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Report on the Rabbinic Dissertation Submitted by

Sharon Sobel

in Partial Fulfillment of the Requirements for Ordination

The Sephardic Hashkeba Ceremony and its Premmelace in the Jewish Tradition of Memorializing the Dead

Historically oriented philological studies of liturgical origins are distinctly less fashionable than they once were. For one thing, form criticism has ruled out early prayers as a possible topic of consideration. For another, the number of "interesting" prayers is finite, and most of them have already been written up so many times, that one wonders, in advance, whether there is anything new to be said.

On both counts, however, the Hashkaba prayer typical of Sephardic liturgy offers an opportunity for investigation. It is not as old as the tannaitic and amoriac strata, where the form critical critique holds with such overwhelming conviction; and there is very little secondary literature on the subject. What does exist in the later category is largely general essays on memorializing the dead, with specific reference to Ashkenazic customs. We have no definitive account of the corresponding Sephardic custom.

Sharon Sobel here attempts to fill the noticeable gap in our knowledge, and arrives at a significant contribution to the subject in question. She cites what we know from rishonim regarding Hashkaba, locates it in the context of Ashkenazic customs as well as prior Jewish notions of the dead's right to being memorialized, and suggests a chronological scheme in which not only Hashkaba but other similar customs and prayers in Ashkenazic tradition too fit together as a continuous whole.

Sobel lays the background in Chapter One, by considering well-known texts regarding the dead, ranging from the II Maccabees 12 midrashic statements in relatively late compilations such as Tanchuma Ha'azinu. The former discusses resurrection, "praying for the dead," and "making atonement for the dead." The latter repeats the advice of Sifre (Deut. 21:8), "The dead require atonement," adding the prescription that the dead be redeemed by charity.

Clearly, there were some conceptions of memorializing the dead from very early times, but what were they? On that issue no one agrees. Sobel dutifully records the variant reconstructions of Morgenstern, Levi, Gaster, Ydit and others, noting that on some accounts, the

dead itercede for the living, if we remember them, while in others, our memorializing the dead is purely for their benefit.

The bulk of the thesis is given over to providing background in terms of liturgical customs that developed some time or other on the basis of the foregoing theological-folkloristic considerations. Here is where the morass of sources and customs threatens to overwhelm even the most intrepid researcher. Not only do we have distinct prayers (Av Harachamim, Hashkaba, El male rachamim), but we know also of customs to donate charity on the dead's behalf, and to do so at various times, either at Yom Kippur or at the regalim or at both occasions -- and even on every Shabbat. Sobel collects whatever she can find on any and all of these customs, and arranges the evidence in a chronological chart, without which it would be impossible for readers to find their way through all this. But with the chart as a guide, we see a story taking shape. Despite early notices of the desirability of remebering or even praying for the dead, either for their sake or for our own, our sources know nothing of any established liturgical customs until the 11th century, when Hai Gaon objects to giving charity for them along with some form of memorialization, on Yom Kippur and the festivals. Machzor Vitry and the literature from the Hasidei Achkenaz reflect also on such matters, especially the giving of charity. But remarkably enough, not firm and unquestionable reference to any of our standard memorial prayers occurs until the Maharil (14th-15th cents.), or (trusting the testimony of Israel Davidson) Machor Avodat Yisra'el, which Davidson dates in 1290. Both read Av Harachamim back to the post-Crusade period in Europe. They may be right; at least everyone assumes they are. At any rate, if so, this is the earliest such custom, with the other following some time later. El male is generally held to be the latest, a reaction to the Chmielnicki pogroms.

But where then does the Hashkaba come in? That, after all, was the question this thesis sought to answer. The reader will find the solution to Hashkaba's origin as slippery as that for the other customs, however. The earliest possible reference comes from the 14th century, when a responsum mentions Hashkaba in a discussion of what to do about the burial of a theif who was killed breaking in; but there is every reason to believe, from the context, that the word there means simply "funeral liturgy." Gaugin recollects that the Ari despised Hashkabot that were too flowery, but did he too mean only funeral liturgy in general? Caro, after all, who should have noted it in his code, says not one word about a hashkaba as memorial prayer. Thus one cannot avoid speculating that the Sephardic memorial custom is very late indeed, after Caro and the Ari, perhaps not prior to the 17th century!

At any rate, it is the custom now for Sephardic Jews to Memorialize the dead using this custom, and in more than one single way, too. Texts of prayers vary from source to source, and according to who is being memorialized; occasions for memorializing and the means for doing so are not all the same either. Attendant rites like a

limud are the norm here and there also. And the whole corpus of text reveals a Sephardic "concept of death" that Sobel discusses.

This is indeed a rich thesis, filled with textual evidence, and exploring all of the above issues in considerable detail. Supportive texts are cited throughout, and Hashkaba prayers reproduced at the end. The influence of Hashkaba on Reform Judaism's rewriting of the Kaddish is included in this lengthy survey also, and we are left with a new and profound recognition that this Sephardic custom has yet to play even a greater role in the liturgical development of the Jewish people.

THE SEPHARDIC HASHKABA CEREMONY AND ITS PLACE IN THE JEWISH TRADITION OF MEMORIALIZING THE DEAD

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Thesis Submitted in Partial Fulfillment of
Requirements for Ordination

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INTRODUCTION

Hashkaba is the Sephardic prayer for memorializing the dead. It replaces the Ashkenazic Yizkor and El Male Rachamim in the Sephardic tradition. The Sephardic and Ashkenazic commemoration customs developed along parallel lines, although the prevailing opinion is that Hashkaba was written after El Male Rachamim.

The practice of memorializing the dead in Judaism dates back to antiquity. It was the fear of evil spirits which induced the tradition of offering sacrifices to appease the souls of the dead. Eventually, these ancient sacrifices were replaced by prayer and charity which were either offered on behalf of the dead; or, which were offered to the dead to request that they intercede on behalf of the living.

We do not know of any specific prayers for memorializing the dead in Judaism until the Middle Ages. The Crusades served as the catalyst which prompted the Ashkenazim to establish a fixed commemoration liturgy. This liturgy has many links to the Christian commemoration liturgy. We shall see that just as Christian memorial practice developed in three stages, so did Jewish memorial practice. In the Jewish world, first, the commemoration ceremony for martyrs was fixed (Av Harachamim). Then, a communal ceremony for all individuals (not necessarily

martyrs) was established (Yizkor). Finally, personal memorial rituals were set, first in the Ashkenazic world (El Male Rachamim), and then in the Sephardic world (Hashkaba).

The Jewish commemoration rituals are based on custom and not law. Therefore, we find much fluidity among the memorial practices in various Jewish communities. Specifically, we will see that it is the Sephardic communities which exhibit a wide range of variety in their memorial customs, while the Ashkenazic practice tends to be more rigid. For example, the Hashkaba which is recited for a man differs from that which is recited for a woman. Some communities recite a Hashkaba for a child, while others do not.

We will also see that the Sephardim have a unique concept of death which is portrayed through their memorial rituals, of which Hashkaba is only one element. For the Sephardim, death is the ultimate wedding of the human and divine souls. Therefore, death is a time both to mourn and to rejoice. The Sephardic practice of holding a limud - a special study session - in honor of their deceased exemplifies this Sephardic concept of death. However, since the limud is also a custom, and not prescribed by law, we will find great diversity in regard to the practice of the limud among the various Sephardic communities.

The task of this thesis is to trace the development of Jewish memorial custom from antiquity to the present, and to

compare Ashkenazic practice with Sephardic practice. We will see how the Jewish sources (biblical, midrashic, talmudic and other legal sources) portray how Jewish memorial custom evolved from a ritual which originated to appease the spirits of the dead to a ritual which tries to reaffirm life in the midst of death. We will pay specific attention to all of the elements of Sephardic memorial practice. It is hoped that this study will shed some insight onto the Jewish view of death as portrayed by the Sephardim and the Ashkenazim, and perhaps help us to redirect our own approach to death as modern, 20th century Jews.

CHAPTER I

CONCEPT OF MEMORIALIZING THE DEAD - SEARCHING FOR ROOTS

The custom of praying for the dead dates back to antiquity. The ideas surrounding this concept are difficult to trace via texts and literature because we are looking at customs, rites and folklore traditions which have been passed down and changed through the generations and which have no legal basis.

> A Jewish legal principal can usually be traced from the Talmud (or earlier) all the way down the chain of tradition to the present time. But a custom, a Minhag, generally enters into the literature an observance already well-established among the people. Then when one attempts to trace its origin, we find that it is lost in mystery. Many of the best beloved and most universally observed customs of Jewish ceremonial life can hardly be traced to their origins. This is true of such popular ceremonies as the orphan's Qaddish, Jahrzeit, Bar Mitzvah, the Huppah at weddings and Yizkor [as well as Hashkaba].[1]

No one knows exactly when the custom of praying for the dead became an integral part of Jewish ritual. Nor do we know the exact date and origin of either Yizkor, El Male Rachamim, or Hashkaba, the prayers which are currently used for memorializing the dead in Ashkenazic and Sephardic practice. However, if we examine ancient Semitic death and mourning rites, and try to trace this concept through the Bible, Talmud and Midrash, we can gain a better

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[1]Solomon B. Freehof, "Hazkarath Neshamoth," Hebrew Union College Annual, vol. 36, 1965, (New York, NY: Ktav Publishing House, 1968), p. 179.

understanding of the development of both the Ashkenazic and Sephardic commemoration customs.

The traditional explanation for the origins of the customs which surrounded death during antiquity, as offered by students of near Eastern religions, has been that these customs were informed by superstition and fear. "More and more scholars are inclining to the view that the origin of practically all ancient and long-persistent burial and mourning rites lies in the superstitious fear of the ghosts of the dead, conceived of as maleficent spirits, and especially inimical to surviving relatives, friends and associates with whom they have been in intimate contact during life."[2]

The primitive Semites believed that a person's soul remained in the vicinity of the grave for seven days after death. During this time, the soul could see, hear and understand everything the living said to them and about them. In addition, they believed that the souls returned to the vicinity of their former homes, or to the homes of their relatives during the spring seasonal festival.

These fears led to the development of certain ritualistic practices which were meant either to insure the repose of the dead and/or to save the living from the harm

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[2]Julian Morgenstern, Rites of Birth, Marriage, Death and Kindred Occasions Among the Semites, (Cincinnati, OH: Hebrew Union College Press, 1966), p. 117.

which a disquieted soul could impose upon them. There were rituals for the seven days after death, thirty days after death, the one-year anniversary of death and for the spring seasonal festival. This notion that "the souls of the dead were regarded by the primitive Semites as at least potential evil spirits which must be placated in every way possible...is the key to the original meaning and purpose of very many of their rites of burial and mourning."[3]

In Semitic antiquity these rites took the form of sacrifices made to the deceased, prayers and incantations recited to them or on their behalf, gifts made in their intention and many other similar practices.

> Among the Babylonians, for example, the heir of the deceased was expected to discharge three principle duties towards him: he had to 'pronounce his name,' thus keeping it alive and in remembrance; he had to 'pour out water' to slake the thirst of the departed in the netherworld; and he had to 'offer food' so that, although physically withdrawn from the company of the living, the deceased might, so to speak, retain his place at the family board and thereby continue as a member of the family group.[4]

The rite of sacrifice is of particular significance for our study. There is much discussion about whether these sacrifices were offered directly to the dead, or whether they were offered for the dead, to request atonement on

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[3]Morgenstern, p. 136.

[4]Theodor H. Gaster, "Yizkor: The Living and the Dead," Commentary, vol. 15, #3, March 1953, p. 239.

their behalf. As we shall see further on, this same question surrounds both the sacrifices (in ancient Israelite culture), and the prayers that are used to memorialize the dead in Judaism.

There are two types of sacrifice in Semitic antiquity; both of which seem directly to correlate with both ancient Israelite practice and modern Jewish memorial practice. The first is the sacrifice which is offered within a few days of a person's death, and the second is the sacrifice that is offered either at the yearly anniversary of their death or annually at the spring seasonal festival. These sacrifices were still practiced by certain Arab and Bedouin tribes up until the beginning of the twentieth century.

Morgenstern's discussion of these sacrifices draws heavily on the earlier work of S. I. Curtiss.[5] Regarding the sacrifice that is offered immediately following a person's death, Curtiss maintained:

> In Syria, Arabia and Palestine they have a custom of slaying to benefit the souls of the departed. When anyone dies his relatives are supposed to kill one or more animals within a few days on behalf of his spirit. They call these sacrifices *fedou*, or redemption. They go before him as a light, serve him in the next life as he approaches God. They become a *keffareh* for his sins. Some people have all this done before they die, in order to cover their sins...The fact that this sacrifice is called explicitly *fedou*, "redemption," leads to the interesting and important question of sacrifice on behalf of the dead and particularly to the notion of whether

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[5]Morgenstern specifically relies on Curtiss' work: Primitive Semitic Religion Today, 1902.

these sacrifices are offered *to*, or merely *for* the dead.[6]

It is interesting to note that these sacrifices are regarded as a keffareh - an atonement offering - for the sins of the deceased. This Arabic word keffareh has the same root, kaper, as the Hebrew word for atonement. As we shall see further on, the ancient Israelites originally offered sacrifices directly *to* the dead to appease them. Over time, the intent of the sacrifices (and later on, the intent of prayers after sacrifice had been abolished) changed so that they were offered as a way to request kaparah - atonement - for the sins of the deceased.

