

first of the three-day-fast. Some say that three fasts were not observed consecutively. Rather, the closest Monday and Thursday following Purim would have been observed.

Since many consider this fast a *minhag*, it has certain leniencies. Even a minor complaint, such as a headache, is sufficient reason to break the fast. However, since it is a *minhag* adopted by the entire Jewish people, healthy people may not separate themselves from the rest of the people. [See Megilah 2a, Rosh (KN) Ran Mordechai. Sofrim 21:1-4. Tur BY Bach Sh Ar OC 686, commentaries, Ar Hash.]

D) Conflicting fasts

Our questioner assumes that if he does not fast on the 7th of *Adar*, he will manage the fast of *Taanis Ester*. If he does fast on the 7th, he is concerned that he will not be strong enough to fast on the 11th. Since he will feel frail, he will have a dispensation to break his fast. Should he continue with his custom of fasting on the 7th and run the risk of missing *Taanis Ester*? Is this considered *poshaia*, negligent, by causing himself to become reliant on a dispensation? Or could we say that he should continue with his usual practice, and see how he will manage on the 11th when the time comes? Does he even have a right to excuse himself from the fast on the 7th just because he is worried about the 11th?

Similar questions are debated by the poskim in regard to *Tzom Gedalia* and *Yom Kippur*, on the 3rd and 10th of *Tishrei*, respectively. *Tzom Gedalia* is an obligation *midivrei sofrim*, quasi-Scriptural. *Yom Kippur* is Scripturally very stringent. In our case, most poskim do not consider either fast Rabbinically instituted. *Taanis Ester* is universally adopted, while the 7th of *Adar* is binding on those who voluntarily undertake it by joining the *chevra*. Both fasts contain an element of participating in a communal effort. The 7th of *Adar* has an additional element of communal responsibility and liability. Neither can be considered a private vow, unless the *chevra* chose to leave the choice of fasting to individual members. [Some *chevras* allow for an option to redeem the fast with *tzedakah*.] In that case, the individual could annul his vow so that he will preserve his strength for the more major *Taanis Ester*. However, he might not be obliged to do so. In fact, it might be more meaningful to him to fast on the 7th of *Adar*, especially if he was active in the *chevra* for the past year. Since *Taanis Ester* is lenient when it comes to the mildly ill, he might be permitted to take a chance on it. If he feels healthy enough, he will fast, as he does in a normal year, when it falls on the 13th of *Adar*. If he has to break the fast, this is also acceptable. [See Sdei Chemed, Yom Kippur 1:10, Tzitz Eliezer X:25:14.]

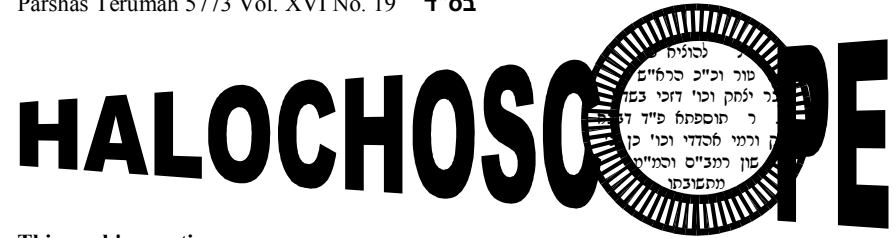
In conclusion, if the member of the *chevra kadisha* feels strongly about the 7th of *Adar* fast, he should fast. On *Taanis Ester*, he should try to fast if he can.

On the parsha ... From each man, whatever his heart will donate .. [25:2] Why is it important that one's heart 'donate'? Why was the bulk of this *terumah* a gift, rather than a compulsory communal tax on everyone? This *terumah* was to be used as an eternal resting place for the divine Presence. The builders and donors represented future generations. In matters of eternity, it is important that those involved do it with full consent and altruism. Thus, those involved in a burial, the eternal resting place in this world, should be volunteers and altruists.

Sponsored by 'your name here' ה

© Rabbi Shimon Silver, February 2013.

Subscriptions and Sponsorships available. (412) 421-0508. halochoscope@hotmail.com



This week's question:

A member of the *chevra kadisha* has tried to fast on the 7th of *Adar* every year. He is getting a little weaker than he used to be. In a year in which *Taanis Ester* is *mukdam*, brought forward by two days, this leaves three days rest between the two fasts. He is worried that if he fasts on the 7th of *Adar*, he will not be strong enough to fast *Taanis Ester*. Should he preserve his strength for the more universal *Taanis Ester*?

