This week’s Torah Table Talk deals with the subject of grandparent-grandchild relations. I would like to explore this issue in more depth. Here are some opening comments and some questions to consider. The bigger question: Should we define a new halachah for the relations between grandchildren and their grandparents?

1. I pointed out in this week’s Torah Table Talk that Halachah has surprisingly little to say about the relationship between grandchildren and grandparents.

2. Attention is paid to the obligations children have to their parents and (to a lesser extent) the responsibilities of parents to their children. In other contexts, other issues are discussed in Halakhah
   a. Inherit law
   b. Aveilut, the laws of mourning
   c. Even the relationship between older and younger siblings

3. But virtually nothing is said about grandparents!
   a. Grandparents would fall into the category of the Mitzvah of Ifnei seiva takum, rising before the elderly
   b. But one would expect that something more would be said about the relationship between a grandparent and a grandchild

4. This is especially the case with regard to mourning, and who is considered a mourner.
   a. The definition of a mourner is based on the categories of people for whom a kohen is allowed to make himself impure (attending to their burial)
   b. These relations include
      i. Father
      ii. Mother
      iii. Siblings from the same father (including a sister who is unmarried)
      iv. Children
      v. Spouse
   c. There are other relations beyond one’s immediate relations for which one should mourn even though a kohen could not make himself impure for these people:
      i. Brothers and sisters from the same mother
      ii. A married sister from his father or his mother
   d. The sages also talk about secondary relations
      i. Grandparents
      ii. Grandchildren
      iii. Brothers and sisters of his parents
   e. We also find a general rule which would include the category of grandparents/grandchildren
      i. Whomever one’s immediate relatives mourn for, he should mourn with the immediate relatives
5. Surprisingly the Rishonim seem to ignore the questions of grandparents!
   a. We find a discussion of in-laws but no mention of grandparents
   b. Why is this?

6. One of the issues may be that these laws are not based on emotional attachment but on the laws of impurity
   a. There is no explanation for these laws, and the rabbis I would argue were reluctant to extend them
   b. So mourning wasn’t about grief but about an objectively defined criteria of relationship

7. On a societal/historical level, the reason for this absence of discussion might be that grandparents were a relatively rarity by the time children were old enough to be considered mourners
   a. So they were simply ignored
   b. And with regard to grandchildren, infant mortality was frequent enough that the sages did not make this an issue
   c. In fact no one technically is a mourner for a child who died before 30 days.
   d. The RA law committee has reconsidered this issue in recent teshuvot

8. So what should a contemporary laws of avelut look like?
   a. Should we reconsider these relations given the significant role that grandparents often play in the family?
   b. Should we create no obligations?
   c. Should this be left to the discretion of the child?

9. We should note that being a mourner for ones parents was not based on the relationship between parent and child but on independent halachic criteria
   a. This flies in the face of modern attitudes toward mourning
   b. We assume that mourning must be emotionally relevant.
   c. Halachah teaches – it doesn’t matter how you feel about the person – you have an obligation to observe the practices?
   d. How do we reconcile these two different approaches – emotional vs halachic approach to mourning practices

10. So let’s look at three texts
   a. First, what can we learn from Jacob about the relationship between grandparents and grandchildren
      i. What do you find most surprising about this passage in Parshat Vayechi?
      ii. Who is more worried about the grandchildren?

   b. Second: the Talmud
      i. Passage follows
      ii. The Talmud offers two ways of defining the relations between mourners and deceased – what are they?
      iii. What reasons do they give for grandchildren acts as mourners?
      iv. What is the basis of their position?
c. Finally look at the Aruch Hashulchan in this week’s TTT
   i. What can we learn from this passage about the relationship between grandchildren and grandparents?
   ii. Is the author of this passage comfortable with the tradition: why or why not?

Moed Katan 20b
Our Rabbis taught: For all [nearest-of-kin] mentioned in the Priest’s Section (Leviticus 21) for whom a priest is to defile himself, a mourner is to observe [formal] mourning, namely, these: For his wife, father or mother, brother or [single] sister, son or daughter. To these they added: His brother or single sister from the same mother, as well as his married sister, be it from the same mother or the same father. And just as he observes [formal] mourning for these, he likewise observes [formal] mourning for their relatives in the second degree: (for his grandfather, grandmother or grandchildren; also for brothers and sisters of parents, i.e., uncles and aunts). This is R. Akiba’s ruling.

