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מתשובתו

## This week's question:

May a *yahrzeit* lamp be kindled on *Yomtov*, when there is no chance to kindle it before *Yomtov*, such as the second night, or the first day that falls on *Motzai Shabbos*?

## The issues:

- A) *Yahrzeit* observance
- B) *Ner neshama*, the *yahrzeit* lamp
- C) Kindling on *Yomtov*

### A) *Yahrzeit* observance

The *yahrzeit* is not mentioned directly in the Talmud. (The word is not Hebrew, but Yiddish. According to one source, this is because the observance began in *Ashkenaz*. The *Sefaradim* call it *nachala* or *hilula*.) However, it seems to have been observed from earliest times. There are allusions to some observances and their possible meanings. The Talmud relates: Haman concluded that *Adar* was the best month for his plot to annihilate the Jews. He knew that Moshe Rabeinu passed away on the seventh of *Adar*, an ominous time for Jews. It is recorded that this day was adopted as a fast. It was probably observed from the first anniversary of Moshe's passing. The final section of *Megilas Taanis* lists dates of *yahrzeits* of great people, observed as fasts. A fast is a part of *teshuva*, repentance. The loss of body mass is like partial death. It takes the place of an animal atonement offering, which in turn symbolizes the death of the offerer. Fasts can also be for mourning, to stimulate *teshuva*, express grief and sorrow, and honor the soul of the deceased. The anniversary of the passing of a Jewish leader is ominous. On that *yahrzeit*, the entire nation repents and we mourn, lament their absence and honor them.

A child mourns a parent out of both grief and to honor the parent. In addition, the loss of the parent or any close relative indicates divine judgment. The *yahrzeit* is a day of judgment for the deceased. Merit may be gained in the next world through the actions of one's progeny in this world. The child is also judged on that day, as he is a part of the parent. *Reia mazlei*, his fortunes are in jeopardy. The Talmud mentions abstinence from wine and meat on the day of a parent's death. These restrictions are associated with mourning. Some communities derive from here the custom to fast on a *yahrzeit*. The *poskim* say it is appropriate to fast on the *yahrzeit* of a parent or of a *rebbe*.

This fast is not obligatory. One may choose to adopt it as a personal vow. Some justify the laxity in observing the fast. This is a time of *kaparah*, atonement, a good thing. However, the same argument is made to require fasting. *Kaparah* is needed, so it must be time to repent. The two sons of Aharon died in Nissan, yet the Torah connects their deaths to *Yom Kippur*, a fast for *teshuva*. A righteous man's death means the people need *kapara*. A parent's death means that the parent and child need *kapara*. A teacher's death

means that the teacher and student need *kapara*. A common practice is to offer *tikun*, a remedy for the departed soul. Food and drink are consumed. The *brochos* and the *amein* responses are attributed to the benefit of the soul.

The Talmud debates whether on a regular *Yomtov* one may fast and study Torah all day. In one view one has the choice whether to devote the day to Hashem, in study and prayer, or to one's own pleasure in food and drink. However, on *Shavuos*, all are in agreement that one may not fast. Accordingly, the common practice is not to observe the *yahrzeit* fast at all, even by making it up on another day. One should still study and perform *mitzvos* for the merit of the deceased. Other *yahrzeit* observances are also followed. These include leading the services, receiving an honor during Torah reading and reciting kaddish. [See Psachim 68b Megillah 13b Taanis 29a Nedarim 12a Megilas Taanis 13 (Perek Acharon), Poskim. Sefer Chasidim 231-232. Tur BY Sh Ar OC 529:1 568:1 7 8 580 YD 402:12 Rema 203 end, commentaries. Moed Lechol Chai 1.]

### **B) Yahrzeit lamp**

the practice of kindling a light for the soul of a deceased relative is not mentioned by the early poskim. It seems to have arisen relatively recently. The earliest mention of a *minhag* closely related to this is when the poskim discuss lights kindled in *shul* on *Yom Kippur*. The Talmud discusses a practice of kindling lights for *Yom Kippur* for other purposes, such as to benefit the public. The poskim mention the idea of *ner neshama* for the departed souls, since it is also a day of atonement for them. This might have been part of an already widespread practice of kindling *ner neshama* for a *yahrzeit* or for *yizkor*. At any rate there is very little Talmudic basis or source for this.

