

HALOCHOSCOPE ^{TOI}

Continuation of last issue:

Someone began the practice of kindling a candle in shul on days when the memorial Yizkor prayer is said. He now attends a shul where the this practice is not followed. Should he continue his practice personally or give it up? Is it like a meritorious practice that is binding when undertaken without stipulation that it is not a vow?

Issues already discussed:

- (A) *Tzedaka* and *Hazkaras Neshamos* for the dead
- (B) Formal *Tefilos* and their timing

In this issue:

- (C) *Ner Zikaron* or *Neshama*, a memorial light
- (D) *Hanhaga Tova*, a binding meritorious practice; *Minhag Hamakom*, following prevailing local customs especially in shul
- (A) *Ner Neshama*

The practice of kindling a light for the soul of a deceased relative is not mentioned by early Poskim. It seems to have arisen relatively recently. The earliest mention of a Minhag closely related to it is in the Poskim discussing the lights kindled on *Yom Kippur* in Shul. The Talmud discusses a practice of kindling lights for *Yom Kippur* for other purposes. The Poskim mention the idea of *Ner Neshama*, a light for the departed souls, since it is also a day of atonement for them (see last issue). This might have been part of the already widespread practice of kindling lights for *Neshamos* for a *Yahrzeit* or for *Yizkor*. At any rate, there is very little Talmudic source or basis for it.

There is, in fact another Minhag cited, which is more questionable. When a person dies, an oil lamp, and a bowl, glass or bottle of water are placed where he expired and left there for the seven days of mourning. This has yet less basis. Accordingly, some maintain that the Minhag almost borders on *Darkei Emori*, superstition. Some call for its forceful abolition, or insist that when they die it shall not be done for them. At the very least, some say that if they were able to they would abolish it but feel that not saying anything, neither in support nor against it, is best. One opinion is that the water is surely copied somehow from

the gentiles, known as *Chukos Hagoy*, but the lamp Minhag has a basis.

The commonly cited basis for the Minhag is a *Passuk* in *Mishlei* (20:27) "a man's soul is the lamp of Hashem." Accordingly, when one wishes to remember a departed soul he lights a lamp. However, this is a human made lamp, and in fact the Talmud distinguishes between a man-made lamp and a living human who is Hashem's lamp. Another source is cited from a passage in the Talmud discussing the final instructions of Rabi Yehuda Hanasi. One instruction was to leave his lamp alight in his place. The Talmud gives the reason for this as Rebi planned to visit every Erev Shabbos at twilight. Thus the light was not there to represent him, but in his honor. Accordingly, if there is any basis for the idea that a Neshama comes and visits, such as the possibility that it is brought down when its name is mentioned (see last issue), there is basis to kindle a light in its honor.

According to this source, the lamp must be oil, and is placed in the house where the person died for the duration of the *Shiva*, because the belief is that his soul comes there while they mourn him. Some maintain that it also helps if placed in any house of mourning. The Tefilah of the Shiva helps the soul. This is why a Shiva is conducted in the home of the departed even if he did not actually die there. During this mourning period, his soul does come to this place. Thus, even if the person dies in hospital and his family mourn at home, they kindle the lamp at home.

One reconciliation for the water and glass Minhag is that the light hints at the soul. It is still alight and basking in the presence of Hashem. The oil hints at the influence (*Hashpa'ah*) that came from Above to the soul. The water hints at the material part of the person that has been lost, since it is poured out on the ground, and the glass hints at the revival of the dead. Glass can be repaired after it is broken. Some say this is the reason a glass is broken at a wedding to remind us of the destruction of the Bais Hamikdash. It was destroyed, but will be put back together again. The body too, though lost for now, will come back to the soul. According to this reason, it is not simply in honor of the soul, but somehow actually represents it.

Another reason cited by the Poskim is that the lamp is to arouse people's belief in the eternity of the soul. Another source cited is the source for women kindling the Shabbos lights. The Midrash says that it was Chava who brought death to the world by eating and enticing Adam to eat from the tree of knowledge. She is the one to compensate for it by kindling Shabbos lights. (The reasons for the Shabbos lights include *Shalom Bayis*, domestic harmony, which has some connection to the story of the tree of knowledge. But the decree of death took place close to the time of kindling the Shabbos candles.) The candles are thus there as a *Tikun*, remedy,

for the sin. In the case of any righteous person's death, the Talmud says that he is taken because of the evil, based on a *Passuk* that basically says this. According to many, this means the sins of his relatives and survivors. Thus, the survivors who caused his light to be extinguished make up for it by lighting a lamp. According to the other reasons the lamp is kindled in honor of the dead, and it is considered their right. According to this reason it is the obligation of the living.

