, Had we not the [Aramaic Targum] rendering of that text, I would not have known what it said there: 'In that time the mourning at Jerusalem will be as great as the lament over Ahab son of Omri whom Hadadrimmon son of Tabrimmon had slain<sup>32</sup> and as the lament over Josiah son of Amon whom Pharaoh the Lame<sup>33</sup> [Necho] had slain in the valley of Megiddon.<sup>34</sup> Is not more due now? Why, if Ahab King of Israel who had done but one good thing — as it is written: And the king was stayed up in his chariot against the Arameans [and died at even]<sup>35</sup> — was lamented thus how much more is due to the sons of Ishmael!'

Said Raba to Rabbah b. Mari, It is written about Zedekiah: Thou shalt die in peace;<sup>36</sup> yet it is written [thereafter]: Moreover he [Nebuchadnezzar] put out Zedekiah's eyes?<sup>37</sup> — He replied that R. Johanan had explained

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it thus, [namely] that Nebuchadnezzar died in Zedekiah's lifetime.<sup>38</sup>

Again said Raba to Rabbah b. Mari, it is written: Therefore, behold I will gather thee to thy fathers, and thou shalt be gathered to thy grave in peace;<sup>39</sup> yet it is written [about him elsewhere]: And the archers shot at King Josiah,<sup>40</sup> [and the King said to his servants, Have me away for I am sore wounded;<sup>40</sup> And [on this last part] R. Judah citing Rab, commented: They riddled<sup>41</sup> his body like a sieve! — This, too he replied, R. Johanan explained that the Temple had not been destroyed [as threatened] in his lifetime. Said R. Johanan:<sup>42</sup> Comforters are not permitted to say a word until the mourner opens [conversation], as it is said: So they sat down with him on the ground. . . and none spake a word unto him; for they saw that his grief was very great.<sup>43</sup> After this opened Job his mouth<sup>44</sup>... Then answered Eliphaz the Temanite.<sup>45</sup>

Said R. Abbahu: Whence [derive we the practice] that the mourner reclines in the foremost place<sup>46</sup> [at the mourners' repast]? From what is said [by Job]: I chose out their way, and sat chief, and dwelt as a king it, the army, as one comforteth the mourners.<sup>47</sup> 'As one comforteth the mourners'? Does not that convey [rather] that he was [at the head in] comforting others? —

Said R. Nahman b. Isaac: [Not necessarily as] it is written Yenahem, it may be rendered, 'as when one comforteth mourners'.<sup>48</sup> Mar Zutra said: The rule might be [derived] from here:<sup>49</sup> And prince<sup>50</sup> be he who is embittered — distraught<sup>51</sup> among those stretched [on couches].<sup>52</sup>

Said R. Hama b. Hanina, Whence [is derived the practice] that a bridegroom reclines in the foremost place [at the marriage feast]? From what is said: I will rejoice in the Lord... for He hath clothed me with the garments of salvation... as a bridegroom that ministers in his diadem as a priest.<sup>53</sup> Which means that

just as a priest [with whom he is compared] is at the head, so is the bridegroom [placed] at the head. And whence have we this ruling about the priest himself? —

From what is taught in [a Baraita of] the School of R. Ishmael: And thou shalt sanctify him [the priest] for he offereth the bread of thy God,<sup>54</sup> which means, [sanctify him] in every matter appertaining to hallowed things, to be first to begin,<sup>55</sup> first to say grace, first to take a fair portion. R. Hanina said: The dying gasps severely agitate the body

- (1) For these cf. supra p. 178, nn. 7 and 8.
- (2) The festival week.
- (3) I.e. what is the technical meaning of the word used in the Mishnah, which literally means chanting, singing the lamenting words.
- (4) The term for chanting a dirge used in the Mishnah.
- (5) Or, leads.
- (6) Jer. IX, 19.
- (7) Isa. XXV, 8 cited here as a comforting conclusion to the lugubrious subject of the tractate.
- (8) Died 247 C.E.
- (9) Cf. P5. XVIII, 5-6; CXVI, 3; Micah II, 10. Aliter: 'loss'.
- (10) Died 309 C.E. half a century after Rab, who reported the same dirge.
- (11) Identified by Obermeyer. 190ff as Askun — Zefia, two places in close proximity on the eastern bank of the Tigris, a parasang (mile) from Sikara and, higher up. Mahoza, Raba's place.
- (12) Reading מַכְבָּה instead of מַכְבָּה as in our text (or D.S. מַכְבָּה) which means, 'Withdraw the bone from the molar tooth' which gives no sense, as the dying do not suck or gnaw a bone. It has hitherto defied all explanation. It is probably a misreading of כַּכְבָּה from \*\* or Latin cacabus a three-legged cooking pot synonymous with cucuma — קוּמְקוּם — associated here with אַנְשֵׁיכִי = \*\* (V. Shab. 41a) meaning: He's dead, he needs no broth; fill now the pots and kettles with hot water to wash the dead instead.
- (13) Cf. supra 24a about the mourner muffling himself in his cloak and covering his head. Han. and other commentators give other various interpretations.
- (14) A robe of Milesian wool was the finest. V. Classical Dictionaries.
- (15) Lit., 'has come to an end', has run out. Give him a decent funeral.
- (16) Han. has different readings to the same effect — 'Running and tumbling comes one with a

