

HALOCHOSCOPE

ment. Some suggest that *yizkor* can arouse sadness. This is not appropriate for *Yomtov*. However, those who need to, recite it. Those who do not, should not spoil their *Yomtov* by remaining present. Some add, the rule is that in the presence of a groom or other celebrant, one does not say *hazkaras neshamos*. This means that in the presence of people who are celebrating festivities one should not do *hazkaras neshamos*. Those who do not need to say *yizkor* are celebrating *Yomtov*, and are like grooms in their wedding week. Therefore, if they stayed in *shul*, the others could not say *yizkor*.

There is another more general consideration. The *minhag* for those with living parents to leave is the prevailing *minhag* in the *shul*. The exact reason for it is not known with any certainty. Accordingly, there is always a possibility that it applies to anyone with living parents, regardless of their other circumstances, for some other reason. Perhaps it is to show deference to one's living parents! That being the case, one might not be allowed to speculate on the reason and to exclude himself based on his circumstances. This would violate the *minhag hamakom*. This is forbidden because it can lead to strife. Thus, this 'reason' takes on significance of its own. In fact, there is even a suggestion that the objection to some remaining silent while others recite a prayer [one of the suggested explanations] is based on this very concern. The Torah forbids forming factions, with each performing *mitzvos* in its own manner, in the same location.

In our case, the person saying *yizkor* mentions the departed relative by name. There is no concern that he will mention the wrong person, who is still living. According to most other reasons, he has cause to stay in *shul* to recite it. The only reason that could apply is *ayin hara*. Those who do not realize that he is saying it for another relative, might cast an evil eye. In addition, we must take into account that it is after all *minhag hamakom*. Since *ayin hara* might be the reason, combined with the problem of violating *minhag hamakom*, the suggestion is made that this person should follow the following procedure. He should indeed leave the *shul* with the others. He may recite *yizkor* by himself, outside *shul*. The timing after *krias hatorah* will still be opportune. When the others return to *shul* to say *av harachamim*, he may say the *tefilah* quietly again, having in mind the same original pledge. This way, he will also gain the advantage of the presence of the *sifrei Torah*. Since the congregation will also be saying memorial prayers of some kind, his silent *yizkor* will not lead to strife. In addition, he will also say *av harachamim* when he finishes *yizkor*. [See Brochos 20b Psachim 50b Yevamos 106a, Poskim. Tur Sh Ar OC 621:5 Mateh Efraim 1, commentaries. Shaarei Efrayim 10:32, Pischei Shearim, Shaarei Chaim. Leshon Chachamim I p. 92a. Nitei Gavriel Yamin Noraim 48:2. Duda'ei Hasadeh 12. Btzail Hachochma IV:120. Gesher Hachayim I:32:1 Penai Baruch 32.]

In conclusion, the person should leave with the others, say *yizkor* quietly outside at the same time it is said inside, and then say it again when he comes back inside.

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a"h, whose *yahrzeit* is on the 5th of Tishrei. א

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גמר וחתומה טובה

This week's question:

In many *shuls*, it is customary to announce "Yizkor" as a signal that those whose parents are living should leave the *shul*. If a person lost child or a spouse, but whose parents are both living, must this person leave? May this person say *yizkor*?

The issues:

A) *Hazkaras Neshamos*

B) Reasons for leaving the *shul* for *yizkor*

A) *Hazkaras neshamos*

The universe was created with this world as the *Olam Hamaaseh*, the world of action. One earns his share in the World-to-come, and his reward and punishment, in this world. Opportunities for *mitzvos*, tests and good deeds are all amassed here, and in this way one prepares for his day of judgment after death. This implies that after death there is no more hope. The poskim cite sources in Tanach and the Talmud that indicate that though the departed soul can no longer do anything for himself, the living can accomplish positive changes on his behalf. In one source, King David repeated the name of his wayward son, Avshalom seven times. The Talmud says that he was praying for atonement, to raise Avshalom from Gehinom. Other sources mention Talmudic sages who interceded to save the departed souls from punishment or have them admitted to Gan Eden.

