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NATIONAL TRAGEDIES AND INDIVIDUAL SUFFERING

**Dedicated by Rabbi Doniel Z. Kramer in memory of his parents,
Rabbi Meyer and Rose Kramer of Philadelphia PA**

הרב מאיר בן הרב חיים מנחם ז"ל ורייזל בת יהודה לייב ע"ה



ישיבת רבנו יצחק אלחנן

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MOURNING NATIONAL TRAGEDIES AND INDIVIDUAL LOSSES

The observance of the Three Weeks and Nine Days seem to evoke some of the most unique halachic quandaries throughout the year. The disruption of our generally more relaxed months of summer with the halachic expectation for one to experientially connect to the entire range of national tragedy throughout Jewish history, is one of the most challenging

halachic demands that we encounter. Understandably, many people struggle with this challenge.

The mourning practices of the *Bein Hametzarim* period, which increase in their intensity leading up to Tisha B'Av —Three Weeks, Nine Days, the week of Tisha B'Av and Tisha B'Av itself — are a mirror image of the mourning practices that define our general *aveilus* practices: *shiva*, *shloshim*,

and the 12 months, which decrease in intensity. Rav Soloveitchik would explain that the inverted framework of mourning during this time period, is a manifestation of Chazal's deep understanding of the human experience. An *aveilus chadasha*, a recent loss, follows a halachic progression to help process the loss in a manner that will ultimately facilitate that individual to reintegrate

into the normal experiences of life. By contrast, *aveilus yeshana*, the commemoration of previous losses in our history, yields no such visceral reaction, and therefore, halacha guides our emotions by incrementally increasing the intensity of our mourning observance. It is indeed so challenging to truly feel and experience the pain of our people's loss from centuries ago, and certainly in antiquity.

One of the Kinnos we recite on Tisha B'Av (number 23) depicts the tragic story of the son and daughter of Rabbi Yishmael who were sold into slavery only to discover that their relative masters intended to marry them to each other. Horrified by the prospect of such a profound violation, they each isolated themselves in a corner of a dark room and fervently prayed, only to discover their intended fate the following morning and die of shock in the face of such a terrible reality. Rav Soloveitchik explained that the liturgy of Kinnos, which is predominantly focused on the vast losses of communities, includes this story to accentuate the importance of relating to each individual in the face of national churban. Tragedies of immense magnitude are sometimes internalized in a more abstract manner as it is nearly impossible to emotionally process the loss of each individual. Yet Yahadus asks of us to not only confront the tragedies of our people as broader experiences in the context of our history, but to take

a moment and truly appreciate the profound loss that must have come to each and every family, upon the loss of their loved one.

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In this Tisha B'Av issue of *The Benjamin and Rose Berger Torah To Go*®, we explore the wisdom of Torah as it relates to supporting those who have experienced loss. We have all found ourselves at a hospital visit or shiva house observing well-meaning individuals who make inappropriate

and unsupportive comments to those who are struggling. The mitzvah of *nichum aveilim* places the entire community in the homes of those who have experienced the loss of their loved ones, but our behavior and attitude within those homes, will ultimately determine if the mourner can emerge from the experience edified with hope, or even further pained by the magnitude of their loss. Tisha B'Av teaches us not to abstract the loss of others and engage them with formal acts of ritual, but rather, to truly internalize their pain and provide the love and support that they so desperately need.

Concluding a shiva visit, we recite the following phrase:

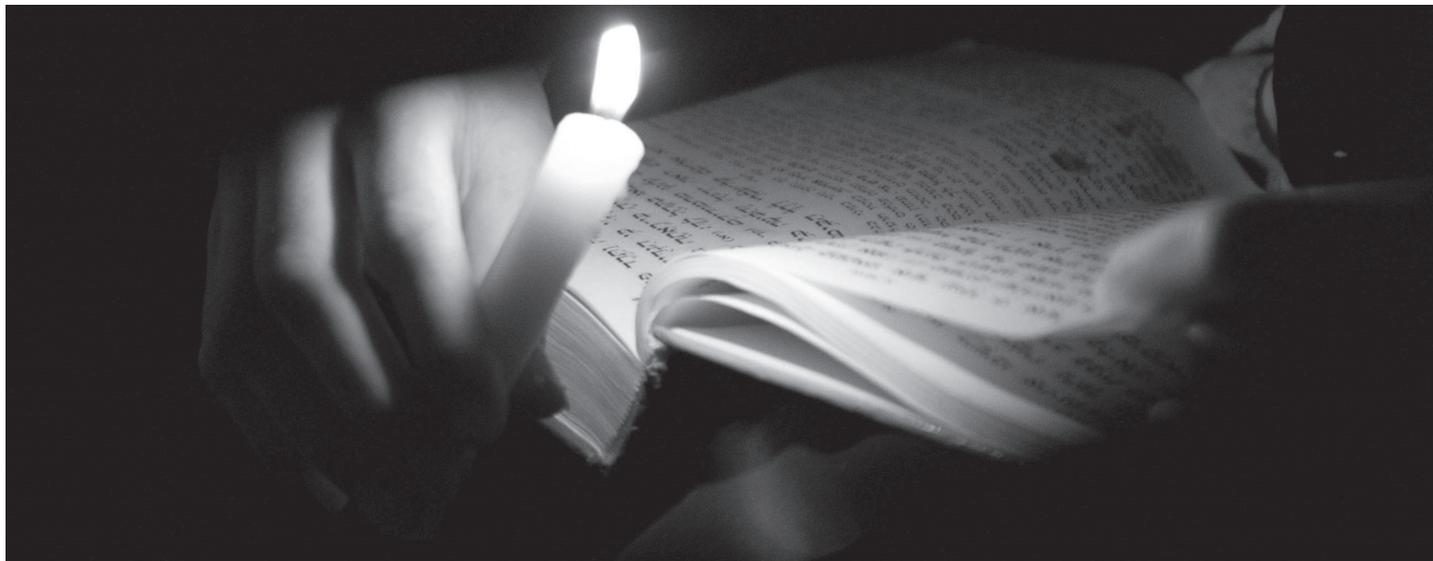
המקום ינחם אתכם בתוך שאר אבלי ציון
וירושלים.

May the Omnipresent comfort you among the mourner of Zion and Jerusalem.

By referencing those who mourn the destruction of Jerusalem and the two Holy Temples, this declaration acknowledges that while our national losses encompass the demise of individuals, every individual loss also impacts the broader national story of the Jewish people as we yearn for our redemption.



Find more shiurim and articles from Rabbi Yaakov Glasser at <https://www.yutorah.org/rabbi-yaakov-glasser>



A CLOSER LOOK AT THE KINOS: CONTEXT AND SEQUENCE

The recitation of Kinos on Tisha B'Av has a long history.¹ *Maseches Sofrim* (18:3) records the minhag to read Eicha on Tisha B'Av night along with selected perakim in Yirmiyahu and Tehilim. During the Geonic period, Selichos were recited within Chazaras HaShatz like on other fasts.² With the emergence of *piyut* as an integral part of davening, Kinos became part of the *sefer hayom* of Tisha B'Av. Many of the Kinos compositions were expansions of the *piyutim* recited within Chazaras HaShatz.³ Accordingly, only the chazan would recite the Kinos and others would listen. It was the chazan's responsibility to understand the

meaning of the Kinos. As the number of Kinos increased, their recitation was moved from Chazaras HaShatz to after kerias HaTorah. Within Ashkenazic Jewry, there were different traditions regarding the recitation of Kinos by the entire congregation. In Western Europe, the Kinos of R. Elazar HaKalir were recited by one designated individual and the other Kinos were recited by everyone present. In Eastern Europe, all of the Kinos were recited in unison.

In recent decades, we have witnessed a renewed interest in studying the Kinos. However, doing so poses a unique challenge. The Kinos

compositions are riddled with obscure language and contain numerous allusions to a wide range of pesukim and *ma'amarei Chazal*. Moreover, the paytan often employs a play on words or invents new linguistic genres. To attempt to plumb the meaning of Kinos requires some familiarity with these unique word forms, as well as the sources they derive from. Our ability to understand the Kinos has been greatly enhanced by the publication of annotated editions in both Hebrew and English.⁴ In addition, Rav Soloveitchik's annual exposition of the Kinos in Brookline, MA, have been published in various forums⁵ and have added immeasurably

to a deeper appreciation of Kinos and their underlying themes. Indeed, many shuls now follow Rav Soloveitchik's lead and have introduced an explanatory Kinos, in which the dirges are not merely recited, but are explained by the rabbi or some other knowledgeable individual who studied them in advance.

Almost half of the Kinos that appear in the collection of Ashkenazic Jewry were composed by R. Elazar HaKalir. While Hakalir's precise identity, as well as the historical period in which he flourished, are a matter of considerable controversy,⁶ there is no doubt that he was held in extremely high esteem. HaKalir's compositions are complex, and saturated with layers upon layers of meaning. Each word of HaKalir is "golden," laden with symbolism. His contributions to *piyut* have transformed our liturgy⁷ and his Kinos have been recited by Ashkenazic Jewry for centuries.

Literary Bridges between the Kinos

This essay will explore the literary transitions between the Kinos composed by R. Elazar HaKalir. As we shall see, an analysis of these literary bridges will yield fascinating insights that would largely go unnoticed in a superficial perusal of the Tisha B'Av Kinos.

The standard Kinos collection contains 19 Kinos for Tisha B'Av day that were authored by HaKalir.⁸ The first 15 appear in succession — beginning with "*Shavas*" (#6 in most editions of Kinos) through *Hatei* (#20). The next composition of HaKalir appears four Kinos later (#24) — "*Tisaser le'aleim*" — then a

gap of one Kinah (#25), followed by three additional HaKalir Kinos (#26, #27, #28).

If we look closely at the opening and closing words of these Kinos it is apparent that HaKalir intended his individual compositions to be part of a series. That is not to say that all 19 (he may have composed more) form part of one long series. Rather, they were likely written as a few "mini-series." [Prof. Daniel Goldschmidt suggests that in the past, the chazan would choose which mini-series to say.]

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The standard Kinos collections do not present all 19 compositions together. It is unclear why the last four of HaKalir's Kinos appear separately from the first 15. What is even more peculiar, however, is that the sequence in which these Kinos appear in our editions clearly do not conform to HaKalir's intended mini-series. Once we examine the literary bridges between each of these Kinos, this point will emerge into sharper focus.

Bridging Kinos 6 through 9

The first of the HaKalir Kinos recited on Tisha B'Av day (#6 in most editions; #7 in the Goldschmidt edition) begins with the word *Shavas*. This Kinah was intended to be a sequel to a Kinah that does not appear in our standard texts. We can discern this from the fact that the Kinah is based on the alphabetical structure of Eicha. Each stanza contains the words from Eicha represented by a specific letter of the aleph beis. The first stanza of this Kinah uses the letter *samech* and continues to the end of the aleph beis. The first 14 letters of the aleph beis are missing because they are part of a previous Kinah.⁹

The Kinah of *Shavas* closes with the words זכור ה' מה היה לנו — remember Hashem what has happened to us (taken from Eicha 5:1). This is clearly a bridge to the next Kinah, "*Eicha Atzta*" (#7), which employs זכור ה' מה היה לנו as its refrain. *Eicha Atzta* ends with אודה עד חוג שמים — I would soar to the circle of heaven,¹⁰ which also serves as the opening words of the subsequent Kinah (#8). The same applies to the closing words of Kinah #8 — איכה תפארתי מראשתי השליכו — How did they throw My glory from My head — which appear as the opening words of the next Kinah (#9). Thus far, we have identified a string of Kinos that are consistent with the standard edition.

Bridging Kinah 9 to Kinah 15: Linking to the Tochecha in Bechukosai

Next we encounter something interesting. In the printed editions of the Kinos, Kinah #9 closes with words איכה ישבה חבצלת השרון — How does the Rose of Sharon¹¹ sit [alone] — an

apparent transition to the opening of Kina #10. However, this was not the original closing phrase of Kinah #9. Rather, this Kinah, as originally composed, ended with לכן קוננתי כקבר איכה — I therefore lament, how is it that his refuse box is open like a grave. This is a clear transition to Kinah #15, which opens with the words איכה אשפתו פתוח כקבר. Apparently, this Kinah was intended to be followed not by the printed Kinah #10 but by what in our editions is #15!¹²

A closer look at Kinah #9 reveals why: Each stanza concludes with a pasuk from the *tochacha* in *Parashas Bechukosai*. It begins with the blessings preceding the *tochacha* (the first 11), continuing with the *klalos* (curses) (next 11), and the Kinah ends with “*vehalacti af ani*” (Vayikra 26:24) — I too shall walk [against you]¹³. Kinah #15 also contains a reference to the *tochacha* in each stanza and picks up precisely where Kinah #9 left off: from “*veheveisi alaichem cherev*” (26:25) — I will bring upon you a sword. Kinah #15 concludes with: “*Hashiveinu vehoreinu eileh hachukim*” — restore us and teach us these laws — based on the pasuk following the *tochacha*.¹⁴ The optimistic tone in which this Kinah concludes indicates that it is intended to close the series (6, 7, 8, 9, 15)¹⁵.

If so, we are left without a true bridge to #10— איכה ישבה חבצלת, השרון, a Kinah that deals with the 24 mishmaros of the kohanim. It is not clear which Kinah, if any, are part of its series.¹⁶ The Kinah concludes with the words ומשלחנך תאריח שולי חמת אריח — and offer hospitality to the mishmar from “*chamas ari'ach*” — which does not seem to provide a literary bridge to a subsequent Kinah.¹⁷ Moreover,

the fact that this Kinah concludes on a semi-hopeful note suggests that it either closes a series or is a stand-alone Kinah.

