

Entourage [asperava] – אֶסְפְּרוּוֹא: The source of this word and its precise meaning are unknown. Some claim that it is the Persian form of the Greek *σπειρα*, *speira*, meaning the garrison of a military unit, a group of people stationed around a temple, or an organization.

HALAKHA

If one's bread was baked... and the father of the groom or the mother of the bride died – וְיָמָת... וְיָמָת: If the groom's father dies after the wedding preparations were completed, and it is a place where the prepared items cannot be sold and will be lost if the wedding is postponed, or similarly, if the bride's mother dies and it will be impossible to reproduce the preparation invested in the hair, clothing, and jewelry of the bride, the corpse is placed in a separate room, and the wedding proceeds as planned. The groom engages in intercourse with the bride to fulfill the mitzva, and this is followed by the seven-day period of rejoicing. During this period, mourning is observed in private. Therefore, the couple may not engage in conjugal relations, nor may they sleep in the same room. Afterward, the seven-day period of mourning is observed.

If, however, the bride and groom are in a place where the prepared items can be sold, and no loss will be incurred if the wedding is postponed, or if it was the groom's mother or the bride's father who died and the groom's father and the bride's mother will be able to assist in preparations for the postponed wedding (see 4a), then the deceased is buried immediately and the seven-day mourning period ensues. Afterward, the wedding takes place, followed by seven days of rejoicing (Rambam *Sefer Shofetim*, *Hilkhot Evel* 11:8; *Shulhan Arukh*, *Yoreh De'a* 342:1).

HALAKHA

ואין – And one does not withhold jewels from the bride – מוֹנְעִין תְּכֵשִׁיטִין מִן הַכֶּלֶה: A bride whose close relative dies within thirty days after the marriage ceremony need not refrain from adorning herself, even during the seven-day mourning period (see Rashi; Rambam *Sefer Shofetim*, *Hilkhot Evel* 11:8; *Shulhan Arukh* *Yoreh De'a* 342, 381:6).

אָמַר רַבָּא: דְּאִמְרֵי שׁוּר צָבָא בָּא לְעִיר. הֵיכִי דְּמִי? אִי דְּאֵתִי וְחֲלִיף – לֵיעֲבָב! לֹא צְרִיכָא, דְּאֵתִי וְקִבְעָ בְּשִׁלְשִׁי מִיָּהָא לְכְנוּס! אֶסְפְּרוּוֹא דִּידֵיהּ בְּשִׁלְשִׁי קָאָתוּ.

Rava said: Coercion refers to a case where they said: A general and his army are coming to the city on Wednesday, and the concern is that the troops will appropriate the supplies for the feast. What are the circumstances? If it is a situation where the general comes and passes through, let them postpone the wedding until the following week. Rather, it is necessary to teach the *halakha* with regard to the general only in a case where he comes and establishes himself there. The Gemara asks: In any case, let one marry on Tuesday. Why does the *baraita* permit marrying on Monday? The Gemara answers: It was necessary to move the wedding to Monday because his entourage [asperava]^l arrives on Tuesday.

וְאִיבְעִית אֵימָא: מַאי מִחֲמַת הָאוֹנָס – בְּדַתְנָא: הָרִי שְׁהֵיהּ פְּתוּ אָפוּי, וְטַבְּחוּ טְבוּחַ, וְיִינוּ מְזוּג, וְיָמָת אָבִיו שֶׁל חֲתָן אוֹ אֵמָה שֶׁל כֶּלֶה – מִכְּנִסִּין אֶת הַמֵּת לְחֹדֶר, וְאֶת הַחֲתָן וְאֶת הַכֶּלֶה לְחוּפָה.

And if you wish, say instead: What is the meaning of: Due to the coercion? It is as it is taught in a *baraita*: If one's bread was baked, and his animal slaughtered, and his wine diluted, and all preparations for the wedding feast were complete, and the father of the groom or the mother of the bride died^h before the wedding, then before burying the deceased, which would trigger the onset of mourning, one moves the corpse into a room, and the bride and groom are ushered to the wedding canopy and they are married.

Perek I

Daf 4 Amud a

וְבוֹעֵל בְּעִילַת מִצְוָה וּפּוֹרֵשׁ, וְנוֹהֵג שְׁבַעַת יָמֵי הַמְּשֻׁתָּה, וְאַחַר כֵּן נוֹהֵג שְׁבַעַת יָמֵי אֲבִילוֹת. וְכָל אוֹתָן הַיָּמִים הוּא יֹשֵׁן בֵּין הָאֲנָשִׁים וְהִיא יֹשֵׁנָה בֵּין הַנְּשִׁים. וְאִין מוֹנְעִין תְּכֵשִׁיטִין מִן הַכֶּלֶה כָּל שְׁלֹשִׁים יוֹם.