According to one source the departed require atonement, based on the language of the ceremony of the *eglah arufah*. This is a calf beheaded to atone for the local townspeople when there is an unsolved murder. Some poskim suggest that the Hebrew word *Yom Hakipurim*, in the plural refers to two atonements; one for the living and one for the dead. The dead can no longer atone for themselves. The living must include them in their own prayers. Thus, later generations atone for the sale of Yosef and for the golden calf. [Some sources say that the later generations are actually included in the guilt. However, others consider the prayers atonement for the departed.]

Tzedakah donations are also cited as a means to help the departed souls. The terminology of the *eglah arufah* is that the living are atoned and the dead are redeemed, a term associated with money. The deceased cannot acquire money personally, but money donated to the poor can be attributed to their souls. In order to pray for them or to donate funds for them, their names must be mentioned. On a mystical level, mentioning their names has the power to connect the souls from the other world to this world of action. This is called *hazkaras neshamos*. The original practice was to do this on *Yom Kippur*.

If one set aside animals as *korban olah*, burned offerings, before his death, they may be offered by his relatives after his death. This is often a free donation offering, with no implicit obligation, and is compared to *tzedakah*. The question is, how far may the com-

parison be taken? Some point out that only a voluntary offering may be brought by heirs, but not an atonement offering. The deceased no longer has atonement. Others maintain that an *olah* can also atone in a voluntary manner. Some say that if a father had a hand in raising a meritorious son, that son can bring his father further merit. Some add, if a father erred spiritually, yet was conscientious to send his son to study Torah, the son may bring him atonement. Some say that a parent can gain merit by instructing a child to give the *tzedakah* after the parent's death. Some also say that if a parent has merit of his own, but is prevented from benefiting from it by his sins, *tefilos* and *tzedakah* will help him. If he has no merits of his own, he will not be helped by others' *tefilos*. Moreover, some say that one should not pray for the sinful to be included with the righteous.

The first formal *tefilah* composed for the departed souls is *av harachamim*. [Contrary to popular belief, *kaddish* is not a prayer for the dead. It is recited by the survivors so that their merit of causing amen to be said will be attributed to the deceased soul.] This was composed for the martyrs of the crusade attacks. They gave up their lives to sanctify the Name of Hashem, the greatest possible level attainable by a human soul, yet their souls are invoked. The names are obviously not specified and it is a memorial *tefilah* of a different kind. We pray to avenge their loss and that their memory should serve as a merit for the survivors. This is likened to invoking the merit of the Forefathers. Nonetheless, it includes prayers for their souls. It was instituted to be said on *Shabbos*, because all souls are allowed to rest then. Originally it was to be recited on the *Shabbos Mevorchin*, the *Shabbos* preceding *Rosh Chodesh*, *Iyyar* and *Sivan*. The main massacres were during these months. In some communities it is still only recited then, while others recite it on a regular *Shabbos*. *Sefaradic* rite does not include it. The events took place in *Ashkenaz*. *Av harachamim* is said after *krias hatorah*, the Torah reading.

In later times *kel malei rachamim* was instituted into *Ashkenazic* liturgy. Some sources indicate that it was also composed as a response to persecutions [at the times of the Chmielnicki programs in the mid-seventeenth century]. This *tefilah* is for individual souls. *Sefarad* liturgy has a similar *tefilah*, called *hashkavah*. These *tefilos* include a pledge to *tzedakah* on behalf of the deceased. These *tefilos* are also said on *Shabbos* after *krias hatorah*, usually before the *yahrzeit*. There is a widespread custom to say *kel malei* during the week, if the *yahrzeit* falls on a day with *krias hatorah*.