Bridging Kinahs 11-12-14-13-16

Let us continue to the next series by exploring the concluding words of Kinah #11, which is introduced with the words ויקונן ירמיהו על יאשיהו — Yirmiyahu eulogized Yoshiyahu (#11).¹⁸ The Kinah closes with the words ונטש אהלי — my tent was abandoned. This phrase serves as a literary bridge to the next Kinah אהלי אשר — My tent that you craved (#12). Kinah #12 concludes with the words ועד עתה איכה יעיב באפו — and until now, how has He clouded me in His anger. The phrase איכה יעיב באפו is a reference to the opening words of the second perek of Eicha. Its placement at the end of Kinah #12 suggests that it is a bridge to another Kinah, but which one? It doesn't seem to connect to the Kinah that follows in the standard version, “*Ei koh*” — where is the [merit of] “*koh*” [that was promised to Avraham] (#13). Furthermore, the next Kinah, איכה אשר — Alas! That it has already been done (#14), concludes with the words רגנו להמיר לשון איכה — they protested that they were made to exchange the language of *eicha* with *ei koh*. Clearly, the two Kinahs were printed in inverted sequence — #14 leads into #13. However, if that is the case, what precedes #14 and what follows #13? We can resolve the second question by noting that #13 ends with עד מתי אלקים יחרף צר — for how long, O God, will the **oppressor** blaspheme? This seems to be a literary bridge to the Kinah זכור אשר עשה צר לפנינו — remember what the **oppressor** (Titus) did in the inner

sanctum (#16). Hence, we can discern a sequence of #14, #13, #16, but we have yet to decipher the whole series. What precedes #14 and what follows #16?

We have already seen that #11 and #12 follow in sequence. Is it possible that they precede #14? At first glance, there is no connection between Kinah #12 which ends with איכה יעיב באפו and Kinah #14 which opens with איכה את אשר כבר עשהו. Upon closer examination, however, we discover something interesting. Kinah #14 consists of highly complex groupings of three stanzas, with the first two of those stanzas containing references to words in the second chapter of Eicha.¹⁹ As noted, Kinah #12 ends with the words איכה יעיב באפו, the opening words of this same chapter. Hence, it is clear that Kinah #12 contains a bridge to Kinah #14.²⁰ We have thus managed to identify a larger sequence of: 11, 12, 14, 13, 16.²¹ It remains unclear if this comprises the entire series or whether there are additional Kinahs in the series. After all, Kinah #16 does not conclude on a comforting note. Rather, it ends with ובת קול נשמעה עורה למה תישן — a heavenly voice is heard, saying “wake up, why are you sleeping?” Is this phrase intended as a bridge to another Kinah or is it the end of the series? This remains unclear.

Bridging Kinahs 18-19-20

The next Kinah in the standard editions is אם תאכלנה נשים פרין — If women eat their offspring (#17). The opening of this Kinah has no obvious connection to other Kinahs.

The subsequent Kinah, “*V'Atah amarta*” — And You said (#18), contains the phrase לך ה' הצדקה —

For You, Hashem is righteousness, in its final stanza, a clear bridge to the following Kinah (#19) titled לך ד' הצדקה. Similarly, #19 ends הטה אלקי אונך ושמע — My God, turn Your ears and listen, and the next Kinah (#20) is titled הטה אלקי אונך. Kinah #20 ends with והאר פניך על מקדשך השמים — shine Your countenance on Your desolate Temple, which are words of comfort, implying that this is the end

of the series. Thus, we have a series of 18, 19, and 20, though it is unclear if this is a complete series or if there are Kinahs that precede #18.

Pairing Kinah 17 with 28; 10 with 24; Bridging 27 to 26

There are four Kalir Kinahs that we have not yet explored (24, 26, 27, 28), and two others (10, 17) that we

have yet to pair with others. Working backward, “*Eich Enachem*” — how can I be comforted (#28) contains the refrain “*eich enachem*” for each line, with the exception of the closing line, “*ve'az enachem*” — then I will be comforted. The positive ending has the hallmark of a closing Kinah of a series. Indeed, it is the last Kinah that we recite of the Kalir Kinahs. However, it is unclear what, if any,

Illustrative Summary

The following chart lists the nineteen Kinahs of R. Elazar HaKalir recited on Tisha B'Av day along with their relevant literary bridges. The second from right column highlights the opening phrase or refrain of the Kinah that suggest a literary connection to a previous Kinah; the extreme right column highlights the Kinah's closing phrases that often serve as literary bridges to a subsequent Kinah. The three left columns indicate the name and number of each Kinah and which Kinah it is definitely or possibly a sequel to.

#	Title	Sequel To	Opener/Refrain	Closing Phrase
6	שבת	Kinah that isn't recited	שבת סורו מני	זכור ה' מה היה לנו
7	איכה אצת	#6	זכור ה' מה היה לנו	אאדה עד חוג שמים
8	אאדה	#7	אאדה עד חוג שמים	איכה תפארתי מראשותי השליכו
9	איכה תפארתי	#8	איכה תפארתי מראשותי השליכו	איכה ישבה חבצלת השרון Original ending: לכן קוננתי איכה: אשפתו פתוח כקבר
10	איכה ישבה	#24 (Possible Pair)	איכה ישבה חבצלת השרון	ומשולחנך תאריח שולי חמת אריח
11	ויקונן ירמיהו		ויקונן ירמיהו על יאשיהו	ונטש אהלי
12	אהלי	#11	אהלי אשר תאבת	ועד עתה איכה יעיב באפו
13	אי כה	#14	אי כה	עד מתי אלקים יחרף צר
14	איכה את אשר כבר עשהו	#12	איכה את אשר כבר עשהו	רגנו להמיר לשון איכה בלשון אי כה
15	איכה אשפתו	#9	איכה אשפתו פתוח כקבר	השיבנו והורנו אלה החקים
16	זכור את אשר עשה צר בפנים	#13	זכור את אשר עשה צר בפנים	ובת קול נשמעה עורה למה תישן
17	אם תאכלנה	#28 (Possible Pair)	אם תאכלנו נשים פרין	ואם יהרג במקדש ה' כהן ונביא לא משמיעים
18	ואתה אמרת		ואתה אמרת	לך ה' הצדקה
19	לך ה' הצדקה	#18	לך ה' הצדקה	הטה אלקי אונך ושמע
20	הטה אלקי אונך	#19	הטה אלקי אונך	והאר פניך על מקדשך השמים
24	תסתר לאלם	#10 (Possible Pair)	תסתר לאלם	ואת נחלתי נטשתי
26	אז בהלוך ירמיהו	#27	אז בהלוך ירמיהו	הנני משובב גלות בניכם
27	אז במלאת ספק		אז במלאת ספק	תרחם ציון כי בא מועד
28	Closing Kinah: איך תנחמוני	#17 (Possible Pair)	איך אנחם	ואז אנחם

Kinah precedes this. “Az B’melos sefek” — then when the measure was filled (#27) doesn’t seem to provide a bridge to #28.

We may tentatively conjecture that #17 (אם תאכלנה נשים פרין) should be paired with Kinah #28, in that both contain a pithy refrain of despair “alelai li” — woe unto me and “eich enachem.” In addition, both reference the slaughter of tens of thousands to avenge the *dam navi* — the blood of the slaughtered prophet.

Kinah #24 — תסתר לאלם תרשישים מרון — You hid yourself in order to silence the celestial angles from singing — does not indicate an overt connection to the other Kinos that appear beside it in our printed editions. It does, however, bear a fascinating literary and thematic connection to Kinah #10 — איכה ישבה חבצלת השרון — How does the Rose of Sharon sit [alone] (#10). The literary connection is in the same rhyme scheme. In Kinah #10, the last words of the respective lines of the first stanza are: השרון, מרון, אהרון, מרון. In the first stanza of Kinah #24,²² the rhyming words are strikingly similar: ארון, חרון, מרון. Furthermore, these two compositions are also thematically related in that Kinah #10 discusses the *mishmaros kehunah* — the families of Kohanim that served in the Beis HaMikdash, while Kinah #24 discusses the lost vessels of the Beis HaMikdash.²³

The two remaining Kinos are “Az Bahaloch Yirmiyahu” — Then when Yirmiyahu went (#26) and “Az

B’melos sefek” (#27). Both Kinos close with words of comfort. They also both open with the word “az.” Thematically, they are interrelated. They tell a single story, but in reverse order. Kinah #27 belongs before Kinah #26. Kinah #27 references a conversation between Yirmiyahu and a disheveled woman (symbolizing *Knesses Yisrael*). She directs him to call on the Avos to cry out on behalf of their exiled children. Kinah #26 opens with Yirmiyahu visiting the graves of the Avos and imploring them to pray for the Jewish people.²⁴

Conclusion

We have identified clear patterns in the sequence of Hakalir Kinos, and conjectured upon others (see accompanying chart above), although we have not assembled all the pieces of the puzzle. The awareness of the inter-relationships between these Kinos may be a useful guide for those who do not recite the entire collection of Kinos. Rather than selecting in an arbitrary fashion, I would recommend reciting Kinos that form part of the same series. Even those who do recite all the printed Kinos may wish to consider altering the order of their recitation so as to more accurately adhere to their original sequence. Hopefully, the issues discussed in this essay will become irrelevant in the very near future.

Endnotes

1. Much of this background material can be found in the introductory section of Prof. Daniel Goldschmidt’s edition of Kinos, as well as in the introduction to *Kinos Hameforash* (ed. R. Yaakov Weingarten).
2. Over time, on fast days, Selichos were removed from Chazaras HaShatz and recited afterward. On Tisha B’Av, Selichos were removed completely and replaced by Kinos. The *aveilus* motif overshadowed the *taanis* motif.
3. For many of our holidays, there is an expanded version of Chazaras HaShatz that includes piyutim. On Rosh HaShanah and Yom Kippur, these piyutim are recited almost universally. However, on other holidays, the practice is less common. Some communities still recite *yotzros* in Chazaras HaShatz of the four parshiyos and some recite a *krovetz* in Chazaras HaShatz for Purim. Piyutim exist for Chazaras HaShatz of the other holidays, but are not commonly recited. The original Kinos were designed to be inserted into Chazaras HaShatz following a similar pattern.
4. In Hebrew, these include: *Seder HaKinos Le’Tisha B’Av* of Prof. Daniel Goldschmidt, *Kinos Hameforash*, (Weingarten) and *Kinos Tisha B’Av Im Peirush Kadmon* (Holzer). In English, there are the editions produced by R. Abraham Rosenfeld, Artscroll, and Koren.
5. Rabbi Dr. Jacob J. Schacter’s *The Lord is Righteous in All of His Ways*. See also *Harerei Kedem*, Vol. 2 pp. 306-311. Many of Rabbi Soloveitchik’s insights have also been incorporated in the Koren edition.
6. According to many Rishonim, R. Elazar HaKalir was a Tanna. Tosafos (*Chagigah* 13a, s.v. *V’raglei*) and the Rosh (*Berachos* chapter 5 #21) assume that he was R. Elazar, the son of R. Shimon bar Yochai. [See, however, *Mor U’ketziah* (OC 112) who quotes the Arizal as attesting that HaKalir contained the “spark of the soul” (*nitzotz nishmas*) of R. Elazar b. Shimon. See also the Chida’s *Machzik Bracha*, *ibid.*] According to the Rashba (*Teshuvos*



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Harashba 1:469), he was R. Elazar ben Arach. Others consider the possibility that HaKalir was R. Elazar b. Yaakov or R. Eliezer b. Hurkinus (*Tzemach Dovid*, 4:833). On the other hand, R. Yosef Steinhart (*Zichron Yosef, Orach Chaim*, no. 13), speculates based on the language of some of HaKalir's piyyutim, that he lived in the Geonic period. This view was also held by R. Wolf Heidenheim and R. Shlomo Yehuda Rappaport (Shir). [See, however, a critique of this opinion in *Noda Bi'Yehuda (Orach Chaim 2, #113*. See also lengthy discussion in *Shu"t Teshuva Me'ahava* by R. Elazar Fleckeles (*Orach Chaim 1:1*)]. Most contemporary scholars place HaKalir in the Byzantine period.

7. For an eloquent rebuttal of Ibn Ezra's critique of HaKalir's obscure literary style and a fascinating analysis of the genre of piyut as a whole, see Maharal's *Nesivos Olam, Nesiv Ha'Avoda*, perek 12.

8. *Kinos HaMeforash* (introduction P. 25) states that 20 of the Kinos were authored by HaKalir. This calculation is apparently based on his erroneously attributing the anonymous Kinah # 25 (*Aish tukad bekirbi*) to HaKalir (see p. 255, *ibid*).

9. This Kinah, which, according to Goldschmidt, begins with the words *Zechor Eicha*, appears in the appendix of the Goldschmidt edition (p. 147).

10. *A'adeh* can either mean soar (from דאה) or break (from איד).

11. *Chavatzeles hasharon* is a reference to the Jewish people based on Shir Hashairim 2:1.

12. As noted by Prof. Goldschmidt, once the original sequence was lost, the closing line of Kinah #9 was altered in order to create an "artificial" link to the Kinah that followed.

13. The bracketed words are taken from the Artscroll translation, given that the phrase "I too shall walk" originally appears in a negative context (as indicated by the subsequent words "ba'chamas ker"). However, it is possible that HaKalir took poetic license with these words and intended to allude to the mystical notion of "Shechinta begalusa" — that Hashem Himself went into exile along with the Jewish people.

14. The pasuk immediately following the tochacha (26:46) begins with the words *eileh hachukim*.

15. Indeed, in the Breuer's community, these five Kinos are read in succession.

16. See later, where we offer a conjecture that this Kinah be paired with Kinah #24.

17. The words "Vayekonein Yirmiyahu" that appear at the end of this Kinah in some printed editions is a misprint. It was inserted as an introduction to the next Kinah, which bemoans the tragic death of King Yoshiyahu, but bears no relevance to the Kinah at hand and therefore cannot serve as a literary bridge.

