

ate a *kidduh Hashem*, sanctification of Hashem's Name, if the prayers prove to help. [See Baba Kama 92b Beraishis Rabah 14:8 Yerushalmi Megillah 3:7. Sefer Chasidim 257 746 790 982. Tur Sh Ar YD 151:11, Darkei Teshuva. Chaim Beyad 33.]

#### D) *Nichum availim on Shabbos*

The Talmud forbids public mourning on *Shabbos*. Only things done 'secretly' may be observed. Thus, anything seen by others is included in the definition of 'public'. Accordingly, consoling the bereaved on *Shabbos* is debated. If one consoles them, they will feel mourning. Since this is done in the presence of the consoler, there will inevitably be a display of mourning. However, the issue does not seem to come from concern about the consolers. The fact that they feel sympathy does not seem to detract enough from their *Shabbos*, to forbid them from doing this *mitzvah*.

It is clear from some sources that in former times, they would indeed console the bereaved on *Shabbos*. The special gates in the *Bais Hamikdash* were used on *Shabbos* for consolation purposes. Similarly, the original custom in *shuls* was to console after *musaf* by day on *Shabbos*. Later, the practice seems to have changed. The consolation takes place right before *Shabbos* is ushered in, so that on *Shabbos* itself there is no need for it. One reason that Talmud is reluctant to permit *nichum availim* on *Shabbos* is that it could prompt the avail to cry or to pray for his mundane needs. This is forbidden on *Shabbos*. However, the Talmud says that 'with difficulty' consolation was permitted on *Shabbos*.

There are varying *minhagim* on how to console on *Shabbos*. Some use the usual greeting, but omit mentioning the mourning for *Yerushalayim*. Others change it, similar to the way one wishes recovery to a sick person on *Shabbos*. "It is *Shabbos* and one may not console. May a speedy consolation come!" Some add: "And have a peaceful *Shabbos*! (*Shabbat Shalom!*)" Some say *Shabbat Shalom*, and some say nothing, but show sympathy with body language. The goal is to show how *Shabbos* can overcome pain.

In our case, the person doing the consoling is not going to be mourning himself. There is no real issue with his feeling in a non-*Yomtov* mood. As for the mourner, he is not obliged to refrain from mourning, since he is a gentile. Furthermore, the type of consolation will probably not be the same as for a Jew. In addition, the reason one would console is not to fulfill the *mitzvah* of *nichum availim*, but for *darkei shalom* and *hakoras hatov*. These are not forbidden on *Shabbos*. [See *Shabbos* 12a-b Moed Katan 19a, Poskim. Tur Sh Ar OC 287 YD 393 400, commentaries.]

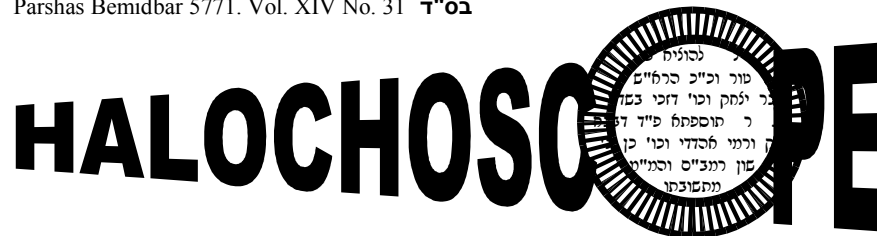
In conclusion, it is permitted to console the gentile on *Yomtov*, provided it does not interfere with the person's *simchas Yomtov*.

**On the Parsha ...** *Mathe Zevulun* .. [2:7] There is no *vav* before the word *mateh*, [unlike the other tribes]. Zevulun was a merchant. He provided for Yissachar, who studied Torah. To show that Zevulun was not to be viewed as secondary to Yissachar, the Torah does not put in the word "and" here. They are like one tribe. [*Baal Haturim*, *Tanchuma*] Perhaps Yissachar actually made the effort to act as one tribe, as a gesture of *hakaras hatov*.