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wallet...’ Cf ‘a purse of Dinars’. B.M. 28b (Sonc. ed., p. 176) and v. Jast. 22a.

(17) Reading אֲנִי־נֹזֵגִי. Cf. Kohut, Ar. Compl. III, 264 s.v. נֹזֵגִי. His correction is confirmed by SBH p. 235. Kohut appropriately refers to Shab. 32a q.v. Han. gives another reading cited in Ar. Compl. l.c.: ‘Our brothers are merchants who are tested by the goods they sell’.

(18) Eccl. VII, 2.

(19) I.e., will cry aloud in his lament. Cf. Ber. 6b.

(20) Prov. XXV, 6-7.

(21) Comforters are not to speak until the mourner has acknowledged their presence by some word addressed to them. Cf. Job II, 11-13; III, 1ff

(22) Euphemistically altered by the Scribe, instead of saying, ‘My sins etc.’ ‘I troubled...’.

(23) Lev. X, 6.

(24) Lit., ‘is not this a fortiori?’

(25) Ibid. IX, 9, while assisting their father at the ceremony of their induction into the priestly office.

(26) I Kings XIV, 13.

(27) פְּרִיטָאוֹת אוֹ פְּרִיטָאוֹת = praesidia. V. Ar. Compl. VI, p. 418a. Var. lec. פְּרִיטָאוֹת. cf. \*\*

(28) Cf. B. B., Sonc. ed. p. 499.

(29) Jer. XXXIV, 5.

(30) Cf. Ibid. XXXVIII, 6.

(31) Zech. XII, 11. The quotation is interrupted by a comment.

(32) I Kings XXII, 34f.

(33) Translation of נִכָּח—Necho. Cf. II Sam. IV, 4; IX, 3.

(34) II Kings XXIII, 29-20; II Chron. XXXV, 20ff.

(35) I Kings XXII, 35. The good deed consisted in the wounded king being propped up so as not to discourage the fighting men and not to give the enemy an advantage.

(36) Jer. XXXIV, 5.

(37) Ibid. XXXIX, 7.

(38) I.e., Zedekiah had the satisfaction to outlive his captor.

(39) II Kings XXII, 20 addressed to King Josiah.

(40) II Chron. XXXV, 23.

(41) Taking the word הִחַלֵּיתִי (I have been made ill) as if it were from חָלַל (I am pierced, holed). Cf. Num. XIX, 16. J. Kid. I, 7 adds: ‘They riddled him with three hundred arrows’,

(42) D.S., Han., Asheri and others have: Said Rab Judah, as citing Asheri.

(43) Job. II, 13.

(44) Ibid. III, 1.

(45) Ibid. IV, 1.

(46) On the table etiquette of the ancients, both in Palestine and in Babylon, v. Ber. 46b, where both R. Naliman b. Isaac and Mar Zutra mentioned here are among the persons taking part in the discussion on this point.

(47) Job XXIX, 25. Possibly R. Abbahu and Mar Zutra (mentioned next) read into the terms ‘chief’

and ‘king’ the popular, familiar usage of these terms in Latin and Greek, by which they designated the person presiding over the toasts at the end of a feast, the rex convivii, basileus, or symposiarch. The following citation from Sem. XIV, (end), will make it clear: ‘Ten cups (toasts) they drink in the house of mourning; two before the meal, five during the meal and three after the meal (namely) one for the benediction of the mourners, one for comforting the mourners and one (in reference) to acts of loving-kindness (the merits of the deceased; the bearers of the biers and the orators at the funeral; cf. Sot. 14a). Then they added more cups — one (toast) for the "chief of the synagogue", one for the "administrator of the synagogue" and one to (the memory of) Rabban Gamaliel. But when the Beth Din saw that some were coming away drunk they issued an inhibition (on the innovation) and made them go back to the old practice’. For considerable divergencies v. Keth. 8b. Cf. Ber. 46b. In J. Ber. III, 1 it is stated that the cup for Rabban Gamaliel had been introduced after his death. Seemingly it was introduced to commemorate his great social reform in directing the simplification of funerals. Cf. supra 27b, p. 177.