18. For an analysis of this Kinah, see my article in a previous issue of *Torah To Go*, Tisha B'Av 5776.

19. The third stanza in each set contains an embedded code for the name of the author, אלעזר בירבי קליר.

20. In the *Peirush Kadmon*, the stanza that serves as the last paragraph of Kinah #12 in our versions appears as an introduction to Kinah #14. This is further evidence that Kinah #12 was intended to be read together with Kinah #14. This stanza follows the poetic structure of Kinah #12 (with a play on the word פה) and weaves in the words איכה יעיב into that structure in order to connect it to Kinah #14.

21. This order also is followed by the Breuer's kehila.

22. The first printed stanza of Kinah #24, "Al Churban," is a preamble. It does not fit the style of the rest of the Kinah and it does not seem to be part of HaKalir's original Kinah. The actual first stanza begins "Tisaser."

23. Inasmuch as Kinah #10 ends on a semi-positive note and Kinah #24 does not, we would have to assume, if our conjecture is correct, that Kinah #24 should precede Kinah #10. However, there is no discernable literary bridge between the two, so our suggestion remains speculative.

24. It is interesting to note that the Kinah is based on the story found in *Eicha Rabbah, Pesicha* no. 24, with one major difference. In the midrash, Rochel is deemed most fit to pray on behalf of Klal Yisrael. In the Kinah, it is both Leah and Rochel together with Bilha and Zilpa who cry for the Jewish people and elicit Hashem's assurances regarding our ultimate return to Eretz Yisrael.

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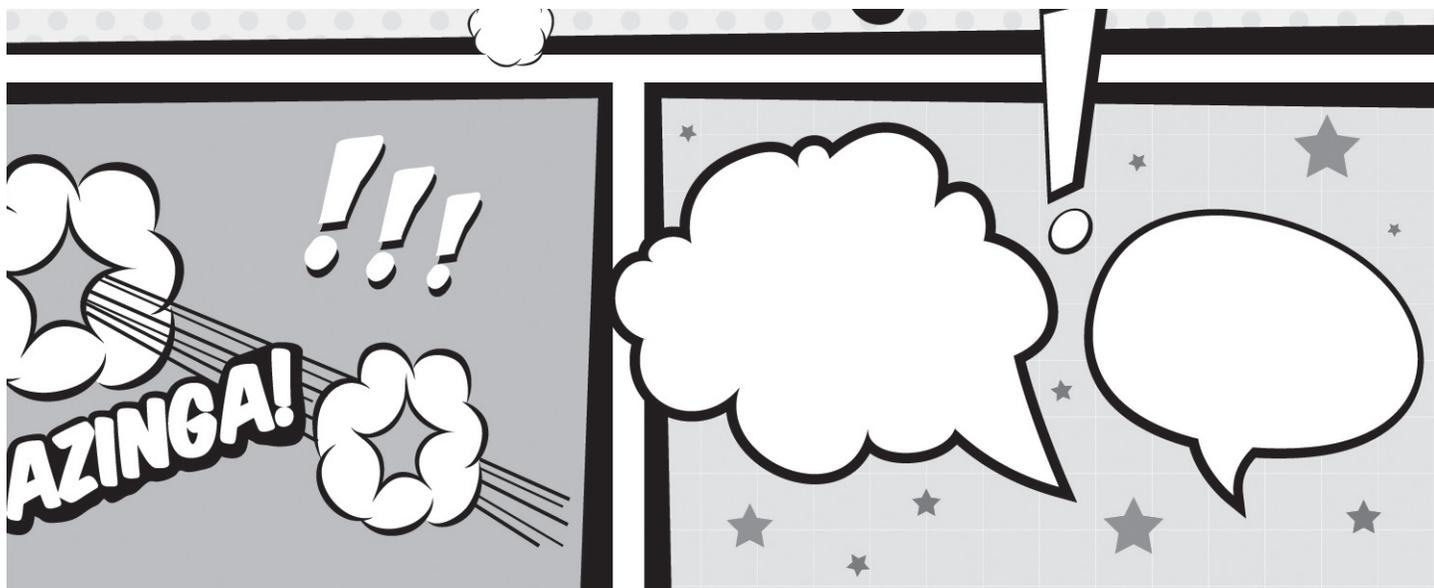
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SINAT CHINAM: WHERE DOES IT COME FROM, AND HOW DO WE FIX IT?

Chazal identify a number of causes for the destruction of the Beit HaMikdash (the Temple). The causes include the following:

- We violated the three cardinal sins: murder, idolatrous practices, and acts of sexual promiscuity (*Yoma* 9b).
- We were not sufficiently careful to honor the great among us (*Shabbat* 119b).
- We did not act *lifnim mishurat hadin* — above and beyond the law — and instead were satisfied with a minimalistic fulfillment of the basic “letter of the law” requirements (*Bava Metziah* 30b).

- We did not recite a blessing prior to learning Torah, which some associate with an insufficient appreciation of the wonderful gift of Torah (*Nedarim* 81a).

In addition to the above enumerated causes, perhaps the most famous is the Talmud’s statement in *Yoma* (9b) that the Second Temple was destroyed because of baseless hatred, *sinat chinam*. According to some,¹ baseless hatred is even the driving force behind some of the other Talmudic explanations for Churban HaBayit; were it not for baseless hatred, we would have been better at honoring others and would have been more successful at developing a positive

relationship with Torah.

The Talmud Yerushalmi, *Yoma* 1:1, powerfully states that any generation in which the Beit HaMikdash is not rebuilt is held accountable for Churban HaBayit, for had that generation been worthy enough to be spared Churban HaBayit, they would also be sufficiently worthy to merit its rebuilding during their own later era. This suggests that the lessons that emerge from the religious and moral deficiencies of the generation of Churban HaBayit have important implications for us as well.

The purpose of this article is to better understand the source of *sinat chinam*. What generates baseless hatred?

Indeed, the term itself requires further elucidation. People don't generally hate others for no reason at all, and, on the contrary, people usually offer explanations for why they feel slighted or offended. What, exactly, constitutes *sinat chinam*? In exploring these questions, we will strive both to gain a better understanding of the root cause of the Beit HaMikdash's destruction, and to empower ourselves to work toward rectifying the problem.

Approach #1: Rav Hirsch — Loving and Hating those who are Different

Rav Shimshon Rafael Hirsch addresses love and hatred in several places in his commentary on the Torah. Within his view, a clear perspective emerges in which love and hatred primarily relate to our capacity to handle and interact with "the other."

R' Hirsch comments on the pasuk in Parshat Vayerah (Breishit 22:2):²

אשר אהבת. "אהב" - "הב" בהקדמת אל"ף המתיחסת אל האישיות הפעילה, היינו: להתמסר לזולת, וגם לשאוף לקרב את הזולת אליו ביותר; היינו: לשאוף להגיע לכלל התחברות הדוקה ביותר עם הזולת. היפוכו של "אהב": "שנא", קרוב ל"סנה", היינו בעיקרו: היות קוץ, לדחות את הזולת מעצמו, להרחיק אותו מעצמו עד כמה שאפשר. ל"אהבה" דרוש קיומו של הזולת, ל"שנאה" - ריחוקו עד כלה:

"Whom you love." The word "אהב" is the word "הב" (to give) with an "א" preceding it, which symbolizes the individual self. This means that we devote ourselves to another and also attempt to draw the other closer, seeking to create a strong bond with the other. The opposite of "אהב" is "שנא" which is similar to the word "סנה" (shrub), because at its core it is a thorn that pushes away another to

distance him as much as possible. For love requires a presence with another and hate requires absolute distance.

R' Hirsch notes that the word "אהב" is comprised of the letter "א" signifying the individual self, adjacent to the word "הב" which refers to an act of giving to another. R' Hirsch explains that love is the process of devoting myself to the other, thus creating a close connection. This involves an element of sacrificing complete fulfillment of my self-interests, and instead, bringing "the other," a being outside of and distinct from myself, closer to me. Love is about cultivating connection and intimacy, whereas hate is about distancing those who are dissimilar and/or distinct from me.

R' Hirsch further expounds on this concept in the context of the divine command, "ואהבת לרעך כמוך," love your neighbor like yourself (Vayikra 19:18). R' Hirsch explains that creating this closeness involves looking out for the best interest of others, feeling invested in their success, and doing what I can to advance their accomplishments, whereas hatred is all about pushing others away, rooting for their failures, and celebrating their eventual downfall.

This prescription sounds compelling and (perhaps) somewhat within reach when interacting with kind, compassionate, like-minded individuals. However, according to Rav Hirsch, how do we develop strong, positive relationships and avoid a sense of hatred when dealing with individuals who have offended us or caused us pain?

While Rav Hirsch makes several suggestions throughout his commentary on Chumash, one seems especially pertinent. The verse (Vaykirah 19:17) states:

לֹא תִשָּׂא אֶת אָחִיךָ בְּלִבְךָ הוֹכֵחַ תּוֹכִיחַ אֹתוֹ עִמִּיתֶךָ וְלֹא תִשָּׂא עָלָיו חֲטָא:

You shall not hate your brother in your heart. Rebuke your brother but incur no guilt because of him.

Rav Hirsch notes the relationship between the two phrases in this pasuk: (a) We are not supposed to hate our brother in our heart, and (b) We are enjoined to rebuke others in instances of misbehavior.

Rav Hirsch suggests the following:

כאן נאמר: אל תשנא את אחיך בלבבך, אלא הוכיחנו להביאו לכלל הכרה עצמית. נמצאת זו החובה המוטלת עלינו - כל אימת שנראה לנו, שאחר פגע בנו: או נשכח את הפגיעה, ושוב לא תשפיע על דעותינו כלפיו; ואם אין אנחנו מסוגלים לכך - אל יעלה בליבנו טינה עכורה; אלא נוכיח את ריענו בגלוי ובמישרין, וכך נאפשר לו להסביר - או לתקן - את מעשיו. רק אדם, שלא עידן את נפשו, שותק מתוך איבה כבושה.

Here it says: don't hate your brother in your heart, rather rebuke him so that he can come to a personal recognition. This is an obligation placed on us. Whenever it seems that someone has wronged us, we can forget the wrongdoing and not let it influence our thoughts toward the offender. If we are not capable of doing that, we should not bear a grudge, but rather rebuke our friend in an open way. Through that, we can explain or correct his ways. A person who has not refined his ways will remain quiet because of a pent-up hatred.

According to R' Hirsch, when someone behaves in a way that offends us, we are called upon to have one of two reactions. Ideally, we should try to forget the event that happened, to the point that it has no negative impact on our attitude or behavior toward this individual. However, if this is not possible, our second option is to share what was hard for us with the offending party so that he/ she may

be able to improve his/her behavior going forward. R' Hirsch is highlighting the idea that at times, rebuke is a way of preventing or reducing negative feelings toward others.

In this passage, Rav Hirsch highlights an incredibly important insight into human relationships. Confrontation is uncomfortable and people tend to shy away from challenging or awkward conversations. However, R' Hirsch is pointing out that given the reality that family, friends, and acquaintances can, at times, hurt one another, if we can't forget about the offending incident and erase it from the record of our mind and heart, then the ability to sensitively engage in open communication can be the key to mending and improving those relationships. Whether it is because the dialogue gives the other party the chance to explain his/her thinking or circumstances and to potentially clear up a misunderstanding, or because the process of getting something off our chest can be cathartic and can provide a release for the hurt that has been stewing within, the short-term challenge of engaging in open, sensitive communication can strengthen relationships in very meaningful and long-lasting ways. This type of open dialogue can be an important force in preventing baseless hatred, namely, hatred that didn't have to be, i.e. hatred that grows as a result of negative emotions that, absent a healthy outlet, mushroom into larger-than-life proportions and create a toxic backdrop for the relationship.

Approach #2: The Way We Talk

As is well-known, the Chafetz Chaim analyzed at length the laws relating to proper and improper speech. He introduces the work *Chafetz Chaim*

with an explanation as to why he believed it was so important to write about these laws, a decision that warrants particular justification given that no one before him had dealt with these laws in nearly as comprehensive a manner as he did.

The Chafetz Chaim starts off by seeking to understand the connection between baseless hatred and *Churban HaBayit* (the Temple's destruction). In quoting the Talmud's (*Yoma 9b*) comparison between *sinat chinam* and the three cardinal sins of murder, idolatry, and sexual promiscuity, the Chafetz Chaim highlights the severity of *sinat chinam* and also looks to better understand how and why this served as the basis for the Temple's destruction.

The Chafetz Chaim explains that *sinat chinam* not only refers to the internal emotional experience of baseless hatred, but also to its external manifestation, namely, lashon hara. He strengthens this claim by quoting a Gemara in *Arachin* (15) that explicitly equates lashon hara with the three cardinal sins (similar to the equation depicted in *Yoma* (9b) comparing *sinat chinam* with the three cardinal sins), pointing to the egregious nature of lashon hara and to the harshness of the punishment that would ensue from committing this offense. Indeed, the Chafetz Chaim associates this sin with the core of *Churban HaBayit*. For the Chafetz Chaim, the problem with *sinat chinam* is not only the internal hatred that we carry, but the behavioral ramifications of harboring this ill will. Our thoughts and emotions directly frame the speech we express, and the natural extension of negativity toward others is destructive forms of communication, including words that corrode relationships and social standing.

Within this approach, how can we avoid baseless hatred and the lashon hara that ensues? Perhaps the most obvious answer is to properly learn the Chafetz Chaim's works on lashon hara, including both his halachic works as well as his works of mussar that encourage people to carefully monitor and purify their speech.³ Proper knowledge of the halachot, as well as a deep sense of the import of this mitzvah, are necessary to navigate the many challenging and complicated interpersonal situations that arise.

An additional dimension is shared in the Chafetz Chaim's sefer, *Ahavat Yisrael*. In this work, the Chafetz Chaim offers a variety of additional insights for those who wish to rid themselves of any form of *sinat chinam*. He lists four potential causes for *sinat chinam* (*Ahavat Yisrael* chapter 3), many of which have to do with different forms of jealousy. In this context, baseless hatred does not mean that we have no reason for our emotions. Rather, similar to Rav Hirsch, it refers to enmity that is essentially unjustified and unwarranted, in this case rooted in jealousy and pettiness.

