

CHAPTER IX.

A. For all the relatives, one must rend his garments, also for the teacher from whom he received his study. A wise man, however, all are his relatives, all must rend their garments, all

p. 37

must take off their shoes, and all may take part in the funeral meal (which used to be eaten in the street on the return from the cemetery). R. Simeon b. Elazar, however, said that rending of the garments is obligatory to all who are present at the death of a human being; the relatives, however, must rend their garments and take off their shoes, even if they are not present. Different is it when a sage dies. All who are notified of his demise must perform the mourning ceremonies.

B. For the death of the chief of a college all (the college men) are obliged to bare their right arm; [B1](#) for the chief of a court, the left; and for the Nasi both arms are bared. When the death of R. Eliezer occurred, R. Aqiba bared both his arms, beat his breast until blood spurted from it, and cried: "My father, my father, the chariot of Israel, and their horsemen [I Kings, ii. 12].

Ula said: "Lamenting is by striking on the breast, for it is written [Isa. xxii. 12]: 'They shall strike on the breast, lamenting.'" Clapping is done with the hands, and striking is done with the feet.

The rabbis taught: "One who strikes with his feet must not do so with his sandals on, but with his shoes on, in order to avert danger." R. Johanan said: "If the mourner motions his head (as if he is consoled already), his consolers need no more stay with him." R. Johanan said again: "All persons must rise from their seats on the arrival of a Nasi, except a mourner and a sick person." R. Johanan said again: "All persons are told to be seated (after they rose), except a mourner and a sick person.

C. For all his relatives one is not obliged to bare his arm, except for father and mother. If something is on the arms which prevents their being bared, one is not obliged to do it even at the death of his parents. It happened that when the death of R. Aqiba's father occurred, R. Aqiba did not bare his arm, though others did.

[C1](#)In all cases it is praiseworthy to remove the corpse as soon as possible, excepting in the case of a dead parent, unless it is

p. 38

on a Friday or on the eve of a festival, for the removal is then only for the honor of the deceased (in order that they shall not remain unburied until after the Sabbath or festival). In all cases of death it is optional with the mourner whether to lessen his attendance to his business or not; in

the case of the death of a parent, he must lessen. As to baring the shoulder, it is also obligatory in case of parents only. It happened that the father of a great man of the generation died, and the great man wanted to bare his shoulder; another great man, who equalled him and who was present at the time, wanted to do likewise (in order to show his respect), and the first one refrained from doing it (in order to prevent the other one from inconvenience). Said Abayi: "The great man of the generation was Rabbi, and the other one who was present at the time was R. Jacob bar A'ha." According to others, it was *vice versa*. In all cases of death the mourner may cut his hair after thirty days; but in the case of his parents, not before he is censured by his friends (for wearing too long hair). In all cases of death one may participate in any enjoyment after thirty days, except in the case of his parents, when he may do so only after twelve months. Said Rabba bar bar Hana: "In an entertainment of friends he may participate at once." In all cases one may rend his garment only one span long; over parents he must rend so much as to bare his breast. Said R. Abuhu: From what passage do we know this? From [II Sam. i. 2]: "David thereupon took hold of his clothes, and rent them." And it is known that wherever "hold" is mentioned, it is not less than a span. In all cases, even if one has ten garments on, it is sufficient to rend the upper one only; over his parents, however, he must rend all the garments he has on, except the chest protector. And there is no distinction made between male and female. R. Simeon b. Elazar, however, said: "A woman rends the undergarment, places the rent part on her back, and then rends her upper garment." In all cases it is optional whether to tear asunder the outside hem or not, but over parents it is obligatory. R. Jehudah, however, said: "If the hem is not torn asunder, it is not considered rending at all." [c2](#) Said R. Abuhu: "What is the reason of R. Jehudah's statement? It is written [II Kings, ii. 12]: "And he took hold of his clothes, and rent them in two pieces." The superfluous

p. 39

statement, "in two pieces," indicates that it must be rent so that it should look as if torn in two pieces. In all cases the rent may be slightly sewed together after the seven days, and regularly mended after the thirty days; but over parents it may only be slightly sewed together after thirty days, but never regularly mended. Women, however, may sew it together at once, for the sake of decency. When Rabbin came from Palestine, he stated in the name of R. Johanan: "Over relatives it is optional whether to rend by hand or with an instrument; over parents, by hand only." R. Hyya bar Abba said in the name of R. Johanan: "Over relatives the rent is made in the house; over parents, even outside of the house." A prince once died. Said R. Hisda to R. Hanan bar Rabha: "Stand on an elevation and rend your garments, so that every one will see it." Over the death of a scholar, the right shoulder is bared; over that of a chief of a court, the left one is bared; over that of a Nasi, both shoulders are bared.