The issues:

- A) The *chevra kadisha*, burial society
- B) The 7th of *Adar*
- C) *Taanis Ester*
- D) Choosing between fast days

A) *Chevra kadisha* [excerpted from Halochoscope XIII:22]

The concept of a *chevra kadisha* was common in Talmudic times, and known by the simple name *chavurta*, or *chevra*. The Talmud forbids a labor in town until the dead person has been buried, unless there is a *chavurta* in town. This group of officially designated people took care of the burial. They were present at the time of death, so that no-one would die alone, helped with confession, and helped the family prepare for their grieving. [They would also provide a doctor and medicines for the ill.] They prepared the body for interment, including the provision of shrouds and a coffin or board. They carried the deceased to the grave, dug the grave, filled it and arranged for a marker. The communal cemetery was also purchased and dedicated by the *chevra*, at the head of the community. There are rules on the proximity of different graves, and the *chevra* made this decision. The *seudas havra'ah*, mourner's first meal after interment, may not be from his own food. To ensure that there would be someone else providing it, the *chevra* would do so. Finally, the mourner would not begin sitting or rise at the end of his *shiva*, until instructed to do so. This also became the purview of the *chevra*.

The Talmud also describes people who perform some or all of these functions by other titles. Some of these titles became standard names for the *chevra*. They are referred to as the *misaskim*, those who occupy themselves with this work, and *gomlei chasadim*, those who perform kindnesses. This refers to two types of kindness. In context, it refers specifically to those who comfort the mourners. In a broader sense, it refers to the kindness to the deceased. The Torah mentions this kindness as a *chessed shel emess*, kindness of truth. This favor is performed with no hope for recompense. The deceased will not be able to repay materially. In this vein, some *chevras* are known as a *chessed shel emess chevra*, or *chevras gomlei chasadim*. Sometimes, they are referred to as *katafim*, those who shoulder the burden, referring to pall-bearers, one of their functions.

From the start, this was an official group, or society, which is the meaning of the word *chevra*. In time, it became necessary to formalize the group. It was important that those who joined were versed in the *halachos* and were G-d-fearing Jews. In most cases, they followed additional *takanos*, rules of their own, that we shall sample. Members were bound to these *takanos*, and great care was taken in selecting or approving new members. Since costs were involved, members of the community were asked to become paying members. Most often, the *chevra* were not paid for their services, so that it would qualify as a *chessed*, and so that people would not be tempted to participate for the money.

The supplies, and especially the land in the cemetery, were costly. Plots were more or less expensive, depending on location. Discretion was in the hands of the *chevra*. Unfortunately, some community members would not participate in the usual payments. This led to discrimination against the deadbeats, and to strife between their families and the *chevra*. The *chevra* had to enforce the rules. Rumors would circulate about them. They were accused of being high-handed, hard-hearted and power-driven. This put the entire institution at risk, with people unwilling to become part of a *chevra*. The Rabbis added the title *kadisha* to the word *chevra*, meaning a holy society. Members were considered holy. It was common practice to recite a *mi shebairach* for the *chevra* on *Yomtov*.

Among the *takanos*, the most common were that members had to be of good character, as well as somewhat learned, G-d-fearing, deeply devoted in their observance and of a minimum age. *Chevra kadisha* members could not be members of the rabbinate or of other boards, such as presidents or *gabaei tzedakah*, and vice-versa. All members were required to check the conditions of the cemetery periodically. The position of *gabai*, collector of dues, who was also the head of the *chevra*, had term limits, usually of one year. Actual preparing the burial was rotated, by allotting days, or according to the occurrence, or by lottery, so that it would not be the same people three times in a row. New members would have no say for the first year of service. Meetings would be held at a special *chevra* location, and only *chevra* members were allowed. There would be no smoking at any time members of the *chevra* convened, for meetings of preparing the bodies. Mirth and humor was forbidden, as was any sort of argument, when they convened. [See Brochos 18a, Yerushalmi, Moed Katan 24b 27b, Kesubos 8b, Poskim. Tur Sh Ar OC 72 284-MA4, YD 339:4 341:3 343:1 358:3 365:1, commentaries. Hadras Kodesh.]