Some maintain that the wording of the *Ashkenazic* version is clearly meant for holy individuals only. Saying it for an unworthy soul can do more harm than good. Others counter, it is a general *tefilah* for those who need atonement. Subsequently, they will be able to join the righteous. There is a *kabalistic* view that when the name is mentioned, the soul is forced down to this world. Until the pledge is paid up, the soul is not allowed back. Thus, some say it is better not to recite it. Others, however, reconcile *kabalistic* teaching with this *minhag*.

Shabbos is when the souls rest, as mentioned. It is also a small taste of the world-to-come, and likened to 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. On days when *neshamos* are at rest, mentioning their names gives them a chance to be raised a spiritual level. Some add, according to the Midrash,

Shabbos violators are especially severely punished. The fires of Gehinom are heated up on all sides of them. Therefore, when *Shabbos* comes around we are reminded of the souls of the departed, and we pray for them. Others say that on *Shabbos* more people attend *shul*. Those attending are given the opportunity to take the matter to heart, as it is said: The living shall take to heart [the passing of the dead] (Koheless 7:2). Due to the association of prayer with a eulogy, it is not said on a calendar day on which one would not eulogize were it a weekday.

Yizkor is another case of a specific *tefilah* and pledge for an individual deceased soul. According to some, it was instituted to be said on *Yom Kippur*, for the aforementioned reason. It then spread to other *Yomim Tovim*. It is said on the last day of *Pesach* and *Shavuot*, and on *Shemini Atzeres*. Various reasons are suggested for this. Some say that it was intended to be said on these days. The Torah portion read on these days includes *matnas yado*, the donation made on visiting the temple. This is related to donations for departed souls.

The connection between these *tefilos* and *krias hatorah* is that the times of Torah reading are associated with *ais ratzon*, a time of divine appeasement. The time of the *yahrzeit* is when the soul is reevaluated. *Yom Kippur*, as mentioned, is a time of atonement for all souls. The final day of *Yomtov* is when the souls that were furloughed for the holiday are about to return. [See Shoftim 21:28, Sifri. Tanchuma Haazinu (some editions). Brochos 18b Chagigah 15b Sotah 10b Kidushin 31b Baba Basra 10a, Poskim. Shibolei Haleket 81. Sefer Chasidim 170 608 (Chasdei Olam) 611 1171. Tur Sh Ar OC 284:7 621:6 YD 240:9 249:16, commentaries. Sidur Yaavetz, Otzar Hatefilos, *krias hatorah*, *Yom Kippur*. Edus Leyisroel.]

B) Leaving the shul for yizkor

Both *av harachamim* and *kel malei* are public or communal *tefilos*. The congregation answers *amein* to *kel malei* recited by the leader, and *av harachamim* is recited by the entire congregation. The poskim debate whether there should be a *minyan* present, and most conclude that it is not necessary. *Yizkor* is recited privately, by the individual. It is recited in *shul*, in the presence of the *sifrei Torah*, and after *krias hatorah*. However, it does not require participation of the rest of the congregation.

There is a widespread *minhag* to ask the congregants who have living parents to leave the *shul* during *yizkor*. [It seems that there was also a *minhag* to ask them to leave or to remain outside for *kel malei*.] The *minhag* seems to be very old, yet, the poskim struggle to explain it. Various theories are proposed. The suggestion that there is some superstition about staying there when the mourners recite *yizkor*, is rejected. An early source suggests that only those who need to should recite it. It mentions the fact that the parent's soul is departed. If those whose parent are living stay in *shul*, they might mistakenly say it, thinking that it is part of the service. They will have uttered words about their parents that should never turn into a 'wish', that might G-forbid be fulfilled.

The Talmud does not approve of a member of the congregation who does not participate. It is not *orach ar'a*, spiritual etiquette. Thus, the suggestion is made that it is inappropriate to stay in *shul* if one will not be reciting *yizkor*. Another suggestion is *ayin hara* – those who say *yizkor* might be jealous of those who do not, arousing divine judg-