

HALOCHOSCOPE

TOI

אפשר
וכ"ס
כל הפרש
שכן ליל ע
ויילק לוי
אשר

It is customary for one who has a *Yahrzeit*, anniversary of the death of a relative, to get an *Aliya* on the preceding Shabbos. Usually, the practice is to give him *Maftir* and *Haftarah*, the last *Aliya* and the reading from the *Prohets* after it. It is also customary to give the *Aliya* of *Tochacha*, the reproof, to the *Gabbai*, *Baal Korei*, or *Rav*. If one of these people also has *Yahrzeit*, may he also take *Maftir* and *Haftarah*?

The issues:

- (A) The *Chiyuv*, obligation, to give one who has *Yahrzeit* an *Aliya*
- (B) *Maftir* and *Haftarah*
- (C) *Tochacha*, and who is given the *Aliya*?
- (D) Can one receive an *Aliya* and still have *Maftir*?

(A) *Yahrzeit* as a *Chiyuv* for an *Aliya*

On a *Yahrzeit* the soul of the departed undergoes a new judgment, and has a new opportunity to merit reward or forgiveness. In the other world, one cannot do anything for himself, and only has the merits that he earned for himself while in this world. However, his offspring in this world are able to accomplish on his behalf. Therefore, those observing the *Yahrzeit* try to gain as much merit as possible. The main effort is in the study of *Mishnayos*, and to donate money to *Tzedaka*. The letters of the Hebrew word *Mishna* are the same as those of the word *Neshama*, soul. In addition, anything that leads to large numbers of people doing a good thing increases the merit exponentially. This is especially true if the *Mitzvah* is done by a *Tzibur*, community or congregation. Not only is it done by a large number of people, but by being done together it assumes a new significance. Furthermore, sources indicate that the *Yahrzeit* observer undergoes his own judgment on this day. Among the observances for his own *Teshuva* are those *Mitzvos* that he can do to increase his own merit, including the same communal *Mitzvos*. Accordingly, the person who has *Yahrzeit* tries to lead the *Tzibur* in various *Tefillos* or other functions of the *Shliach Tzibur*. Thus, he gains part of the merit of the respondents.

The original function of the *Aliya* was that the *Oleh* would actually be hon-

ored with reading his Aliya. Originally, the *Brochos* were recited by the first Oleh, who only recited the fore-Brocha, and the last Oleh, who only recited the after-Brocha. The intervening Olim would only read their Aliyos. There was concern that those coming in to Shul after the beginning of *Krias Hatorah* would not know that a fore-Brocha was said, since they would see a number of Olim were reading without a fore-Brocha. Those leaving early would never know about the after-Brocha because they would not see the last Oleh saying it. Therefore, the Rabbis instituted the practice for each Oleh to recite both Brochos. Many Olim were not educated enough to read themselves, and a reader was appointed to read for them. To prevent embarrassment, the practice emerged to have the reader read the entire Parsha. Thus, the original practice would have allowed a Yahrzeit to actually act as Shliach Tzibur for his portion. Nowadays, he still acts as Shliach Tzibur for the Brochos, and the reading is done on his behalf as well.

On the Shabbos before a Yahrzeit, when the practice of memorializing the departed whose Yahrzeits occur in the coming week is observed, it is customary to honor those who observe it with an Aliya. This seems to be so that they are able to promise Tzedaka in this public forum. This is one of the most meritorious acts one can perform for the soul of the departed. Accordingly, this is one of the *Chiyuvim*, obligatory honorees, who takes precedence over other honorees for Aliyos. Some sources maintain that it is more important to have the Aliya the Shabbos before, than on the Yahrzeit itself. The Neshama should be ready with the extra merit. [See Shaarei Efraim 9:42, Biur Halacha 136. Aveilus Bahalacha 44:1, notes.]

(B) Haftarah

The term *Haftarah* comes from the Hebrew for to take leave. One is taking leave of *Shacharis* or of *Krias Hatorah*. Some say it means to open, i.e., it signals the time one may open his mouth to talk about the *Parsha*. Some say it means to exempt, i.e., it completes the obligation of *Krias Hatorah*.

The origin of the Haftarah is definitely before the times of Mishna and Talmud, since the Talmud discusses it. Early commentaries say that initially the people studied selections of the Torah and Prophets every day following *Shacharis*. As time went by, the study became too much for working people. They satisfied the readings from *Navi* with the two *Pesukim* at the beginning of *Uva Letzion* every day. On Shabbos, too, they did not keep up the practice. Then the practice was reintroduced for Shabbos, but in order to keep *Uva Letzion* on Shabbos, it was moved to *Mincha*. Later commentaries attribute Haftarah to an institution at the times of Antiochus. He forbade *Torah* and *Kesuvim* study, but permitted *Navi*. Therefore, each week a selection of *Navi* was read to correspond

to what would have been the Parsha in the Torah. When the wicked decree was abolished, the Haftarah was kept in the service.