And the groom then engages in intercourse with the bride to fulfill the mitzva,ⁿ and then he withdrawsⁿ from his wife, and the corpse is buried. And the groom then observes the seven days of the wedding feast, which are a personal festival for him, when the obligation of mourning rites does not take effect, and thereafter he observes the seven days of mourning. And throughout those days of rejoicing and mourning, the groom sleeps among the men, and the bride sleeps among the women, and they are not permitted to enter into seclusion. And in the event of mourning, one does not withhold jewels from the bride^h for the entire thirty-day period after the wedding, so that she not be undesirable to her husband.

NOTES

And the groom then engages in intercourse to fulfill the mitzva – וְבוֹעֵל בְּעִילַת מִצְוָה: Until the deceased is buried, the *halakhot* of mourning are not in effect. However, between the death and the burial, there is a period of acute mourning. During that period, various leniencies are in effect to allow the mourner to tend to the burial. Some maintain that, fundamentally, none of those matters forbidden to a mourner are forbidden to an acute mourner, and therefore the Rambam writes that he may bathe, smear himself with oil, eat meat, drink wine, and engage in sexual relations. Only eating consecrated foods and performing the Temple service are prohibited. According to that opinion, it is clear why the groom would be permitted to engage in the initial intercourse to fulfill the mitzva. According to the Ramban and others, it is prohibited by rabbinic law for an acute mourner to engage in sexual relations; however, the Sages permitted the groom to do so in order to fulfill a mitzva (Meiri).

With regard to the concept that the wedding celebration overrides mourning, some explain that even on the day of death and burial, there is no explicit mitzva of mourning by

Torah law. The Sages derived this from the verse “And I will make it as the mourning for an only son, and the end thereof as a bitter day” (Amos 8:10). Similarly, the mitzva of the wedding celebration is not by Torah law, but according to Rabbi Meir HaLevi there is an allusion from the verse “On the day of his marriage and the day of the gladness of his heart” (Song of Songs 3:11). According to the Meiri, it is derived from the verse “The voice of mirth and the voice of gladness, the voice of the bridegroom and the voice of the bride” (Jeremiah 16:9). Since failure to perform the wedding would lead to financial loss, and there is concern that postponement would undermine the wedding celebration, the week of rejoicing is not postponed. The Radbaz adds that since the mourning is not completely annulled, but merely postponed, no Torah law or rabbinic law is actually being abrogated.

וְבוֹעֵל... וּפּוֹרֵשׁ – And engages in intercourse... and withdraws – Rashi explains that after intercourse the husband withdraws and the deceased is immediately buried (see *Tosafot*). Others say that were they to bury the deceased immediately, that day

would be the day of death and burial on which, according to many opinions, the mourning would be by Torah law. If so, it would be prohibited to engage in intercourse that day. Therefore, they maintain that the deceased is buried only the next day, at which point the mourning period begins. In this case, one is allowed to postpone the burial. Although postponing a burial is generally prohibited so as not to compromise the dignity of the deceased, doing so here is permitted, as it enhances the dignity of the deceased by preventing the humiliation his son would suffer by postponing his wedding (Meiri). The Ramban, however, prohibits postponing the burial, as doing so violates a Torah prohibition. Rather, once the groom consummates the marriage, the deceased is buried that same day.

ואין – And one does not withhold jewels from the bride – מוֹנְעִין תְּכֵשִׁיטִין מִן הַכֶּלֶה: Rashi explains that this refers to a bride whose mourning period was postponed due to the wedding. Most commentaries interpret it as referring to any bride in mourning.

NOTES

The mother of the bride – אַמָּה שֶׁל כְּלָה – Some explain that the reason the wedding is not postponed is that the mother of the bride is the one who undertakes the wedding preparations in general (Rambam; see Kesef Mishne and Talmidei Rabbeinu Yona). Most early commentaries, beginning with Rav Hai Gaon, explain that the mother of the bride is involved with preparing the bride's jewelry. The Ramban asks why that is considered a major loss, as most jewelry will not be ruined in the course of an additional week. He explains that the concern is with regard to items that lose value over time. Furthermore, the term used in the Gemara, takhsit, refers not only to jewelry but also to makeup and body treatments. In the mother of the bride's absence, there will be no one to see to those details.

Like Mata Mehasya – מֵתָא מַחְסֵיא – Tosafot ask why Rav Hisda establishes this in so limited a case. They explain that this is prototypical of most places that are neither small villages nor large cities. Some explain that Rav Hisda himself does not accept the distinction of Rava and Rav Pappa but holds that even in a large city there would be financial loss, since it would not be possible to sell this meat in the market, but only in private homes. Therefore, the ruling is applicable everywhere (Shita Mekubbetzet). This explains the proof cited from the baraita, which establishes a general ruling without distinguishing between different places.

The father of the groom...died, etc. – מֵת אָבִיו שֶׁל חֲתָן וְכוּ' – The early commentaries discuss the ruling in the case of the death of a relative of the bride or the groom not mentioned in the Gemara, e.g., a brother or sister.