B) The 7th of Adar

The *chevra kadisha* commemorates certain days in the year as a group, most notably, *Hoshana Rabba*, *Shmini Atzeres* and *Simchas Torah*. On *Hoshana Rabba*, conducting the entire the service was reserved for members of the *chevra*. They had exclusive right to all *kibudim*. *Shmini Atzeress* afternoon they gathered and went to *shul* for the evening of *Simchas Torah* as a group. On *Shabbos Beraishis*, they had exclusive rights to the *kibudim*, and all had to gather in one *shul*.

The *chevra* also has a custom to fast, as representatives for the community, at any time of stress or trouble. In addition, they have a scheduled fast one day in the year for themselves. This is to atone for any shortcomings in their conduct during their holy work throughout the year. They also beg forgiveness from those who passed on during the preceding year, in case they did not treat them properly. After the fast, they have a *seuda*, to

generate love and friendship between them. In some communities, the *seuda* is the main event, and it is held on a day when there is no fasting, such as *Lag Baomer*. Some communities use this day for the annual fund-raising event.

Usually, the day chosen has some significance for the *chevra*. *Lag Baomer* is the day when the epidemic of death of the disciples of *R Akiva* ended. Some communities observe their fast on the Thursday of *Parshas Chayei Sarah*. That week's Torah portion deals with the burial of Sarah. Some do it on the Monday of *Parshas Shemos*, or on the 15th or 20th of *Kislev*. The most prevalent day for this fast is the Seventh of *Adar*. This was the day that *Moshe Rabainu* was both born and died. When Moshe died, Hashem Himself took care of the burial. This was a reward for the way Moshe took care of the re-interment of Yosef, with no regard for payment. This is significant and symbolic. Therefore, many feel that this is the strongest connection to the work that the *chevra* does.

The 7th of *Adar* is an age-old fast day. There is *tikun*, or various customs of different *tikunim* for this day. *Tikun* is a series of readings and passages studied or recited to commemorate the day and to remedy certain matters on a *kabalistic* level. Apart from the birth and death of Moshe, this was also the day that the *mohn* stopped falling. The *mohn* fell in the merit of Moshe. This day was originally thought to be ominous by Haman. The death of a *tzadik* is a sad event. In reality it was a good day, being the day of Moshe's birth. Thus, some consider it a good day, and refrain from *tachanun*. However, the custom to fast predates this newer practice. The 7th of *Adar* can never fall on *Shabbos*, according to our calendar. This is cited as one reason this day was chosen as a fast. [See Megillah 6b 13b Kidushin 38a, Poskim. Tur Sh Ar OC 568:7 580:2 686:2, commentaries. Sidur Yaabetz, Adar, Otzar Hatefilos, Tikun 7th Adar. Sefer Hatoda'ah, 7th Adar.]

C) Taanis Ester

The only fast mentioned in the Torah is *Yom Kippur*. The four fasts associated with the destruction of the temple are mentioned by the Navi. *Taanis Ester* is not mentioned by the Navi, nor does it appear in the Talmud. Indeed, days of celebration like *Purim* should not be marred by a fast day before or after them. Though this restriction was at least partially repealed long ago, when it was in force, there should not have been a fast on this day. Nonetheless, there is a Talmudic allusion to some sort of practice to gather, possibly for fasting and praying. The 13th of *Adar* is referred to as the 'time of assembling for all'. This term is based on the *Megillah*. On the 13th of *Adar*, the Jewish people 'assembled' to fight for their lives. When going to war, they needed to repent and ask for Hashem's mercy. This was commemorated by a fast with *selichos*.

If *Purim* falls on Sunday, one may not fast on *Shabbos*. In such cases, the fast is pushed off. In this case, it cannot be pushed to Purim, so it is pushed back. Pushing it back to Friday would mean that the extra *selichos* would detract from preparations for *Shabbos*. Furthermore, the fast would encroach on *Shabbos* by a few minutes. Therefore, it is pushed back to Thursday. This fits with another reason for the fast. There was also a *minhag* to fast three days in *Adar* corresponding to the fasts of the Jews at the time of the decree of Haman. Those took place in *Nissan*, but we do not fast at all during *Nissan*. It is the month of *geulah* and the erecting of the tabernacle. Due to our reduced strength, we fast once, on the 13th of *Adar*. Nonetheless, there is a precedent for a fast on the 11th, the