The second type of sacrifice offered in Semitic antiquity which seems to correlate with both ancient Israelite practice and modern Jewish memorialization practice is the annual sacrifice. Morgenstern cites Curtiss who argues:

> The so-called *dahiyyeh*-sacrifice is regularly offered for the dead. It is closely related to and goes by the same name as the dahiyyeh-sacrifice offered by pilgrims to Mecca during the great annual pilgrimage...This sacrifice is regularly offered either on the annual anniversary of the death or else in the spring in honor of the dead. The dahiyyeh may be for a man's father or mother who is dead. It is a vow to God. It is a universal custom long prevailing. It is the breaking forth of blood to the face of God, on behalf of the dead.[7]

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[6]Morgenstern, (citing Curtiss) pp. 117, 118 and 123.

[7]Morgenstern, (citing Curtiss) p. 126.

Ancient Israelite death and mourning rites also included these two types of sacrifice: the sacrifice which is offered within a few days of a person's death and the sacrifice which is offered annually at the spring seasonal festival. Although these ancient Israelite practices are pre-biblical, we find much discussion about these fears, beliefs and practices in the Bible, Talmud and Midrash. For example,

> In the early Rabbinic period the souls of the r'fa'im, [sic] i.e., the ghosts of the dead, were regarded as evil spirits which worked harm to the living. Particularly at funerals and immediately thereafter their malignant powers had to be feared and guarded against. The Talmud (Berachot 51a) records the tradition that the angel of death charged Rabbi Joshua ben Levi never to stand in the presence of women returning from a funeral, 'because I go ahead of them dancing, with my sword in my hand, and I have permission to kill.'[8]

Pirke de Rabbi Eliezer also notes the refa'im as evil spirits who can harm the living.[9] As late as this 9th - 10th century text, therefore, we find a sense of the fear of the spirits of the dead.

> 'The Rephaim [sic] shall not rise' (Isa. xxvi. 14). All their souls become winds (or 'spirits who injure'), accursed, injuring the sons of men, and in the future world the Holy One, blessed be He, will destroy them out of the world, so that they should not do harm to a single Israelite, as

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[8]Morgenstern, p. 141.

[9]Although, according to the Gerald Friedlander translation of Pirke de Rabbi Eliezer, (New York, NY: Sepher-Hermon Press, 1981, footnote #2, p. 253), in this text the refa'im are not simply the ghosts of any dead person, rather they are the ghosts of the "men of the generation of the Flood."

> it is said, "Therefore hast thou visited and destroyed them, and made all their memory to perish."(Isa. xxvi. 14).[10]

Morgenstern tells also of the Jews of Turkey, Yemen and other eastern countries who "recite Psalm 91 during the funeral in order to drive away evil spirits. According to Numbers Rabbah, this psalm was composed by Moses on one occasion when he stood in fear of evil spirits; consequently, its recital at a funeral has the force of an incantation to ward off the threatening evil spirit or spirits."[11]

So just as in general Semitic antiquity the fears and superstitions regarding the ghosts of the dead led to the institution of sacrifice as a mourning practice, so too was sacrifice instituted in Israelite antiquity for the same reasons.

> The institution of sacrifices to the dead...in ancient Israel, implied recognition of the dread power of the ghost of the dead and the necessity of appeasing him by offering him all that he could ask for in the way of food for his cold and hungry sojourn to the nether world. Certainly these sacrifices were originally offered directly to the dead, and not, as is so frequently interpreted, merely for them.[12]

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[10]Pirke de Rabbi Eliezer, XXXIV. Friedlander translation, p. 253.

[11]Morgenstern, p. 137, citing Numbers Rabbah, par 12, 3.

[12]Morgenstern, p. 146. He also cites as a footnote to this (footnote #117, p. 253): "It is obvious that not until the beliefs had become firmly established in Israel that Yahveh's power extended over Sheol and its inmates, and that He determined their ultimate fate, whether for reward or for

The biblical case of the Red Heifer[13] is one of the sources often cited as an example of ancient Israelite ritualistic practice during the week following a person's death. This pericope indicates the significance attached to the third and seventh days after death. Anyone who touches a corpse, or anyone who is in the tent of someone who dies, or anyone who touches a person who was killed or died naturally, is unclean for a period of seven days.[14] The unclean person is cleansed both on the third and seventh days with ashes from the red heifer which had been sacrificed earlier. These ashes are mixed with water ("water of lustration")[15] and are sprinkled upon the unclean person. The biblical text gives a strong warning to those who fail to cleanse themselves: "If anyone who has become unclean fails to cleanse himself, that person shall be cut off from the congregation, for he has defiled the Lord's sanctuary. The water of lustration was not dashed on him: he is unclean."[16]

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punishment, i.e., not until the late post-Exilic period could the idea have developed that these sacrifices were offered *for* or *on behalf of* the dead instead of *to* them."

[13]Numbers 19.

[14]Numbers 19:11, 14 and 16.

[15]Numbers 19:9.

[16]Numbers 19:20. Unless otherwise noted, all Biblical translations are from the Tanakh, A New Translation of the Holy Scriptures According to the Traditional Hebrew Text, (Philadelphia, PA: The Jewish Publication Society, 1985).

In Semitic antiquity, this period of seven days was the time when the spirit of the deceased remained in the vicinity of the grave. Hence, sacrifices were offered to appease the spirit. If they were not offered within the seven-day period, it was thought that great harm would fall upon the living. Perhaps this is one of the reasons why the biblical warning to "cleanse yourself" with the ashes of the sacrificed heifer - within that seven-day period - is so strong: the ancient Israelites did not want to see what kind of harm the spirit of the deceased would cause if it was not appeased. Morgenstern argues: "This ceremony [of the red heifer in Numbers 19] was performed originally in honor of, or as a sacrifice to, the ghost of the dead person."[17]

In Deuteronomy we find another biblical case which is often cited to confirm that the ancient Israelites offered sacrifices to the dead within a week of their death.[18] This pericope explains what has to be done when a murdered person is found in an open field but whose murderer is unknown. A sacrifice of an unblemished heifer is offered by the elders of the town which is nearest to the place where the body was

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[17]Morgenstern, p. 143.

[18]Deuteronomy 21:1-9.

found, and a special formula is recited to: "remove from your midst guilt for the blood of the innocent..."[19]

However there are conflicting views regarding the meaning of the sacrifice in Deut. 21. Morgenstern maintains: "It was regarded as a sacrifice to the ghost of the murdered man, offered by the inhabitants of the town in question in order to appease this dreaded spirit in its relation to them, and thus free them from all danger from it..."[20] So for Morgenstern, this sacrifice is done to protect the <u>living</u> from the spirit of the dead. It is done out of <u>fear</u>.

Gaster, however, regards this sacrifice as a way that the living can "redeem the dead or modify the judgement of God upon them."[21] He explains that the sages interpret the formula that the elders of the town recite as follows: "The words 'thy people Israel' refer to the living community which performs the rite, while the words 'whom Thou hast redeemed' refer to the corpse on whose behalf it is performed, thereby indicating that the dead may indeed be redeemed before God by the actions of the living."[22] So for Gaster, this sacrifice is to protect the <u>dead</u>, to request

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[19]Deuteronomy 21:9.

[20]Morgenstern, p. 143.

[21]Gaster, p. 238.

[22]Gaster, p. 238.

atonement for them since they were unable to do it for themselves before they were killed.

The differences of opinion between Morgenstern and Gaster exemplify the two different views on both sacrifice and prayer in relation to death. One view sees them as being offered to the dead, while the other view sees them as being offered on behalf of the dead. This duality of perspective will be discussed in more depth further on. No matter what the opinion regarding the sacrifice, however, we still see from these illustrations that sacrifice was an important aspect of the death and mourning process within ancient Israelite culture. In addition, we see that it had to be offered within seven days of a person's death.

In ancient Israelite culture, we find that there are also sacrifices offered either to or for the dead on an annual basis -- again, just as in general Semitic antiquity.

> In remote ages, when the Israelite tribes or clans were still living as nomads in the desert, the Passover festival, which they celebrated in part at least, in honor of their dead, corresponded in practically every essential way with the Bedouin dahiyyeh festival [discussed above, p. 5]. This was the moment when in each succeeding year the souls of the dead, perhaps only those who had died within the year, or perhaps also the souls of ancestors for generations back, were supposed to return, as malevolent spirits, to their former abodes. The Paschal sacrifice offered to these spirits, and also all the peculiar Passover rites performed in their honor, were intended to protect the living from the sinister designs of these dead

> ancestors and relatives of the mishpacha, or clan.[23]

Gaster concurs with Morgenstern on this yearly sacrifice. He explains that it is one of the ancient ideas which informs our current annual memorial ceremonies, such as Yizkor and Hashkaba. The underlying concept behind it is:

> that the renewal of life which takes place at seasonal festivals involves not only the living generation, but the whole continuity of which that generation is but the present and immediate phase;...the primitive way of expressing this idea is to say that at seasonal festivals the dead return and rejoin the living.[24]

Morgenstern cites both biblical and post-biblical evidence to support this notion that Passover was one of the yearly occasions for honoring the dead. In particular, he links together two themes which are related to Passover: the notion that Passover is the time of rebirth and renewal; and the notion that on Passover we start praying for dew.[25] According to Morgenstern, dew is not only necessary for the earth's physical renewal every spring, it is also required for the rebirth of the dead. Therefore, Morgenstern claims that since dew is required for the rebirth of the dead, and

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[23]Morgenstern, p. 179.

[24]Gaster, p. 239.

[25]Tefilat Tal is chanted on the first day of Pesach, during Musaf. It is a prayer for dew composed by Elazar ha-Kallir who lived in Palestine in the early 7th century. His prayer for dew conveys the hope for the fertilization of the earth and the restoration of Eretz Yisrael.

since we begin to pray for dew on Passover, then it follows that Passover must have been one of the yearly occasions for honoring the dead. Isaiah 26:19 is clear on that point:

> Oh, let Your dead revive! Let corpses arise! Awake and shout for joy, you who dwell in the dust!--For Your dew is like the dew on fresh growth; You make the land of the refa'im come to life.[26]

Pirke de Rabbi Eliezer concurs: God will certainly revive the dead with dew:

> In the future life, the Holy One, blessed be He, will cause the reviving dew to descend, and He will quicken the dead and renew all things, as it is said, "*Thy* dead shall live" (Isa. 26:19). They are the Israelites, who died trusting in His name.[27]

According to the Talmud,[28] this dew is stored up in the highest heavens with the souls of those who are destined to be born. On the first night of Passover, the storehouses of the dew are unlocked and that is why we pray for dew on the first day of Passover.

> Probably, too, the association of the Passover with the return of the souls of the dead has, in part at least, given rise to the concept of the Passover as the Festival of Resurrection. Perhaps, too, in half-conscious anticipation of and preparation for this return of the souls of the dead, the custom arose of whitening the

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[26]This translation of Isaiah 26:19 comes from the JPS translation, with the exception of the word refa'im. JPS translates it as "shades," but I chose to leave it as refa'im in light of the above discussion (pp. 6-7) on refa'im.

[27]Pirke de Rabbi Eliezer, XXXIV. Friedlander translation pp. 259-260.

[28]Hagigah 12b.

> sepulchres during the month of Adar, the month preceding that in which the Passover festival falls.
>
> All these facts taken together may well be regarded as establishing with a very large measure of certainty that conclusion that, in part at least, the Passover was originally a festival celebrated in honor of the dead, at the moment when in each succeeding year they were thought to return, with more or less malevolent intent, to their former abodes, and corresponded in practically every essential aspect with the Bedouin dahiyyeh festival.[29]

There is another practice for memorializing the dead which comes from antiquity. This is the custom of placing a marker - a <u>matzevah</u> - over the grave of the deceased. The origins of this <u>matzevah</u> are based on the fears regarding the spirits of the deceased. This <u>matzevah</u> is a

> symbolic way of saying that if the past be forgotten or ignored, and the connection with it negligently dismissed, it will never-the-less [sic] rise up of its own accord and obtrude itself upon the present...only when the past is fully integrated with the present will it cease to behave like a restless ghost.[30]

In early Semitic times, sacrifices were made to these markers, because it was thought that the spirit of either the dead or the spirits of the gods dwelled within the marking stones themselves. Sacrifices were necessary to show these spirits that they were not forgotten so that they would not harm the living. It was not until much later that these <u>matzevot</u> came to represent simply a memorial to the

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[29]Morgenstern, p. 179.