Some authorities rule that in those cases, too, the couple engages in initial intercourse to fulfill the mitzva, after which the groom withdraws from his wife; however, the seven days of mourning precede the seven days of rejoicing (Ba'al Halakhot Gedolot). Others hold that the wedding is postponed until after the mourning period (Rosh). There are those who also make a distinction between the groom's mother and the bride's father and other relatives (see Meiri).

Intercourse to fulfill the mitzva – בְּעֵילַת מִצְוָה – See Tosafot for an explanation why this is referred to as intercourse to fulfill the mitzva. Some early commentaries write that since conjugal relations are an essential component of marriage, the seven days of rejoicing begin only after the marriage is consummated.

In any event, the groom may not engage in intercourse, neither on Shabbat evening – בֵּין כֶּן וּבֵין כֶּן לֹא יִבְעוּל לַיָּמִים – בעֲרֵב שַׁבָּת: Some explain that this halakha is cited here because if one marries a virgin on Wednesday and waits until the thirty-day mourning period ends before consummating the marriage, the thirtieth day is Friday evening.

HALAKHA

And likewise, a groom whose wife began to menstruate – וְכֵן מִי שֶׁפִּירְסָה אֶשְׁתּוֹ נִדָּה – If the bride begins to menstruate before the couple engaged in conjugal relations for the first time, the couple may not enter into seclusion together. The groom sleeps among the men and the bride sleeps among the women (Rambam Sefer Kedusha, Hilkhot Issurei Bia 22:1; Shulhan Arukh, Even HaEzer 22:1).

וְדוּקָא אָבִיו שֶׁל חֲתָן אוֹ אִמָּה שֶׁל כְּלָה, דְּלִיבָא אֵינִישׁ דְּטָרַח לְהוּ, אֲבָל אֵיפְכָא – לֹא.

אֲמַר רַבְרַבִּי בְרַ פַּפָּא אָמַר רַב חֲסֵדָא: לֹא שָׁנוּ אֶלָּא שְׁנַתֵּן מִים עַל גְּבִי בְּשָׂר. אֲבָל לֹא נִתְּן מִים עַל גְּבִי בְּשָׂר – מְזַדְּבֵן.

אָמַר רַבָּא: וּבִכְרֵךְ, אִף עַל פִּי שְׁנַתֵּן מִים עַל גְּבִי בְּשָׂר – מְזַדְּבֵן. אֲמַר רַב פַּפָּא: וּבִכְפֹּר, אִף עַל פִּי שְׁלֹא נִתְּן מִים עַל גְּבִי בְּשָׂר – לֹא מְזַדְּבֵן. וְאֶלָּא, דְּרַב חֲסֵדָא הֵיכִי מְשַׁבְּחָתָּ לָהּ? אָמַר רַב אֲשִׁי: כְּגוֹן מֵתָא מַחְסֵיא, דְּמַפְקָא מִכְרֵךְ וּמַפְקָא מִכְפֹּר.

תֵּנָא כּוּוֹתֵיהּ דְּרַב חֲסֵדָא: הֲרֵי שְׁהִיָּה פִתּוּ אֶפּוּיָה וְטַבְּחוּ טַבּוּחַ וְיִינוּ וְיִינוּ מִזֵּג, וְנִתְּן מִים עַל גְּבִי בְּשָׂר, וּמֵת אָבִיו שֶׁל חֲתָן אוֹ אִמָּה שֶׁל כְּלָה – מִכְּנִסִּין אֶת הַמֵּת לְחֹדֶר וְאֶת הַחֲתָן וְאֶת הַכְּלָה לְחֹפֶה, וּבֹעֵל בְּעֵילַת מִצְוָה וּפּוֹרֵשׁ, וְנוֹהֵג שְׁבַע יָמֵי הַמְּשֻׁתָּה, וְאַחַר כֶּן נוֹהֵג שְׁבַע יָמֵי אֲבִילוֹת. וְכֵן אוֹתָן הַיָּמִים הוּא יֹשֵׁן בֵּין הָאֲנָשִׁים וְאֶשְׁתּוֹ יֹשֵׁן בֵּין הַנְּשִׂאִים.

וְכֵן מִי שֶׁפִּירְסָה אֶשְׁתּוֹ נִדָּה – הוּא יֹשֵׁן בֵּין הָאֲנָשִׁים וְהִיא יֹשֵׁנָה בֵּין הַנְּשִׂאִים. וְאִין מוֹנְעִין תְּכַשְׁיטִין מִן הַכְּלָה כָּל שְׁלֹשִׁים יוֹם. בֵּין כֶּן וּבֵין כֶּן לֹא יִבְעוּל לַיָּמִים בְּעֵרֵב שַׁבָּת וְלֹא בְּמוֹצָאֵי שַׁבָּת.