Though the Chafetz Chaim didn't use these precise terms, many Jewish thinkers extend these concepts to describe what perhaps can be termed a "culture of competitiveness." In such a culture, we feel that the success of others stands to threaten our own success. This may be because the resources under discussion either are or feel finite, and therefore I experience someone else's success as limiting the assets available to me. Examples may include someone else's child being accepted into a prestigious institution, leaving one less spot for my child who is also applying; an

acquaintance purchasing a “dream house” in a neighborhood with limited availability, and precisely the neighborhood where I had hoped to move; a friend’s engagement, leaving me with the feeling that there is one less eligible bachelor in the pool of singles that travel in my circles; or even a trusted friend becoming increasingly close with a different acquaintance, causing me to worry that my friend will now have less need for or interest in me.

Another manifestation of the “culture of competitiveness” may relate not to instances where assets feel limited, but to situations where we define our self-worth directly in relation to others. In this form of competitiveness, I assess my strengths and traits based on others’ position and condition. The degree to which I view myself as intelligent/generous/professionally successful/spiritually ambitious/an effective parent is directly informed and characterized by my (self-perceived) position relative to those around me. By definition, that would mean that someone else’s advancement automatically triggers a downgrade for me.

A possible antidote to this culture of competitiveness may involve a paradigm shift that reframes how we perceive and interpret our reality. When we believe and internalize that Hashem’s bounty is unlimited, and that Hashem has enough parking spots/scholarships/kind-hearted and socially comfortable eligible bachelors/professional opportunities/ (fill in the blank) for everyone, then we no longer experience resources as finite, and thus cease to experience the success of others as threatening. Many Jewish thinkers encourage us to internalize the idea that G-d gives

us what He believes we need to thrive in this world, and if someone else has something that we don’t, it is because, based on His G-dly calculation (one that we are not usually privy to understand), He believes it is not in our best interest. Once we stop viewing others’ successes as a threat, it becomes a lot easier for us to unite, to support each other, and to promote each other’s success. This orientation carves out the space for us to feel like we are on the same team as others, rather than competitors in the race of life.

Furthermore, when we assess our own accomplishments, not just in terms of socially-normed barometers of success (which are, by definition, relative to others), but by our efforts to fulfill the G-dly mandate to be kind and generous of spirit, then our sense of self-worth remains untouched by the external success and advancement of others. If we truly believe that we are on the same team, and that our efforts should be directed internally toward becoming kinder, more compassionate, and more empathic toward others, then de facto we are better equipped to celebrate the success of our friends and community members. In this way, lashon hara melts away because we are no longer threatened by others and searching for subtle ways to bring them down. The root cause of lashon hara is thus weakened and hopefully eliminated.

Building Toward the Future

The Talmud tells us that the Beit HaMikdash was destroyed because of *sinat chinam*, baseless hatred. The purpose of this article was to increase our understanding of this particular sin, including both its root cause and pathways for rectifying the problem.

The Chafetz Chaim (*Zechor LiMiryam* Perek 4) notes that in particular in our generations, the ones prior to the coming of Mashiach, it is all the more important to invest effort in repenting and correcting the sins that caused Churban HaBayit. For Rav Hirsch, this may demand the willingness to overlook the misdeeds of others or to openly and sensitively communicate about them, and for the Chafetz Chaim, we are charged with shifting our perspectives and, by extension, polishing the quality of our speech. In both cases, we are carefully tending to our interpersonal relationships so that small fissures in relationships are managed in a healthy, productive, timely manner, thus promoting close bonds predicated on authentic mutual respect and support.

It is often said in the name of Rav Kook that the proper antidote for *sinat chinam* is *ahavat chinam*. May we be zocheh to feel the positivity that we direct toward others reverberate back to us, resulting in a continuous cycle of constantly improving, strengthening, and deepening relationships. May we be zocheh to build a society characterized by love, support, and the genuine celebration of each other’s success, ultimately leading to the joint celebration of the rebuilding of Bayit Shlishi (the Third Temple).

Endnotes

1. See, for example, *Yibaneh HaMikdash* pg. 141.
2. This fits with Rav Hirsch’s powerful explanation for some of the *arayot* found in Parshat Acharei Mot. See his commentary to Vayikrah 18:6. See, as well, Rav Hirsch to Shemot 15:13 for more on this general approach.
3. See his sefer *Shemirat HaLashon* at length.



THE RECITATION OF KADDISH

The laws and concepts of mourning, for both national and personal loss, are found extensively throughout Rabbinic literature and are addressed comprehensively in the *Shulchan Aruch* and *sifrei halacha*. With that said, it is worth noting that the mourning practice that is arguably the most adhered to, namely the recital of Kaddish, has origins that are somewhat murky at best. We would be hard-pressed to open a Gemarah or the *Shulchan Aruch* and locate precisely where the mandate for the “Mourner’s Kaddish” comes from. It is also worth noting that this tefillah doesn’t seem in any way connected to mourning. In the coming pages, I will address the history of this ubiquitous practice and discuss some of the reasons for its adoption into the mourning rituals.

The basis for the recital of Kaddish is

quite ancient. The *Targum Yerushalmi* explained that when Yaakov Avinu called his sons together to bless them (Breishis 49:1), the sons responded to their father’s words, *Shema Yisroel Hashem Elokeinu Hashem echad*. In response, Yaakov replied *Yehei Shemei rabbah mevorach l’olam va’ed* — May His great name be blessed forever and ever. A similar version of this conversation is recorded in *Pesachim* 56a, but the Targum specifically records as Yaakov Avinu’s response *Yehei Shemei Rabbah*, the centerpiece of Kaddish.

The significance of the words *Yehei Shemei* are mentioned in a number of other sources in Chazal. The Gemarah at the beginning of *Berachos* 3a, records a conversation between Rebbe Yossi and Eliyahu HaNavi in which Eliyahu said that:

בשעה שישראל נכנסין לבתי כנסיות ולבתי
מדרשות ועונין יהא שמייה הגדול מבורך

הקדוש ברוך הוא מנענע ראשו ואומר אשרי
המלך שמקלסין אותו בביתו כך מה לו לאב
שהגלה את בניו ואוי להם לבנים שגלו מעל
שולחן אביהם.

When the Jewish people enter the synagogues and study halls and recite, “May His great name be blessed,” the Holy One Blessed be He shakes His head (in approval) and says “How fortunate is a king that they praise in His own home.” Now [that the Jews are in exile], “What is going to be with a father Who exiled His children and woe unto the children who have been exiled from their father’s table.”

Similarly, the Gemarah in *Shabbos* 119b emphasizes the importance of Kaddish in saying:

אמר רבי יהושע בן לוי כל העונה אמן יהא
שמייה רבא מברך בכל כחו קורעין לו גזר דינו.
R. Yehoshua ben Levi said: Anyone who responds “May his great name (etc.)” with all of his might, his sentence will be torn up.

Last, Chazal highlights the centrality of Kaddish in *Sotah* 49a, which states that following the Churban the world continues to exist only because of the recital of Kaddish:

ואלא עלמא אמאי קא מקיים אקדושה
דסידרא ואיהא שמיה רבא דאגדתא.

How does the world remain in existence? Through Kedusha D'Sidra (the Kedusha said in U'va L'Tzion) and through Yehei shemei rabbah said after learning Aggadic passages.

While the actual words of *Yisgadal v'yiskadash* are not mentioned in Shas and only appear in later Medrashim (*Yalkut Shimoni*, *Yeshayahu* 296), these sources and others highlight that the essence of Kaddish, which consists of amplifying G-d's "name" in the universe, is clearly traced back to the earliest of times. The *Aruch HaShulchan* (*Orach Chaim* 55:1) in fact traces its origin to the time immediately following the destruction of the first Beis HaMikdash. Specifically, once Klal Yisroel were dispersed from their lands and no longer felt G-d's presence through the vehicle of the Beis HaMikdash, the Anshei Knesses HaGedolah constructed a tefillah that would allow individuals to feel that they still had the opportunity to sanctify and amplify the name of G-d. The *Aruch HaShulchan* points to the above Gemarah in *Berachos*, which clearly links the recital of *Yehei shemei* with the overall feeling of brokenness following the Churban.

The centrality of Kaddish is manifest both in halakhic and Aggadic sources. For instance, a question was posed (*Berachos* 21b) as to whether or not a person can interrupt reciting *Kerias Sh'ma* in order to answer *Yehei shemei*. While the Gemarah concludes that one should not interrupt, the

Gemarah never even entertains the possibility of interrupting *Sh'ma* for *Kedusha*. The mere fact that the possibility even exists to respond to Kaddish during *Sh'ma* is certainly striking.

Similarly, Tosfos in *Berachos* 3a, discuss why Chazal instituted that Kaddish be said in Aramaic as opposed to most of tefillah, which is in Hebrew. Both answers provided by Tosfos appear significant. The first is that the malachim were deprived of saying Kaddish and therefore, as a way of avoiding making the Celestial Angels "jealous," the prayer was written in Aramaic, a language that is apparently unknown to the malachim. Tosfos's second answer is due to the significance that Chazal has ascribed to *Yehei shemei*, as demonstrated in the aforementioned Gemarah in *Sotah*. They wanted to guarantee that even the most uneducated Jew would understand the tefillah and therefore instituted that Kaddish would be said in the vernacular of the day, which was Aramaic.

The concept that the malachim would feel jealousy toward Bnei Yisroel because they were given the opportunity to recite Kaddish is discussed at length by many of the ba'alei machshava (see the *Gesher Hachaim*, *Chelek Aleph*, ch. 30 and *Meshech Chochma* beginning of *Parshas Kedoshim* among others). They point to the Gemarah in *Chullin* 91b, which says that man's ability to sanctify G-d's Name and sing *shirah* is more exalted and beloved than the comparable actions of the malachim. The essence of Bnei Yisroel's superiority lies in the *Kedusha D'sidra*, which is the beginning part of *U'va L'Tzion*. The very statement of *v'ata kadosh yosheiv*

tehillos yisroel — You are holy sitting among the prayers of Israel — is recognizing that sanctity is created not necessarily by the malachim on high but by the efforts of corporeal man below. The malachim are capable of recognizing and exclaiming G-d's sanctity but it is Bnei Yisroel, through their efforts and tefillos, that can create and add to that Holiness. It is that concept of man as the mekadash that somehow makes the angels feel inferior, and in proclaiming the words *Yisgadal v'yiskadash shemei rabbah* we are reaffirming man as a potential sanctifier.

While these and many other sources reflect both the importance of Kaddish as well as its ancient lineage, they in no way shed light on the specific practice of mourners reciting Kaddish. At what point was it instituted that a child should recite Kaddish for a parent?

The earliest source that specifically mentions Kaddish in conjunction with a mourner is found in *Meseches Sofrim* (19:12), in which the following custom is found:

משחרב בית המקדש התקינו שיהו החתנים והאבלים באים לכנסת כדי לגמול להם חסד חתנים לקלסן ולהלוותם לבתיהן אבלים לאחר שיגמור החזן תפלה של מוסף הולך לו אחורי דלתי של בית הכנסת או בפני הכנסת ומוצא שם האבלים וכל קרוביו ואומר עליהם ברכה ואחר כך אומר קדיש.

When the Temple was destroyed, it was instituted that grooms and mourners come to the synagogue in order [for the kehillah] to perform kindness for them. The grooms, for the purpose of praising them and escorting them to their homes. For the mourners, after the chazan would finish the Mussaf prayer, he would go behind or in front of the doors of the synagogue and find the mourners and their relatives and recite a blessing on

their behalf and afterwards, he would recite Kaddish.

While *Maseches Sofrim* does not specify who exactly said the Kaddish and for how long it is to be recited, clearly the concept of saying Kaddish as part of the mourning process dates back well over 2,000 years.

There is a well-known story that would seem to shed light on our practice. The story can be found in numerous sources but is most identified with the passage found in *Ohr Zaruah* (*Hilchos Shabbos* no. 50). The story is about Rabbi Akiva who meets a man who he immediately recognizes is an apparition. The man looked horrendous and spoke of his intense suffering since his death. Upon Rabbi Akiva's inquiry as to what could be done to alleviate his current state, the man responded that if his son would say Kaddish for him in public then he would be released from this punishment. The story concludes that Rabbi Akiva found this son, circumcised him, taught him Hebrew and how to say the Kaddish and in short order the man was released from his purgatory. This story is recorded by the Geonim and Rishonim (*Rivash* #115), is codified by the Ramo (*Yoreh Dei'ah* 376:5), and serves as the basis for our custom that a child says Kaddish for eleven months for a parent.

What is the desired effect of a child's Kaddish? The simple understanding is that a child saying Kaddish for a parent serves as an atonement for the parent's sins. Based on this reasoning, the poskim ask, why should Kaddish only be for eleven months when the *dino shel Gehhenom* is said to be twelve months? The answer of course is that we don't want to assume that a parent was in fact wicked and

therefore there is no need to assume that a mother or father are subject to the judgement of the wicked. Hence we are instructed to recite it for eleven and not twelve months.