[30]Gaster, p. 239.

deceased. People without heirs to set up a matzevah for them after their death, set one up for themselves while they were still alive. Take King David's son, Absalom, for example:

> Now Absalom, in his lifetime, had taken the pillar which is in the Valley of the King and set it up for himself; for he said, "I have no son to keep my name alive." He had named the pillar after himself, and it has been called Absalom's Monument to this day.[31]

Over the course of time, the Israelite prophets came to protest against these rituals of sacrifice to the dead, on the grounds that belief in God was incompatible with belief in the cult of the dead. We can see some of their protests in the Deuteronomic reformations and in the Holiness Code in Leviticus:

> You are the children of the Lord your God. You shall not gash yourselves or shave the front of your heads because of the dead. For you are a people consecrated to the Lord your God: the Lord your God chose you from among all other peoples on earth to be His treasured people.[32]

And,

> You shall not make gashes in your flesh for the dead, or incise any marks on yourselves: I am the Lord.
>
> A man or woman who has a ghost or familiar spirit shall be put to death; they shall be pelted with stones--their bloodguilt shall be upon them.[33]

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[31]II Samuel 18:18.

[32]Deuteronomy 14: 1-2.

[33]Leviticus 19:28; 20:27.

Even though both the prophets and rabbis fought against these practices, they were too deeply ingrained in the consciousness of the Israelites to be completely eradicated. Certain customs still persisted while their true origin became increasingly obscure.

> In the first period of reinterpretation a few ceremonies continued to be performed for the purpose of purifying the living from the defilement of contact with the dead, which now more than ever disqualified them from participation in the worship of Yahweh. Later, those ceremonies which survived came to be regarded as performed in a sentimental way in honor of the dead, rather than as a rite of worship offered to them; they now expressed reverence, grief, and persisting affection of the living for the dead, or they were thought to bring consolation to the living for the loss which they had suffered.[34]

We have seen that the origins of praying for the dead date back to antiquity and that these commemoration customs were based on fear. This was true for all Semitic peoples, including the Israelites. The sacrifices which originally were offered to appease the spirits of the dead eventually came to represent one of two ideas: either they were a request for atonement on behalf of the dead, or they were offered to the dead so that they would intercede to God on behalf of the living. We will now look to biblical, talmudic and midrashic sources to examine the question: "From where do we get the notion that we have to pray <u>for</u>

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[34]Morgenstern, pp. 148-149.

our dead or that the dead pray for us?" We will examine these sources in chronological order.

One of the most frequently cited sources for the notion that we pray for the dead, in order to request atonement for them, comes from the Apocrypha.

> On the next day, as by that time it had become necessary, Judas and his men went to take up the bodies of the fallen and to bring them back to lie with their kinsmen in the sepulchres of their fathers. Then under the tunic of every one of the dead they found sacred tokens of the idols of Jamnia, which the law forbids the Jews to wear. And it became clear to all that this was why these men had fallen. So they all blessed the ways of the Lord, the righteous Judge, who reveals the things that are hidden; and they turned to prayer, beseeching that the sin which they had committed might be wholly blotted out. And the noble Judas exhorted the people to keep themselves free from sin, for they had seen with their own eyes what had happened because of the sin of those who had fallen. He also took up a collection, man by man, to the amount of two thousand drachmas of silver, and sent it to Jerusalem to provide for a sin offering. In doing this he acted very well and honorably, taking account of the resurrection. For if he were not expecting that those who had fallen would rise again, it would have been superfluous and foolish to pray for the dead. But if he was looking to the splendid reward that is laid up for those who fall asleep in godliness, it was a holy and pious thought. Therefore he made atonement for the dead, that they might be delivered from their sin.[35]

According to Herbert G. May and Bruce M. Metzger, "this is the first known statement of the doctrine that a

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[35]II Maccabees 12: 39-45. This translation is from: The New Oxford Annotated Bible with the Apocrypha, Revised Standard Version, Herbert G. May and Bruce M. Metzger, eds., (New York, NY: Oxford University Press, 1977), p. 287.

sin offering and prayer make *atonement* for the sins of *the dead,* and it is justified by the hope that *those who had fallen [i.e., died] would rise again."*[36]

Meir Ydit,[37] Simon Cohen,[38] Kaufman Kohler,[39] Shem Tov Gaugin[40] and Israel Lévi,[41] are just some of the sources that concur in the judgement that this II Maccabees passage is the earliest reference to prayer being used to request atonement for the dead. However they do not all agree as to whether this passage sets a precedent for such types of prayer. Some of them think that the situation described in II Maccabees does describe general Israelite practice circa 165 B.C.E., and thus denotes precedent for using prayer as a means to request atonement for the dead; others however, think that the situation described in II Maccabees was a

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[36]The New Oxford Annotated Bible, p. 287 of II Maccabees. This is part of the footnote to verses 12: 39-45.

[37]Meir Ydit, "Hazkarat Neshamot," The Encyclopedia Judaica (Jerusalem, Israel: Keter Publishing House, Ltd., 1971), vol. 7, p. 1532.

[38]Simon Cohen, "Memorial Service," The Universal Jewish Encyclopedia (New York, NY: The Universal Jewish Encyclopedia, Inc., 1942), vol. 7, p. 462.

[39]Kaufman Kohler, "Memorial Service," The Jewish Encyclopedia (New York, NY: Ktav Publishing House, Inc., 1964), vol. 6, p. 463.

[40]Shem Tov Gaugin, Keter Shem Tov, (London, England: 1934), p. 262.

[41]Israel Lévi, "La Commemoration Des Ames Dans Le Judaïsme," Revue des Etudes Juives, vol. XXIX, 1884 (Paris), translated by Judith Lacker, pp. 48-49.

unique circumstance and was unrelated to general Israelite practice at that time.

Gaugin argues that II Maccabees does describe general Israelite practice then:

> II Maccabees gives us strong signals that Jews were accustomed to praying for the dead with the offering of a korban sacrifice. But since the Temple has been destroyed and we no longer offer sacrifices, prayer has replaced sacrifice. Even this custom of offering an asham sacrifice on behalf of the dead was replaced with certain prayers.[42]

Both Ydit and Kohler[43] agree with Gaugin, on the grounds that if II Maccabees describes a situation in such explicit detail - without saying that this was a special practice - then it must reflect common practice for that time. In addition, this passage sets a precedent for the practice of future generations.

Both Lévi and Gaster disagree with the above view. Lévi argues:

> The feat in this II Maccabees passage is not confirmed and is suspect in the eyes of the critics. But even if it is authentic, this passage does not prove anything. This sacrifice by Judah Maccabee was not done to atone for the dead, but to prevent the reversibility of his troops. This was a unique circumstance. II Maccabees only represents Alexandrian or Syrian Jewry. It knows nothing of the Temple cult in Jerusalem. Such sacrifice as Maccabees ordained are unknown or ignored by the priestly codes preserved in the Mishna - which occurs a long time after II Maccabees was written. The Rabbis do not know any more about them either. On the altar in

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[42]Gaugin, p. 262.

[43]Ydit, p. 1532; and, Kohler, p. 463.

> Jerusalem there were never any sacrifices which were intended for the dead. This passage is not prestigious enough to implant this funeral rite into practice if it were imported into Palestine.[44]

Gaster asserts that II Maccabees is not an allusion to an old version of the custom of commemorating the dead. Rather:

> This was a special case; its purpose was to make restitution for idolatry by a gift to the Temple. It is no evidence for an annual or periodic 'Yizkor' ceremony.[45]

Cohen concurs with Lévi and Gaster. "Inasmuch, however, as the passage in which this [i.e., offering prayers on behalf of the dead] occurs speaks of Judas' having found heathen amulets on the bodies of the slain Jewish soldiers, it is probable that this was not yet a regular custom, but merely a special occasion."[46] Levi's minority view thus focuses on the heathen amulets cited in II Maccabees. Since the Jewish soldiers were partaking in an activity which was considered to be an abomination, special measures had to be taken in order to release them from sin.

Despite these differing opinions, II Maccabees still is the first reference to the practice of requesting atonement for the dead. For our purposes, it makes no difference

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[44]Lévi, p. 117.

[45]Gaster, p. 240.

[46]Cohen, p. 462.

whether this was a common practice which set future precedent or a special one-time situation. The fact remains that the discussion of this notion of praying for the dead vs. the dead praying for us is continued through rabbinic literature, from the Maccabean era up until the present. II Maccabees, at the very least, gives us a starting point for our discussion.

The difference of opinions regarding the II Maccabees passage aside, "the idea of praying for the dead rose very naturally out of the feeling that if the soul was immortal, death made no difference, and that God would not refuse to hear petitions in behalf of a sinner."[47] The next source cited to back this idea is Tannaitic - Sifre Devarim (circa 200 C.E.):

> The priests say, *Forgive, O Lord, Thy people Israel, (whom Thou has redeemed)* (21:8): When Scripture says, *whom Thou hast redeemed,* it indicates that this atonement applies also to those who had left the land of Egypt. *Forgive Thy people*--those who are now alive--*whom Thou hast redeemed*--those who are dead. This indicates that the dead too require atonement; hence we learn that he who sheds blood is a sinner even as far back as those who had left Egypt. *Whom Thou has redeemed*--Thou hast redeemed us on condition that there should be no shedders of blood among us. Another interpretation: Thou hast redeemed us on condition that should we sin, Thou wilt atone for

[47]Cohen, p. 462.

> us. And the holy spirit says: As long as you do so, the blood will be atoned for you.[48]

Almost all sources agree that this Sifre passage is the rabbinic foundation for the rite of saying prayers for the dead. It is cited in most discussions on the subject of "hazkarat neshamot," including all of the aforementioned sources, and also by Rabbi Shlomo Zevin: "the dead also need atonement."[49] Most rabbinic sources post-Sifre (which we will also examine in chronological order) also cite this Sifre passage as their basis for the notion that the dead require atonement.[50]

As we move along chronologically, we find that the rabbis not only discuss the notion of the living interceding on behalf of the dead, but they also discuss the notion of the dead interceding on behalf of the dead. In the Palestinian Talmud[51] (circa 400 C.E.) there is a long discussion concerning Elisha ben Abujah, the supposed master

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[48]Sifre Devarim on Deuteronomy 21:8, Piska 21. This translation is from: Sifre: A Tannaitic Commentary on the Book of Deuteronomy, Reuven Hammer, trans., (New Haven, CT: Yale University Press, 1986), p. 223.

[49]Rabbi Shlomo Josef Zevin, ed., "Hazkarat Neshamot," Encyclopedia Talmudit, Jerusalem, Israel: Talmudic Encyclopedia Publishing, Ltd., 1952, vol. 8, p. 603.

[50]For example: Tanchuma, the beginning of the portion on Ha'azinu; Orchot Chayim - Yom Hakippurim; Rokeach, section 217; Shibbolei Haleket Hashalem, section 81; Kolbo, section 70; S.A.O.H. 621:6, including the Rema's comments.

[51]PT Hagigah 2:1.

of Rabbi Meir.[52] Elisha was not a good Jew while he was alive. After Elisha died, R. Meir realized that he did not repent for his sins before he died.

> Fire came down from heaven and consumed his [Elisha's] grave...R. Meir spread his cloak over Elisha's grave, and said: "This is the Holy One, blessed be He, of whom it is written: 'The Lord is good to all, and his compassion is over all that He has made' (Ps. 145:9). 'And if it does not please Him to redeem you, then, as the Lord lives, I will redeem you.'" (Ruth 3:13)...R. Meir's disciples asked him: "Whom will you visit first in the 'nether world' after you die, your father or Elisha?" R. Meir replied: I will visit Elisha first, to request atonement for him, because the merit of one rabbi can save another rabbi.[53]

Does this Hagigah text tell us anything about the dead interceding on behalf of other dead? Not necessarily: according to Lévi, "this passage does nothing except to show the power that famous rabbis have - even over God. They have nothing to do with the prayers by the dead for the salvation of other dead."[54] I agree with Lévi that this Hagigah text does not discuss the power of the dead to intercede on behalf of other dead in general. Rather, the text explicitly states that it is "the merit of one rabbi which can save another rabbi." In addition, this is the only source which discusses the power of the dead to

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[52]This story is also repeated in B. Shabbat 152a.

[53]PT Hagigah 2:1. Translation is from: The Talmud of the Land of Israel, Jacob Nuesner, trans., (Chicago, IL: The University of Chicago Press, 1986), vol.20, p.49.

[54]Lévi, pp.51-52.

intercede on behalf of other dead. Therefore, I do not think that we can draw any definite conclusions regarding this notion from this Hagigah text.

In the Talmud Bavli,[55] however, we have clear evidence of the belief that the living can request the dead to intercede on their behalf. In Sotah there is a discussion of the story of Caleb, when he removed himself from the advice of the spies and "went and prostrated himself upon the graves of the patriarchs, saying to them, 'My fathers, pray on my behalf that I may be delivered from the plan of the spies.'"[56] Caleb is asking the patriarchs to intercede to God on his behalf and to request mercy for him.

Ta'anit discusses the reason for visiting the cemetery on fast days:

> Why do they go to the cemetery?--With regard to this there is a difference of opinion between R. Levi b. Hama and R. Hanina. One says: [To signify thereby], 'we are as the dead before Thee;' and the other says: 'in order that the dead should intercede for mercy on our behalf.' What is the difference between them?--The difference is with regard to going to the cemetery of Gentiles...because in the former case any cemetery would be used, but in the latter case only a Jewish cemetery.[57]

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[55]B. Sotah 34b and B. Ta'anit 16a.