And the wedding takes place and is followed by seven days of feasting and seven days of mourning, specifically if it is the father of the groom or the mother of the brideⁿ who died, as in that case there is no other person who would exert themselves for them. They are the ones responsible for the wedding preparations, and therefore the preparations that were completed must be utilized. However, if the opposite takes place, i.e., the mother of the groom or the father of the bride dies, no, the practice is different. The corpse is buried immediately, the seven-day mourning period is observed, and only afterward is the couple married.

Rafram bar Pappa said that Rav Hisda said: The Sages taught that they are married immediately only if one already placed water on the meat. In that case, it will be impossible to sell it to others, and if it is not cooked immediately it will spoil and a significant loss will be incurred, potentially resulting in cancellation of the wedding feast. However, if he did not place water on the meat, it can be sold. No significant loss will be incurred, so the mourning period need not be postponed.

Rava said: And in a city, where there are typically many buyers, even if he placed water on the meat it can be sold, and the mourning period need not be postponed. Rav Pappa said: And in a village, even if he did not place water on the meat, it cannot be sold, because no buyers can be found to purchase a quantity of meat that great. Based on the statements of Rava and Rav Pappa, whether or not water was placed on the meat is irrelevant both in a large city and in a village. The Gemara asks: Where do you find a case where the statement of Rav Hisda applies? Rav Ashi says: It can be found in a place like his city of Mata Mehasya,ⁿ⁸ which is removed from the category of a city, as it is too small, and removed from the category of a village, as it is too large.

The following baraita was taught in accordance with the opinion of Rav Hisda: If one's bread was baked, and his animal slaughtered, and his wine diluted, and he placed water on the meat, and the father of the groom or the mother of the bride died,ⁿ one moves the corpse into a room, and the bride and groom are ushered to the wedding canopy, and they are married. The groom then engages in intercourse with the bride to fulfill the mitzva,ⁿ and he then withdraws from his wife, and the corpse is buried. And the groom then observes the seven days of the wedding feast, and thereafter observes the seven days of mourning. And throughout those days of feast and mourning, the groom sleeps among the men, and his wife sleeps among the women, and they are not permitted to be alone together.

And likewise, a groom whose wife began to menstruateⁿ at the time of the wedding, he sleeps among the men and she sleeps among the women, until she becomes ritually pure. However, the Sages do not withhold jewels from the bride while she is in mourning for the entire thirty-day period after the wedding. In any event, the groom may not engage in intercourse with his virgin bride, neither on Shabbat evening,ⁿ as he will thereby inflict a wound, nor at the conclusion of Shabbat.

BACKGROUND

Mata Mehasya – מֵתָא מַחְסֵיא: Mata Mehasya was a city adjacent to Sura in Babylonia. In its day, Sura was a large city and even served as the capital of the Parthian Empire. Mata Mehasya was relatively small. Apparently, most of its inhabitants were Jews, and it is said to date back to the beginning of Jewish settlement in Babylonia. In the time of Rav Ashi, the yeshiva in Sura moved

to Mata Mehasya. Due to the proximity of the two cities, during the geonic period, the academy was sometimes called the Sura Yeshiva and sometimes called the Mehasya Yeshiva. Throughout all these periods, the city of Mehasya remained the same, larger than a village but never reaching the size of a large city.

דברים של צינעא נוהג – One observes matters of privacy – There is a difference of opinion among the early commentaries with regard to the meaning of: One observes. Some explain that it means that he must observe those matters. Others maintain that he may do so. However, that dispute is with regard to the intermediate days of the Festival. During the seven days of rejoicing after a wedding, whose legal status is like that of a Festival by rabbinic law, everyone agrees that it means one must observe these mourning practices.

HALAKHA

דברים של צינעא נוהג – One observes matters of privacy – If the close relative of an individual dies during a Festival, although the seven-day period of mourning does not begin until the conclusion of the Festival, private mourning practices are still observed, and sexual relations are forbidden, in accordance with the opinion of Rabbi Yoḥanan. That is the ruling of most authorities, following the ruling of *Ba'al Halakhot Gedolot* and contrary to the ruling of the Rambam (*Rambam Sefer Shofetim, Hilkhot Evel* 10:3; *Shulḥan Arukh, Yoreh De'a* 399:2).

אמר מר: הוא ישן בין האנשים והיא ישנה בין הנשים. מסייע ליה לרבי יוחנן. דאמר רבי יוחנן: אף על פי שאמרו אין אבילות במועד – אבל דברים של צינעא נוהג.

The Gemara proceeds to analyze the *baraita*. **The Master said: He sleeps among the men and she sleeps among the women.** This supports the opinion of Rabbi Yoḥanan, as Rabbi Yoḥanan said: **Although they stated that there is no mourning observed on a Festival, yet one observes matters of privacy,^{NH} i.e., mourning practices not apparent to onlookers.** Therefore, the groom and the bride may not engage in relations during the seven days of rejoicing, as the legal status of those days is like that of a Festival for them.