Some say it is not a *Davar Shebikedusha*, but was initially instituted only to be read in public, with a *Minyan*. Others maintain that it, along with *Krias Hatorah*, are indeed considered *Davar Shebikedusha*. In order to show respect for the Torah itself, the one reading Haftarah is not put on an equal level with those who read from the Torah. He is not given the Haftarah like any other Aliya, but first has to read the last part of the *Kriah* as a repetition. This shows that he is not on the same level as those reading the Torah itself. This is known as *Maftir*. In addition, half *Kaddish* is recited between the two, to show clearly that the Aliya of *Maftir* is not part of the regular set of Aliyos.

To appease the *Maftir*, he is honored with *Musaf* and other parts of leading the services. Thus, we see that it is an inferior Aliya. Nonetheless, it has become customary to give a *Yahrzeit Maftir* and *Haftarah*, some say, due to the additional *Haftarah*. Having become so, it is now truly considered a more worthy honor. [See *Megila* 21a, 23a-b, etc., (*Tos. Yomtov* 3:4) *Poskim*. *Shibolei Haleket* 44. *Avudraham Haftarah*. *Rema O.C.* 144:2. *Tur Shulchan Aruch Orach Chaim* 144, 282, 284, commentaries.]

(C) Tochacha

In two places, the Torah details the punishment due when the Jewish people break their "treaty" with Hashem, i.e., they do not keep the *Mitzvos*. In both places, first the Torah details the reward. Not only will the course of nature work normally, but it will function extraordinarily well. However, as a result of failing to keep our side, things will not function the way they should. Then more hardships are foretold, including destruction and exile.

Aside for the differences between them, the Talmud and *Poskim* mention the *Tochacha* in two contexts. One is whether one may interrupt in the middle to divide it between two Aliyos. Doing so would show that one feels that it is too much for one person. The implication is that when reading it, one must take it to heart. Not that it should apply specifically to the person reading it, but to the congregation. Yet, due to its intensity, one divides it and takes a break. This is rejection of reproof. One may not reject reproof, based on a *Passuk*.

The second occurrence in *Halacha* deals with the person reading it, or in our days, getting the Aliya. On the one hand, it is harsh, and it is possible that one reading it might have a specific person in mind. This is forbidden. Furthermore, one might be hesitant to take the Aliya, in the belief that it signifies punishment. This is like rejection of the *Mussar*. However, due to the concern that one might

have the Oleh in mind, many have the practice that the Korai is the one who gets this Aliya. Furthermore, they do not call on him by name, as they would for a regular Aliya. In some congregations, the Gabbai takes it himself, to deflect criticism about giving it to the wrong person. On the other hand, being Mussar, only one qualified to give it should do so. Thus, in many congregations, only the Rav can be given this Aliya.

In situations where the placing of the order can not accommodate such a dignitary, for example if he is a Kohain, it is rearranged to fit it in. [A Kohain may take the first or the eighth and final Aliya.] Another common practice is to read it in a lower voice than the rest of the Parsha. However, to read it too low, and sometimes too fast, to be heard, is an erroneous practice. It smacks of the rejection of the Mussar. [See Megillah 30b-31b, Poskim. Tur Sh. Ar. O.C. 428:6, commentaries.]

(D) Taking an Aliya and Maftir

In our case, the reader wishes to read Maftir and Haftarah as well. He will have to take the Tochacha Aliya. The Poskim discuss a situation where there is no-one present to read the Haftarah except someone who already read a regular Aliya. In this case he may do both. However, it is not preferred. [See Sh. Ar. O.C. 282:5, commentaries.]

In our case, it would appear that it is better to take the Tochacha, a regular Aliya and initially more worthy, than the Maftir. However, it is known that great personalities, who were normally honored with the third or sixth Aliyos, considered the most prominent, still asked for Maftir for a Yahrzeit. Nonetheless, taking into consideration the fact that Tochacha is given to the Rav by many, plus the fact that the reader anyhow has the merit of reading the entire Parsha, it is more appropriate for him to take the Tochacha, in keeping with the regular custom. Maftir should then be read by another person.

This issue is sponsored in memory of Hagaon Sarav Moshe Chaim ben Sarav Avraham Vissachar Ratzker, zt'l, his daughter Rochel, a"h, whose Yahrzeits were on the 13th and 16th of Tyyar respectively, and R. Shimon ben Eliezer Blumenthal, zt'l whose Yahrzeit is on the 25th of Tyyar.

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