[56]B. Sota 34b. Unless otherwise noted, all translations for the Talmud Bavli are taken from the Soncino translation.

[57]Ta'anit 16a.

It appears that many of the rabbis in the Talmud take it for granted that the living can not only intercede on behalf of the dead, but that they can also request the dead to intercede on behalf of them. In addition, over time, we see the development of the notion that either a son or a grandson is the best person to request atonement for their deceased father/grandfather. According to B. Sanhedrin, a son can intercede on behalf of his father, but his dead father cannot do anything for him. "A son confers privileges on his father, but a father confers no privilege on a son. For it is written, *Neither is there anyone that can deliver out of my hand:* (Deut. 32:39) Abraham cannot deliver Ishmael, and Isaac cannot deliver Esau."[58]

This same notion is seen in B. Kiddushin: "After death, if a son is reporting something heard from his father's mouth...he should say: 'Thus said my father, my teacher, for whose resting place may I be an atonement.'"[59]

Furthermore, Genesis Rabbah (circa 400-650 C.E.) also expresses the same idea:

> *Children's children are the crown of old men* (Prov. 17:6)...R. Huna and R. Jeremiah in the name of R.Samuel b. R. Isaac said: Abraham was saved from the fiery furnace only for Jacob's sake. This may be compared to a man who was on trial before the governor, and was sentenced by him to be burnt. But the governor, foreseeing by means of astrology that he was destined to beget a daughter who would marry the king, said: 'He is

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[58]B. San. 104a.

[59]B. Kidd. 31b.

> worthy of being saved for the sake of his daughter,' In the like manner the Holy One, blessed be He, declared: 'Abraham is worthy of being saved through Jacob's merit'; hence it is written, *Therefore saith the Lord concerning the house of Jacob, who redeemed Abraham* (Isa. 29:22); thus Jacob redeemed Abraham.[60]

Both Tanna Debe Eliyahu Zuta and Eliyahu Rabbah (circa 10th century C.E.) reinforce the notion that although people are rewarded in the 'world-to-come' according to how they behaved while they were alive in this world, their children's actions can redeem them from even the worst of sins.

> Habakkuk came right to the point: Master of the universe, in regard to the man who read much Scripture and recited much Mishnah and the man who read little Scripture and recited little Mishnah, will the radiance in the countenance of the two men be equal in the time-to-come? God replied: No--the degree of radiance in each man's countenance will depend on the way he conducted himself in his lifetime...And of those men unlettered in Torah, who will be delivered from such shame, such ignominy? You must conclude that it will be the man who, though unlettered in Torah, had his son read and recite Torah. Indeed, such a son can deliver even a [sinful] father from the punishment of Gehenna.[61]

And,

> *The Lord is slow to anger, because He is plenteous in loving-kindness...putting off punishment of the*

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[60]Gen. R. 63:2 (to Toledot). Translation is from: The Midrash Rabbah, Rabbi Dr. H. Freedman, and Maurice Simon, trans., (New York, NY: The Soncino Press), 1977.

[61]Tanna Debe Eliyahu Zuta, chapter 12. Translation is from: Tanna Debe Eliyyahu, [sic] The Lore of the School of Elijah, translated from the Hebrew by William G. Braude and Israel J. Kapstein, (Philadelphia, PA: Jewish Publication Society, 1981), pp. 453-454.

> *fathers because of the children, as long as the third or even the fourth generation* (Num. 14:18). Why do You put off punishment?...Because You desire good for men and do not desire misery for them.[62]

The above passages are all examples of the son vindicating the father. This is only true for those who believe in the idea that the dead require atonement. In modern times, "the son best confers saving merit on the father by taking some part in the synagogue service in which he is the mouthpiece of the congregation, so that all may see that he is following his father's footsteps."[63] (The memorial rituals that a child performs for his parent in modern times will be discussed more fully in the chapter on the Sephardic concept of death and the limud).

We have progressed from the notion of saying prayers on behalf of the dead, to the notion that it is best if it is the child who says prayers on behalf of his/her deceased parents. We now add another element to this memorialization ritual: "It is customary to give tzedakah on behalf of the dead at the time of their commemoration to raise their memory for good before God."[64]

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[62]Tanna Debe Eliyyahu [sic] Rabbah, chapter 18. Braude and Kapstein translation, p. 258.

[63]David de Sola Pool, The Kaddish - The Old Jewish Aramaic Prayer, (New York, NY: Bloch Publishing, 1929), p. 103.

[64]Zevin, p. 603.

The giving of tzedakah, in conjunction with the piety of one's child has the power to redeem the deceased from their sins.

> When the merits or good deeds of a son reflect the upbringing which his deceased father gave him, death is defied and it is the father who actually deserves and performs them. That is why the commemoration of the dead must be accompanied by gifts of charity. Such gifts are not mere ransoms, for 'no man can by any means redeem his brother, nor give to God a ransom for him' (Ps. 49:8); they are gifts made, albeit through their descendants, by the dead themselves, and this is what is really meant by the words of Scripture that 'charity delivers from death.'(Prov. 11:4). (The sages understood 'tzedakah' as charity and alms).[65]

Midrash Tanchuma (circa 9th c.) also asserts that prayer and charity redeem the dead. "It is customary to remember the dead on Shabbat, for these prayers keep the dead from going down to Gehinnom, for the living can redeem the dead. Therefore, it is customary to remember the dead on Yom Kippur and to give tzedakah on their behalf."[66]

As mentioned earlier, not everyone agrees with the idea that either the dead require atonement or that the living can do anything on behalf of the dead. "Some of the Rishonim thought that there is nothing that the living can do on behalf of the dead after they have already died.

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[65]Gaster, pp. 238-239.

[66]Midrash Tanchuma, the beginning of parashat Ha'azinu. My own translation.

Every person is judged according to who he is at the time of his death, for there is no atonement for the dead."[67]

For example, B. Horayot discusses the notion of 'congregation' and the sin offerings for a congregation. In the context of this discussion, the subject of what to do with the sin offering of one who died arose: "But surely, those who had committed the sin were dead!--R. Papa replied: The tradition that a sin offering the owner of which died must be left to die, is applicable only to the offering of an individual, but not to that of a congregation, because a congregation does not die."[68] Lévi says that this Horayot text is one of the places in the Talmud which gives the point of view that the living cannot offer sacrifices on behalf of the dead.[69]

The final text that we will look at in this chapter is Pesikta Rabbati (circa 9th century, C.E.):

> When a man is weighed and sins discovered in him, he is made to go down to Gehenna...Perhaps you will say that once a man is plunged into Gehinna, there will be no coming up for him. When mercy is besought in his behalf, however, he is shot up from Gehenna as an arrow from the bow.[70]

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[67]Zevin, p. 605.

[68]B. Horayot 6a.

[69]Lévi, p. 50.

[70]Pesikta Rabbati, Piska 20, Matan Torah. Translation is from: Pesikta Rabbati, William G. Braude, trans., (New Haven, CT: Yale University Press, 1968), p.401.

Lévi says that this Rabbati text "corroborates the force of the Sifre [discussed above, pp. 21-22] text to show the efficacy of human intervention on behalf of the dead."[71] However, Lévi asserts that this Sifre text could not have formed the basis for this rite because "it is only in the time of the Geonim that we find the first traces and the consecration of the principle of the intercession of the living in favor of the dead, by means of prayers and alms, and of the formal statement of the doctrine."[72]

So for Lévi, it is this Geonic Rabbati text which first posits a belief that the dead require atonement. He says that the institution of prayers and alms in commemoration of souls are not connected to any particular text before the Geonic era. Perhaps he forms this hypothesis because it is not until Geonic times that we find any protest to the practice of praying and giving charity on behalf of the dead. "Hai Gaon and his pupil Nissim b. Jacob (c. 1000 C.E.) opposed the custom of praying for the departed on festivals and on the Day of Atonement, and of donating to charity on their behalf. They believed that only the actual

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[71]Lévi, p. 54.

[72]Lévi, p. 55.

deeds performed by a person during his lifetime count before God."[73]

Our exploration for the "roots" of the custom of praying for the dead has taken us from antiquity to the early Middle Ages. We have seen that the fundamental basis for all death and mourning customs is informed by the fear that the ghosts of the dead will come back to "haunt" the living. The rituals that developed out of this fear were based on sacrifices that were offered to the dead to appease them so that they would not harm the living. In Jewish culture, the original meaning of these sacrifices changed over the course of time as monotheism developed. Eventually, these sacrifices were replaced by prayer and charity which were either offered on behalf of the dead to request atonement for them; or which were offered to the dead to request that they intercede to God on behalf of the living.

There is no agreement as to when this custom of prayer and charity was actually instituted in Jewish culture. However, we can see that this notion has been discussed in most of the major texts from the Bible to the Geonim. As we shall see in the next chapter, this discussion continues long past the Middle Ages. However, from the Middle Ages on, we can start to see the development of definite

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[73]Ydit, p. 1532; and, Lévi, pp. 53-54. Unfortunately, I could not find the primary source which cites Hai Gaon's and Nissim b. Jacob's opinion.

memorialization institutions - Yizkor and El Male Rachamim in the Ashkenazic world, and Hashkaba in the Sephardic world.

CHAPTER II

THE DEVELOPMENT OF YIZKOR AND HASHKABA

As we saw in Chapter I, the notion of praying for the dead dates back to antiquity. However, we do not know the contents of those ancient memorial prayers; nor do we know if those prayers were part of a fixed liturgy. It is not until the Middle Ages that we have references to specific prayers for memorializing the dead in Judaism.

Yizkor and Hashkaba follow parallel lines of development, although the prevailing opinion is that Hashkaba developed later than Yizkor. The Crusades in Ashkenazic Europe were the catalyst for the establishment of fixed memorial prayers in Ashkenaz. As these memorial prayers increased in popularity in the Ashkenazic world, they began to appeal to the Sephardic world as well. For just as the Crusades had a devastating effect on the Jewish population in Ashkenaz, so too did the massive pogroms (which began in the 1390's and eventually led to the Spanish Inquisition) in Spain have a devastating effect on the Sephardic Jewish population. For the Sephardim, these pogroms reinforced the notion that they had to do something on a permanent basis to remember their dead. Thus, as we shall see later, they borrowed one of the Ashkenazic memorial customs, expanded it and gave it a unique meaning.

We will see that the memorial prayers which were composed by the Jewish communities have links to similar Christian rites which date back to the second century. In order to fully understand the development of Jewish memorial practice, we first need to briefly examine the development of some of these Christian memorial practices. Then we will analyze the development of each of the individual elements of both Ashkenazic and Sephardic memorial practice, as reflected in midrashic, legal, and liturgical texts. Unfortunately, we will find that although we will be able to date certain customs, (for example, donating charity on behalf of the dead) we will not be able to find the date of composition of either El Male Rachamim or Hashkaba. Finally, we will trace the overall development of Jewish memorial practice from the time of the Crusades until the present.

A. The Development of Christian Memorial Liturgy:

Even though it was the Christian Crusades which were responsible for the mass killings of Jews in Germany, the Jews of the Middle Ages were so strongly influenced by Christian culture that they turned unconsciously to Christian liturgical practice as a basis for their own memorial prayers.

> Ashkenazic Judaism emerged from the encounter of Judaism with medieval feudal Christianity...It is against this backdrop that Ashkenazic Judaism emerged, locked into autonomous Jewish communities

> within the decentralized German feudal system. This new Judaism, which took shape between the 12th and the 15th centuries, clearly refracted and bore the imprint of the Christian feudal world.[1]

Specifically, there are three Christian memorial rituals which directly impacted the development of Jewish memorial custom: the Requiem Mass, The Feast of All Saints, and All Souls' Day. The Requiem Mass and the Feast of All Saints were established fairly early, circa the second and fourth centuries, respectively. These two rites were originally for the commemoration of martyrs. All Soul's Day, on the other hand, did not originate until the Middle Ages. Its purpose was to commemorate all individuals. Eventually, the Requiem Mass and The Feast of All Saints were expanded to include the commemoration of ordinary individuals as well. We will examine each of these three rites separately.

The Requiem Mass is a Mass for the dead, and it dates back to the second century C.E.[2] It was celebrated on certain days after death and burial. "During the first centuries Masses on the 3d [sic] day and on the anniversary [of death] were common and remained so in all rites. Masses

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[1]Joseph Gutmann, "Christian Influences on Jewish Customs," Spirituality and Prayer: Jewish and Christian Understandings, Leon Klenicki and Gabe Huck, eds., (New York, NY: Paulist Press, 1982), p. 129.