Another *minhag* is indeed cited, which is highly questionable. When a person died, an oil lamp and a bowl of water were placed where he expired and left there for the seven days of mourning. Some maintain that this borders on *darkei Emori*, superstition. Some call for its forceful abolition, or they insist that when they pass away it shall not be done for them. Others state that they would prefer to abolish it, but they feel that remaining silent without supporting or protesting it is best. One opinion is that the water is surely copied from a gentile practice, but the lamp has some basis.

The commonly cited basis for the *minhag* is the verse in *Mishlei* (20:27) 'a man's soul is the lamp of Hashem'. Thus, when remembering a departed soul one kindles a lamp. However, this is a man-made lamp. In fact, the Talmud distinguishes between a man-made lamp and a human who is Hashem's lamp. Another source is cited from the Talmudic passage discussing final instructions of Rebi Yehuda hanasi. One instruction was to leave his lamp alight in his place. Rebi would visit at twilight on *Erev Shabbos*. The light was not there to represent him, but in his honor. Accordingly, if there is basis for the concept that a *neschama* comes to visit, such as when its name is mentioned, there is basis to kindle a lamp in its honor.

According to this source, the lamp must be oil, and placed in the house where the person passed away for the duration of the *Shiva*. The belief is that the soul comes while people mourn him. Some say it also helps if placed in any house of mourning. *Tefilah* during *Shiva* helps the soul. Thus, a *Shiva* is conducted even in a home where the soul did not pass away. The soul comes wherever he or she is mourned.

One suggested reconciliation of the glass and water *minhag* is that the light hints at the soul. It lives on basking in Hashem's Presence. The oil hints at the influence (*hashpa'ah*) that came from Above to the soul. Water hints at the material part that has indeed been lost. It is poured out on the ground. Glass hints at the revival of the dead. Glass can be repaired after it is broken. Some say this is why glass is broken at weddings to remind us of the destruction of the *Bais Hamikdash*. Just as glass can be repaired, so too shall the *Bais Hamikdash* be rebuilt. The body is lost for now, but will come back to the soul. By this reasoning, the lamp somehow represents the soul, rather than honoring it.

Another reason mentioned by poskim is that the lamp arouses belief in the eternity of the soul. Others cite the source for women kindling *Shabbos* lights. The Midrash says Chava brought death by eating and enticing Adam to eat from the tree of knowledge. She compensates by kindling *Shabbos* lights. [The reasons for *Shabbos* lights include *shalom bayis*, domestic harmony, also connected to the tree of knowledge (the first domestic dispute). But the decree of death took place close to the time we kindle *Shabbos* lights.] The candles are a *tikun*, remedy, for the sin. In Talmudic tradition the righteous die because of the evil, based on a verse. Many maintain that this refers to the evil of their survivors. The survivors who brought about the extinguishing of his light make it up by kindling a lamp. Any survivor assumes that his departed relative was righteous. According to the other reasons mentioned, the lamp is in honor of the departed. It is considered their right. According to this last reason, it is the obligation of the living survivors.

One more possible reason might be suggested. Since the entire day is the *yahrzeit*, one should be conscious of it all day. He should be looking for opportunities to merit the soul, and should remember that it is a time of remembering and possibly judging. Having a lamp burning all day serves as a reminder. The concept of a lamp as a reminder occurs elsewhere in *halachic* literature. [See references to next section.]

### **C) Kindling on Yomtov**

Though the *minhag* does not appear in the early poskim, it is discussed in later literature with regard to certain applications that involve other incidental *halachic* issues. When a *yahrzeit* falls on *Shabbos*, the lamp must be kindled before *Shabbos*. If one forgot, may he ask a gentile to kindle it? One may ask a gentile to kindle a light for a *mitzvah* during twilight. Is the *yahrzeit* lamp a real *mitzvah*? This earliest mention of the *minhag*, about four hundred years ago, indicates that it seems to have caught on pretty well by then. Some poskim consider it a *mitzvah* of sorts, but most do not. At best, it is 'like' a *mitzvah*. The reason a gentile may be asked to perform a *melacha* for a *mitzvah* need is that it is also a need for *Shabbos*. The *yahrzeit* lamp is a good example of this. It is not kindled for pleasure alone, but also for a *minhag* that one follows conscientiously. Thus it is also a *Shabbos* need. He will not enjoy *Shabbos* properly without it.