While this answer is certainly valid, and is in keeping with the story recorded by the *Ohr Zaruah*, it does put a somewhat uncomfortable bent on what many feel is an incredibly meaningful way of honoring a parent. Perhaps we can argue that this reasoning can be expanded. It is not simply that a parent is in need of atonement, which is being assisted by the child's Kaddish. Rather the recital of Kaddish reflects the legacy of the parent, in that he or she has a child who continues to perpetuate the name of G-d and to some degree the parent's legacy and values, even after their passing. This perspective is very much in keeping with statements throughout Shas. The concept of *b'ra mezakeh l'abba* — the son is a merit to a living or deceased parent (*Sanhedrin* 104a), or *mah z'ro'oh bachayim af hu bachayim* — just like the son is living the father continues to live (*Ta'anis* 5b), speaks to the impact that the child has in perpetuating the legacy of a parent even after their death. Children who continue, both through the Kaddish and more important through their actions, to exemplify the values of a parent brings an atonement and a comfort to the soul of the deceased. This also explains why the text of the Kaddish *Yasom* (Mourner's Kaddish) is in no way related to the parent or to mourning. The responsibility of the child is to be *mekadesh Shem Shamayim* — to sanctify the name of Heaven — which hopefully is a reflection on who the parents were.

Rav Yechiel Michel Tukachinsky, in

his landmark sefer *Gesher Hachaim*, (Vol. I ch. 30 4:1) records another perspective as to why Kaddish was instituted for the mourner. He says that Kaddish is another form of *tzidduk hadin* — testifying to the righteousness of G-d's judgement. It would be natural, argued Rav Tukachinsky, that a mourner would be angered or disturbed by the way in which Hakadosh Baruch Hu was running the world, so as a result, we institute that the *avel* has the opportunity to repeatedly proclaim *Yisgadal v'yiskadash shemei rabbah*.

Last, it would seem logical that the Kaddish was instituted for the mourner specifically because we recognize the comfort that is brought to man by feeling G-d's presence. Just like in the story in *Berachos*, which informs us that Hakadosh Baruch Hu can be "found" in the *Beis Hakneses* and that in some way he is also mourning for the *Churban*, so too, man after he has suffered his own *churban* finds solace in this ancient practice. Even during, or perhaps specifically during, our lowest points, we can understand that we can bring G-d's presence into the world and can hopefully be comforted by that presence. This is especially true in light of the communal nature of the *tefillah*, in which the mourner feels buoyed by the presence of the larger community. While *churban* — be it the destruction of the *Beis HaMikdash* or the more common forms of loss and grief — are almost by definition times of enormous pain, we recognize the eternal wisdom of the Torah and Chazal, which give us opportunities to find comfort within that grief.

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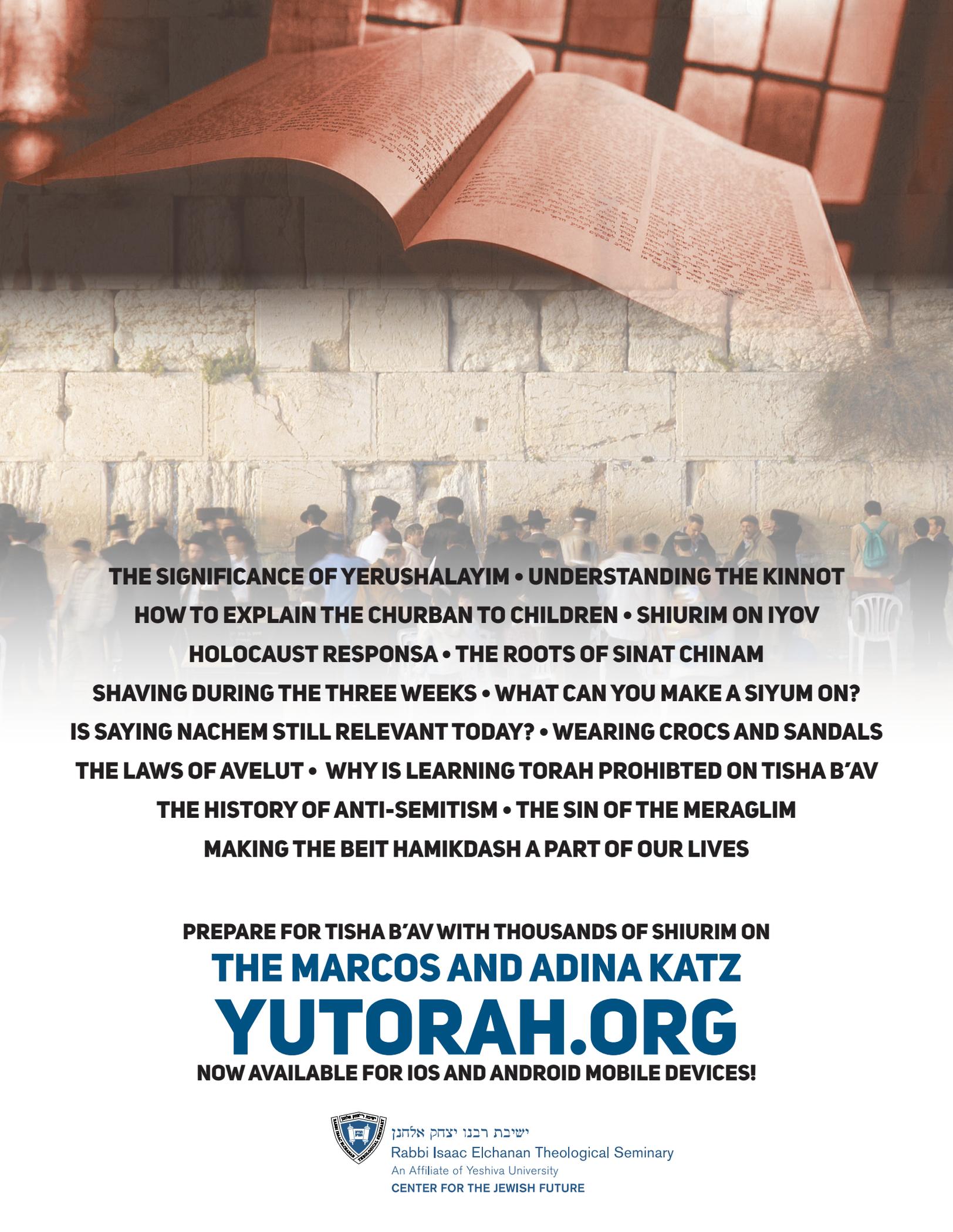
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PORTAL TO PROFUNDITY:¹

A FIRST INTRODUCTION TO RAMBAM'S LETTER ON *TECHIYAS HA-MEISIM*, AND SOME OF THE DOORS IT OPENS TO *EMUNA* DEPTH

Since the days of the Rishonim, discussions of *aveilus* have often included a hashkafic look at life after death.² The tragic experience of personal loss and *aveilus* often awaken many questions about the details of the postmortem state of the *neshama*, as well as the specifics and reality of *techiyas ha-meisim*, the future resurrection of the deceased.

A particularly intriguing conversation on this topic appears in a lengthy letter³ penned by Rambam in 1190-1191, commonly known as his *Iggeres Techiyas ha-Meisim* (Letter Regarding the Resurrection of the Dead). The historical backstory of the *Iggeres* is itself fascinating, and in the Rambam's masterful hands the topic becomes a springboard over the course of the *Iggeres* for several larger topics in the study of *emuna*.⁴ We will sketch some of that background and touch upon some of these broader points.

The Narrative Background

One of the most direct formulations of *emuna* principles throughout mishna appears near the end of *Masseches Sanhedrin*, in which the first individual identified as losing his footing in *Olam ha-Ba*, the world-to-come, is one who denies *techiyas ha-meisim*, future resurrection:

ואלו שאין להם חלק לעולם הבא: האומר אין תחיית המתים, ...⁵

The following have no portion in the world-to-come: one who denies future resurrection ...

It is in his commentary to this mishna (commonly known as his *hakdama le-Perek Cheilek*) that Rambam famously enumerates his list of the 13 foundational and cardinal principles of our faith, and *techiyas ha-meisim* makes a brief and clear appearance as the final principle:

והיסוד השלושה עשר, תחיית המתים. וכבר ביארנוה.

*The thirteenth principle is techiyas ha-meisim. I have already explicated it above.*⁶

Earlier he also stated, succinctly and unambiguously, that *techiyas ha-meisim* is a cardinal principle of the Jewish faith:

ותחיית המתים הוא יסוד מיסודי תורת משה רבנו עליו השלום, ואין דת ולא דבקות בדת יהודית למי שלא יאמין זה ...

Techiyas ha-meisim is a cardinal principle of Toras Moshe, a necessary belief for one who wishes to subscribe to the Jewish religion.

Yet despite these unequivocal pronouncements about *techiyas ha-meisim*, there were those⁷ who raised the canard that Rambam had heretically denied *techiyas ha-meisim*. Rambam is clearly frustrated by this radical distortion of his writing:

והנה חבורינו כבר נתפרסמו ויקראו ויראו אנה אמרנו זה.

My oeuvre has been published and disseminated. It can be read and

determined whether I said this.⁸

He wrote *Iggeres Techiyas ha-Meisim* in order to set the record straight, to clarify that he did believe in — and had always believed in — *techiyas ha-meisim*. He reviews various points in his writings where he clearly stated that belief in *techiyas ha-meisim* is necessary and one of the cardinal beliefs for every Jew.

Rambam opens the *Iggeres* by noting the irony that his very attempt to elaborate on *ikkarei emuna* was itself misunderstood as a rejection of the well-known *ikkar* of *techiyas ha-meisim*. He dramatically takes some small solace in commiserating with Hashem Himself,⁹ noting the ultimate irony that His most direct statement of monotheism, namely *Shema*, was utterly misinterpreted and misconstrued by Christians to imply the exact reverse.¹⁰

Of Techiyas ha-Meisim and Olam ha-Ba

One of the great debates on *emuna* topics among mainstream Rishonim is the question of *techiyas ha-meisim* and *Olam ha-Ba*. Both terms appear in the abovementioned mishna and throughout the Talmud Bavli and beyond. At times they appear to be interchangeable, and the preponderance of Rishonim believe that indeed they are. Hashem will bring us back to life to enjoy the ultimate reward. The event of *techiyas ha-meisim* will inaugurate the eternal era of *Olam ha-Ba*. This opinion is often associated particularly with Ramban, as he expresses it repeatedly and develops it at length throughout the final segment of his *Sha'ar ha-Gemul*. For instance,

העולם הבא הוא עולם השכר לאותן שהקדוש ברוך הוא מחיה בתחיית המתים.

*Olam ha-Ba is the world of ultimate reward, experienced by those who will have undergone techiyas ha-meisim.*¹¹

... ואחרי כן יבא המשיח והוא מכלל חיי העולם הזה ובסופה יהיה יום הדין ותחיית המתים שהוא השכר הכולל הגוף והנפש והוא העיקר הגדול שהוא תקות כל מקוה להקדוש ברוך הוא והוא העולם הבא שבו ישוב הגוף כמו נפש והנפש תדבק בדעת עליון כהדבקה בגן עדן עולם הנשמות ותתעלה בהשגה גדולה ממנה ויהיה קיום הכל לעדי עד ולנצח נצחים. Following this world (which will culminate with the era of Mashiach), *techiyas ha-meisim* will inaugurate the ultimate reward which encompasses both body and soul. This ultimate reward is *Olam ha-Ba*, in which we will enjoy unimaginable pleasure through exceptionally profound connection with Hashem. This state will be eternal and everlasting.¹²

Rambam disagreed strenuously with this opinion. One of the central topics of his *hakdama le-Perek Cheilek* is that *techiyas ha-meisim* is one of the end-stages of *Olam ha-Ze*, of this world (in this sense, akin to *yemos ha-Mashiach*). It is not a part of nor the same as *Olam ha-Ba*. In both his *hakdama le-Perek Cheilek* and his *Mishne Torah*, he writes briefly about *techiyas ha-meisim* and extensively about *Olam ha-Ba*.

Rambam believes that they cannot be the same, as he marshals several *mekoros* and logical arguments to develop the thesis that *Olam ha-Ba* will be an entirely spiritual existence devoid of any physical aspects, while *techiyas ha-meisim* will obviously involve the reconnection of body and soul.

He reiterates this point in the *Iggeres*, and notes that his “disequation,” his uncoupling of *techiyas ha-meisim* from *Olam ha-Ba*, was one of the causes that led some to misunderstand him and claim that he denied *techiyas ha-meisim*. Rambam’s brevity in discussing *techiyas*

ha-meisim further contributed to the misunderstanding of his position, as some mistook that brevity (compared to his expansiveness in exploring *Olam ha-Ba*) to indicate that he actually denied *techiyas ha-meisim* entirely. This is of course erroneous, as he pithily notes that a truism stated briefly remains true. Drawing out an idea makes it no truer than the short sentences quoted above, in which Rambam unequivocally states that belief in *techiyas ha-meisim* is absolutely required of every Jew.¹³

The Rational and the Super-Rational

All this begs the question, one whose answer may open new doors for us: **Why** was the Rambam remarkably brief? If indeed he accepts *techiyas ha-meisim*, as he did and as every believing Jew must, isn’t there much to discuss, to elaborate? Moreover, his brevity was dangerous, as we have seen that it led some to mistakenly deduce that he did not truly accept this *ikkar be-emuna*.

Rambam’s response¹⁴ is succinct and profound:

*Belief in one Creator implies belief that He can perform any miracle at His will.*¹⁵ Yet it is clear both from the Torah and from empirical observation that He generally wishes the universe to operate according to the logical and scientific patterns that He founded, and He seldom chooses to actually suspend these natural patterns and perform open miracles.¹⁶

Techiyas ha-meisim is fundamentally and intrinsically miraculous, as physical items tend to decay and corrode over time.¹⁷ *Techiyas ha-meisim* is therefore a “super-rational” phenomenon, beyond the reach of scientific or logical analysis; we know it to be true since the Tanach and Chazal tell us so, but we

have no analytical tools available to fill in details not already provided by *nevua* or by *Torah she-be-`al Pe* tradition. We are thus unable to fill in details of *techiyas ha-meisim* about which we are often curious, such as with which clothes the dead will arise, or whether they will arise old or young.¹⁸ While these questions may often be of substantial interest, and at times be emotionally fraught, we are not equipped to answer them due to the super-rationality of *techiyas ha-meisim*, and we can only say that we will know once it has happened.