[2]A. Cornides, "Requiem Mass, Liturgy of," The New Catholic Encyclopedia, (New York, NY: McGraw-Hill Book Co., 1967), vol. 12, p. 384.

on the 7th and 30th days were traditional in the Latin rite, while the Eastern churches observed the 9th and 40th days."[3] Originally, the Requiem Mass was offered on behalf of the souls of Christian martyrs (although some early Christians had already extended it on behalf of all souls, as we shall see below). The theological basis for the Requiem Mass is that the living can intercede on behalf of the dead to save their souls from purgatory.[4] This theology is similar to the Jewish concept that prayer can release a soul from Gehinnom. In addition, the martyrs were thought to have a close relationship with God and therefore, they could also intercede on behalf of the living.

> As a propitiatory and satisfactory sacrifice, the Requiem Mass is the most efficacious means to help these souls attain their eternal glory. While prayers for all souls in purgatory are part of every Mass, it has been customary to offer Requiem Masses for particular persons. Since such Masses were considered a highly meritorious work of mercy, pious foundations and stipends for Requiem Masses multiplied during the Middle Ages.[5]

Peter Brown asserts that "all Christian writers insist that the martyrs, precisely because they had died as human beings, enjoyed close intimacy with God. Their intimacy

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[3]Cornides, p. 384.

[4]Levi (p. 56) asserts that the Church used II Maccabees 12:39-45 (discussed in Chapter I, pp. 17-21) as its authority for institutionalizing the Requiem Mass.

[5]Cornides, p. 384.

with God was the *sine qua non* of their ability to intercede for and, so, to protect their fellow mortals."[6]

However, not all of the early Christian writers agreed that the Requiem Mass was said only for the souls of martyrs. Tertullian (second century) and Cyril (fourth century) insisted that it was said for the souls of all the deceased, while Cyprien (third century) insisted that it was said only for the souls of the martyrs.

> Tertullian already said, in a very explicit manner, that one offered a sacrifice for the dead: "Every year," he says, "on the birthdays, we make offerings." St. Cyprien (third century), on speaking of the martyrs, expressed thus: "We always offer sacrifices for them, that is, in their honor, every time that we celebrate the passions of the martyrs and their anniversary commemorations," (Epist. XXXIV). But offerings are not only made for the martyrs. Tertullian said that offerings were made for all the dead on that anniversary. St. Cyrille of Jerusalem (fourth century) teaches the newly baptized the necessity of praying for the dead in the liturgy which he explains to them. "We pray," he says, "for all those who went out of this world in our communion, believing that their souls are receiving a very big relief from the prayers that are offered to them." [7]

We have a record of one of the prayers that was offered, from the fourth century onwards, on behalf of local martyrs and deceased dignitaries as part of the Requiem Mass. Their names were listed on two wooden boards which were folded together like a book - a diptych. The prayer

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[6]Peter Brown, The Cult of the Saints, (Chicago, IL: The University of Chicago Press, 1981), p. 6.

[7]Lévi, p. 55.

was offered after all of their names had been recited. As we shall see later, the Ashkenazic El Male Rachamim and the Sephardic Hashkaba have much in common with this prayer. The prayer is as follows:

> "To the souls of all these, give rest, O Sovereign Lord our God, in Thine holy tabernacle." Later this was developed into a longer petition which is still part of the service and which is known from its opening word as the Memento, vis: "Remember also, O Lord, Thy servants male and female who have preceded us with a token of their faith; and may they sleep in the sleep of peace. To ourselves, O Lord, and to [the souls of] all who are at rest in Christ we beseech Thee to grant a place of repose and peace, through that same Christ our Lord, Amen."[8]

The Feast of All Saints appears to have its origins in the fourth century. Like the Requiem Mass, it originally commemorated only martyrs, but over time non-martyrs were included in this rite as well.

> The exact origins of this feast are uncertain. But from a hymn composed by St. Ephraem in 359 it appears there was a commemoration of all the martyrs at Edessa on May 13. By 411, however, the East Syrians kept this commemoration on the Friday after Easter...The commemoration soon included non-martyrs as well, for the Comes of Wurzburg (7th century) lists this as being celebrated on a Sunday, the Sunday of the Nativity of the Saints.[9]

Brown refers to these early Christian rites which memorialize martyrs as the "cult of the saints." He insists that they did not stem from pagan culture or from "popular

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[8]Gaster, p. 241.

[9]C. Smith, "All Saints, Feast of," New Catholic Encyclopedia, (New York, NY: McGraw-Hill Book Co., 1967), vol. 1, p. 318.

belief"[10] but rather, they grew out of the culture in which the Christians lived.

> ...the rise of the cult of saints was sensed by contemporaries, in no uncertain manner, to have broken most of the imaginative boundaries which ancient men had placed between heaven and earth, the divine and the human, the living and the dead, the town and its antitheses...For the cult of the saints involved imaginative changes that seem, at least, congruent to changing patterns of human relations in late-Roman society at large. It designated dead human beings as the recipients of unalloyed reverence, and it linked these dead and invisible figures in no uncertain manner to precise visible places and, in many areas, to precise living representatives. Such congruence hints at no small change.[11]

The institutionalization of the practice of memorializing martyrs, was one of the ways in which the Church was able to centralize its authority, according to Brown.[12] The Church was

> an artificial kin group which was able to modify, redirect, and even to delimit the bonds of the kin. Its members were expected to project unto the new community a fair measure of the sense of solidarity, of the loyalties, and of the obligations that had previously been directed to the physical family.[13]

This caused much tension between those Christians who thought that the "pomp and circumstance" bestowed upon the martyrs detracted from true piety, and those Christians who

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[10]Brown, p. 21.

[11]Brown, p. 21.

[12]Brown, p.31.

[13]Brown, 31.

felt that communal celebration of the dead had greater merit than private celebration. Augustine (fourth century) was one of the Christians who objected to all of the attention paid to the martyrs.

> He was the spokesman for the views of men who were concerned at the way in which ostentatious and particularized loyalties to the holy dead disrupted the ideal community of the believers. The practices localized the saints at tombs that could not be accessible to all, creating thereby a privileged religious topography of the Roman world from which peripheral Christian communities would feel excluded.[14]

Not only did Augustine protest against commemorating martyrs, he also protested against the notion of the intervention of the living on behalf of the dead. He felt that prayer would help only those dead who had been good while they were alive, it would have no effect on those dead who had not been good while alive.

> St. Augustine expressed what the Gaonim express: "It is certain that all this help is useful to the dead, but of those among them who went out of this world without faith, who lived off charity, and who lived without the sacraments of the Church, it is in vain that their close family and their friends give them this piety, since they did not deserve it even in life. But having received in vain the grace of God, they amass not a treasure of pardon, but a treasure of anger. The dead will not acquire any new merit when their family does good for them; but these good deeds are only a follow-up for those who themselves did them during their life. Because it was the life which they led down here that made them deserve to profit from this help after their death. Thus each one of us will not find after his death that which he

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[14]Brown, p. 32.

> did not deserve during life." (Sermons, CLXXII,II).[15]

Despite protests, however, the Church persevered in its commemoration practice of the martyrs. By the fourth century, the Church had attained sufficient wealth to empower local bishops to take over private burial and memorial feasts for their patron saints, and to turn them into lavish public rites. "The cult of the saints was a focus where wealth could be spent without envy and *patrocinium* exercised without obligation."[16] In addition, the "cult of the saints" served to unify the Christian population, by bringing together all kinds of people who would not normally associate with one another. Women were welcome at commemoration rites, as were the poor, in that all the different classes of people came together to celebrate the souls of the martyrs.

> The cult of the saints in late antiquity did more than dress the ancient dead in contemporary upper-class costume. It was a form of piety exquisitely adapted to enable late-antique men to articulate and render manageable urgent, muffled debates on the nature of power in their own world, and to

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[15]Lévi, p. 58. Specifically, Lévi stated that he is comparing Augustine's statement to that of the author of the Rokeach, Eliezer of Worms. Eliezer also feels that there is no merit to praying on behalf of the dead, unless they had been good while they were alive. However, the Rokeach is not Geonic, rather it is Rishonic (it was written in 1230 and it will be discussed later on in this chapter.) Perhaps Lévi meant to compare Augustine's statement to the sentiments of Hai Gaon and Nissim b. Jacob, who lived circa 1000 C.E., and whose ideas were briefly discussed in Chapter I.

[16]Brown, p. 41.

> examine in the searching light of ideal relationships with ideal figures, the relation between power, mercy and justice as practiced around them.[17]

While special Masses for martyrs date back to the first centuries of the Common Era, and while some early Christians insisted that the Requiem Mass was for the souls of individuals, it was not until the Middle Ages that a specific commemoration rite was fixed in Christian liturgy for the souls of everyone. Perhaps the perseverance of the Church with its "cult of the saints" precluded the Church from establishing any other fixed memorial institution. Or,

> This may have been due to the tenacity with which superstitious pre-Christian rites for the dead continued to keep their hold on the faithful. Attempts of local churches to observe such a day can be traced back to the early Middle Ages, possibly arising in imitation of the commemorations of deceased members customary in monastic communities.[18]

All Soul's Day, which commemorates the souls of all individuals, originated in the Middle Ages. It is celebrated on November 2nd, unless it is a Sunday, in which case it is celebrated on November 3rd. The Requiem Mass is celebrated as part of this commemoration "to help the

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[17]Brown, p. 63.

[18]A. Cornides, "All Soul's Day," New Catholic Encyclopedia, (New York, NY: McGraw-Hill Book Co., 1967), vol. 1, p. 319.

deceased attain the final purification necessary for being admitted to the beatific vision."[19]

Just as the ancient Semites believed that the souls of their dead returned to their former abodes during certain times of the year, so too did the Christians of the Middle Ages harbor similar beliefs, although with some differences.

> Throughout the Middle Ages it was a popular belief that the souls in purgatory could appear on this day (All Soul's Day) as will-o'-the-wisps, witches, toads, etc., to persons who had wronged them during their life. True Christian concern for the deceased, along with superstition, were the reasons for the great number of pious foundations for Masses and prayers on their behalf.[20]

Even from this over-view of the history of the Christian commemoration rituals, we can make certain observations on the link between Jewish and Christian practice. Before we do so, however, we need to analyze the development of each of the individual elements of Jewish memorial practice. Then we will return to our comparison of Jewish and Christian practice.

B. The Chronological Development of Jewish Memorial Customs:

In this study, we are concerned with 12 different components which make up Jewish memorial custom. These 12

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[19]A. Cornides, "All Soul's Day," p. 319.

[20]A. Cornides, "All Soul's Day," p. 319.

components can be grouped into four categories. The first category constitutes different philosophies which inform actual practice: prayer can redeem the dead (or, the living can intercede on behalf of the dead); the dead can intercede on behalf of the living; and, the dead require atonement. The second category informs us when we memorialize the dead: Yom Kippur; Shabbat; and/or, the Shalosh Regalim. The third category instructs us when to donate charity on behalf of the dead: Yom Kippur; Shabbat; and/or the Shalosh Regalim. Finally, the last category is comprised of the specific memorial prayers: Av Harachamim; El Male Rachamim; and Hashkaba. We will examine each individual element to see how it developed over time.[21]

1. Prayer can redeem the dead:

The notion that prayer can redeem the dead is fundamental to the development of death and mourning rituals in both Christian and Jewish cultures. This belief dates back to antiquity, as we saw in Chapter I. The ancient Semites and ancient Israelites practiced death and mourning rituals which were informed by this belief that prayer can redeem the dead. From ancient times on, we find that most memorial customs are "grounded" in this philosophy. The

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[21]For a summary of this discussion, please see Appendix A, pp. 150-153. This is a chronological table which shows the textual sources and the memorial customs contained within them.

earliest reference to the notion that prayer can redeem the dead is found in II Maccabees (circa 165 C.E.). As we saw in Chapter I (pp. 17-21), this passage says that Judas prayed for the dead to make atonement for them "that they might be delivered from their sin."[22]

As we move along chronologically, we see that most Jewish sources, from Talmudic times through the present, assert that prayer can redeem the dead. In the Palestinian Talmud[23] (circa 400 C.E.) we find that even the dead can pray on behalf of the dead in order to redeem them. In the Talmud Bavli (circa 500 - 600 C.E.) and Genesis Rabbah[24] (circa 400-650 C.E.), we see that not only can prayer redeem the dead, but it is best if it is a son or grandson who prays on behalf of his deceased father/grandfather.

In the 9th and 10th centuries there are three midrashim which assert that prayer can redeem the dead. Midrash Tanchuma and Pesikta Rabbati[25] (circa 9th c.) maintain that prayer can redeem the dead. All, or most, later Jewish sources cite these two midrashim as their sources for

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[22]II Maccabees 12:45.

[23]PT Hagigah 2:1. For a complete discussion of this passage, see Chapter I, pp. 22-24.

[24]B. San. 104a; B. Kidd. 31b; and Gen. R. 63:2. For a complete discussion of these texts, see Chapter I, pp. 24-26.

[25]Tanchuma, the beginning of parashat Ha'azinu; and Pesikta Rabbati, Piska 20, Matan Torah. For a complete discussion of these texts, see Chapter I, pp. 28-30.

accepting the concept that prayer can redeem the dead. Tanna Debe Eliyahu Zuta and Eliyahu Rabbah[26] (circa 10th c.) reinforce the notion that the deceased can be redeemed from even the worst of their sins by their children's actions.

