

## CHAPTER V.

A. No work must be done by a mourner on all the seven days after the burial; nor by his children, his servants, or his cattle. As he and they all are not allowed, so are others not allowed to do any work for him.

The rabbis taught: A mourner is prohibited to do any work during the first three days, even the indigent who lives on charity; thenceforward he may do it privately; and the housewife may spin with her spindle.

The rabbis taught: A mourner must not visit another mourner during the first three days; thenceforth he may, but he must not sit among the condolers, but among those who are being condoled.

The rabbis taught: A mourner is prohibited the first three days from greeting others; from the third to the seventh he may only answer a greeting; thenceforward he may greet and answer as usual. When the sons of R. Aqiba died, an enormous crowd flocked to the funeral. R. Aqiba ascended the rostrum, and addressed the people: "Brothers in Israel, listen to my words: It is not because of merit or station of mine that ye appear here, for

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assuredly there are my superiors in this city. Oh, your reward will be great. Ye have done homage to the Law; your presence would suffice to console me, even if I had buried two bridegrooms; ye appeared here because you thought to yourselves [Psalms, xxxvii. 3]: "The law of his God is in his heart." (Hence we see that it is permitted to greet even within the first three days?) Where the honor of the public is concerned the case is different.

*"From the third to the seventh day he may answer, but not greet."* There is a contradiction from the following Boraitha: One who meets his friend who is in mourning, if within twelve months he may speak to him words of consolation, but must not greet him; if after twelve months, he may greet him, but not speak to him words of consolation, unless indirectly. R. Meir said: To what may the case of one speaking to his friend, a mourner, words of consolation after twelve months be compared? To one whose foot was dislocated, and after having it cured, met a physician who said to him: "Come with me and I will dislocate it again, and cure it in order to prove to you the efficiency of my drugs"? This presents no difficulty. This Boraitha relates to mourning over father or mother; the former statement relates to mourning over other relatives. But have we not learned in another Boraitha that he may speak to him words of consolation indirectly? Our Boraitha may also be explained in the same sense; viz., "He shall not speak to him words of consolation directly."

The rabbis taught: A mourner, during the first three days, if he arrives from a place not distant, may adopt the same computation of the time as the local mourners, but if he arrives from a distant place he must have his own computation; thenceforth, if he even arrives from a place not

distant, he must have his own computation. R. Simeon, however, said: "Even if he arrived on the seventh day, if only from a near-by place, he may adopt the computation of the local mourners." The Master said above: "The first three days, one who arrives from a near-by place," etc. Said R. Hyya bar Abba in the name of R. Johanan: "This is the case only where the eldest of the family is at home at the time." The schoolmen propounded a question: How is it if the eldest of the family has gone to the cemetery? Come and hear: R. Hyya bar Abba said in the name of R. Johanan: "Even if the eldest of the house has gone to the cemetery, he may compute with them (the local mourners)." But have we not learned in another Boraitha that he must have his own computation? This

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presents no difficulty: One case is when he arrived within the first three days, and the other when he arrived after the first three days. As Rabh said to the inhabitants of Zalpuni: "Those who arrive within the first three days may compute with you; those who do not, must compute for themselves." Rabha said to the inhabitants of M'huza: "You who do not follow the coffin (to the cemetery, but only as far as the town-gate) may compute (the mourning) from the minute you turn your faces away from the town-gate."

[A1](#) The Boraitha states: R. Simeon said, etc. Said R. Hyya bar Gamda in the name of Joseph b. Saul, quoting Rabbi: "The case is only when he arrived before the condolers departed."

[A2](#) It is written [Jerem. xxii. 10]: "Weep not for the dead and do not bemoan him." Weep not--that is, not more than sufficient; and do not bemoan him--that is, not more than prescribed. How so? During the first three days--weeping; the seven--lamentation; during the thirty days--not to calender clothes and cut the hair. After that period the Holy One, blessed be He, says: Be not more merciful than I am." It is written [ibid., ibid.]: "Weep sorely for him that goeth away." Said R. Jehudah: "This means one who goeth away childless. R. Joshua b. Levi had never gone to console a mourner unless the deceased died childless, for it is written [ibid., ibid.]: "Weep sorely for the one that goeth away, for he shall never return any more, and see the land of his birth." R. Levi said: "A mourner the first three days must imagine to himself as if a sword is placed between his shoulders; between the third and seventh day, as if it is opposite him in a corner; from that day on, as if it passes in front of him in the street." [A3](#)

"*The bier of a woman must at no time be set there,*" etc. R. Ami said: "For what purpose was the death of Miriam stated closely following the law of the red cow? To teach that, as the red cow atoned for sin, so also does the death of the righteous. Said R. Elazar: "For the same purpose was the death of Aaron closely written to the description of the priests' garb; viz., as the priests in their garb atoned for the sins, so also does the death of the righteous."

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B. It is permitted for others to do work involving things perishable; e.g., his grain may be garnered and thrashed, his tubs may be scoured, and if his olives are turned, R. Jehudah says he may put the first press-block on, etc.