דרש רב יוסף בריה דרבא משמיה דרבא: לא שנו אלא שלא בעל, אבל בעל – אשתו ישנה עמו.

Rav Yosef, son of Rava, taught in the name of Rava: **They taught the halakha that if the bride began menstruating, the bride and groom may not be alone together, only if he did not engage in intercourse with her. However, if he engaged in intercourse with her, and afterward she begins menstruating, his wife sleeps with him, and there is no concern that this will lead to their engaging in forbidden relations.**

והא הכא, דבבעל עסקינן, וקתני: הוא ישן בין האנשים והיא ישנה בין הנשים! כי קאמר – אפירסה אשתו נדה.

The Gemara asks: **But here, with regard to mourning, we are dealing with a case where he already engaged in intercourse that was permitted prior to the funeral, and yet the tanna teaches: He sleeps among the men and she sleeps among the women.** The Gemara answers: **When he states the ruling that if they already engaged in intercourse she sleeps with him, it was concerning only a case where his wife began menstruating, and it is not a case of mourning.**

הא "וכן" קתני!

The Gemara asks: **But doesn't it state: And likewise,** indicating that the legal status of the mourner and the legal status of the groom whose wife is menstruating are the same?

Perek I

Daf 4 Amud b

הכי קאמר: וכן מי שפירסה אשתו נדה ולא בעל – הוא ישן בין האנשים, ואשתו ישנה בין הנשים.

This is what the tanna is saying: And likewise, with regard to a groom whose wife began to menstruate, and he had not yet engaged in intercourse with her, he sleeps among the men, and his wife sleeps among the women. However, in the case of a mourner, even if they already engaged in sexual relations, he sleeps among the men and she sleeps among the women.

למימרא דאבילות קילא ליה מנדה?

The Gemara asks: **Is that to say that the prohibition against relations during mourning is more lenient in his opinion than the prohibition against relations with a menstruating woman?^N** That is apparently the case, as after engaging in the initial intercourse, he may enter into seclusion with his menstruating wife but not with his wife when either of them is in mourning.

NOTES

Is that to say that mourning is more lenient in his opinion than a menstruating woman – למימרא דאבילות קילא ליה מנדה – The Meiri notes that the discussion here is clearly not with regard to their relative halakhic stringency, as intercourse with a menstruating woman is forbidden by Torah law and punishable by *karet*, while intercourse during the mourning period is forbidden

by rabbinic law. However, since the discussion in the Gemara relates to the measures instituted by the Sages to distance one from transgression, this depends more on the way one subjectively relates to these matters. There are major prohibitions that one takes lightly and minor prohibitions with regard to which one is especially observant (see *Shita Mekubbetzet*).

HALAKHA

נדה – A menstruating woman performs for her husband – **עושה לבעלה**: A menstruating woman may perform all the tasks that a wife normally performs for her husband, except for washing his face, hands, or feet; serving him his drink; and arranging his bed (Rambam *Sefer Kedusha, Hilkhot Issurei Bia* 11:19; *Shulhan Arukh, Yoreh De'a* 195:10–12).

באמת אמרו מוגת – It is prohibited for a mourner to engage in conjugal relations. However, if either the husband or the wife is in mourning, acts of intimacy are permitted. Therefore, the wife is permitted to serve a drink to her husband; wash his face, hands, or feet; and arrange his bed, whether it is he or she that is in mourning. This ruling is in accordance with the opinion of Rav Ashi, a later *amora*. In his opinion he does not distinguish whether it is the husband or the wife who is the mourner (Ran; *Shulhan Arukh, Yoreh De'a* 383:1).

LANGUAGE

פוקסת [pokeset] – **פוקסת**: From the Greek *φύκος*, *fukos*, meaning a red dye made of a kind of seaweed. Some claim that the origin of the Greek word is the Hebrew *pukh*, meaning eye shadow.

והאמר רבי יצחק בר חנינא אמר רב הונא: כל מלאכות שאשה עושה לבעלה, נדה עושה לבעלה, חוץ ממוזיגת הכוס והצעת המטה והרחצת פניו ידיו ורגליו. ואלו גבי אבילות תניא: אף על פי שאמרו: אין אדם רשאי לכוף את אשתו להיות בוחלת ולהיות פוקסת, באמת אמרו: מוזגת לו הכוס, ומצעת לו המטה, ומרחצת לו פניו ידיו ורגליו!

לא קשיא, כאן – באבילות דידיה, כאן – באבילות דידיה.

והא אביו של חתן או אמה של פלה קתני? כי קתני – אשארא.