Not all Jewish sources, however, insist that prayer can redeem the dead. Hai Gaon and Nissim b. Jacob[27] (circa 1000 C.E.) voice the first opposition to this concept. They believed that people could not be redeemed by prayer after they died, but rather, only via the actions which they performed during their lifetime. Obviously the custom of praying on behalf of the dead must have been very popular in the Jewish world by the 11th century. Otherwise, we would not find any protests against it.

Machzor Vitry (circa 11th c.), from France, bases its memorial custom on the Tanchuma passage cited above (p. 45, and Chapter I, p. 28). After the reading of the Haftarah it states: "We remember the dead who honored Torah, along with those who did nothing for the community, because others have to do something on their behalf, in order that God will redeem them."[28] It continues by citing the Pesikta Rabbati

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[26]Tanna Debe Eliyahu Zuta, chapter 12; Tanna Debe Eliyahu Rabbah, chapter 18. For a complete discussion of these texts, see Chapter I, pp. 26-27.

[27]For a complete discussion of Hai Gaon and Nissim b. Jacob, see Chapter I, p. 30.

[28]Machzor Vitry, p. 173.

passage (cited in Chapter I, pp. 29-30) and says: "Because when a man dies and others request mercy on his behalf, he is thrown out of Gehinnom like a bow from an arrow."[29]

One century after Hai Gaon and Nissim b. Jacob's protests against the practice of praying on behalf of the dead, we find the next major objection against this practice from the 12th-century Spanish, Jewish authority, Abraham bar Hiyya. Bar Hiyya stated: "Anyone who believes that after his death he can be benefited by the actions of his sons and their prayers for him is harboring false ideas."[30]

Sefer Hasidim (circa 1217), agrees with bar Hiyya's view that there is no benefit to praying for someone or donating tzedakah on their behalf if they were not worthy of it while they were alive. Specifically it says:

> If a wicked person dies, there is no way to pray for him to make him receive the same merit as the righteous, for the same prayer has no benefit to him.[31]

However, while bar Hiyya asserted that it was useless to pray for anyone after their death, Sefer Hasidim asserts that the dead who led righteous lives could merit from the prayers and charity of their sons. So, by the 13th century, we encounter for the first time, in Sefer Hasidim, the notion that while prayer cannot redeem those dead who led

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[29] Machzor Vitry, p. 173.

[30] Gutmann, p. 138; and Lévi, p. 54.

[31] Sefer Hasidim, Section 608.

evil lives, it can benefit those dead who led righteous lives.

> If a father teaches his son Torah and good deeds, and thus, through the father's merit the son gains merit; and if the father commands his sons to do certain things after his death, thus the sons will do as the father did. Therefore it is beneficial, in this circumstance, to donate tzedakah on behalf of the father after his death and to pray for him.[32]

Eliezer of Worms, the author of the Rokeach (circa 1165-1230), agrees with Sefer Hasidim that prayer can benefit only those dead who led righteous lives. He says:

> If the dead, while alive, was charitable or poor, and he was good, then the charity [offered on Yom Kippur on his behalf - the custom of donating charity will be discussed further on] will be of some benefit to him, because the living can request to decrease the Divine judgement on the dead, just as David did for Absalom. But if it is given on behalf of one who was wicked while he was alive, it is of no benefit to his soul.[33]

The next text which we encounter, Shibbolei Haleket (circa 1260) cites the Tanchuma and Rabbati passages as its sources for saying that the dead need to be redeemed by the living. It specifically says that one must pray for the dead on Shabbat.

> After the reading of the Haftarah (on Shabbat) it is customary to memorialize the dead...because Shabbat is a day of rest, an example of the world-to-come, and the dead also rest on Shabbat.

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[32] Sefer Hasidim, Section #1171.

[33] Sefer Ha-Rokeach Haqadol, #217.

> Therefore we commemorate them and pray for their rest.[34]

The author of Orchot Chayim (circa late 13th c. - early 14th c.) concurs with the views of Sefer Hasidim and the Rokeach that prayer is beneficial only for those dead who led righteous lives.

> It is written about a true tzaddik that his memory should be for a blessing. Therefore, it is customary to memorialize them [the true tzaddikim] in the synagogue. But, the donation of charity will not be of any benefit to them, nor will it raise them up, nor will it be pleasing to God. The only thing that will accomplish this is their deeds during their life-times. Even if all the righteous people in the world requested mercy for someone after he died, it would only be of benefit if he was good while alive.[35]

One would think that Sefer Abudarham, written in 1340 by David Abudarham (Serville, Spain), and which is a commentary on the prayers and rituals of the Sephardic Jews, would make some comment about the practice of memorializing the dead in Sepharad. It is interesting to note that he makes no mention of any custom for memorializing the dead what-so-ever. This is even more fascinating in light of the fact that the next two Spanish authorities whom we encounter both object to the practice of memorializing the dead.

David ben Solomon Ibn Abi Zimra, also known as the Radbaz, (1479-1573, Spain and Egypt), said: "I object to

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[34] Shibbolei Haleket Hashalem, pp. 30a section 81.

[35] Orchot Chayim, Hilchot Yom HaKippurim, section 34.

the practice of memorializing the dead."[36] Isaac Luria (1488-1575, Spain and Safad) agrees with the Radbaz. He objects to the practice of memorializing the dead because of the superstitions which are connected to it.

> The Ari scorns the custom of saying Hashkavot for the souls of the dead. He said that some people think that the purpose of a Hashkaba is to enhance the qualities of the souls of the dead in the upper heaven; and, if the soul of the dead is not fit for this, the Hashkaba causes the soul to come down below because it is damaged and spoiled by the incitations of those who accuse him by opening their mouths to remember his sins and his defects...[i.e., because the purpose of the prayer is to redeem the dead from Gehinnom]. The Ari does not believe that the soul of the dead comes down to earth, and he does not believe that this can be "fixed" by donating tzedakah on his behalf and he feels that these unfounded notions will be forgotten if Hashkavot are not recited.[37]

Moses Isserles (16th c., Ashkenazic) is the next authority who tells us that prayer can redeem the dead. "It is the custom to say the Maftir and to pray on Motza'ei Shabbat, for this is the time that the souls return to Gehinnom; and when the son prays and sanctifies God's name in public, he redeems his father from Gehinnom and it is customary to recite the Kaddish."[38]

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[36]Author unknown, Responsa of Rav P'alim, Section 4 to Y.D., #35, Piska 5, Iraq, 19th c.

[37]Author unknown, Responsa of Rav P'alim, section 4 to Y.D., #35, Piska 8.

[38]S.A.Y.D. 376:4. The Rema cites the Kol Bo as his source for this but does not give a page or section number for this reference.

2. The dead can intercede on behalf of the living:

The notion that the dead can intercede on behalf of the living is not as prevalent in Jewish sources as is the notion that prayer, by the living, can redeem the dead. In fact, this concept is only discussed in two sources, which were written 600-700 years apart from one another: the Talmud Bavli (circa 500-600 C.E.) and the Rokeach (circa 1165-1230). In the Talmud Bavli[39] we find two cases where the living request the dead to intercede on their behalf (see Chapter I, p. 24 for the citations of this text).

We do not find any further discussion of this concept until seven centuries later. Eliezer of Worms, in the Rokeach, is the only other authority to make reference to it. However, his statement differs from that of the Talmud Bavli in one respect: the dead only have the power to intercede on behalf of the living if they (i.e., the dead) were righteous while they were alive. Their goodness gives them the merit to "work out a deal" with God on behalf of the living. This is consistent with the Rokeach's view on the concept that prayer can redeem only those dead who led righteous lives, as seen above (p. 33).

> The charity which is donated on behalf of the dead [on Yom Kippur] is also for the purpose of the living, because the dead (who were good while

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[39]B. Sota 34b and Ta'anit 16a. For a complete discussion of these texts, see Chapter I, p. 24.

alive and therefore merit God's mercy) can intercede in favor of their descendants.[40]

3. The dead require atonement:

The belief that the dead require atonement is most important for our study of memorial customs. It is this concept which informs the Jewish custom of memorializing the dead on Yom Kippur - the Day of Atonement (the concept of memorializing the dead on Yom Kippur will be discussed further on). The belief that the dead require atonement can be traced back to the third century, C.E. The earliest explicit reference to this idea is seen in Sifre Devarim[41] (circa 200 C.E.). Almost all of the later sources cite this Sifre passage as the rabbinic foundation for the rite of saying prayers for the dead, especially on Yom Kippur. In addition, all texts post-Sifre which say that the dead require atonement, specify tzedakah (which the living donate on behalf of the dead) as the means through which the dead receive atonement.

As we saw earlier, Midrash Tanchuma[42] (9th century C.E.) is often cited as a source for the notion that prayer can redeem the dead. In addition, this same passage says

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[40]Sefer Ha-Rokeach Haqadol, #217.

[41]Sifre Devarim on Deuteronomy 21:8, Piska, 210. For a complete discussion of this text, see Chapter I, pp. 21-22.

[42]Midrash Tanchuma, the beginning of parashat Ha'azinu.

that it is important to give tzedakah on Yom Kippur because the "dead too require atonement."

The next text which asserts that the dead require atonement is Machzor Vitry (circa 11th c.) In the section on Yom Kippur, Machzor Vitry states that this is the only day on which tzedakah is given on behalf of the dead. Here, it cites the Sifre passage ("the dead require atonement") as its proof for this practice:

> [On Yom Kippur] charity is given on behalf of the living and on behalf of the dead. In all of Ashkenaz, this is the only day on which charity is given on behalf of the dead. Why do we give charity on behalf of the dead on Yom Kippur? Because it is a day of atonement, forgiveness, and pardon, and charity serves as atonement for them [i.e., for the dead.]"[43]

The Rokeach (circa 1165-1230) views the concept that the dead require atonement in the same light as it viewed the other concepts discussed above: only those dead who led righteous lives can benefit from tzedakah which is given on their behalf to atone for their sins.

> What is the purpose of donating charity on behalf of the dead on Yom Kippur and not on the Festivals (i.e., Sukkot, Pesach and Shavuot)? Because this practice is supported by the different statements in Scripture on Yom Kippur: "For the Day of Atonement will atone for you." (Lev. 23:28) "And every man will give an atonement for his soul to God." (Exod. 30:12), etc...And what use is it to the dead if the living give charity on their behalf? If the dead, while alive, was charitable or poor and he was good, then the charity will be of some benefit to him, because the living can request to decrease the Divine judgement on the

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[43] Machzor Vitry, p. 392.

> dead, just as David did for Absalom. But if it is given on behalf of one who was wicked while he was alive, it is of no benefit to his soul.[44]

Shibbolei Haleket (circa 1260) cites Sifre as its source for saying that the dead require atonement.

> After the reading of the Haftarah [on Shabbat] it is customary to memorialize the dead...because Shabbat is a day of rest, an example of the world-to-come, and the dead also rest on Shabbat. Therefore we commemorate them and pray for their rest...and it is also customary when we memorialize the dead for the living to donate tzedakah on their behalf for their [i.e., the dead's] benefit.[45]

Moses Isserles (16th c.) is the last source which makes reference to the concept that the dead require atonement. He too, cites Sifre as his source for this. Specifically, the Rema states: "We memorialize their souls [i.e., the soul's of the dead] because the dead also require atonement on Yom Kippur."[46]

4. We memorialize the dead on Yom Kippur; and we donate charity on their behalf on Yom Kippur:

The custom of memorializing the dead on Yom Kippur grew out of the concept that the dead require atonement. Since Yom Kippur is the Jewish Day of Atonement, it follows that this would be the time for everyone to atone for their sins:

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[44] Sefer Ha-Rokeach Haqadol, #217.

[45] Shibbolei Haleket Hashalem, pp. 30a-30b, section 81.

[46] S.A.O.H. 621:6.

the dead as well as the living. It is difficult to examine the custom of memorializing the dead on Yom Kippur by itself. This custom is really part of a triad and needs to be analyzed as such. It is informed by the idea that the dead require atonement (discussed above, pp. 52-54). Every text which says that we memorialize the dead on Yom Kippur says also that the dead require atonement. In addition, the custom of memorializing the dead on Yom Kippur is inextricably linked to donating tzedakah on their behalf at this time. We request atonement for the dead on Yom Kippur through the donation of tzedakah. Thus, every text which says that the dead require atonement, and that we memorialize the dead on Yom Kippur, says also that we donate tzedakah for the dead on Yom Kippur. Midrash Tanchuma (circa 9th c.) is the earliest reference to the customs of memorializing the dead on Yom Kippur and donating tzedakah on their behalf. "It is customary to remember the dead on Yom Kippur and to give tzedakah on their behalf."[47]

The next reference to these customs opposes this practice. "Hai Gaon and his pupil Nissim b. Jacob (c. 1000 C.E.) opposed the custom of praying for the departed on festivals and on the Day of Atonement, and of donating to charity on their behalf. They believed that only the actual

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[47]Midrash Tanchuma, the beginning of parashat Ha'azinu.

deeds performed by a person during his lifetime count before God."[48]

As mentioned above (p. 53), Machzor Vitry[49] (circa 11th c.), cites the Sifre passage as its source for memorializing the dead and donating tzedakah for them on Yom Kippur. It places the memorialization of the dead after the morning Haftarah reading on Yom Kippur.

