

# HALOCHOSCOPE <sup>TOOL</sup>

Someone has adopted the practice of kindling a candle in Shul when the services include *Yizkor*, memorial prayers for the deceased. He now attends shuls where this practice is not followed by the general congregants. Should he continue his practice nonetheless? Is it like a *Hanhaga Tova*, meritorious practice? This is binding like a vow if it was undertaken without stipulation that it is not binding.

The issues:

- (A) *Tzedakah* and *Hazkaras Neshamos*, memorial prayers for the dead
  - (B) *Av Harachamim*, *Keil Malei*, *Hashkava*, *Yizkor*, and the times to say them
  - (C) *Ner Neshama*, a memorial light
  - (D) *Hanhaga Tova*, a binding meritorious practice
  - (E) *Minhag Makom*, following the prevailing local customs, especially in Shul
- (A) *Tzedaka for the dead and Hazkaras Neshamos*

Hashem structured the universe in a way that one has his opportunity to earn his share in the world to come, his reward and his punishment, only in this world. By withstanding his personal tests and performing good deeds while alive he prepares for after his death. One might then think that after death there is no hope for him. However, the Poskim show from sources in the *Tanach* and the Talmud that while he can no longer do anything for himself, the living can accomplish positive changes on his behalf. One source is the story of David Ham-elech and his son Avshalom. The Passuk says that David repeated his son(s name) seven times. The Talmud says that he was working on atoning for his son through his prayers to raise him from *Gehinom*. Other incidents relate how *Tanaim* or *Amoraim*, sages of the Talmud, said that they prayed to save others from their punishments or to have them admitted into *Gan Eden*.

One actual source cited says that the dead require atonement, based on a superfluous Scriptural reference in the laws of the *Eglah Arufah*, calf brought to atone for the townspeople of the victim of the unknown murder. In another, some Poskim derive from the word used by the Torah for Yom Kippur, *Kippurim*, in the plural form, that two atonements are intended, one for the living and one for the dead. Since the dead can no longer atone for themselves, the living must atone for them with their own prayers. Thus, we find that the later

generations are meant to atone for the sins of the sale of Yosef (regarded as the greatest interpersonal sin of the Jewish people as a whole) and the golden calf (the greatest sin between man and Hashem). [Some point out that these are not simply cases of later generations atoning for earlier generations. In these particular cases, though normally children are not responsible for parents sins, the people as a whole are actually liable. However, some references do relate these sins to the concept of prayer for the dead.]

In a similar vein, we learn that Tzedaka donations can also help the souls of the deceased. The terminology used in the passage of Eglah Arufah says that the living are atoned while the dead are redeemed. Thus, the dead must be redeemed with money. This is the money given to the poor, in the name of the dead souls. Thus, though the dead have no way to acquire the money personally, the donations may be attributed to their souls. In order to pray for them or to attribute donations to them, their names must be mentioned specifically. Somehow, evidently, a mention of their names has the power of connecting their souls from the other world to this world. This is Hazkaras Neshamos.

A further source is cited by some. We know that certain offerings that the deceased already set aside while he was living may be brought by his relatives after his death. Specifically this refers to an *Olah Korban*, a free donation offering. Undertaking to give Tzedaka is the same as this type of offering. However, some Poskim maintain that this very analogy to offerings is a proof that one can not automatically assume that a son or relative helps the soul of the deceased by his deeds. An atonement offering may not be brought by its owner's heirs. This is because the deceased no longer has atonement. Others say that a son can certainly bring his father merit, if the father had a hand in raising the son to be meritorious. Some say that the issue arises when a father might have erred but was conscientious to send his son to study Torah. Yet others say that the father can gain merit if he instructs the son to give the Tzedaka after his death. Some also say that if one has merit of his own, but is prevented from benefiting from it due to his sins, Tefilos and Tzedaka will help him. However, one who was so bad that he has no merits of his own will not be helped by Tefilos. Furthermore, some say that one should not pray for the wicked to be included with the righteous.

### **(B) Formal Tefilos and their timing**

The first formal Tefilah composed for the souls of the departed is the *Av Harachamim* for the martyrs of the crusade attacks. The survivors are still able to pray for the dead, who can no longer pray on their own behalf. Though they gave

up their lives for the sanctification of Hashem's Name, the greatest possible level a human can attain, their souls are yet invoked. The names are not specified, and the Tefilah is also a memorial of a different kind. Along with praying for them, there is a prayer to avenge their loss, and that their memory should serve as a merit for the survivors. This is similar to invoking the merits of the forefathers. Nonetheless, the Tefilah includes prayer for their souls. It was instituted to be said on Shabbos because the souls of the wicked are allowed to rest on these days. Originally, it was to be recited on the *Shabbos Mevorchin* (When Rosh Chodesh falls in the following week) of either *Iyyar* or *Sivan*. These were the months during which the main massacres took place. In some communities it is still recited only then. In others it is recited every Shabbos. This Tefilah does not appear in the *Sefard* liturgy. The crusade massacres took place in *Ashkenaz*.

