

1.3.1

17b (משנה א') → 18b (המת מעיקרא)

1. וְיָקָם אֲבֵרָהֶם מֵעַל פְּנֵי מֵתוֹ וַיְדַבֵּר אֶל בְּנֵי חַת לְאָמֹר: בְּרֵאשִׁית פֶּרֶק כֵּן פֶּסוּק ג'
 2. לַעֲגֹל לָרֶשׁ חֲרָף עֲשֵׂהוּ שֶׁמַּח לְאִידֵי לֹא יִנְקָה: מִשְׁלֵי פֶרֶק יז פֶּסוּק ה'
 3. מְלִיזָה ה' חוֹנֵן דָּל וְגִמְלוֹ יִשְׁלֵם לוֹ: מִשְׁלֵי פֶרֶק יט פֶּסוּק יז
 4. עֲשֵׂק דָל חֲרָף עֲשֵׂהוּ וּמְכַבְּדוֹ חֲנֵן אֲבִיוֹן: מִשְׁלֵי פֶרֶק יד פֶּסוּק ל'
 5. כִּי חַיִּים יוֹדְעִים שְׂמִיתוֹ וְהַמְתִּים אֵינָם יוֹדְעִים מֵאוֹמָה וְאֵין עוֹד לָהֶם שֶׁכָּר כִּי נִשְׁכַּח זְכָרָם: קֵהֶלֶת פֶּרֶק ט פֶּסוּק ה'
 6. וּבְנִיָּהוּ בֵּן יְהוּדָע בֵּן אִישׁ חֵיל רַב פְּעִלִים מְקַבְּצָאֵל הוּא הִכָּה אֶת שְׁנֵי אֲרָאֵל מוֹאֵב וְהוּא יָרַד וְהִכָּה אֶת הַאֲרִיזָה הָאֲרִי בְּתוֹךְ הַבְּאֵר בְּיוֹם הַשְּׁלֵג: שְׁמוּאֵל ב פֶּרֶק כג פֶּסוּק כ'
 7. וְאִמָּה חָלַל נִשְׂעָ וְנִשְׂאָ יִשְׂרָאֵל אֲשֶׁר בָּא יוֹמוֹ בְּעֵת עוֹן קָץ: יִחְזַקְאֵל פֶּרֶק כא פֶּסוּק ל'
 8. עַל פִּי שְׁנַיִם עֲדִים אוֹ שְׁלֹשָׁה עֲדִים יוֹמֵת הַמֵּת לֹא יוֹמֵת עַל פִּי עֵד אֶחָד: דְּבָרִים פֶּרֶק יז פֶּסוּק ו'

- I exemption of עוסק במצוה specifically as regards burial of a relative:
- a If someone's מת is before him, he is exempt from ק"ש and תפילה, תפילין and all מצוות
 - b Attendants: who are carrying the bier and those who are waiting to take their place are פטורים
 - i But: those who have already carried the bier are חייב
 - ii However: all of them are exempt from תפילה
- II Definition of exemption:
- a May mean: "in front of him" and if he turns away (to eat), he is still exempt OR
 - b or: as long as he is obligated to bury him, considered "before him" as per v. 1
 - i note: he also does not eat meat or drink wine
 - ii note: on שבת, these restrictions are relaxed;
 - 1 since he is obligated to do these, he is obligated in all מצוות (not just המזון תפילה וברכת המזון) (דשב"ג)
 - (a) difference between them: whether he is חייב בתשמיש ד' יוחנן
 - c Extension: even a non-relative who is guarding the body (but only in the presence of the body) is פטור
 - i Note: even someone walking in a cemetery shouldn't display מצוות קיום (e.g. wear תפילין)
 - 1 Block: that is due to v.2 and only applies within ד"א of the מת
 - ii Addendum: a שומר is exempt; if there are 2, they take turns watching while the other says תפילה
 - 1 if he's on a boat, he may put מת in one corner and pray in the other corner
 - 2 Split the difference: whether we are concerned about rats getting to the body
 - d ברייתא: if transporting bones (reinterment), they shouldn't be put into a sack on a donkey and then ride – as this is degrading; if he was afraid of thieves etc. – permissible.
 - i And: same applies to ס"ת (obviously applies to permission in times of fear)
 - ii Addendum: if one sees a מת being buried and doesn't join the entourage, he violates v. 2
 - 1 But: if he joins in, he merits v. 3 and v. 4
- III Beginning of lengthy אגדה on knowledge in the nether worlds (vv. 5-8)
- a Story: ר' חייא ור' יונתן were walking in a cemetery, ר' תכלת was dragging on the ground; ר' חייא advised him to lift it so that the מתים won't complain that he is teasing them
 - i Discussion: whether the מתים are aware of anything – extended אגדה מדרש on v. 6