As we saw above (pp. 49; 53-54), both Eliezer of Worms (in the Rokeach - circa 1165-1230) and the author of Orchot Chayim (circa 13-14th c.) assert that it is customary to memorialize the dead on Yom Kippur. However, they maintain that prayers for the dead will benefit only those dead who led righteous lives. These two texts differ from each other, though. The Rokeach maintains that it is also customary to donate tzedakah on Yom Kippur on behalf of the dead, but this tzedakah will help only those dead who led good lives. Orchot Chayim, on the other hand, maintains that charity is of no use to the dead whatsoever.

Apparently, the custom of memorializing the dead and donating tzedakah for them on Yom Kippur was known to both David ben Solomon Ibn Abi Zimra (the Radbaz - 1479-1573) and

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[48]Ydit, p. 1532; and, Lévi, pp. 53-54. I was unable to find the original citation for Hai Gaon's statement, so this source is questionable. However, I have found references to this statement in many secondary sources, such as Ydit and Lévi.

[49]Machzor Vitry, p. 392.

Isaac Luria (1488-1575). Both of these Spanish authorities objected to this practice:

> And you have heard that one does not say a Hashkaba for the soul of one who has died "because they should donate charity on his behalf instead of reciting a Hashkaba." This was heard from those who object to Hashkavot because when they are recited, the soul of the dead comes down [to this world]. Therefore it is customary to rise at the time of the mention of the name of the dead. But when the soul comes down below, it is not able to return up above until oil is given for the lamp and tzedakah is given on its behalf. Even the Radbaz said: "I object to the practice of memorializing the dead." Know that these ideas, however, do not come from the strength of reason or intellect, and you cannot rely on them. It is a riddle as to how or why the soul returns to this world from the strength of the weak chanting of the chazzan! The Ari mocks the statements made above.
>
> And further, why is the soul of the dead only able to return up above with the donation of charity? For after all, Hashkavot are recited on Shabbat, Yom Kippur and Rosh Hashannah and if the soul comes down to this world at that time, you cannot give charity on those days. You can only give tzedakah the day after - thus the soul could not return up above and you would be making this world a prison for the soul. And if the day after Shabbat is Yom Tov, then the soul would have to remain in the prison of this world on Shabbat and Yom Tov; and, if the tzedakah is not given right away, but is given a week later or a month later, then the soul will be imprisoned down here for a week or a month or longer! None of these ideas have a basis in anything--they have nothing which supports them, that is why the Ari objects to them.[50]

It is interesting to compare Joseph Caro's (Shulchan Aruch, 16th century, Sephardic) treatment of these two

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[50]Author Unknown, Responsa of Rav P'alim, Section 4 to Y.D., #35, Piskas 5, 6, and 8.

customs with that of Moses Isserles. Caro does not specifically tell us that it is customary to memorialize the dead on Yom Kippur. He only says: "It is customary on Yom Kippur to donate charity on behalf of the dead."[51] The Rema, however, tells us the reason <u>why</u> we donate this charity: "And we memorialize their souls because the dead also require atonement on Yom Kippur."[52]

<u>5. We memorialize the dead on Shabbat</u>:

<u>Midrash Tanchuma</u> (circa 9th c.) makes the earliest reference to the custom of memorializing the dead on Shabbat. "It is customary to remember the dead on Shabbat, for these prayers keep the dead from going down to Gehinnom, for the living can redeem the dead.[53]

<u>Machzor Vitry</u> (circa 11th c.) not only tells us that we memorialize the dead on Shabbat, but it tells us <u>when</u> we memorialize them. In the Torah service for Shabbat, it states that after the reading of the Haftarah: "We remember the dead who honored Torah, along with those who did <u>nothing</u> for the community, because others have to do something on their behalf, in order that God will redeem them."[54]

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[51] S.A.O.H. 621:6.

[52] S.A.O.H. 621:6.

[53] <u>Tanchuma</u>, the beginning of <u>parashat Ha'azinu</u>.

[54] <u>Machzor Vitry</u>, p. 173.

Sefer Hasidim (circa 1217) (as we saw above on pp. 47-48) also asserts that we memorialize the dead on Shabbat. However, these memorial prayers will only benefit those dead who led righteous lives.[55]

Shibbolei Haleket (circa 1260), on the other hand, (as we saw above on pp. 48-49) maintains that we memorialize all of the dead on Shabbat. We do so because Shabbat is a day of rest for the dead as well as the living. Therefore, we need to pray that the dead will enjoy this Shabbat rest.[56]

We saw above (pg. 57) that the custom of memorializing the dead on Shabbat was known to both the Ari and the Radbaz. Both of these Spanish authorities objected to this custom, however. They feel that prayer on behalf of the dead has no benefit for them.

While Joseph Caro says nothing about memorializing the dead on Shabbat, Moses Isserles tells us of this custom in two different places. "It is the custom to say the Maftir and to pray on Motza'ei Shabbat, for this is the time that the souls return to Gehinnom; and when the son prays and sanctifies God's name in public, he redeems his father from Gehinnom and it is customary to recite the Kaddish."[57]

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[55]Sefer Hasidim, Section 1171.

[56]Shibbolei Haleket Hashalem, pg. 30a, Section 81.

[57]S.A.Y.D. 376:4. The Rema cites the Kol Bo as his sourcefor this (but doesn't give a page or section number).

Then, in another reference, the Rema cites Shibbolei Haleket and says: "It is customary to memorialize the souls of the dead after the reading of the Torah, and it is customary to say Av Harachamim on those days when we don't recite Tzidkotcha Tzedek, and on those days when there is not a wedding or a brit milah or when we bless the month -- but all this is according to the custom of the place."[58]

6. We donate charity for the dead on Shabbat:

The custom of donating charity on behalf of the dead on Shabbat is not very common. It is only discussed in three texts: Sefer Hasidim, Shibbolei Haleket and by the Ari.

Sefer Hasidim (circa 1217) asserts: "Therefore it is beneficial, in this circumstance [i.e., when the father led a righteous life], to donate tzedakah [on Shabbat] on behalf of the father after his death and to pray for him.[59]

Unlike Sefer Hasidim, Shibbolei Haleket (circa 1260) doesn't place any limitations on the benefits of donating tzedakah for the dead. According to Shibbolei Haleket, tzedakah will benefit all those who died, those people who led good lives and those who didn't. "It is also customary when you memorialize the dead [on Shabbat] that the living

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[58]S.A.O.H. 284:7.

[59]Sefer Hasidim, Section #1171.

donate tzedakah on their behalf for their (i.e., the dead's) benefit."[60]

Finally, as we saw above (page 57), the custom of donating tzedakah on behalf of the dead on Shabbat was known to the Ari (1488-1575). However, he scorned this custom, as well as that of memorializing the dead, because of the superstitions surrounding it.

7. We memorialize the dead on the Shalosh Reqalim; and we donate charity for them on the Shalosh Reqalim:

The custom of donating charity on behalf of the dead is called Matnat Yad. It derives its name from Deuteronomy 16:17. This Torah text discusses the custom of making donations to the Temple on the festivals - "each according to his hand". The custom of memorializing the dead on the last days of Sukkot, Pesach and Shavu'ot is first mentioned by Hai Gaon (circa 1000 C.E.) He and Nissim b. Jacob opposed this custom. "Hai Gaon and his pupil Nissim b. Jacob opposed the custom of praying for the departed on festivals and on the Day of Atonement, and of donating to charity on their behalf. They believed that only the actual deeds performed by a person during his lifetime count before

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[60] Shibbolei Haleket Hashalem, p. 30b, section 81.

God."[61] Obviously, the custom of memorializing the dead on festivals was known by the year 1000 if Hai Gaon objected to it.

The Rokeach (circa 1165-1230) also knows of the custom of memorializing the dead on the Shalosh Regalim and donating charity for them at this time. However, he asserts that we do not donate charity on behalf of the dead on the Shalosh Regalim, we only memorialize the dead at this time. The only time of the year we donate charity on behalf of the dead is Yom Kippur. There is a problem, though, with the Rokeach's discussion of this topic. In his discussion on Yom Kippur, (see pp. 21-22 above) he specifically states in his introduction to the topic: "What is the purpose of donating charity on behalf of the dead on Yom Kippur and not on the Festivals (i.e., Sukkot, Pesach and Shavuot)?"[62] However, in his discussion of the Shalosh Regalim, he says that we do give charity on these festivals. The problem with this second statement is that it is not clear if the Rokeach is discussing the donation of charity in general, or the donation of charity on behalf of the dead. If he is discussing charity in general, then there is no problem. If he is discussing the donation of charity on behalf of the

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[61] Ydit, p. 1532; and, Lévi, pp. 53-54. Please refer to footnote #48 above for comment on this source.

[62] Sefer Ha-Rokeach Hagadol, #217.

dead, however, then he contradicts his statement made in his discussion on Yom Kippur. This is his statement on the Shalosh Regalim:

> On all of the Festivals (i.e., Sukkot, Pesach and Shavuot) we donate charity because we read in Scripture:
>
> > Three times a year - on the Feast of Unleavened Bread, on the Feast of Weeks, and on the Feast of Booths - all your males shall appear before the Lord your God in the place that He will choose. They shall not appear before the Lord empty-handed, but each will his own gift, according to the blessing that the Lord your God has bestowed upon you. (Deut. 16: 16-17).[63]

Solomon Freehof asserts that the Rokeach is discussing the donation of charity on behalf of the dead in both his statement on Yom Kippur and his statement on the Shalosh Regalim. He feels that the Rokeach is contradicting himself:

> The obvious explanation of such differing statements would be that the custom of memorializing was unfixed, unregulated, and therefore it varied from place to place as well as from time to time. This explanation, usually sufficient in the case of many other popular observances, is not quite adequate here because we find apparent contradiction within the *same literary source*. For example, Rokeach (#217) says of Yom Kippur that we give charity in behalf of the dead *only* on this day. On the other hand, Rokeach (#296), speaking of the festivals says: "On all the festivals we give charity when we read the portion, "each according to the gift of his hand."[64]

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[63] Sefer Ha-Rokeach Haqadol, #296.

[64] Freehof, p. 182.

Our last source which maintains that we memorialize the dead on the Shalosh Regalim is the Maharil (Jacob ben Moses Moellin, circa 1360-1427). He writes (at the end of his discussion on Hoshannah Rabbah): "The general rule is that on every Yom Tov [i.e., the last day of each of the Shalosh Regalim] when we read the Torah portion 'each according to his hand' (Deut. 16:17), we memorialize the dead and say Av Harachamim."[65] So not only does he inform us that we memorialize the dead on the Shalosh Regalim, but we know from his statement at which point in the service we do so. However, the Maharil makes no mention of donating charity on behalf of the dead at this time.

8. Av Harachamim:

Av Harachamim is a prayer which commemorates martyrs. It appears that Av Harachamim is one of the earliest memorial prayers which was incorporated into Jewish liturgy.[66] Israel Davidson says that Av Harachamim was

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[65]Sefer Maharil, p. 54.

[66]There is some question, however, about the date of composition of the prayer Eleh Ezkerah. This is a memorial prayer for martyrs that is recited during the Musaf service on Yom Kippur. According to Max Arzt, [Justice and Mercy, (New York, NY: Holt, Rinehart and Winston: 1963), pp. 253-257] Eleh Ezkerah was composed not too long after the First Crusade (1096). Arzt states (p. 254): "This dirge is a reflection of the utter bewilderment of that generation in their inability to understand the meaning of the martyred death of countless innocents. Eleh Ezkerah is an expression of their pathetic search for an explanation of the absence of supernatural intervention in behalf of those done to death by the crusading mobs that invaded the Rhineland."

composed sometime during the Middle Ages. According to Davidson, the earliest known text of Av Harachamim is found in Machzor Avodat Yisra'el, which dates back to 1290.[67] Davidson also states that Av Harachamim is found in every published Ashkenazic prayer book (before the Torah is returned to the Ark), but it is not found in Sephardic prayer books.

The next source which mentions the prayer Av Harachamim by name is the Maharil (circa 1360-1427). As we saw above (pg 64), the Maharil says that we say Av Harachamim on the Shalosh Regalim after the Torah reading.[68]

Finally, we see from Moses Isserles (16th c.) that Av Harachamim is recited every Shabbat. "It is customary to memorialize the souls of the dead after the reading of the Torah, and it is customary to say Av Harachamim on those days when we don't recite Tzidkotcha Tzedek, and on those days when there is not a wedding or a brit milah or when we

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Arzt explains that the Jews, post-Crusades, (p. 254): "resorted to the tradition of the Ten Martyrs, which told of a previous instance of martyrs suffering death, not for their own sins, but in expiation of the sins of the previous generation." Eleh Ezkerah is based on the Midrash of the Ten Martyrs, the earliest version of which is found in Abot de Rav Nathan, chapter 38 (according to Arzt, p. 256). For a more detailed explanation of this, refer to Arzt.