Though the Minhag does not appear in the early Poskim's literature, it is discussed elsewhere with regard to its applications in situations which involve incidental Halachic issues. When a Yahrzeit falls on Shabbos and the survivor forgot to kindle the light before Shabbos. May he ask a gentile to kindle it for him? One may ask a gentile to kindle a light for a Mitzvah during twilight. The discussion is whether this light is considered a Mitzvah. This is probably the earliest mention of this Minhag, about four hundred years ago, though it appears to have caught on quite well by then. Though some Poskim do consider it a Mitzvah of sorts, most do not. At best, they say it is like a Mitzvah. The reason one may ask a gentile to do something for the sake of a Mitzvah, is that a Mitzvah can be considered the needs of Shabbos. It is the best example of this. Therefore, this light, not being kindled for pleasure alone but for a Minhag which one is specially conscientious to follow, can also be considered such a need. He will not enjoy Shabbos without it.

The second case is when the Yahrzeit falls on Yomtov. Kindling lights for Yomtov needs is permissible. An unnecessary light may not be kindled. Since this light is not used it is unnecessary. However, if it is considered a need it may be kindled. This need is based on *Simchas Yomtov*, the Mitzvah to rejoice on Yomtov. If the survivor will be upset at its absence, he should kindle it. Some Poskim add that since it has become so important that many people think it is a bigger Mitzvah than many other Mitzvos, it is like a Mitzvah in this respect. In actual fact, it is nothing more than a Minhag, but once one has undertaken to do it, some sources say that the soul expects it, and that it might even come to remind the survivor about it. Nonetheless, the Poskim prefer that one kindle it in Shul, since in Shul all lights are considered necessary. From the first case we see that it is not crucial that the survivor himself kindle it. This shows that it is more for the honor of the deceased than for the atonement of the survivor. In the second, we see that one need not kindle it in his home, though he may. [See *Mishlei* 20:27. *Psachim* 53a *Kesubos* 103a, *Poskim*. *Tur Sh. Ar.* O.C. 261:1 514:5 610:4 commentaries, *Y.D.* 376: *Bais Lechem Yehuda* 4, *E.H.* 89 *Pischei Teshuva* 2, 165 *Pischei Teshuva* 7. *Teshuvos Ksav Sofer* O.C. 65. *Moed Lechol Chai* 3,16. *Yabia Omer* IV:Y.D.35:2.]

(D) Hanhaga Tova; Minhag Makom

Having discussed this issue quite recently, let us determine simply whether it is relevant in our case. The nature of this Minhag is not the binding type. For example, had he adopted a practice of fasting or Tzedaka for the Yahrzeit he would be compelled to follow the practice. These are practices that one adopts as a formal vow. He happened not to verbalize it, but is bound by his meritorious practice since he did not verbalize otherwise. The candle is a nice Minhag but has little to do with personal restraint and repentance. Even those who link it to atoning for the sin of extinguishing the light, mean it as a means of arousing Teshuva, but not repentance itself. The person might have begun the practice thinking it was a big Mitzvah, and now finds that his new shul does not even follow it. This would not be a vow, but a mistaken undertaking.

There remains concern that the Neshama will expect the candle kindled on his behalf. May one disappoint him? If there is no reason to kindle it in shul, one may still kindle one at home and offer some prayers mentioning the name. However, since it is being kindled on Yomtov, one must do it in a way that one could at least provide some light with it. Thus, though the Minhag is not to benefit directly from a Yahrzeit candle, it will be considered a need of Yomtov, along with the Simchas Yomtov it provides in terms of peace of mind.

Since the prayer is recited in Shul, whether it be Keil Malei on the Yahrzeit, or Yizkor on Yomtov, it makes more sense to kindle it in Shul, following the reasoning discussed earlier. However, it is likely that practicing stringency could actually harm the Neshama, due to another factor. One may not act in public in a manner that appears more stringent than the people around him, even if this means being lax in a Halachic ruling. Since the members of the shul do not kindle their own lights, the person may not do it in front of them. The shul probably relies on the electric plaques, a suggestion discussed by the Poskim. In this case, he may also rely on it, acquiring a plaque in the shul where he plans to say Yizkor. It is possible that the shul does not have the Minhag at all, in which case he should not show stringency.

In conclusion, kindling the lights in shul is not a binding vow. One may not kindle the light in shul unless there are others doing the same. He may kindle it at home, based on the fact that many Poskim consider it a need for Yomtov.