The *minhag* is also discussed with regard to *Yomtov*. On *Yomtov*, one may kindle lights for the needs of *Yomtov* itself. Unnecessary lights may not be kindled. The *yahrzeit* lamp is not used, and is therefore unnecessary. If it is considered a need anyhow, it may be kindled. Here, need can be based on *simchas Yomtov*, the *mitzvah* to rejoice on *Yomtov*. If the surviving relative will be upset at its absence, he should kindle it. Some poskim add that it has come to be thought of as so important that many people think it is

a bigger *mitzvah* than many other *mitzvos*. Therefore, it is 'like' a *mitzvah* in this respect.

In fact, it is nothing more than a *minhag*. However, once one has undertaken a *minhag*, he must follow it. It has the status of a *shvua* or *neder*, ban or oath. Furthermore, once one begins to follow this particular *minhag*, it is assumed that the soul expects it. The soul might even come to remind the survivor about it.

Nonetheless, the poskim prefer that the lamp be kindled in *shul*. In *shul* all lights are considered necessary. At home, people tend to kindle whatever they need, with no need for an extra lamp. In *shul*, there are always people studying or praying in any corner. Nowadays, with the advent of electric lighting in *shul*, this reasoning is highly questionable. The addition of a *yahrzeit* lamp will not enhance the lighting. It is hard to consider it necessary. This is especially true if others also kindle their *yahrzeit* lamps in *shul*, in one central place. To complicate matters, there is a *minhag* to kindle lamps on *Yomtov* anyhow, for *yizkor*. At home, even if one does not kindle it in a specially dark corner, it is more likely to add light. One could also kindle the *yahrzeit* lamp to light up a darker corner. This way, he satisfies this additional requirement to turn it into a light for *Yomtov* needs. Even those who prefer kindling it in *shul*, permit kindling it at home.

Incidentally, the idea of kindling it in *shul* presumes that one may benefit from the lamp. This could depend on the purpose of the lamp. Lamps fall into three categories. A *Chanukah* lamp may not be benefited from. Its entire purpose is for the *mitzvah*. The Talmud debates whether one may benefit from it, and we follow the stringent view. In order to make it clear that it is specifically for the *mitzvah*, another light is kindled nearby for benefit. At the other extreme, *Shabbos* lights are specifically for benefit. In the middle, certain lights are for benefit while doing a *mitzvah*. They may not be used for mundane uses. In some instances, one may not perform mundane tasks in their presence. This category includes lights donated to a *shul* for use or those praying and studying. In order to use the light for other purposes, one must invoke a specific exclusion in the consecration of that lamp. The poskim debate whether a regular *yahrzeit* light that is kindled for twenty-four hours may be used for its benefit. The consensus is that if it is made to honor the *shul*, one may not gain mundane benefit. If it is made simply to honor the soul or for one of the other reasons mentioned, benefit is permitted. [See Mishlei 20:27. Shabbos 21b-22a Psachim 53a Kesubos 103a, Poskim. Tur Sh Ar OC 154:14 (Shaarei Teshuva 20) 261:1 514:5 (Biur Halacha) 610:4, YD 376 (Bais Lechem Yehuda 4) EH 89 (Pischei Teshuva 2) 165 (Pischei Teshuva 7), commentaries. Teshuvos Ksav Sofer OC:65. Moed Lechol Chai 3, 16. Yabia Omer IV:YD:35:2.]

In conclusion, the lamp may be kindled on *Yomtov*. It is preferable to kindle it where there will be some additional benefit gained from its light.

#### חג כשר ושמן

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***yahrzeit* is the 6<sup>th</sup> of Sivan. ׀**

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