Moreover, Rambam therefore wrote very briefly about *techiyas ha-meisim*. This led some to misunderstand that he did not take it seriously, while in fact he simply wrote only what was of substance: we believe firmly in *techiyas ha-meisim*, though we are at present unaware of most of its detail.

On the other hand, while *Olam ha-Ba* is not “scientific” in the usual sense of the word, Rambam understands that it is logical (as spiritual entities do not naturally decay, and ultimate reward is logical), and thus — unlike *techiyas ha-meisim* — *Olam ha-Ba* does yield to rational analysis and elaboration. Rambam therefore wrote about it at relatively greater length.¹⁹

Why the 13th Principle?

A closer look at this notion may resolve another puzzle as well, another apparent anomaly about *techiyas ha-meisim*. It may explain why *techiyas ha-meisim* is an *ikkar* in Rambam’s understanding.

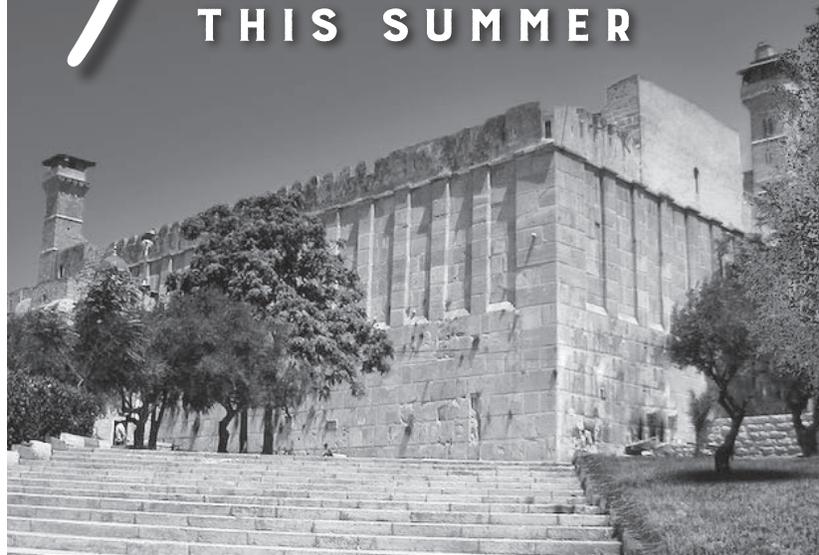
There are far more than 13 true statements in the Torah, as every statement in Torah is true. Clearly, then, not every truism in the Torah is an *ikkar*. Most of the 13 *ikkarim* are self-evidently *yesodei ha-Torah*,²⁰ foundations of the Torah, such as the existence of the Creator Who is the Commander of the mitzvos, the phenomenon of *nevua* in general and the uniqueness of *nevua Moshe* in particular, and *sachar va-onesh*, Divine reward for halachic compliance and punishment for the converse. *Techiyas ha-meisim*, however, requires some more explanation.

For Ramban, the status of *techiyas ha-meisim* as an *ikkar* is simple to explain, as this refers to the ultimate reward of *Olam ha-Ba*. However, for Rambam, *techiyas ha-meisim* is a late stage of *Olam ha-Ze*, unrelated to ultimate reward. Why, then, is it an *ikkar*?

Earlier in his *Iggeres*,²¹ Rambam seems to very briefly allude to this question, and he hints at a resolution

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based upon this abovementioned miraculousness: *techiyas ha-meisim* is an *ikkar* **specifically because** it is a miracle. I believe he means that *techiyas ha-meisim* is a *neis nigle* that has been predicted and has yet to occur. It is a clearly and overtly miraculous suspension of scientific principles that has been prophetically predicted in unambiguously direct terms,²² and whose realization and achievement still lie in the future. Remarkably, while we know little about the details of *techiyas ha-meisim*, accepting it is an application of several of the *ikkarei emuna* listed above — belief in the Creator and the corollary recognition that any miracle is possible if He wills it; the authenticity of every prophetic word — and *techiyas ha-meisim* is therefore an *ikkar* itself.

A Closing Charge

Rambam's *Iggeres* touches on a host of other great issues as well, including when to interpret Tanach literally and when as profoundly meaningful *mashal*; the realness of the intangible and non-physical; the role of *malachim*; the danger and other weaknesses of apologetic arguments; Rambam highlighting the uniqueness of the human beings as a singular fusion of physical body and spiritual soul; and numerous others. Hopefully, this first foray into the *Iggeres* has inspired you to dive more deeply into this *Iggeres* and other *machshava* writings of Rambam and the other great *ba'alei machshava* within our sophisticated and nuanced *masora*.

Endnotes

1 This turn of phrase is borrowed from Rambam's *Hilchos Yesodei ha-Torah* (2:2), "פתח למבין". See yutorah.org/lectures/lecture.cfm/927784 for an expanded exploration of this significant phrase.

2 Ramban likely founded the genre of *sefarim* dedicated primarily to *hilchos aveilus* with his *Toras ha-Adam*, and he began as well the practice of dedicating a section to *techiyas ha-meisim* and related hashkafic topics with his celebrated *Sha'ar ha-Gemul*, a practice manifest as well in contemporary *sefarim* on *hilchos aveilus* such as *Gesher ha-Chayim* and *Penei Baruch*. In contrast, Rambam's *Iggeres* is an entirely hashkafic work unconnected to *hilchos aveilus*.

3 In introducing his edition of this work, Rav Yitzchak Sheilat devotes the first footnote to whether this document properly ought to be called an "iggeres" or a "ma'amar," a letter or an essay (*Iggeros ha-Rambam*, ed. Sheilat 5755, p. 315). Near the end of *Sha'ar ha-Gemul* (ed. Chavel 5724, p. 309), Ramban refers to "Megillas Techiyas ha-Meisim." This article uses the conventional "iggeres."

4 See Rambam's *Peirush* to *Berachos* (9:7), where he writes

שדרכי תמיד בכל מקום שיש איזה רמז בעניני אמונה
אבאר משהו, כי חשוב אצלי להסביר יסוד מהיסודות
יותר מכל דבר אחר שאני מלמד.

I always seize opportunities to elaborate on emuna topics, as I value teaching our foundational beliefs over any other topic.

Rambam's expansiveness throughout this *Iggeres* is a prime example of this self-description. In the opening paragraphs of the *Iggeres* (pp. 340-343), he appears to explain the rationale for this primacy, noting that a number of his contemporaries were halachically well-versed yet woefully deficient in *ikkarei emuna*.

5 *Mishna Sanhedrin* (10:1), particularly *girsas ha-Rambam*.

6 English translations mine throughout.

7 Rav Sheilat (p. 354 n. 18) suggests that this may have been raised by R Shmuel ha-Levi, the contemporary rosh yeshiva of Baghdad.

8 *Iggeres* (p. 354). See also *supra* (e.g., p. 344).

9 One wonders whether Rambam perhaps saw his own position as a rare sort or analogue of *ve-halachta bi-drachav*, the mandate to emulate Divine traits and conduct in appropriately human fashion. See his *Hilchos De'os* (1:6 ff), where he expands *ve-halachta bi-drachav* beyond kindness and compassion to encompass the full breadth of human personality and character and our response to the entire panoply of life's situations. [See also his *Shemona Perakim* (*perakim* 2 and 4), where he bases this mandate upon an array of

other *mekoros*.]

10 *Iggeres* (pp. 339-340).

11 *Sha'ar ha-Gemul* (p. 299).

12 *Sha'ar ha-Gemul* (p. 306).

As an aside, Ramban's language elsewhere in that and nearby paragraphs appears to be the source for much of what Ramchal writes in *Mesillas Yesharim* (opening of *perek* 1) about the essence of *Olam ha-Ba*. Similarly, his definition in *Mesillas Yesharim* (close of *hakdama*) of *sheleimus ha-lev* appears to be based upon Ramban's language and categories in his *Hassagos le-Sefer ha-Mitzvos* (*mitzvas asef* 5). Moreover, Rav Yechezkel Sarna noted in the introduction to his edition of *Mesillas Yesharim* (5717, p. 9; <http://hebrewbooks.org/41769>) that Ramchal adopted a Maimonidean style in composing *Mesillas Yesharim*; this is true in several senses, and particularly in quoting post-Chazal sources anonymously. Consequently, Ramchal's *mekoros* often remain a mystery. It might be worth exploring how much of *Mesillas Yesharim in toto* is in fact based upon the Ramban's writings.

13 *Iggeres* (e.g., pp. 358, 362-364).

14 *Iggeres* (pp. 362-364), and expanded subsequently.

15 *Iggeres* (p. 367) citing his *More ha-Nevuchim* (2:25), and briefly *supra* (p. 356).

16 Ramban's *Peirush* to *Bereishis* (6:19), *Shemos* (13:16) and *Devarim* (20:9). See also *Chanukka To-Go* 5777 (p. 22).

17 In modern parlance, *techiyas ha-meisim* is a miraculous violation of the usual principle of entropy and the second law of thermodynamics.

18 *Hakdama le-Perek Cheilek* (ed. Sheilat, p. 130).

19 Additionally, *techiyas ha-meisim* has been a well-known and well-accepted Torah concept, while *Olam ha-Ba* was not a topic of popular focus and thus Rambam felt that it needed heightened educational focus and emphasis.

20 This is one of the terms that Rambam frequently uses in reference to the 13 *ikkarim*.

21 *Iggeres* (pp. 356-357), paragraph concluding לזה נחשוב תחיית המתים מפינות התורה, "... and for this reason we enumerate *techiyas ha-meisim* among the cardinal, foundational principles of Torah."

22 Daniel 12 cited in *Iggeres* (pp. 353, 357 and n. 65).



REFLECTIONS ON SHIVA

Having completed the shiva period commemorating the tragic loss of my 33-year-old wife following her eight year-long battle with cancer, I would like to offer a few personal reflections regarding the shiva process. I have no resentment towards anyone. I was, and remain to be, overwhelmed by the love and support shown to our entire family. These comments are meant to be personal reflections, which I hope others will find helpful when making decisions regarding how to properly comfort mourners.

Show Up

I cannot emphasize enough how uniquely meaningful it was to see each and every person who walked through the door. There were some people whom I expected to show

up, but many, many more whom I did not. People from every stage of our lives came to demonstrate their support and — without exception — every visitor added to my sense of consolation and connection with the world. As expected, some of the guests who were closer to me or to my wife were able to provide a more acute form of comfort, but that certainly did not diminish the cumulative level of support offered by each individual condoler — regardless of their affiliation to our family. Some drove many hours just to sit for a few minutes, share a story, and/or give a hug before driving right back home. While sitting shiva in New York, we had visitors from: Israel, Switzerland, England, Illinois, South Carolina, Florida, Colorado, Utah, and California. It is exceptionally moving, meaningful, and reassuring to be

surrounded by the type of people who are willing to go to such great lengths to show love and support.

Read the Room

While the following may sound obvious, I admit that I myself had never really considered it when I was the one paying a shiva call: what you see when you visit is only a highly-segmented glimpse of a tumultuous seven-day period filled with a myriad of emotions. There were times when I wanted to tell emotional stories and cry. Alternatively, there were times when I wanted to tell funny stories and laugh, times I wanted to listen, and times when I just wanted the room to be silent.

It may be difficult in practice, but the halacha of waiting to be spoken to

before speaking at a shiva house is the instructive embodiment of a keen and sensitive insight. I would suggest that, upon arrival at a shiva home, one should sit back and observe for a few minutes before interacting with the avel (mourner). There is no script for grieving, and mourning is a non-linear and individualized process. Read the room and engage in a manner befitting the mourners' current behavior/tone, and don't rely on your expectations.

Do Not Ask Practical Questions

Thankfully, throughout shiva, insensitive, foolish, or (unintentionally) hurtful comments were extremely rare; and the few that came were — indeed — very few, and far between. I believe — as many visitors observed — that sometimes there really are no words. And yet, many people could not help trying to fill the vacuum with practical questions: “When are you going home?” “Who is coming with you?” “When do your kids start school again?”

While these questions seem innocuous and likely reflect an underlying level of care and concern, answering the same immaterial questions over and over again can become very annoying very quickly. Telling the same stories about my wife over and over again was comforting. Telling 300 people about my travel itinerary was not.

Quick, Quiet Visits are OK

Among the many visitors who came during shiva were some people who did not know my wife. In such an instance, I found it to be perfectly acceptable to sit in silence for a few

minutes and then leave. Or, if you just want to listen, stay for as long as you like. You may not be able to offer any words of comfort, but again, there is comfort in your presence alone. And, even when it's less busy, staying 5-10 minutes is not offensive. I will restate: it meant a lot to me that you took the time to show up. I do not take that for granted, but please don't feel pressured to talk or to make me talk. (see: Read the Room above)

Repeating stories
about my wife
over again was
comforting; repeating
chitchat with people
who didn't know
what to say was not

If You Knew My Wife, I Wanted You to Share

While the status quo for a guest at a shiva home should certainly be more listening than speaking, the instances in which people who knew my wife — friends, family, students, neighbors — shared their own anecdotes and feelings about her were extremely meaningful. Of course we know a lot about her life, but sharing with us the parts we may not know goes a long way towards helping to preserve not only the memory of a loved one, but of a more complete, colorful, and relatable person. Even — and perhaps especially — the most seemingly benign stories can help us remember the subtleties that made that person

who they were. We can never have enough memories of the people we've lost, so please don't worry about over-sharing.

E-mail, Don't Call

From a purely practical standpoint, it is very, very difficult to take phone calls during shiva. I understand the preference to call vs. e-mail, because it seems a little more personal, but it ends up having the opposite effect. You can't know what I'm doing at the moment at which you call, so it usually means disrupting something or someone — thereby detracting from both the significance of your call, as well as any in-person conversation (or much needed meal) you might be unwittingly interrupting. When a person takes the time to write a nice e-mail, the end result tends to be much more meaningful and personal. I received many heartfelt, emotional, thoughtful e-mails, and that format provided people with an outlet to express themselves properly, and allowed me to receive their messages at times during which I was able to devote my proper focus to the words of comfort.