The Gemara continues: **But didn't Rav Yitzhak bar Hanina say that Rav Huna said: All tasks that a woman typically performs for her husband, a menstruating woman performs for her husband,^H except for pouring his drink into the cup;^N arranging his bed; and washing his face, hands, and feet, as these actions are particularly intimate. Whereas with regard to mourning, it is taught in a *baraita*: Although they said that a man may not compel his mourning wife, to paint her eyes blue or to rouge [*pokeset*]^L her face, in truth they said that she may pour^H his drink into the cup; arrange his bed; and wash his face, hands, and feet. Apparently, the concern lest they come to engage in relations while in mourning is less pressing than the concern while she is menstruating.**

The Gemara answers: This is **not difficult**. Here, where the Sages required them to sleep apart, it is in a case of the husband's mourning; there, where the Sages allowed her to pour his drink and perform other intimate activities, it is in a case of the wife's mourning.^N The prohibition against relations when one is mourning is not perceived to be as severe as the prohibition against relations with a menstruating woman. However, when his wife is mourning, even were he unable to restrain himself, his wife would not be complicit. Therefore, the Sages did not restrict their interaction.

The Gemara asks: **But isn't it taught in that baraita: The father of the groom and the mother of the bride?** This indicates that it makes no difference which of them was in mourning. When the *tanna* teaches that there is no distinction between which of them was in mourning, it was concerning the rest of the mourning practices cited there, not with regard to prohibiting their seclusion.

NOTES

חוץ ממוזיגת הכוס – Except for pouring his drink into the cup – Following Rashi, the Ritva explains that the reference here is not to the actual pouring, but to serving the drink to her husband. Similarly, he explains that arranging the bed is prohibited only when she does so in his presence. He also cites the opinion of *Tosafot*, who explain that it is referring specifically to placing the sheets on the bed and not arranging the mattress or similar tasks. With regard to washing his face, the reference is not to actual washing, as contact is forbidden. Rather, the reference is to preparing water for him to wash himself. Common to all of these cases is a degree of intimacy unique to a man and his wife, and these actions could lead to conjugal relations.

באבילות דידיה...באבילות – His mourning...her mourning – Some cite a variant reading with the opposite meaning: His mourning is a greater deterrent to intimacy than hers. When

he is in mourning, there is no concern that he will come to commit a transgression. However, her mourning does not have the same effect upon him, and he is more likely to be tempted and to commit a transgression. There is a variant reading in the continuation of the Gemara as well. However, most commentaries subscribe to Rashi's reading and explanation of the Gemara, that stringency is necessary when he is in mourning. Although he is in mourning, there is still concern that he will not be able to control his urges. In fact, the Sages say that even during the period of acute mourning, one's temptations are powerful. However, when a woman is in mourning, she would refuse her husband even if he were to approach her, as her urges are less powerful. The Rashash adds that women are more sensitive than men and therefore mourning affects them more than it does men.

To paint her eyes blue – להיות כוחלת: The eye shadow described here is kohl, apparently a black-blue color that was derived from the mineral stibnite, Sb_2S_3 . The stibnite crystals were ground into powder and women would color the area around their eyes to draw attention to them and create the impression that they were larger. It was apparently also utilized for medicinal purposes.



Stibnite



Ancient kohl tube



Ancient kohl applicator

ומי שאני בין אבילות דידיה לאבילות דידיה? והתנא: מי שמת חמיו או חמותו אינו יכול לכופ את אשתו להיות כוחלת ולהיות פוקסת, אלא כופה מטתו ונוהג עמה אבילות. וכן היא שמת חמיה או חמותה אינה רשאיה להיות כוחלת ולהיות פוקסת, אלא כופה מטתה ונוהגת עמה אבילות!

The Gemara asks: **And do the Sages distinguish between his mourning and her mourning? But isn't it taught in a baraita: With regard to one whose father-in-law or mother-in-law died, he may not compel his wife to paint her eyes blue^b or to rouge her face.^h Rather, he overturns his bed, as was the practice among mourners, and observes the mourning period with her.ⁿ And likewise, if a wife's father-in-law or mother-in-law dies, she is not allowed to paint her eyes blue or to rouge her face. Rather, she overturns her bed and observes the mourning period with him.** There is no mention in the context of his mourning that he must not be alone with his wife.

תני באבילות דידיה: הוא ישן בין האנשים ואשתו ישנה בין הנשים. הא "וכן" קתני! כי קתני – אפיחול ואפירבוס. והא "עמו" קתני, מאי לאו עמו במטה? לא, עמו בבית. וכדאמר ליה רב לחיאי בריה: באפה – נהוג אבילותא, דלא באפה – לא תנהוג אבילותא.

The Gemara emends the *baraita*. **Teach with regard to his mourning: He sleeps among the men and his wife sleeps among the women.** The Gemara asks: **But doesn't the *tanna* teach: And likewise?** This indicates that there is no difference between the two cases. The Gemara answers: **When the *tanna* teaches that there is no distinction between which of them is mourning, it is with regard to painting and rouge.** The Gemara asks: **But doesn't the *tanna* teach: With him? What, does it not mean with him together in bed, and there is no concern that it will lead to sexual relations? No, it means with him at home, and it is as that which Rav said to Hiyya, his son, when his wife's father died: Before her, observe mourning practices;^h not before her, do not observe mourning practices.** Understood in this context, the term: With him, means in his presence.