(48) Which is the equivalent of the passive ‘as when mourners are being comforted’. For other instances of this use of the third person singular in the passive sense v. Gen. XLVIII, 1-2 (someone told Joseph, one told Jacob). Cf. Gesenius, Hebrew Grammar, 144, 3a. Or, it may be pointed יָנִיחַ = as when ‘it being comforted’, i.e., when comfort is being tendered to mourners.

(49) Amos VI, 7. The rendering is here adapted to the requirements of the exposition. The prophet there threatens: Therefore now shall they (the callous revelers) go captive at the head of captives and the revelry (מְרִיזָה) of them that lay (סְרוּיִים) stretching (on banqueting couches) shall pass away (סָר). It is the three words, וְסָר מְרִיזָה סְרוּיִים, in the second half of the sentence that are being strained to yield the sense required by Mar Zutra.

(50) וְסָר (and shall pass away) = וְשָׂר (and prince be).

(51) מְרִיזָה is divided into מָר (bitter) and זָה (moved, perturbed, distraught). Cf. Rashi on the parallel passage Keth. 69b. The term מְרִיזָה denotes solemn feasting, particularly a funerary repast, as seems clear from Jer. XVI, 5-8. Cf. Ar. Compl., a.v. Also, Kimhi on Jer. l.c. and on Amos, l.c.

(52) Cf. Amos VI, 4.

(53) Isa. LXI, 10.

(54) Lev. XXI, 8.

(55) The reading of the Law in the synagogue.

# MO'ED KOTON – 2a-29a

## Mo'ed Katan 29a

like the rigging<sup>1</sup> at the edge of the mast.<sup>2</sup> R. Johanan said, like the top-sails at the edge of the mast.

R. Levi b. Hitha said: One bidding farewell to the dead should not say unto him 'Go unto peace', but 'Go in peace'; one bidding farewell to the living [friend] should not say to him 'Go in peace'. but 'Go unto peace'. One bidding farewell to the dead should not say to him, 'Go unto peace', because it is said [unto Abraham]: But thou shalt go to thy fathers in Peace,' thou shalt be buried.<sup>4</sup> One bidding farewell to the living [friend]<sup>5</sup> should not say to him, 'Go in peace', but 'Go unto peace', because there was David [who] said to Absalom, 'Go in peace,<sup>6</sup> and he went and was hanged.<sup>7</sup> Whereas, Jethro said to Moses, 'Go unto peace,<sup>8</sup> [and] he went and succeeded.

And, said R. Levi:<sup>9</sup> Whoever comes out of the Synagogue and goes into the Beth Hamidrash, or from the Beth Hamidrash to the synagogue shall gain the privilege of being admitted into the Presence of the Shechinah,<sup>10</sup> as it is said: They go from strength to strength, every one of them appeareth before God in Zion.<sup>11</sup>

R. Hiyya b. Ashi as citing Rab, said: The disciples of the Sages have no rest even in the world to come, as it is said: They go from strength to strength, every one of them appeareth before God in Zion.

(1) So Rashi here (which is not of Rashi's authorship) and on Ber. 8b. In this naval simile we need not be surprised to find the terms used to be of Greek origin, just as we have many naval terms in English of Dutch origin. צפורי in the sense of 'rigging' is seemingly the Greek \*\* = cord, rope, especially a ship's cable. The term may mean the 'top-sail', \*\* Latin, siparum and supparum, which is defined by Festus as, Velum Minus in navi ut acation (acatum) majus; (v. Lewis and Short, Lat. Dict. s.v.).

(2) וישט, connected by Rashi with תורן (a mast) is the Greek \*\*.

(3) פטורי is the Greek \*\* which means, anything suspended aloft or fluttering in mid-air, a top-mast or pennant.

(4) Gen. XV, 15.

(5) So Asheri and other texts.

(6) II Sam. XV, 9.

(7) Ibid. XVIII, 9ff.

(8) Ex. IV, 18.

(9) Ber. 64a has R. Levi b. Hiyya.

(10) The Divine Presence.

(11) Ps. LXXXIV, 8.