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#### This week's question:

**A Jew feels a deep sense of gratitude to a prominent non-Jew. The wife of the non-Jew passed away, and the Jew found out about it on *Yomtov*. The family will be receiving condolence visits on *Yomtov*. May the Jew go to pay a condolence call on *Yomtov*?**

#### The issues:

- A) *Nichum availim*, comforting the bereaved
- B) *Darkei shalom*, things done for the sake of good relations
- C) *Hakaras hatov*, showing gratitude
- D) Consoling on *Shabbos* and *Yomtov*

#### A) *Nichum availim*

The need to be comforted when bereaved is a natural human need. The sensitivity to others who need the comfort is also a natural human instinct. This comes, in part, from the unhappy feeling one gets when another person is unhappy, and in part from the wish to have the same done to oneself when the need arises. Those who wish to make others feel good would do it anyhow. Thus, it has always been done. References in the Torah and Tanach do not necessarily mean that it is required, but that good people, and as we shall see, Hashem, do it anyhow. Nonetheless, it is considered a *mitzvah*.

Some of the *mitzvah* lists include *nichum availim* as a specific *mitzvah* in its own right. Most consider it a part of a more general *mitzvah*. The Talmud includes it in *acharai Hashem Elokaichem tailaichu*, the *mitzvah* to 'walk behind Hashem'. Is it really possible to 'follow' or walk behind Hashem? Rather, this refers to conducting oneself in His ways. Just as He is merciful, visits the sick, buries the dead and comforts the bereaved, so should one try to emulate Him in these ways. The Talmud goes on to list instances of this G-dly activity. Some cite the *passuk*, *vehalachta biderachav*, you shall walk in [Hashem's] ways, as a source for this same *mitzvah*.

Another source includes it in *ve'ahavta leraiaicha kamocha*, the *mitzvah* to love one's fellow Jew as he love's himself. The first source applies to the first reason mentioned above. Hashem does not want us to feel unhappy. Our sadness 'affects Him', so to speak. The second source applies to the second reason mentioned above. One should do to others as he would like done for himself. These *mitzvos* have Scriptural significance, though their exact definition as scriptural or Rabbinical is debated.

The natural idea of comforting the bereaved applies to any manner of consolation. Thus, one could console right away, as soon as the relative dies. One could also console much later, as long as the person feels the loss strongly, and appreciates the sympathy. One could console using any words that show feeling and sympathy, or by physically supporting, hugging holding a hand and the like. There should be no formal way in

which consolation must be performed. As a *mitzvah*, this might also be the best way to fulfill it. Or as a *mitzvah*, it might have to follow a specific formula. According to the source that compares our behavior to that of Hashem, there is a *brocha* that is recited in the presence of the bereaved. Hashem actually blesses, while the human prays that Hashem should send his blessing. Hashem blessed Yitzchok with *bircas availim* after the death of Avraham. In former times there was a more elaborate *brocha*. It required a *minyan* excluding the participation of the mourner. Nowadays, the main *brocha* is a prayer that Hashem should send consolation to the bereaved. One also includes the entire nation, who are also in mourning after the destruction of *Yerushalayim*. Thus, it is also a prayer for the final redemption and rebuilding of *Yerushalayim*. In practice, one may and should comfort a mourner at any time he still feels the sorrow. If one did not fulfill the *mitzvah* at an earlier opportunity, he may do so throughout the first thirty days or the first year for a parent. After these times, he may still console in muted tones, but without mentioning the name of the deceased. Sometimes, consoling just reopens the wounds.

Since we fulfill it as a *mitzvah*, we also follow guidelines on how to perform it. Therefore, we do not console before the interment. Immediately following the interment, the bereaved are consoled by those in attendance. Originally, the bereaved would stay in place while others would file past them. This was changed due to the unruly results. Nowadays, the comforters line up in two rows and the mourners walk between them. As they come past, each comforter recites the blessing, or prayer of consolation.

In the times of the *Bais Hamikdash*, the mourners would enter and leave in the opposite direction from the usual. This would provoke questions from the others present. The mourner would answer that he was in mourning, and the others would recite the consolation blessing. Nowadays, this is done in *shul*, on *Erev Shabbos*, right before the onset of *Shabbos*. [See below, section D.] The *shul* is our closest representation of the *Bais Hamikdash*, but we do not have a specific manner of entry or exit to distinguish mourners with it. Therefore, the mourner waits outside until everyone else is in *shul*, and enters when they are all ready to offer the condolences.