רב אשי אמר: מי קמדמית אבילותא דהקא לאבילותא דעלמא? אבילותא דעלמא – חמיה, ולא אתי לולולי ביה. אבילות דהקא, כיון דאקילו רבנן – אתי לולולי ביה.

Rav Ashi said that the question was based on a mistaken premise: **Can you compare the mourning here with mourning in general? Mourning in general is stringent, and one will not come to take it lightly.** However, with regard to mourning here, immediately following the wedding, since the Sages were lenient, one will come to take it lightly.ⁿ

HALAKHA

He may not compel his wife to paint her eyes blue or to rouge her face – אבילותא דהקא: If a man's wife is in mourning for her father or mother, he may not compel her to apply makeup during her mourning period (Rambam *Sefer Shofetim*, *Hilkhot Evel* 2:5; *Shulhan Arukh*, *Yoreh De'a* 381:6).

באפה, נהוג אבילותא – באפה: Before her, observe mourning practices – If a man's father-in-law or mother-in-law dies, he is not obligated to observe mourning practices together with his wife, but he should observe them when he is in his wife's presence. So too, a wife is obligated to observe mourning practices in her husband's presence when he is in mourning for his father or mother, in accordance with the opinion of Rav (Rambam *Sefer Shofetim*, *Hilkhot Evel* 2:5; *Shulhan Arukh*, *Yoreh De'a* 374:6, 381:6).

NOTES

ונוהג עמה – אבילות: The Ritva cites two explanations. The first is a literal explanation: If he is actually in her presence, i.e., at home with her, he observes the mourning practices with her. The second explanation, which seems more reasonable in this context, says that he observes mourning practices in any place where she will be informed of his conduct, even if he is not actually in her presence. The Ramban rules that these mourning practices for the relative of a spouse are no longer observed. The reason for these practices is to show deference to one's spouse, not due to any obligation of mourning. The custom today is to forgo that deference.

אבילות – אבילות...one will come to take it lightly – אבילות: Some commentaries ask why this explanation wasn't already suggested earlier, seeing as it is the least

complicated of those suggested (*Shita Mekubbetzet*). They explain that the case of death before a wedding was likened to death during a Festival, where the mourning is delayed until after the Festival and there is no concern that one will take it lightly.

Based on the Gemara here, the Rosh raises the possibility that even on a Festival the bride and groom must separate for similar reasons. However, he draws a distinction between the cases. Since the Festival predated the mourning, the mourning never takes effect and there is no active postponement of the mourning, the husband and wife engaging in conjugal relations will not lead them to take mourning lightly. However, in the case of a wedding there is concern that they will take mourning lightly, as even though they did not yet marry, the period of mourning is postponed, and they are allowed to engage in conjugal relations on the first night.

NOTES

That mourning has not yet taken effect upon him – דָּלָא – חָל עָלָיו אַבְיִלוּתָא: The question is raised: Although mourning does not take effect before the burial, isn't he an acute mourner? The Rashba and the Ritva answer that there is a difference between the status of a mourner before his relative's burial and his status thereafter. Although both statuses are effected by the death of a relative, clearly the mourning that takes place before burial is more lenient.

BACKGROUND

Covering of the grave – גּוּלָּל: This covering is a large stone that was rolled to seal the opening of a grave. In the burial caves of significant families, this stone is in the shape of a large wheel, which is not susceptible to ritual impurity and could be moved in order to gain access to the cave.



Stone covering of the grave of the royal house of Herod, from the end of the Second Temple period

מאי קולא? אילימא דקתני בועל בעילת מצוה ופורש – התם משום דלא חל עליו אבילותא; אי לרבי אליעזר – עד שיצא מפתח הבית, אי לרבי יהושע – עד שיסתם הגולל!

אלא דקתני: נוהג שבעת ימי המשתה, ואחר כך נוהג שבעת ימי אבילות.

אמר מר: בין כך ובין כך לא יבעול לא בערב שבת ולא במוצאי שבת. בשלמא בערב שבת – משום חבורה, אלא במוצאי שבת אמאי לא?

What leniency did the Sages enact in this case? If we say it is that which the *tanna* teaches: The groom engages in the initial intercourse with the bride to fulfill the mitzva and then he withdraws from his wife, then there, where the corpse is placed into a room in the house, it is due to the fact that mourning has not yet taken effect upon him.^N Consequently, there is no leniency with regard to mourning practices. If it is according to the opinion of Rabbi Eliezer, mourning does not take effect until the corpse emerges from the entrance of the house for burial. If it is according to the opinion of Rabbi Yehoshua, mourning does not take effect until the covering of the grave^B is sealed.