In later times, *Kel Malei Rachamim* was instituted into Ashkenazic liturgy to be said for individual souls. In Sefard liturgy a similar Tefilah, *Hashkavah*, is said. Both of these are said on Shabbos after *Krias Hatorah*, usually before the *Yahrzeit*, and there is a widespread custom to recite *Kel Malei* during the week if the *Yahrzeit* falls on a day when *Krias Hatorah* is recited. The reason it is said on Shabbos is basically the same as the reason for *Av Harachamim*. Shabbos is also like the days of *Moshiach*, when all souls will truly rest in peace. It is an appropriate time to mention the names of the deceased and daven that they may be blessed and rest in peace. Furthermore, on days when *Neshamos* are at rest, mentioning their names gives them a chance to be raised up a level. Some add that according to the Midrash those who violated Shabbos are especially severely punished. The fires are heated up on all sides of them. Therefore, on Shabbos we remember the souls of the departed and pray for them. Yet another explanation is that on Shabbos many people attend Shul who are not there the rest of the week. Those attending should be given the opportunity to take the matter to heart, in keeping with the verse "the living shall take to heart [the passing of the dead]" (Koheles 7:2). Due to the similarity between this Tefilah and *Hesped*, eulogy, it is not recited on a Shabbos that would be a calendar day when *Tachanun* is omitted during the week, such as Rosh Chodesh.

The reason it is attached to *Krias Hatorah*, the time of the reading from the Torah, is that this is associated with *Ais Ratzon*, a time of appeasement [of Hashem.] For the same reason, the practice was extended to recite the Tefilah at *Krias Hatorah* on Mondays and Thursdays as well. It is recited at the time of the *Yahrzeit*, because at that time the judgment of the soul is reevaluated. This applies

especially to the first Yahrzeit, when most souls condemned to Gehenom complete their purgatory.

Some maintain that the wording of the Ashkenazi version is clearly meant for holy individuals only. If said on someone unworthy it could do his soul more harm than good. Others counter that it is a general Tefilah for those who need atonement, who will subsequently be able to join the righteous. The prevailing practice is to recite the standard version for everyone. One view, based on *Kabalalah*, maintains that when his name is mentioned a soul is forced down into this world. It is not allowed back up until the Tzedaka that was promised is paid. Thus, some say that it is better not to recite it at all. However, others disagree with this interpretation, and reconcile Kabbalistic teaching with this Minhag.

*Yizkor* is another case of a specific Tefilah for individual deceased. It was, according to some, instituted for Yom Kippur, for the reason mentioned earlier, then spread to the other *Yomim Tovim*, when it is recited on the last day of *Pesach* and *Shavuot*, and on *Shemini Atzeres*. According to others, it was actually also instituted to be said on the days of Yomtov when the portion of the Torah is read referring to bringing *Matnas Yado*, a donation, when visiting the Bais Hamikdash. This is related to the donation given on behalf of the souls of the deceased. [In Eretz Yisroel it is said on the last day of each Yomtov.]

In accordance with the idea that the living help the deceased through their Tefilos, children would be honoring their parents after death. This complies with a Talmudic teaching that one must mention a small statement which amounts to a Tefillah when mentioning a parents name. especially in association with his teachings. There are two versions of what should be said, one for the first year and one for thereafter. In addition, when it is recited in shul, the congregation is honoring the memory of the dead. It should be recited by a descendant of the deceased, but he may have it done on his behalf by the Shliach Tzibur, leader of services. In such cases, it is certainly a communal Mitzvah. [See Shoftim 21:8 Sifri. Tanchuma Haazinu (some editions). Brochos 18b Chagigah 15b Sotah 10b Kidushin 31b Baba Basra 10a, Poskim. Shiblei Haleket 81. Sefer Chasidim 170 608 (Chasdei Olam) 611 1171. Tur Shulchan Aruch Orach Chaim 284:7 621:6 Yoreh Deah 240:9 249:16, commentaries. Sidur Yaavetz, Otzar Tefilos, Krias Hatorah, Yom Kippur.]

*To be continued ...*