I found the shiva process to be extremely moving. I have always believed there is great wisdom in the Jewish mourning process. Having the unfortunate luck of experiencing it firsthand, I can state unequivocally that it is a brilliant, therapeutic and thoughtful time period. Thank you to each of you for showing up, calling, or e-mailing. While my heart aches and I wish my wife were next to me, this experience made me proud to be a Jew. May we continue to be there for each other.

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National Tragedies and Individual Suffering

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VISITING THE SICK: RESTORING THE BERACHAH OF “HAMAKOM” TO ITS PROPER “PLACE”

There was a wealthy and miserly Jew to whose house a poor man came, looking for a morsel of food to sustain himself. The miser refused to give food to the beggar, but after repeated pleas, the miser dug into his garbage and pulled out a piece of old, rotten fish, which the beggar devoured. Late that afternoon, the beggar became sick and was rushed to the hospital. At the evening service, the miser heard

about the hospitalization and told his wife that he had to visit the poor beggar since *bikur cholim*, visiting the sick, is such an important mitzvah. The next morning in the synagogue, the miser heard that the beggar had died, and he told his wife that he had to attend the funeral, since *levayat hamait* — escorting the deceased to a final resting place — is also a very great mitzvah. That afternoon, the miser learned that the beggar’s son

was sitting shivah, and he told his wife smilingly that he had to visit the son and perform the mitzvah of *nichum avaylim* — comforting the mourners. His wife asked why he was in a good mood, and the miser responded that he was joyful that with one lousy piece of fish, he was able to fulfill four essential commandments: *hachnosat orchim* — feeding a hungry guest, visiting the sick, attending a funeral, and comforting a mourner.

I am honored to dedicate this Tisha B’Av issue of *Torah To Go* in memory of my dear and revered parents, *zichronam livrachah*, whose professional rabbinic and rebbitzin roles were but a reflection of their personal commitments to care for and pray for the sick as well as comfort those in mourning. If I have mastered any of the caring skills expected of a rabbi/chaplain, it is due to their example and teachings. In this season of mourning, may we all merit to again hear the clarion call of the Almighty, no longer hidden from us — “*Nachamu, Nachamu Ami*” — may we all be comforted with the imminent coming of the Messiah and a world where all people will be at peace, “*Uva leTzion Goel*” — and may the Redeemer come speedily to Zion, Amen.

In a Talmudic passage (*Shabbat* 127a), we are taught a lesson so essential that it is incorporated into the daily morning prayers. *Bikur cholim* — and the other mitzvot mentioned above — constitute a very small number of good deeds whose performance guarantees a just reward in this world and undiminished returns in the world to come.

Properly, as the Rambam (*Hilchot De'ot*, 3:3) writes, we should lead a healthy lifestyle and take care of ourselves so that we are well and able to serve Hashem in a wholesome manner. Those who follow the Divine commandments and are righteous will be spared from illness (Ex. 15:26).

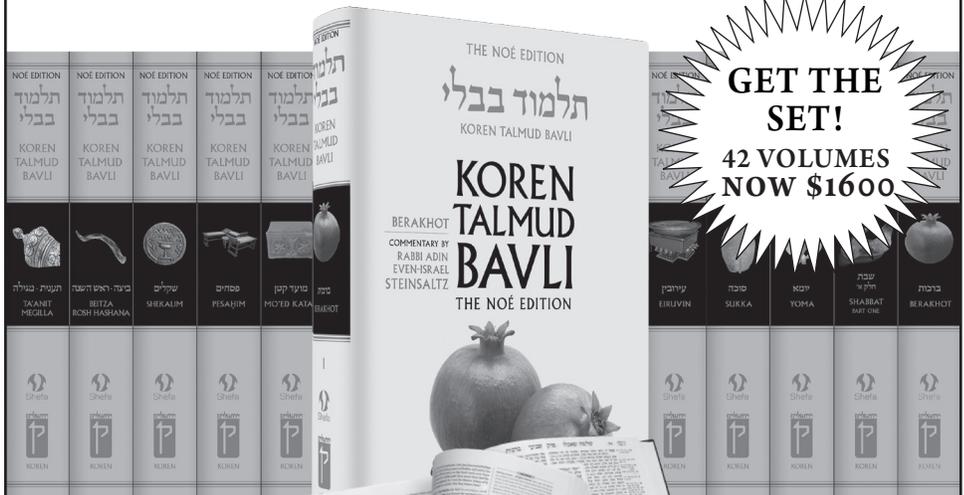
However, perfection in life is rare, and while we don't understand the ways of God, sometimes sickness comes to help us change our ways and repent. At other times, as with Avraham, sickness can be a natural process of healing, such as following a prescribed circumcision. The fact that the Torah (Ex. 21:19) permits a trained doctor to heal others, though the sickness itself has Divine origins, is proof of the dictum that we should always strive to seek out the best treatments to improve our life spiritually and physically, while believing in God as the arbiter of life and death.

Besides the medical care from a professional that may be rendered to the sick, our tradition recognizes the very special healing power that can come from family, friends, and even strangers who ask about our health, and who desire to provide assistance; thus *bikur cholim* becomes a major religious

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paragon and activity. Just as God visited Avraham when he was ailing after his circumcision to comfort him, so too should we emulate the Almighty and visit those who are ill (*Sotah* 14a), as we are instructed in the Torah, “After the Lord your God shall you follow and emulate” (Deut. 13:5). Interestingly, it is a suggestion by the non-Jew Yitro, when he came to the Israelite encampment to visit his son-in-law, Moshe, and said to him: “...and you shall tell them [the Israelites] the way that they should go” (Ex. 18:20), which has found its way into the codification of Jewish Law. Our Rabbis (*Bava Metzia* 30b) have said that this phrase, “that they should go,” specifically teaches the mitzvah of *bikur cholim*. The Maharsha explains that the key fulfillment of *bikur cholim* is predicated upon “going” — going to visit the sick and allowing our mere presence to serve as a source of healing and inspiration.

The Code of Jewish Law, the *Shulchan Aruch* in *Yoreh De’ah* 335, teaches in detail how we should ideally visit in the following 10 paragraphs:

1. Relatives and friends (whose presence may bring immediate consolation) should visit quickly upon notification of illness; those who are more distant, after three days.
2. Stature makes no difference — the great should visit those who are young or small, even many times during the day, as needed, as long as the visitor is not bothering, burdening, or inconveniencing the sick. The Maharil says that an enemy should visit a sick person, but the Rema disagrees, feeling that such a visit could bring much discomfort to an ill person.
3. A visitor should not stand over a sick person but rather sit alongside, out of respect for the Shechinah, the

Divine presence that uniquely hovers over a sick person.

The common denominator of these laws is that merely “by going,” our caring presence and visit to the sick, when possible and permissible, is most efficacious and desirable, together with heartfelt prayer to the Almighty that His merciful healing be sent to the ill one.

4. Halachah is very mindful of the need for a sick person not to feel embarrassed or inconvenienced, so generally, we should not visit during the first three hours of day, when treatments may be administered and the sick one is thereby feeling a little better at that time, because a visitor might think that there was so much improvement that we need not pray for the sick. We should generally also not visit during the last three hours of the day, when a sick person may be in tremendous pain, and a visitor might feel that prayer would not be effective. Ultimately, we do not fulfill the mitzvah of *bikur cholim* if we do not

recite a prayer asking for a merciful recovery.

5. When praying in the presence of a sick person, we may pray in any language so that the patient will understand and be appreciative, but if praying away from the sick one, we should recite the prayer in the Holy Language — Hebrew.
6. We should not just pray for a specific person alone, but should also include in the prayer the hope for healing for all who are sick among the Israelites, and say: “May Hamakom, the One who is in every place, be merciful to you among the sick in Israel.” On Shabbat we should say, “On Shabbat it is not permitted to cry in pain, and therefore may a quick recovery come.”
7. We might suggest to a sick person that he or she might feel less burdened if loans were repaid or if property might be restored, without any fear of death — so that a sick person can feel strengthened to properly attend to personal affairs.
8. We should not visit those with severe internal, psychological, neurological or ophthalmic diseases or other such difficult health issues when it will be laborious for them to talk or communicate, unless we know for sure that the visit will be appreciated and helpful. Rather, it may be preferable to visit their home or nursing station and inquire how we can be helpful to them in terms of cleaning or the like; and when hearing about these challenging cases, we should be moved to want to pray that God’s mercy be upon them.
9. We should visit non-Jewish sick people, too — “*mipnei darchei shalom*” — because such visits will engender and foster peaceful relationships in the world.

10. With internal illnesses where care is more intimate or sensitive, for modesty purposes, it is best that a male not treat a female, although a female could care for a male.

The Rema adds: Some suggest that a sick person's relative approach the local rabbi or Torah scholar and ask that person, who has attained a lofty spiritual level, to pray for and seek Divine assistance in sending a merciful healing to the sick. It is also customary to recite a prayer for the sick during the Torah reading in the synagogue, and even to add a new name in very serious situations, because a name change may help avert an evil decree upon the sick one with just the original name.

Finally, the Rema quotes the teaching that for a person who has time to do only one mitzvah, it is preferable that priority be given to visiting a grieving mourner during shivah instead of visiting the sick because in the former case, we are paying respects and honoring not just the living but also the deceased.

The common denominator of these laws is that merely “by going,” our caring presence and visit to the sick, when possible and permissible, is most efficacious and desirable, together with heartfelt prayer to the Almighty that His merciful healing be sent to the ill one. When visiting, we should be sensitive to the needs and state of mind of the sick, and not extend a visit too long to the point that it becomes a burden. We should inquire how we might be helpful in running errands or doing some other meaningful activity, and the topics of conversation should be uplifting. Therefore, it is best to not talk about the sickness or deaths of others if that could depress the sick one.

The Rema's concluding words discussing the relationship between visiting the sick and comforting mourners deserves our attention. We began by stating that *bikur cholim* is one of a small number of good deeds “whose performance guarantees a just reward in this world, and undiminished returns in the world to come.” This list does not include comforting mourners. On the other hand, comforting mourners does take precedence over visiting the sick.

The codification in the *Shulchan Aruch, Yoreh De'ah* of the chapter dealing with the laws of *bikur cholim* appropriately and chronologically precedes the chapters dealing with death and mourning. In the Rambam, his order of these laws is more puzzling. Rambam has no chapter dedicated to *bikur cholim*. Rather, he has a 14-chapter section called *Hilchot Avel*, the laws of mourning. Only in the 14th and final chapter, after dealing with all aspects of death, does the Rambam introduce the importance of *bikur cholim* in its first halachic paragraph:

מצות עשה של דבריהם לבקר חולים ולנחם אבלים ולהוציא המת ולהכניס הכלה וללוות האורחים ולהתעסק בכל צרכי הקבורה ... וכן לשמח הכלה והחתן ולסעודם בכל צרכיהם ואלו הן גמילות חסדים שבגופו שאין להם שיעור אף על פי שכל מצות אלו מדבריהם הרי הן בכלל ואהבת לרעך כמוך כל הדברים שאתה רוצה שיעשו אותם לך אחרים עשה אתה אותן לאחריך בתורה ובמצות.

It is a positive commandment instituted by the Rabbis to visit the sick, and comfort the mourners, and prepare a dead body for burial, and fete and honor a bride, and accompany visitors as they are leaving, and be involved in all aspects of burial ... and rejoice before a bride and groom and care for all of their needs, since all of these commandments

are truly personally performed acts of “gemilut chasadim” — extending many kindnesses — which have no limit ... and they are all manifestations of the Biblical teaching that “One should love one's friend/neighbor as oneself ...” (Lev. 19:18).

In paragraphs 2 and 3 of Chapter 14, the Rambam discusses how the mitzvah of accompanying a visitor is properly accomplished — in contrast to our opening story! Only in paragraphs 4 through 6 does the Rambam discuss the details of *bikur cholim*. Paragraph 7 concludes with the teaching that the Rema will later repeat, “It appears to me that comforting the mourners takes precedence over visiting the sick, because comforting the mourners pays tribute to and is concerned with kindnesses shown to both the living and the dead.” Chapter 14 thereafter continues and concludes with laws concerning the deceased and mourners.

We see that the Rambam codifies these laws of *gemilut chasadim* not in a chronological manner, but rather by their spiritual and cosmic impact and effect where “comforting the mourners” — *nichum avaylim* — takes precedence.

There is another area where *bikur cholim* and *nichum avaylim* share a unique similarity that has not been extensively discussed. In the laws in *Yoreh De'ah* 335:6 cited above, the *Shulchan Aruch* quotes the Talmud (*Shabbat* 12b) that we should bless the sick with a blessing that addresses God as Hamakom:

המקום ירחם עליך בתוך חולי ישראל.
May Hamakom, the One Who is in every place, be merciful to you among the sick in Israel.

Interestingly, this blessing is not frequently recited, especially since we may pray in any language.

By contrast, the blessing of comfort extended to mourners — המקום ינחם אתכם בתוך שאר אבלי ציון וירושלים — May Hamakom, the One Who is in every place, comfort you among the mourners of Zion and Jerusalem — is almost universally used among Ashkenazic Jews, and yet this text is not found in the Talmud or *Shulchan Aruch*. The *Gesher Hachaim* just says that it is a “traditional blessing.” The *Alay Tamar* on *Moed Katan*, chapter 1, mentions that our current text emerged around the Middle Ages as a replacement for the traditional blessings for mourners said in a special Grace after Meals which fell into desuetude. [I thank Rav Aharon Kahn for this source.]

The Talmud in *Berachot* 16b mentions another berachah that also includes the unusual appellation of God as “Hamakom,” which is recited when a person suffers the significant loss of a servant or animal: *Hamakom yemalay lecha chesroncha* — May Hamakom replace your loss.