Rather, the leniency is that which the *tanna* teaches: And the groom then observes the seven days of feast following the wedding, and thereafter he observes the seven days of mourning. Since the Sages were lenient and allowed him to observe the wedding feast, despite the fact that he is a mourner, they prohibited his being alone with his wife so he would be less likely to practice additional leniencies in his mourning.

§ The Master said in the *baraita*: In any event, the groom may not engage in intercourse with his virgin bride, neither on Shabbat evening, nor at the conclusion of Shabbat.^H Granted, on Shabbat evening he may not engage in intercourse due to the prohibition against inflicting a wound on Shabbat. However, at the conclusion of Shabbat, why may he not engage in intercourse with his virgin bride?

אמר רבי זירא: Rabbi Zeira said:

HALAKHA

In any event, the groom may not engage in intercourse with his virgin bride, neither on Shabbat evening nor at the conclusion of Shabbat – בין כך ובין כך לא יבעול לא בערב שבת ולא במוצאי שבת: According to the Rambam, a wedding may not take place on Friday or at the conclusion of Shabbat, lest one desecrate Shabbat in the course of preparing the wedding feast. This ruling is in accordance with the conclusion of the Gemara, based on the *baraita* (Ramban). Other authorities maintain that this restriction was said only in places where courts convene on Monday and Thursday (Rosh; Tur). Furthermore, they rule based

on the Gemara's conclusion that the initial intercourse with one's virgin wife is permitted on Shabbat evening, and there is no concern lest it lead to desecration of Shabbat. In fact, there were periods when the custom was to schedule weddings on Friday to benefit the poor, so that the wedding feast and the Shabbat meal would coincide (Mordechai). However, there was no widespread custom to marry on Sunday, because that is the day when gentiles marry, and it is prohibited to follow the statutes of the gentiles (Rema in a responsum; Rambam *Sefer Nashim, Hilkhot Ishut* 10:14; *Shulhan Arukh, Even HaEzer* 63:4).

Perek I
Daf 5 Amud a

NOTES

Calculations for a mitzva – חשבונות של מצוה: The source of the prohibition against speaking about mundane matters on Shabbat is the verse “And call Shabbat a delight...and you shall honor it...neither pursuing your business, nor speaking thereof” (Isaiah 58:13). However, the Gemara infers (*Shabbat* 140b): Your business is forbidden, but matters of Heaven are permitted. The question is raised: If matters of Heaven are permitted, why on Shabbat is it prohibited to consecrate an item? That is a matter of Heaven par excellence. Some early commentaries answer: Since consecration typically involves transfer of a clearly defined object into the treasury of God, so to speak, it resembles a transaction, which is prohibited on Shabbat.

משום חשבונות.

It is due to calculations performed on Shabbat to prepare for the wedding. He would thereby engage in weekday matters on Shabbat.

אמר ליה אביי: וחשבונות של מצוה מי אסירי? והא רב חסדא ורב המנונא דאמרי תרוניהו: חשבונות של מצוה מותר לחשבן בשבת! ואמר רבי אלעזר: פוסקין צדקה לעניים בשבת! ואמר רבי יעקב אמר רבי יוחנן: הולכין לבתי כנסיות ולבתי מדרשות לפקח על עסקי רבים בשבת. ואמר רבי יעקב בר אידי אמר רבי יוחנן: מפקחין פיקוח נפש בשבת.

Abaye said to him: And are calculations for a mitzva prohibited on Shabbat? But wasn't it Rav Hisda and Rav Hamnuna who both said: With regard to calculations for a mitzva,^{NH} it is permitted to reckon them on Shabbat? And Rabbi Elazar said: One may allocate charity^H to the poor on Shabbat. And Rabbi Ya'akov said that Rabbi Yoḥanan said: One goes to synagogues and study halls to supervise matters affecting the multitudes on Shabbat. And Rabbi Ya'akov bar Idi said that Rabbi Yoḥanan said: One supervises matters of saving a life on Shabbat.^H

HALAKHA

Calculations for a mitzva – חשבונות של מצוה: One may engage in calculations with regard to a mitzva on Shabbat (Rambam *Sefer Zemanim, Hilkhot Shabbat* 24:5; *Shulhan Arukh, Oraḥ Hayyim* 306:6).

One may allocate charity – פוסקין צדקה: One may allocate charity to the poor and pledge to donate money for the purpose of a mitzva on Shabbat (Rambam *Sefer Zemanim, Hilkhot Shabbat* 24:5; *Shulhan Arukh, Oraḥ Hayyim* 306:6).

One supervises matters of saving a life on Shabbat – פיקוח נפש בשבת: One may violate all Shabbat prohibitions in order to save a life, and he need not seek permission from the courts before doing so. On the contrary, anyone who takes the initiative is praiseworthy (Rambam *Sefer Zemanim, Hilkhot Shabbat* 2:16; *Shulhan Arukh, Oraḥ Hayyim* 328:13).