Apart from the blessing, one must try to comfort the mourner with words and actions. The book of *Iyov* is full of advice that was given to him by his friends, much of which was consolation. The Talmud records instances where the sages tried many ways to comfort the bereaved, relative to the situation. It is also evident that the children of Yaakov tried very hard to console him after the disappearance of Yosef. These do not prove that this is part of the *mitzvah*, but that it was attempted anyhow. Nonetheless, since it is also a *mitzvah* of *ve'ahavta leraiacha kamocha*, doing so would be required, to the best of one's ability. [See Chayei Sara 25:11 Re'ay 13:5 Ki Savo 28:9. Brochos 5b Megillah 23b Moed Katan 21b 25a-28b Kesubos 8a-b Sotah 14a Sanhedrin 19a Midos 2:2 Sofrim 19:12 PdRE 17, Poskim. Rambam Sefer Hamitzvos Shores 2, Dai'os 1:5-6 Aivel 13:1-5 14:1. Tur Sh Ar YD 376:1-3 385:2, commentaries. Availus Bahalacha 17.]

#### **B) Darkei shalom**

While the ideal of *nichum availim* is natural, the *mitzvah* applies specifically to consoling a Jew. This seems to be based on the *mitzvah ve'ahavta leraiacha kamocha*, which

applies primarily to the *mitzvos* between one Jew and his fellow. Certain *mitzvos* apply specifically to inter-Jewish relations. One who decides on his own to fulfill them with regard to gentiles is guilty of trying to best Hashem's Torah. Nonetheless, the Talmud says that one must fulfill the *mitzvos* that derive from this particular *mitzvah* with gentiles as well. This is based on *darkei shalom*, following the ways of peace. Making the distinction could arouse animosity, while performing these kindnesses will hopefully promote peaceful relations. The ways of the Torah are peaceful. Generally, it is assumed that this type of *mitzvah* is Rabbinical, with some Scriptural precedent. They are instituted by the Rabbis to maintain order and friendly relations between neighbors and other groups.

In addition, the sources for *nichum availim* include a *mitzvah* to emulate Hashem in His dealings with people. This is not based on '*raiacha*', your fellow Jew. According to this source, it is possible that the obligation applies to gentiles as well. Usually, one would derive from the term *raiacha* that regardless of other sources, the Torah specifically wishes to limit the *mitzvah* to Jewish brethren. Since there is an ideal of *darkei shalom*, the other source may come into play as well.

Thus, one feeds the poor gentiles, visits the gentile sick, buries their dead (attends funerals) and consoles their bereaved. The terminology used by the Talmud is 'the gentle bereaved with the bereaved of Israel'. This implies that one must only do these *mitzvos* for gentiles who are together with Jews. However, the poskim maintain that this term is not meant to exclude performing these kindnesses with gentiles by themselves.

*Nichum availim* for Jews depends on the mourner and his predicament. Since the gentiles do not have the same obligation to mourn, the manner of consolation should change slightly. One need not follow the rules of the *mitzvah* mentioned earlier. One may console him before the burial. In fact, common gentile custom is to receive condolence visits specifically before the funeral. One may initiate conversation. It is questionable whether one should recite a blessing or prayer invoking the Hebrew words *Shalom*, a title of Hashem, or his title as *Hamakom*. The gentile is not 'among the mourners of Zion and Jerusalem'. On the other hand, making too large a distinction might arouse animosity, defeating the purpose of *darkei shalom*. [See Gitin 59a-62a, Poskim. Tur Sh Ar YD 148:10 151:11-13 (TZ) 251:1 335:9 367:1, commentaries.]

#### **C) Hakaras hatov**

Expressing gratitude is not included in a specific *mitzvah per se*. However, it is required as part of various *mitzvos*, such as the *mitzvah* not to reject Egyptians. Since we were hosted by Egypt as strangers, we owe them our gratitude. Thus, this is important even when the recipient of the gratitude had also committed terrible atrocities against the one expressing it. All the more so when one receives special treatment from a friend must he show gratitude! The Talmud says that one owes gratitude to inanimate objects that provided a service.

In general, one may not bless a gentile using Hashem's Name. A regular blessing is debated. However, based on *hakaras hatov*, one should bless the name of a gentile, or his memory, if he was a good person, and especially if he did good to the Jews. One may also pray for the welfare of a gentile who is good and has provided good. It can also cre-