

שבת קודש פרשת שמות | מסכת נדרים דף יב'

INSIGHTS FROM
OUR CHABUROS

Fasting on the day of the
death of a parent

אמר הרינו שלא אוכל בשר ושלא אשתה יין כיום שמת בו אביו

The precise expression used in the Gemara does not seem to be accurate. A neder is only valid when the speaker prohibits an item upon himself, for example if he would say, "Meat or wine is prohibited to me as is a holy offering." A neder is not valid, however, when the person prohibits a particular action upon himself, for example if he would say, "Eating meat or drinking wine is prohibited upon me." Therefore, the text of the Gemara should have said, "Wine or meat is prohibited upon me..." The ד"ה ר"ן writes (ב: דאיתיי) that the Gemara did not use the correct terminology here, and it means that the person must actually say the neder formula properly, and we are therefore speaking about a case where he said, "Eating of meat or drinking of wine is prohibited upon me."

ר"ן also writes, in the name of Ramban, that even if the person expressed himself inaccurately, and he pronounced the neder using the שבועה formula, the neder is binding, at least as a form of a נדר. The person's intent to make a commitment is indicated conclusively (יד מוכיח) and this is adequate. Tosafos Ri"d notes that the person who mentions that meat should be prohibited "as the day my father died" is associating his not eating meat to a situation which does not constitute a universal restriction. The halacha is that a neder is valid when someone prohibits an item from himself by comparing it to another item which is a דורה דבר—a universally prohibited item which is restricted due to someone having declared it as such (i.e., an offering, or Aharon's challah). The day of one's parent's death only restricts the child from eating, but no one else. Why is the neder valid?

Tosafos Ri"d answers that because eating on the day of a parent's death is restricted due to a קונם, the child can later prohibit other days using התפסה. Shulchan Aruch (Y.D. 376:4) cites the Kol Bo who says that it is a custom for a child to fast on the anniversary of the death of a parent (yahrzeit). The Achronim write that our Gemara is the source for this halacha. The Rishonim give two reasons for this custom. This is a day where the fortune (מזל) of the family has shown itself to be lacking. Fasting is a vehicle to focus on atonement. Another reason is that by fasting, the child earns forgiveness for his parents. Based upon this, ש"ך writes (Y.D. 246) in the name of Maharil, that if a person observing a yahrzeit attends a Siyum, he should not eat, as this is a situation of where the person has his custom not to eat, but he finds himself among others who act leniently.

POINT TO PONDER

The ר"א ש" on the words כחלת אהרן תרומתו writes that even though it becomes אסור with his words (הפרשת חלה) it was actually אסור before as טבל and his words made the "rest" מותר. Doesn't the rest become מותר automatically and it was never אסור? Especially according to רש"י who describes טבל as קודש and חולין mixed together? His action didn't cause a change in the "rest".

Response to last week's Point to Ponder:

The גמרא says that ר"מ doesn't hold that הן אתה שומע הן and brings a proof from the conditions set with ובני ראובן. בני גד ובני ראובן. How does this prove his position? Maybe there's a specific הכתוב גזירת הכתוב which stipulates that a תנאי must be explicitly spelled out?

The מכלל לאו אתה שומע הן explains that if you hold הן אתה שומע הן, it means that we consider the statement as explicitly stating the "הן". It is therefore not an issue strictly effecting a תנאי. The other opinion may agree that we can infer the הן but its not explicit.

STORIES
OF THE DAF

The Yahrzeit

כיום שמת בו אביו

A certain woman's divorced daughter had finally found a shidduch, but the date of the wedding was set for the same day as the bride's maternal grandfather's yahrzeit. This worried the mother, so she decided to ask a local Rav about whether the coincidence of the dates was problematic.

He answered, "When learning the halachos I have never encountered this or heard that this was a problem. For now, you can assume that it is fine. If I find that it isn't, I will let you know." The Rav couldn't find any clear reference to this anywhere. It is true that there is a mitzvah for children to fast on the yahrzeit of parents, as the Rema writes in Y"D 402:12. Rabbi Akivah Eiger, zt"l, comments there that the source for this is Nedarim 12a which discusses one who said: "I will not eat meat...like the day my father died..." The Rosh explains that it is normal for one to pain himself on this day. The Chinuch Beis Yehudah explains that that mazal of that day is not auspicious for the children. Despite this, there was no indication that there were halachic grounds to postpone the wedding. It proceeded as planned.

Later, the Rav came across an anecdote that shed light on the matter. The Satmar Rav, zt"l, would give shiur in his yeshiva every evening. Since he needed to officiate at many weddings, he would come late virtually every night and end the shiur correspondingly late. As a result, many boys arrived late for first seder. When this was brought to his attention, the Satmar Rav declared that all חופות had to end by 8:00 PM so that he would arrive on time for his shiur. Not too long after this, the Rebbe was again late. He apologized and recounted the reason for his tardiness. "One of the ba'alei simcha had a yahrzeit today for his parents who were murdered in the Holocaust, and he requested that the חופה be at night. Although there is no problem to make a חופה on a yahrzeit, I didn't protest because I saw that the prospect of a חופה on the day of his yahrzeit pained him." When the Rav saw this story he was filled with joy and exclaimed, ברוך שכוונתי !

Fasting on a Yahrtzeit

שלא אוכל בשר ושלא אשתה יין כיום שמת בו אביו
וכו' אמר הריני

If one said, "I accept not to eat meat or drink wine as on the day my father died etc."