Additionally, in the “*Achaynu Kol Bait Yisrael*” prayer recited after the Torah reading on Mondays and Thursdays, remembering those who are in distress and captivity, we address God with the same formula that is used for a sick person: “*Hamakom yerachem alay’hem*” — May Hamakom have mercy on them.

Why is this Divine name, “Hamakom,” only used in these blessings where there is some sort of loss or hurt? In the Passover Haggadah, *An Exalted Evening* (p. 45), featuring the teachings of Rav Joseph B. Soloveitchik and edited by Rabbi Menachem Genack, there is

an explanation by Rav Soloveitchik offered in connection with the phrase in the Haggadah where God is addressed as “Baruch Hamakom, Baruch Hu”:

The appellation of ha-Makom, “the Place,” refers to God when He retreats and seems distant, at times of travail, trauma, and tragedy. Yet even when He recedes to His Place, nonetheless, from a distance ha-Makom appears to us. When God relates to us from a distance we refer to him as ha-Makom. Therefore, when we console the mourners, we use the appellation ha-Makom, and we say, “Ha-Makom yenachem etkhem ...”

With this explanation, the use of Hamakom in the prayer for the sick seems so appropriate (as it does for one who loses a servant or animal or for one in captivity). During an illness, we feel a sense of separation from and perhaps even abandonment by God. Ironically, even though we believe that God is imminently present where the sick person is, and His presence hovers over the sick bed, we still feel separated from that Divine Presence due to the spiritual and physical manifestation of sickness, and we sense isolation from God in our lack of wholesome completeness.

At the same time, perhaps this is why many no longer use this formula for the sick. We do not want to emphasize this distancing from God and would rather concentrate on a healing that will bring the sick person closer to the Almighty once again. Another reason might be that since it is easy to confuse the word “*yerachem*” — have mercy, addressed to a sick person, with the word “*yenachem*” — be consoled, addressed to a mourner, we want to make sure that we accidentally do not address

one who is sick with the term that indicates the presence of death.

When we are careful with our prayers and utterances and give them proper thought, the blessing of “Hamakom yerachem ...” extended to a sick person seems so appropriate. Indeed, in the *Siddur Yesod Malchut*, this prayer is listed as the climactic prayer to be shared with one who is sick:

המקום ירחם עליך בתוך [כל] חולי ישראל.
May Hamakom be merciful to you among [all] the sick in Israel.

May healing quickly come to those who are ill so that we need not recite this berachah often, Amen.

As a postscript, the various times mentioned above in the *Shulchan Aruch* for visitation applied primarily to an era when most sick people remained at home, with no full-time trained care-givers. In our day, when so many of our sick are in hospitals or the like with 24/7 professional care, visitation times could be different and should be guided by present medical needs and the patient’s desires.

It is amazing how the thrust of these halachot for the sick seem to be built into the training that most Board Certified Chaplains receive when taking required Clinical Pastoral Education (CPE) units. The halachic concerns about the appropriate time and length of pastoral visits, and the guidance that visitors should let the sick person guide the conversation in a manner that would be most beneficial to the patient, and the expressed desire to offer to recite a prayer for those in need of healing, are all standard chaplain practices.



A HALACHIC GUIDE TO PAYING A SHIVA CALL

The mitzvah of *nichum aveilim* (comforting mourners) provides the bereaved the much-needed opportunity to connect with other people in a meaningful way during their time of distress and emotional turmoil. However, the mitzvah can be challenging in several ways.

First, sometimes we are unsure if we should visit the mourner at all (“am I a close enough friend that he/she will be comforted by my presence?”, “I haven’t spoken to the person in years”). While each case is different, as a rule it is better to err on the side of visiting. People who are mourning appreciate the care and concern of others, especially if they haven’t been in such close contact.

Second, even once we decide to visit, it can be uncomfortable to perform this mitzvah, because we are often unsure of what to say and how to provide comfort. Largely due to this discomfort, and partially due to lack of guidance, visitors often just try to “change the topic” and talk about something more cheerful. Rav Hershel Schachter shlit”a often points out that mourners are not permitted to divert their attention from their mourning, and the conversation should therefore revolve around the life and special qualities of the deceased.

In this essay, we will discuss the halachos pertaining to comforting a mourner, both in terms of how to most effectively comfort someone from a halachic perspective, as well

as the ideal timing of the comfort. It should be noted that we will discuss the halacha as it appears in the Talmud and Codes. In this area of halacha in particular, we can readily see the great wisdom and sensitivity of the halacha in most effectively helping mourners through their grief. Having noted this, it is still critical to have a sense of the proverbial “fifth section” of *Shulchan Aruch*, that which is unwritten but requires us to use a healthy dose of common sense, concern and sensitivity. It is only through the “fifth section” that we will perform this mitzvah in the optimal way, and truly provide the comfort that the mourner needs.

Not Speaking Before the Mourner

The Gemara (*Moed Katan* 28b) cites the ruling of Rav Yehuda in the name of Rav (based on a pasuk in Iyov) that the comforters may not speak until the mourner opens the conversation. In fact, the *Beis Yosef* (*Yoreh Deah* 376) cites Rav Hai Gaon that the practice was for the mourner to begin the conversation by saying “*Baruch Dayan Ha’Emes*” in order to allow others to speak.

This halacha can prove challenging when the mourner chooses not to speak. In fact, the *Perisha* (*YD* 393:3) wonders how we can fulfill the mitzvah of *nichum aveilim* at all if we only sit there in silence, and ultimately recite the formulaic passage of “*Hamakom ...*” before leaving. There are two basic explanations offered by poskim to reconcile this halacha with the fact that it seems to preclude the possibility of providing actual comfort.

First, the *Perisha* (*ibid.*) suggests that our mere presence is a form of comfort. Even if sitting in silence, there is real comfort in knowing that one is not alone.¹

Second, Rav Eliezer Waldenberg (notes at the end of *Sefer Pnei Baruch*) struggles with this halacha, and wonders how we can fulfill the mitzvah of comforting a mourner by sitting there in silence. Rav Waldenberg cites a comment of the *Levush* (*Yoreh Deah* 376:1), which explains that when mourners express their anguish, it triggers (is *mechayeiv*) the mitzvah of *nichum aveilim*. Prior to any expression of anguish, the mitzvah has not begun. Consequently, if mourners express their anguish through silence and the inability to

speak, the comforters may begin the conversation.

In fact, the Chazon Ish is said to have regularly begun the conversations with the mourners as soon as he sensed their distress. Similarly, Chief Rabbi Yitzchak Yosef (*Yalkut Yosef* on *Aveilus* Chapter 11 end of note 1) records that his father, Rav Ovadya Yosef, would regularly begin the conversation, since he knew that the mourners were likely too intimidated to speak first.

Shouldering blame is unhelpful and a potentially destructive approach to mourning

Admission of Guilt

The Rama (*YD* 376) writes that it is inappropriate for a mourner to say that he has not suffered as much as he deserves to have suffered. We are generally discouraged from “opening our mouths to the Satan” and suggesting that we should be punished more severely than we already have been, but the period of mourning is a particularly inauspicious time for such comments.

In fact, the *Aruch Hashulchan* (376:5) suggests that the reason we refrain from reciting Tachanun in a house of mourning is that *viduy* is a component of Tachanun, and we try to avoid acknowledgement of sin in a house of

mourning. We are very sensitive to the possibility that calling attention to our sins will bring about swift punishment during a time of mourning. We even avoid the paragraph of “*V’hu Rachum*” since it contains the phrase “*lo k’chata’einu ta’ase lanu*” (do not do to us what we deserve based on our misdeeds).

This halacha seems to recognize the natural tendency of some mourners to blame themselves, especially in cases of untimely tragic deaths. We are therefore reminded that shouldering blame is unhelpful and a potentially destructive approach to mourning.

What Not to Say

It is obvious that we should be very sensitive when speaking to a mourner. It is unhelpful to provide reasons for the death, or to dwell on the details of the illness and the treatment that the deceased received. While we could write volumes about what not to say at a shiva visit, the halacha provides two examples of statements to avoid.

First, the Gemara (*Moed Katan* 27b) says that even though we are obligated to stand when a nasi walks into a room, a mourner has no such obligation to stand. Yet if the mourner chooses to stand for an honored guest, the visitor should not tell the mourner to sit, as such a statement may be perceived to mean “remain seated in your mourning.” Instead, the *Nimukei Yosef* suggests, the honored guest should say “Hashem should bless you, and please don’t burden yourself (with standing for me).”

This halacha reflects the degree of sensitivity necessary, that even seemingly benign comments should be avoided if they may be understood in a way that would be hurtful to the

mourner. In a similar vein, the Rama (335:2) writes that it is inappropriate to pay a shiva visit to a person who you are at odds with (a “*sonet*”), as the person may perceive the visit as your attempt to take joy in their suffering.² Even when we have the best of intentions, we must be mindful of how the mourner will perceive our words and actions.

Second, the Rama writes that we should not tell the mourner “what can you do? You can’t change it!” because implicit in that statement is that you would change it if you could. While in our limited understanding of the ways of God we may feel this way, it is not the proper attitude. A Jew is required to recognize the absolute righteousness of God, and ultimately accept His decree with love.

A Shiva “Call”

Rav Moshe Feinstein (*Iggeros Moshe, Orach Chaim IV 40:11*) notes that there are two elements to the mitzvah of *nichum aveilim*. First, there is the comfort that is provided for the mourner by visiting and offering words of empathy and encouragement. Second, there is a benefit to the deceased since the soul of the deceased is said to be present throughout the shiva.³

When we are unable to visit in person, the best available option is often a phone call. *Pnei Baruch* (11:12) cites *Shu”t Minchas Dovid* (72) that comforting over the phone is not recommended since it provides nothing for the soul of the deceased. However, Rav Moshe Feinstein points out that while a phone call will not fulfill the second purpose of *nichum aveilim*, it will at least partially provide the first (and primary) purpose, which is to offer words of comfort.⁴

It is advisable to find a time to call when the house is not full of visitors. The mourner may not want to take phone calls while people are there to comfort him. Texting a family member who is in the house, to let you know when the mourner is free, can be an effective strategy.

When to Comfort

The Gemara (*Moed Katan 27*) says that the first three days of mourning are designated for crying. Rav



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Yechiel Michel Tukatchinsky (*Gesher Ha'Chaim* 20:5:5) suggests that this is the basis for the practice to avoid paying a shiva visit during the first three days of mourning. Since the pain of the loss is felt so acutely during the first three days, the mourner is likely not ready to be comforted.⁵

Furthermore, Rav Tukatchinsky points out that the Gemara (*Moed Katan* 21b) forbids the mourner from responding to greetings during the first three days. The Gemara (*Moed Katan* 15a) says that the mourner should not be overly talkative, especially during the first three days. Since visitors wait for the mourner to speak, visiting in the first three days may cause him to speak more than is considered appropriate.

Despite this practice, the halacha is clear that if our only opportunity to visit will be during the first three days, we should certainly do so.

Overstaying Your Welcome

The Gemara (*Moed Katan* 27b) cites the ruling of Rav Yochanan that once a mourner shakes his head, the comforters are no longer permitted to sit with him. The *Tur* (YD 376) cites the Ramban who explains that since a mourner is not permitted to offer normal salutations (*she'ilas shalom*), he cannot say "*lechu l'shalom*" — go in peace. It was therefore necessary to develop a recognizable signal of when mourners feel that they would prefer to be alone, and this is accomplished by lowering the head as a student

would in front of his teacher.

The *Aruch Hashulchan* (YD 376:3) notes that nowadays people aren't familiar with the meaning of the lowering of the head, and it is therefore incumbent upon the visitors to develop a sense of when it is time to leave. In more modern times, visiting hours are publicized or posted on the door. It is especially important to be considerate of the needs of the mourner, and not to visit during times that visitors are not welcome.

Conclusion

We have discussed some of the relevant halachos of comforting the bereaved during the week of shiva. However, we should note that the mourner will often benefit from continued expressions of support and love after shiva has ended. The conclusion of shiva can sometimes leave the mourner feeling lonely, and an occasional phone call or text to connect is often very helpful.

Additionally, since people only sit shiva for about six days, it is fairly common for somebody to have "missed" a shiva call. In such instances, there is a tendency to avoid the mourner out of a sense of embarrassment for not having been there for them in their time of need. However, it is entirely appropriate to call after shiva has ended, not only to apologize, but to offer words of comfort.

In the merit of performing this great mitzvah of *nichum aveilim* correctly,

we should be privileged to see the day where death is no longer a reality and suffering will cease to exist.

Endnotes

1. Rav Shlomo Zalman Auerbach (cited in *Pnei Baruch* Chapter 11 note 5) assumes that the simple phrase of "*Hamakom yenacheim*" is all that is required to fulfill the mitzvah, and does indeed provide genuine comfort. Rav Shlomo Zalman notes that if conversation is prohibited before the mourner speaks, even reciting "*Hamakom yenacheim*" would seem to be prohibited. Rav Shlomo Zalman suggests that opening a conversation is only prohibited if the mourner has not begun the conversation, but reciting "*Hamakom*" prior to leaving when it is evident that the mourner will not speak is both permissible and encouraged.
2. The Shach notes that this would depend on the exact nature of the relationship, and that many times it is far more likely that the visit will be received favorably, as an effort to make amends.
3. See Gemara (*Shabbos* 152a) that even if there are no mourners, a minyan of people should get together and remain in his home for the week. The Rama (376:2) says that he has never observed this in practice, but cites the Maharil that a minyan should meet for davening at the home of the deceased even in the absence of mourners.
4. See also *Responsa Be'er Moshe* VII *Kuntros Electric* 58 for further sources on the topic of *nichum aveilim* on the phone.
5. Comforting a mourner can only be accomplished when the mourner is ready for comfort. It is therefore inappropriate to go and comfort the mourner prior to the funeral.



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