R. Simeon b. Eleazar says: Extended, formal mourning is not observed except for one's son's child and a father's father. The Sages say by way of definition: Whomever he mourns for he should also mourn with.

Is not the Sages’ view [practically] the same as that of the former Tanna? Not [quite]; there is a practical difference between them, whether we require him to be, that is to say when he is with him in the same house, as Rab said to his son Hyya, and as R. Huna likewise said to his son Rabbah: ‘In her presence observe mourning; away from her presence do not observe mourning’.

When Mar Ukba's father-in-law's son died he thought of sitting for him seven days of mourning and continuing to thirty. R. Huna going to his house found him in formal mourning. ‘Do you desire’, said he, ‘to eat of mourners’ fare?’

They [the Sages] did not say that [one should observe formal mourning] out of deference to his wife only in the case of the death of his father-in-law or his mother-in-law, as it is taught: ‘If his father-in-law or mother-in-law died the husband may not compel his mourning wife to put on kohl or do her hair as usual, but he should overturn his [own] couch and observe [formal] mourning with her; and likewise she, when her father-in-law or mother-in-law dies, may not put on kohl or do her hair [as usual]; but she should overturn her couch and observe [formal] mourning with him’.

And another Baraita taught: ‘Although it was stated [that] he may not compel his wife to put on kohl or do her hair [as usual] it is — said they — indisputably correct that she may mix his wine for him, make his bed and wash his face, hands and feet’. Now the regulations in the two citations contradict each other. Hence infer from this that the one Baraita refers to [the death of] a father-in-law or mother-in-law, while the other to [the death of] other near of kin. This proves it.

It is also taught thus [explicitly]: ‘They did not lay down [that one should observe formal mourning] out of deference to his wife, save [at the death of] his father-in-law or his mother-in-law alone’

Ameemar lost his son's son, and he rent his garment. Thereupon his son came and he again rent his garment in his son's presence. He then recollected that he had done it while sitting; he rose and relit his garment again standing.

Said R. Ashi to Ameemar: Whence do we derive that the rending [of a garment] is [to be done] standing? From the text: Then Job rose and rent his mantle.
The Tur and the Shulchan Aruch state, ‘One is obligated to honor one’s father- and mother-in-law, for David called Saul (who was his father-in-law) Avi, “My father,” as is written in Scripture, “Please my father, take a closer look at the corner of your cloak…” (I Sam. 24:12) But I do not understand this proof text from Scripture, for did not Elisha call Elijah Avi, “Oh father, father, Israel’s chariot and horsemen!” (II Kings 2:12) If Elisha referred to Elijah this way because he was his master teacher, the same can be said about David and Saul since he was the King. Similarly, the king of Aram called Naaman Avi “my father.” (II Kings 5) … Avi is merely a term of honor; that is why Elihu referred to Job as Avi. (Job 34:36) Possibly they used the verse from Samuel as a proof-text because Saul sought to kill David and David had no reason to love or honor King Saul. If the term Av, father was not used to refer to a father in law, he certainly would not have referred to King Saul in this way. Besides the intention of the Shulchan Aruch is not that we must honor our in-laws in the same fashion that one honors a parent. Rather one must honor in-laws in the same fashion that one honors elders. When Rabbi Moses Isserles (the Rama) says that ‘we are not obligated to honor one’s father’s father,’ he simply means that we owe our parents greater honor than our grandparents. The sages write that if a person no longer has a son but has a grandson, the grandson is obligated to provide for his grandparent according to his ability. This is also true for the child of his daughter; he is obligated to accord honor to his mother’s parents. So we find in the Talmud Sota, 49a: “Rabbi Aha ben Jacob reared Rabbi Jacob, his daughter's son. When he grew up, [the grandfather] said to him, 'Give me some water to drink'. He replied: 'I am not thy son'. Commenting on this, Rashi writes that it merely means that he doesn’t have the same obligation to his grandparents that he had to his parents. In any case, he is still obligated to honor his grandparents! (Rabbi Yehiel Michel Epstein, Aruch HaShulchan, Yoreh Deah 240:40)