Poskim discuss the practice of fasting on the day a parent died. Some authorities point to our Gemara as the source for this custom. The Gemara relates that if a person declares, "I will not eat meat or drink wine like on the day my father or rebbi died etc." This implies that it is known that one does not eat on the day that a parent died, i.e. the yahrtzeit. Rav Akiva Eiger¹, however, rejects this proof because one would be forced to say that one should fast on the yahrtzeit of his rebbi, and there is no such custom. The Shelah HaKadosh,² in fact, maintains that it is proper for a person to show honor to his primary rebbi (רבו מובהק) by fasting on his yahrtzeit. This opinion is cited by Elya Rabbah,³ but he writes that the purpose of fasting on a yahrtzeit is not to show honor to the deceased but rather it is because on a parent's yahrtzeit one's fortune is bad (ריע מזליה) or that parent and child are considered one.

Additional reasons are given for the practice of fasting on a yahrtzeit. Some⁴ suggest that it serves as a reminder of the *אנינות* and distress that was experienced on the day the parent died. Others⁵ suggest that the fast provides atonement for the deceased. S'dei Chemed⁶ points out that even if one's parents were righteous one should fast to provide them with atonement since it is impossible for a person to live without committing some sort of transgression.

The Minchas Yitzchok⁷ cites authorities who address the practice of distributing food and drink to others on a yahrtzeit. They write that pious people saw that people were weaker and were no longer able to fast so they developed another approach, one that could be practiced by all. This practice, known as תִּיקון, involves sharing food and drink with others so that one should be able to fulfill the mitzvah of tzedaka and הכנסת אורחים at once. S'dei Chemed⁸, however, strongly opposed the practice of eating on a yahrtzeit and especially the distribution and consumption of food in the Beis Haknesses. He did, however, note that the berachos and amens that are recited do elevate the soul of the deceased.

1. חידושי רעק"א יו"ד ס' ת"ב ס' י"ס"ב
2. שלה"ק מסכת תענית עמוד העבודה
3. א"ר ס' תקס"ח ס"ק ט"ו
4. ע' תרודה"ד ס' רצ"ג
5. שו"ת מהר"י מינץ ס' ט'
6. שדי חמד מערכת אבילות אות צ"ה
7. שו"ת מנחת יצחק ח"ו ס' קל"ה
8. שדי חמד מערכת בית הכנסת אות מ'

MUSSAR FROM THE DAF

Feeling another's pain

איזהו איסור האמור בתורה? אמר: "הריני שלא אוכל בשר ושלא אשתה יין כיום שמת
רו אריו"

The Gemara brings a case in which a person declares, “I will not eat meat or drink wine, just like on the day of one’s father’s Yartzheit in which one doesn’t eat meat or drink wine.” What is the reason for the practice of refraining from eating on one’s father’s Yartzheit? Furthermore, it seems from this Gemara that the main דין is only to refrain from בשר ויין. Why specifically these foods?

The ספר חסידים discusses this מנהג and explains that one of the reasons is because “the father and son are considered as one body” (דין הוא שהאב והבן גוף אחד) and it is appropriate for the child of the נפטר to experience some measure of צער (distress) on the day of the Yartzeit. But why does the ספר חסידים emphasize that the relative of the נפטר should feel צער on the day of the Yartzeit? The בעלי מוסר explain that the purpose behind the הנהגות אבילות is for the mourner to share in the burden of the niftar. Since the deceased is undergoing intense judgment in the next world, it is fitting for the relative to feel the pain of that process through the הנהגות אבילות. This act of shared suffering helps the אבל emotionally connect to the judgment the niftar is undergoing.

The אריז"ל explains that on the day of the Yartzheit, the soul is judged. Just as an אב must "bear the burden" (נושא בעול) of the niftar, the child of the niftar also needs to bear the spiritual burden of the judgment the parent is experiencing. Eating בשר and drinking יין could prevent one from feeling this צער, as the Gemara in Pesachim 109a teaches that there is no שמחה אלא בבשר ויין. These two foods are associated with Simcha, and the חכמים did not want the mourner to experience joy on the day of the Yartzheit. Feeling another's pain is the foundation of all good מידות. When a parent is undergoing judgment above, the חכמים understand that the child must develop this fundamental trait of empathy, experiencing the intensity of the day alongside the deceased. This emotional connection to the parent's judgment is part of the son's spiritual growth.

PARSHA CONNECTION

In this week's daf the גמרא mentions "כחלת אהרן" we first read about אהרן in ויחראף ה' במשה ויאמר הלא אהרן (שמות ד' יז) The possuk says: אחיך הלוי ידעתי כי־דבר ידבר הוא וגם הנה־הוא יצא לקראתך וראך ושמו בלבו" Why does it say במשה ה' ויחר אף ה' if right afterwards it says that אהרן will help him by sending אהרן? Secondly, why the double לשון לדבר ידבר? Why didn't אהרן speak directly with אהרן? Finally in פסוק יז it says: "ואת־המטה הזה תקח בידך אשר תעשה־בו את־האתת"

Why does it say "בִּידָךְ" it's obvious that משה will take the stick with his hand? בני ישראל explains that משה רבינו had to be the one to take the stick out of מצרים which is why הקב"ה spent seven days urging him to accept the mission. When הקב"ה got angry (so to speak) he wanted to channel his anger in a way that would not hurt משה. He therefore selected אהרן and this selection was the manifestation of his anger. Besides אהרן being selected to speak with משה he was also selected to speak with בני ישראל. So even though originally משה was willing to speak with בני ישראל and asked הקב"ה what he should say to them, now it is all אהרן, which is why it says דבר ידבר one for בני ישראל and the second for משה. Since everything still had to go through משה, he was told to "take the stick in his hand" meaning everything is still in "your" hand, and don't think that if אהרן has the stick he can do anything himself. This is also why הקב"ה didn't speak to אהרן directly.

For more points to ponder by Rabbi Yechiel Grunhaus, or insights by Rabbi Yitzchok Gutterman, please visit our website, dafaweek.org, or download the app

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