

אבל מאן דמתני לית ליה שיעורא –

However concerning one who teaches תורה, he has no limit

OVERVIEW

The גמרא qualified it by מבטלין ת"ת להוצאת המת. The גמרא qualified it by saying that if there are a sufficient amount of participants,¹ this rule does not apply. However, this exception was limited only to those who were קרי ותני but if the deceased taught others, then there are no exceptions; all must come and (even) be מבטל ת"ת. It is not clear what is the ruling concerning someone who was a תני ולא קרי.

בשאלתות דרב אחאי² כתיב³ וממילא שמעינן⁴ למאן דלא קרי ולא תני -

It is written in the שאלתות of רב אחאי that we can therefore infer that for one who did not read תנ"ך and did not study משנה –

אין מבטלין אם יש לו מתעסקין כדי קבורה⁵ -

We do not interrupt (the study of תורה) to attend his funeral if there are sufficient people engaged in the burial.

qualifies this ruling:

ונראה לרבינו יצחק דלענין מלאכה מבטלין כל בני העיר -

And the ר"י is of the opinion, that this ruling of the שאלתות is only concerning תורה; however concerning working, all the inhabitants of the city must interrupt their work להוצאת המת –

ואסור אפילו למאן דלא קרי ולא תני דלא מפליג מידי⁶ באלו מגלחין (מועד קטן דף כז,ב):

And it is forbidden to work (during the funeral) even if the deceased was one who was תני ולא קרי for in מגלחין אלו מפרק אלו מגלחין לא קרי ולא תני

¹ This is either twelve thousand or eighteen thousand people.

² רב אחאי was one of the (earlier) גאונים after the completion of the תלמוד. Many of his responsa were collected in the שאלתות דרב אחאי. It is called שאלתות because many of the responsa begin with the phrase ומה דשאלנא קדמך וכו'.

³ פ' ויחי שאלתא לד'.

⁴ The שאלתות (perhaps) maintains that just as the phrase למאן דמתני וכו' means only to the one who was תני, similarly the phrase למאן דקרי ותני means only to the one who was קרי. There is a requirement to attend until the quota is met.

⁵ The ריטב"א and other ראשונים say that if there are ten people who are מתעסק with the מת (so that קדיש can be said) it is considered קבורה כדי מתעסקים.

⁶ This גמרא was cited in the previous להוצאת ד"ה. The only distinction made there is whether איכא איברא; and even that distinction does not apply to the funeral itself.

distinguish at all in the prohibition of working whether the deceased was קרי ותני or not.

SUMMARY

According to the שאלתות we are not מבטל ת"ת להוצאת המת if the מת was לא קרי. The ר"י comments, that work is (nevertheless) prohibited. ולא תני

THINKING IT OVER

1. Do the ר"י and the שאלתות disagree?
2. Do we go to a funeral to honor the נפטר per se, or is it to honor him on account of the תורה that he learnt?