The rabbis taught: When a scholar dies, his college closes. When a chief of a court dies. all the colleges in the city in which he resided close, and those who come to the prayer-house to pray change their usual seats, so that those who have seats on the north benches take seats on the south benches, and *vice versa*. But when a Nasi dies, all the colleges close and the members of the congregation assemble in the prayer-house, and only seven read in the Law, and leave. R. Joshua b. Kar'ha said: "That does not mean that they shall walk around in the streets, but that they must remain in their houses and keep silent." And no ordinance or Agada should be declared in the mourner's house. It was said, however, of R. Hananiah b. Gamaliel that he had declared ordinances and Agada in the house of a mourner.

The rabbis taught: "And the following rent garments may not be mended: garments rent over the

death of parents: over the death of one's instructor in Law; over a Nasi, chief of the court; over ill-tidings; over blasphemy; the Holy Scrolls which were burned by fire; the cities of Jehudah; the Temple; and over Jerusalem. And one may rend over the destruction of the Temple and add another rent (at the same place) over Jerusalem." [c3](#) R. Helba in the name of Ula of Birah, quoting R.

p. 40

[paragraph continues] Elazar, said: "One who beholds the cities of Jehudah in their desolate state, says [Isa. Ixiv. 9]: 'Thy holy cities are become a wilderness,' and rends his garment; when he beholds Jerusalem in her desolate state, he says [ibid., ibid.]: 'Zion is become a wilderness, Jerusalem a desolate place,' and rends; when he beholds the Temple in its desolate state, he says [ibid. 10]: 'Our holy and our beautiful house where our fathers praised Thee is burned up with fire; and all our costly things are become ruins,' and rends."

[c4](#)The Boraitha stated: "One may rend over the Temple and add another rent," etc. There is a contradiction from the following Boraitha: "Both the one who heard it and the one who saw it, as soon as they reach Zophim they rend their garments, and they do so *separately* over the Temple and over Jerusalem?" This presents no difficulty: The first Boraitha relates to a case where he beheld the Temple first; the second, where he beheld Jerusalem first (Rashi explains the first case that he was under such circumstances that he could not see Jerusalem first, as for instance if he were in a closed carriage).

The rabbis taught: "And all (rents) may be slightly sewed together, hemmed, gathered (a sort of stitch), and stair-stitched, but not regularly mended." Said R. Hisda: "Mending is not allowed only when it is done in the fashion of Alexandria"(for it then looks as if never rent).

The rabbis taught: The original rending is a span long; the additional, three fingers. Such is the dictum of R. Meir; R. Jehudah, however, said: "The original rending is three fingers, and the additional a trifle." Said Ula: "The Halakha prevails according to R. Meir as regards the original rending, and according to R. Jehudah as regards the additional one." We have learned the same also in a Boraitha in the name of R. Jose.

[c5](#)Rending which is not done in the moment of excitement (immediately after the occurrence of the death) is not considered rending at all. Was it then not stated that Samuel rent all the twelve different garments he had on when he was informed of the death of Rabh, saying: "The man whom I always feared (for his sharpness) has passed away"? And was it not also stated of R. Johanan that he rent thirteen woollen garments when he was

p. 41

informed of the death of R. Hanina, saying: "The man whom I always was in dread of has passed away"(and in these instances it was not immediately after the occurrence of the death)? In case of death of rabbis it is different, because. their teachings being always fresh in memory, the moment of excitement is whenever the information of their death reaches. Rabhin bar Ada said to Rabha: "Thy disciple R. Amram taught the following Boraitha: A mourner during all the seven days must wear the rent part in front, and if he changes clothes he must rend again. On the Sabbath he must remove the rent part from the front to the back; if he, however, changes his

clothes for the Sabbath, he must not rend again." (Hence we see that one must rend, although after the moment of excitement?) Rabha answered him: "This applies only to parents, but over other relatives it is different."