The rabbis taught: The following things are prohibited to a mourner: labor, washing, anointing, sexual intercourse, wearing shoes, reading the Law, the Prophets, the Hagiographa, studying the

Mishna, Midrash, Halakha, Talmud, and Agada; but if, however, the public require his services, he need not restrain himself. As it happened, the son of R. Jose died in Sepphoris, and the latter notwithstanding came to college and lectured the whole day long. Rabba bar bar Hana was once in mourning, and he was inclined not to go out to deliver his usual lecture. Said R. Hanina to him: "If the public requires one's services, he need not restrain himself." He then wanted to employ an interpreter. Said Rabh to him: "We learned in a Boraitha: 'But he should not employ an interpreter.'" How, then, shall he do it? As we have learned in the following Boraitha: It happened that the son of R. Jehudah bar Ilai died, and the latter came to college followed by R. Hanania b. Akabia, who took a seat at his side. He (R. Jehudah bar Ilai) whispered (the lecture) to R. Hanania b. Akabia, and the latter to the interpreter, and the interpreter announced it aloud to the public.

The rabbis taught: A mourner must not wear phylacteries during the first three days, but from and including the third day he is allowed to do so, and need not remove them on the arrival of new persons. Such is the dictum of R. Eliezer. R. Jehudah, however, said that he must not wear them only during the first two days, but from and including the second day he is allowed; but on the arrival of new persons he must remove them.

R. Hyya bar Abba, R. Ami, and R. Itz'hak of Naph'ha were sitting in the cottage of R. Itz'hak b. Elazar, and a statement resulted: "Whence is it deduced that mourning lasts for seven days? It is written [Amos, viii. 10]: 'And I will change your feasts into mourning.' As the feast lasts for seven days, so does also mourning." But perhaps Pentecost is meant, which lasts only for one day? The latter one is applied according to Resh Lakish; for Resh Lakish said in the name of R. Jehudah the Second: Whence do we know that remote information (of the occurrence of a death in the family) makes mourning customary for one day only? From the passage [ibid., ibid.]:

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[paragraph continues] "And I will change your feasts into mourning." And we find one festival which lasts for one day only.

C. [c1](#) If he was the only baker in town, he may do his work privately for the sake of the people.

D. If one was cutting another's hair, or was having his hair cut, and he was told that his father was dead, he might finish it. Workingmen who receive work from a mourner are forbidden to do this work at his house, but they are allowed to do it at theirs. R. Simeon b. Jo'hai said: A day laborer is forbidden in any case. Contract work may not be done on his premises, but it may on theirs. Work on anything attached to the ground must not be done in either case, and work to be done in another city is allowed in either case.

E. When one mourning succeeds another, he may cut his hair with a knife but not with shears. If his clothes are dirty, he may wash them in cold water but not in feet-water. [E1](#) A mourner and one who is under the ban, when on the road, are allowed to wear sandals; however, they must remove them as soon as they reach the town. So is the law also for the 9th of Abh, or a general fast-day.

[E2](#) It is certain that a mourner must not cut his hair, for the Merciful One expressly directed the sons of Aaron [ibid. x. 6]: "The hair of your head you shall *not* let grow long"; hence the case is

not so with other mourners. The question, however, is, whether those who are under the ban, and lepers, may cut their hair? Come and hear: Those who are under the ban, and those afflicted with leprosy, are prohibited from cutting their hair and washing (their clothes). One who, was under the ban and died in such a state, the Beth Din stone his coffin. Said R. Jehudah: "It does not mean a heap of stones, as was the case with Achan [Josh. vii. 26], but it means that the Beth Din places a big stone on his coffin, to teach that whoever dies while under the ban, his coffin is stoned.

[E3](#)A mourner must wrap up his head, for the Merciful One

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directed Ezekiel [Ezek. xxiv. 17]: "And cover *not* thyself to thy upper lip." Hence, others must cover. How is it, however, with one who is under the ban? Said R. Joseph: Come and hear (Taanith): "And they wrapped up their heads and sat as if they were under the ban, or mourners, until they were commiserated by Heaven." Said Abayi to him: "Perhaps they have done that, because they have considered themselves as put under the ban by Heaven, in which case it is very rigorous." What is the law in regard to a leper? Come and hear: It is written [Lev. xiii. 45]: "And he shall cover himself up to his upper lip." Hence we see that wrapping up is necessary. A mourner must not wear phylacteries, for Ezekiel was commanded [Ezek. xxiv. 17] to put them on. [E4](#) Hence we must say that others must not. But the question is as to one who is under the ban, in regard to phylacteries? [E5](#) This question was not decided. It is certain that a mourner must not greet any one, as Ezekiel was commanded [ibid.]: "Sigh in silence." But how is the case with one who is under the ban? Said R. Joseph: Come and hear (Taanith, ibid.): "And to greet one another as if they were rebuked from Heaven." Said Abayi to him Perhaps this case is different, because it is very strict."

F. No ban is for less than thirty days, and no rebuke is for less than seven days.

G. Said Rabban Gamaliel: He to whom the court has stretched out its hand, although he was again befriended, will not leave this world peaceably.

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## Footnotes

[20:A1](#)

## CHAPTER V.

A. *Gemara* from Moed Katan.

[20:A2](#) *Gemara* from Moed Katan.

[20:A3](#) This illustrates the different degrees in which it must be borne in mind.

[22:C1](#) C. For former Mishnas, see Moed Katan, pp. 19-20.

[22:E1](#) E. In Tract Krithath, where it speaks of the preparation of the spices for the incense, the Gemara says: To make it stronger--*mei raglayim*; literally, "feet-water (wine, according to some commentators) would be good for it"; but this must not be brought into the Temple court. The same term is found in Nidah, 61*b*, in the Mishna, among the spices which remove stains.

[22:E2](#) Gemara from Moed Katan.

[22:E3](#) Gemara from Moed Katan.

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