[C6](#)May those rents be mended? The father of R. Oshiya and Bar Qappara differ: One holds they may, and the other holds they may not.

[C7](#)Rabha said: A mourner may walk around in his easy-dress in his house (in private). [C8](#)

D. If he was informed of his father's death, and he rent his garments, and afterward he was told that it was not the father but the mother, his duty is fulfilled; and also *vice versa*. If after he has rent for his parents he was told that it was not his parents but one of his relatives, this rending is sufficient. If, however, he was informed of the death of a relative, and after he has rent he was told that it was not his relative but one of his parents, he must rend again.

The rabbis taught: "If one is informed of the death of his father and he made a rent, and then he was informed of the death of his son and he made an additional rent, the lower rent may be mended but not the upper one. If, however, he was informed of the death of his son first, the upper one may be mended but not the lower one. If he was informed of the death of his father, mother, brother, and sister at the same time, he may make one rent for all. R. Jehudah b. Bathyra, however, said: One rent over his father and mother, and another over

p. 42

all the others; for an additional rent should not be added to the one over his parents." What is the reason? Said R. Na'hman bar Itz'hak: "Because the law of additional rending does not apply to the case of parents." Said Samuel: "The Halakha prevails according to R. Jehudah b. Bathyra." Could Samuel say so? Did not Samuel decide that the Halakha prevails, in regard to mourning, according to the one who is lenient? Mourning is one thing and rending is another.

[D1](#)How far down must one rend? As far as his navel. According to others, as far as the breast. And although there is no direct support for that from the Scripture, there is nevertheless a hint for that in [Joel, ii. 13], "And rend your heart, and not your garments."

The rabbis taught: If a sick person has a case of death in his family he must not be informed of the fact, for it may cause him distress; and no rending is done in his presence, and the women are silenced (to keep any knowledge from him); and a minor's garments are rent for the purpose of moving others to pity him; and rending is done over the parents of one's wife out of respect to the latter. R. Papa said: "We have learned in Tract Great Mourning: 'But one (mourner) may not place a babe in his lap, for it may cause him to smile and thus be disliked by others.'"

"*The funeral meal is not to be taken except on a couch standing up properly.*" The rabbis taught: "One who comes to the mourner's house, if he was intimate with the mourner, he takes the funeral meal on a lowered couch; if he were not, on a couch standing up properly." Rabha had a death in his family, and Abba bar Martha, who was also known as Abba bar Maniumi, came to console him. Rabha put up the couch, Abba bar Martha lowered it, and Rabha remarked: "How little sense this young scholar has!"

The rabbis taught: "A mourner who travels from one place to another, if it is convenient to him to lessen his attendance to his business he shall do so; if not, he shall attend at least in company with other traders."

The rabbis taught: From what time on must the couch be lowered? From the time the deceased is removed from the house. Such is the dictum of R. Elazar. R. Joshua, however, said: "From the time the top-stone is placed on the grave."

p. 43

[paragraph continues] When R. Gamaliel the Elder died, [D2](#) as soon as he was removed from the house R. Elazar told the mourners to lower the couches; when the top-stone was placed on the grave, R. Joshua told them to do so, and they answered: "We have already done so by the direction of the elder teacher."

The rabbis taught: "From what hour on may the couches be put in proper condition on Friday? From the hour of the Min'ha prayer on." Said Rabba bar Huna: "One must not, however, sit down on them until sunset, and on Saturday evening he must again lower them, although he has but one more day to mourn."

The rabbis taught: "One must lower not only his own couch, but all the couches in the house, even if they numbered ten and were placed in different places; and even if four brothers mourn over the death of a fifth brother, they all must lower their couches. If there is, however, one couch used exclusively for placing on it utensils, that one need not be lowered."

The rabbis taught: "One (a mourner) who sleeps on a stool, a large mortar, or on the floor has not fulfilled his duty." Said R. Johanan: "For he has not performed the duty of lowering the couch."

E. If one bought a garment which was rent for a death, he must not sew it together, unless he knows that the rent is such that it may be sewed together. If one sells such a garment, he is obliged to acquaint the buyer what kind of a rent it is. All garments of which their rents must not be sewed together, must not be sold to Gentiles; neither can they be turned downward and sewed together. Such is the decree of R. Simeon b. Elazar. The sages permit it. If one comes to a dying person in a rent garment, he is robbing the dead. [E1](#) It is a greater sin to rob the dead than the living, because one can always appease the latter

p. 44

and make restitution, which he cannot do to the dead. The same may be said of him who honors his parents after they are dead: it is more praiseworthy than when he honors them when they are alive, as in that case it may be said that he does so because he fears them, or because he expects to inherit from them; but when he honors them after they are dead, it is only for the sake of heaven.

The rabbis taught: One who wears in the presence of a deceased person a garment which has been rent over another deceased, is imposing on both the deceased and the living. R. Simeon b.

Gamaliel said: "One who borrows a garment of another for the purpose of visiting his sick father, and informing the borrower of the purpose for which the garment is to be used, does visit his father but finds him dead, he must rend, but may mend it and return it to the owner, paying him the difference in value caused by the rending. But if he has not informed the owner of the purpose, he may not rend.

F. If one has rent for one dead, and he be resuscitated, if he dies immediately after, this rent is sufficient; but if he live some time, one must rend again.

G. One who saves the garment which was upon the dead is robbing the dead: this is only with the garments which are with him in the coffin, but not those which are with him in bed; nevertheless, the heirs must be told not to save even the garments which were with him in the bed. [G1](#) One who adds garments to a corpse more than necessary, he transgresses the precept, "Thou shalt not destroy" [Deut. xx. 19]. [G2](#) So is the decree of R. Meir. R. Eliezer b. Zadok said: He makes the corpse homely. [G3](#) Rabban Gamaliel said: Also, they add vermin.

H. Said R. Nathan: The garments in which the corpse is buried will be renewed with him in resurrection, as it is written [Job, xxxviii. 14]: "She is changed as the sealing-clay, and (all things) stand as though newly clad."

Footnotes

[37:B1](#)

CHAPTER IX.

B. As this custom is obsolete, we cannot explain its meaning and how it was done.

[37:C1](#) C. *Gemara* from Moed Katan.

[38:C2](#) In order to understand the explanation hereof of Rashi, a thorough knowledge of the ancient cut of garments is required, which we leave to the historian.

[39:C3](#) All this is adduced from biblical passages which we deem unimportant to quote here.

[40:C4](#) C. *Gemara* from Moed Katan.

[40:C5](#) *Gemara* from Moed Katan.

[41:C6](#) C. *Gemara* from Moed Katan.

[41:C7](#) *Gemara* from Moed Katan.

[41:C8](#) The term in the text for "easy-dress" is ••••• which has several different meanings. See our "Phyl. Rit.," p. 65. Here, however, it seems to mean a gown worn in the house.

[42:D1](#) *D. Gemara* from Moed Katan.

[43:D2](#) It seems to us that it should read Gamaliel of Jamniah, as R. Gamaliel the Elder was his grandfather, and Eliezer and Joshua were colleagues of the former. Heilprin in his "Seder Hadoroth" brought Abraham Zacutta's opinion that R. Eliezer and R. Joshua were present at the death of both Gamaliel the Elder and his grandson of Jamniah without any remarks, which seems to us impossible. Moreover, if R. Eliezer and R. Joshua existed in the time of the Elder, they could have been little children only.

[43:E1](#) *E.* The Talmud elsewhere says that he robs the living and the dead, because the people who see the rent in his garments may think that he rent it then, and to impose upon the people is considered a robbery.

[44:G1](#) *G.* It seems to us from Sanhedrin, 48*a*, that the Talmud advises that all the garments which were with the dead in bed shall be used for the purpose of honoring the dead, as their custom was to pour wine before the dead.

[44:G2](#) All things which were fit for use for human beings, or for their benefit, the Talmud does not allow to destroy, without a purpose, and calls the one who does so "a transgressor" of the negative commandment cited in this passage.

[44:G3](#) It means, because when they are rotten it adds to the homeliness of the corpse.

[Next: Chapter X](#)