[67]Davidson, Israel, Thesaurus of Mediaeval Hebrew Poetry, (New York, NY: Ktav Publishing House, 1970), p. 3, citation #40. Refer to this citation for more details.

[68]Sefer Maharil, p. 54.

bless the month -- but all this is according to the custom of the place."[69]

9. El Male Rachamim:

As we shall see further on, El Male Rachamim is the prayer which is used by the Ashkenazim to memorialize individuals. It is difficult to trace the origins of El Male Rachamim because as we see from our chart (see Appendix A, pp. 150-153), it is not mentioned in any of the early prayer books, nor by Isserles, nor in any responsa. The only information regarding a putative early El Male Rachamim comes from the secondary literature, which frequently presumes that El Male Rachamim was written sometime after the Crusades, and is connected with the custom of memorializing the dead, which (as we saw) dates back to Sifre, Tanchuma, Rabbati and Shibbolei Haleket. For example, Davidson says: "The custom of memorializing the dead is old. It is already mentioned in Tanchuma, at the beginning of parashat Ha'azinu, and in Machzor Vitry. It is uncertain when the text of El Male Rachamim was written, all that is known is that it was written sometime after the Crusades."[70]

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[69]S.A.O.H. 284:7.

[70]Davidson, Thesaurus of Mediaeval Hebrew Poetry, p. 176, citation #3808. It is interesting to note that Davidson lists many variations of the prayer El Male Rachamim.

Meir Ydit says: "El Male Rachamim originated in the Jewish communities of Western and Eastern Europe where it was recited for the martyrs of the Crusades and of the Chmielnicki massacres (circa 1648-1748 in Poland). This explains the many different versions of this prayer in various European communities."[71]

Dr. A. Stanley Dreyfus is convinced that El Male Rachamim was not composed until after the Chmielnicki massacres.[72] In fact, in Siddur Otzar Hatefilot there is a special El Male Rachamim which is recited on the 20th of Sivan for the victims of the Chmielnicki massacres.[73] Dr. Lawrence A. Hoffman tends to agree with Dreyfus about the date of composition of El Male Rachamim. However, since we have no proof, all we can do is speculate that El Male Rachamim was composed sometime between the Crusades and the 17th century. In all probability, its date of composition seems to be later rather than earlier. A "clue" to this would be the fact that Av Harachamim was composed right after the Crusades circa 1290, and we have sources which attest to this. One would think that if El Male Rachamim were composed toward the earlier date of the Crusades (as

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[71]Meir Ydit, "El Male Rachamim," The Encyclopedia Judaica, (Jerusalem, Israel: Keter Publishing House, Ltd., 1971), p. 683.

[72]Interview with Dr. A. Stanley Dreyfus, Brooklyn, New York, February, 1989.

[73]Siddur Otzar Hatefilot, (Vilna, 1914), pp. 72-73.

opposed to the 17th century), it would be mentioned in some of the key primary sources as is Av Harachamim.

10. Hashkaba:

Hashkaba is the prayer used to memorialize individuals in the Sephardic tradition. As we shall see further on, it appears that Hashkaba was based on the Ashkenazic El Male Rachamim. Unfortunately, Hashkaba poses the same problem for us as does El Male Rachamim. We do not have any early primary sources which specifically cite it. However, at first glance, the sources deceive us into thinking that perhaps Hashkaba did exist by the 13th century.

For example, we have a responsum by Yom Tov ben Abraham Ishbili (known as the Ritba, Spain, late 13th-early 14th c.) which appears to mention Hashkaba by name. The responsum deals with the question of Jewish thieves from another community who die in the act of breaking into a synagogue and have to be buried. The responsum says:

"... ויכלכו להם לקבורם הנה בודאי, שיקברו אותם כל המלוים לקבורם ולנחמם, אבל לא יאמרו עליהם הקדיש, ולא קינה."

("One may bury them and accompany them, but one does not say any Hashkaba for them, or Kaddish or any lament.")[74] At first, it appears that in Ishbili's responsum we have the

[74]Yom Tov Ben Ishbili, #159, Piska 2, Sepharad, c. 13th-14th century.

earliest mention of Hashkaba by name. However, in the Sephardic world all funeral liturgy was referred to as Hashkabot.[75] Since the prevalent opinion is that Hashkaba developed later than El Male Rachamim, it would be highly unlikely that Ishbili was referring to the specific Hashkaba prayer in his 13th century responsum. Most likely he was referring to general funeral liturgy.

The problem gets more complicated when we examine the statements of Isaac Luria (circa 1488-1575). Most sources agree that the Ari scorned Hashkaba.[76] Nonetheless, it is not clear whether the Ari was referring to Hashkabot - i.e., funeral prayers - in general, or to the specific Hashkaba prayer. If El Male Rachamim had been written by the 16th century, then it is possible that Hashkaba had been written by Luria's time. However if El Male Rachamim was not written until the 17th century, then it is likely that the Ari was referring to general funeral prayers and not the specific Hashkaba prayer. The following text gives the impression that the Ari knew of the specific Hashkaba prayer:

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[75]According to Dr. Martin A. Cohen.

[76]Rabbi Marc Angel said that the Ari thought that the Hashkaba prayer was too flowery and only had a "one-line" Hashkaba in his prayer book; Gaugin also refers to the Ari's dislike for Hashkaba saying that the Ari only wanted the one line said for him when he died: "ken hamerachem hu yerachem al nefesh Yitzchak Luria, zikhrono livrakha" (Keter Shem Tov, p. 264). I was unable to find the Ari's prayer book to check this for myself.

> The Hashkaba was known to the Ari who scorned all Hashkavot, as did the Chida [Chayim Joseph David Azulai, 1724-1806). But I feel that the Hashkaba offers great consolation to mourners who hear it, especially when the shaliach tzibbur knows how to enhance its "fire," but it all depends on who says it. And this is especially true of the text of the Hashkaba belonging to Rabbi Chaye Avraham Kovar; but everyone does it according to his own will - i.e., how he will say the Hashkaba and how he will describe the departed.[77]

One would think that if Isaac Luria knew of the Sephardic Hashkaba prayer so too would his younger contemporary Joseph Caro. But remarkably, Caro makes no mention of any Sephardic memorial prayer whatsoever. One must speculate then, that Hashkaba was written sometime after the 17th century, after the composition of El Male Rachamim.

From our chronological examination of the above 12 memorial customs, we can draw the following conclusions:

1. There are three different attitudes toward the concept of memorializing the dead in Judaism and toward the custom of donating charity on their behalf:

a. It is necessary to memorialize the dead because prayer can redeem them from Gehinnom. Any charity which is given on behalf of the dead will serve as atonement for their sins;

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[77]Chayim Palagi, responsa #125, Piska 27, Turkey, 19th century.

b. One should not memorialize the dead nor donate charity on their behalf because prayers and charity are not at all beneficial to the dead;

c. Prayers and charity for the dead are only beneficial to those dead who led righteous lives. However, these prayers and charity have no benefit to those who were wicked while alive.

2. The Spanish authorities (the Ritba, Abudarham, the Radbaz, the Ari, Caro and the Chida) tend to voice stronger objections to the notion of memorializing the dead (along with all the attendant customs) than the Ashkenazic authorities; or they tend to be silent on the subject (specifically, Abudarham and Caro). As we shall see further on, the Ashkenazic memorial custom is comprised of three different types of commemoration rituals while the Sephardim have only one type of ritual. Perhaps the strong objections of the early authorities influenced the development of Sephardic memorial practice, limiting its scope. In fact, we have one responsum which affirms this:

> Those who are anxious about the words of the Ari, do not do any Hashkaba at all and they render the notion of donating tzedakah as having no benefit.[78]

3. It is the <u>northern</u> Ashkenazic authorities (e.g., the moralists who wrote: <u>Rokeach</u>, <u>Sefer Hasidim</u> and <u>Orchot</u>

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[78]Author Unknown, <u>Responsa of Rav P'alim</u>, Section 4 to Y.D., #35, Piska 10.

Chayim) who feel that prayer and charity on behalf of the dead will benefit only those dead who lead good lives. While they did not deny the theology of praying for the dead altogether (as did Hai Gaon, Bar Hiyya and the Sephardic authorities), they did try to limit its scope.

C. The Link Between Christian and Jewish Memorial Custom:

Now that we have analyzed the development of each of the different elements of Jewish memorial custom, we can return to our broad historical overview. First we will examine the link between Christian and Jewish memorial practice. Then we will trace the development of both Ashkenazic and Sephardic practice from the Middle Ages until the present.

Most Jewish scholars agree that Yizkor has its origins in the memorial prayers which were composed in the Rhineland during the time of the Crusades.

> The First Crusade precipitated the first major crisis of Jewish cultural identity in northern Europe (circa 1096)...New prayers were written to recall the righteousness of the slain and to invoke God's vengeance on the guilty Christians. Each spring the martyrs' names were recited in the Rheinish synagogues in order to keep alive the memory of the sacrificed dead and to invoke their merit as a form of vicarious atonement for the living.[79]

The theme of the Jewish memorial prayers was rooted in Christian practice.

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[79]Mark R. Cohen, "Judaism," The Encyclopedia of Religion, (New York, NY: Macmillan Publishing Co., 1987), vol. 8, p. 156.

> Two distinct commemorations developed in medieval Germany; Solomon Freehof calls them "The Communal Martyr Liturgy" and "The Communal Family Liturgy." The Communal Martyr Liturgy consisted of reading the *Memor*-lists or martyrology to commemorate the *kedoshim* ("saints") who had chosen martyrdom for the sanctification of God (*kiddush ha-shem*). The Sabbath before the late spring *Shavuot* (Penteost) and the Sabbath nearest the midsummer *Tish'ah b'Av* were chosen in medieval Germany for the memorialization of martyrs. Alongside this rite, there developed in medieval Germany what is now call *yizkor* or *hazkarat neshamot* (prayer for the souls of the dead)--the "Communal Family Liturgy"--which memorialized the dead on *Yom Kippur*. Prayer and charity, it was held, can speed the redemption of the dead and enable the dead souls to obtain rest in paradise. These two rites find earlier Christian parallels in the "Feast of All Saints" and "All Souls' Day"...It should be observed that the very name *Memorbuch* (memorial book) comes from the Latin *memoria* (memory) and that the prayer which follows the Christian recitation of the departed begins with *memento* (remember), just as the Hebrew prayer begins with *yizkor* (remember).[80]

Christian memorial practice, as we saw earlier, developed in three stages (the Requiem Mass, the Feast of All Saints, and All Souls' Day). Ashkenazic memorial practice developed in three stages, also, although these stages are not quite parallel to those of Christianity. In Ashkenaz, a communal commemoration for martyrs was fixed first in the liturgy. Perhaps the Ashkenazim were influenced by the Christian public martyrs prayers. Av Harachamim was composed for this communal commemoration of

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[80]Gutmann, p. 134.

martyrs.[81] The second custom which developed was that of memorializing the individual dead of one's family in a public setting at one set time during the year. Yizkor was composed for this communal commemoration of one's deceased relatives. The final custom which evolved was a highly personal one. This was the custom of commemorating one's deceased relatives throughout the first year of their death and on the yearly anniversary of their death. El Male Rachamim was the prayer which was composed in the Ashkenazic world for this individual commemoration, while Hashkaba was the prayer which was recited in the Sephardic world.

Freehof has labeled these three memorial customs as "The Communal Martyr Liturgy," "The Communal Family Liturgy," and "The Individual Memorial" respectively.[82] According to Freehof, "The Communal Martyr Liturgy" was originally composed to commemorate the victims of the Crusades. Eventually, this communal commemoration was extended to all martyred Jews and to all Jews who held prominent positions in the community. The oldest documents that record the existence of specific memorial prayers for martyrs are the "memorbuchs:" Medieval registers which first listed the names of martyrs of the First and Second

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[81]Freehof, p. 179; and David De Sola Pool, The Kaddish - The Old Jewish Aramaic Prayer, (New York, NY: Bloch Publishing Co., 1929), p. 106. De Sola Pool cites Zunz as his source for this.

[82]Freehof, p. 181.

Crusades (1096 and 1146); and eventually, also listed the names of prominent individuals, rabbis and scholars who had died in the community. The names of the people in the memorbuchs were invoked at certain times during the year.

> The early medieval legal compendia and books on Minhagim seem to refer to a considerable variety of memorial prayers. There was a special memorial service for the martyrs of the Crusades and of the Black Death persecutions. The clearest references to this are in the headings of the Memor lists in the Nuremberg "memorbuch" (the earliest extant memorbuch):
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> > "Therefore the whole house of Israel is duty bound to memorialize them between Passover and Shavu'oth on the Sabbath closest to Shavu'oth; and also a second time on the Sabbath between the 17th of Tammuz and the 9th of Av, on the Sabbath closest to the 9th of Av, which is called 'the Black Sabbath.'"[83]

"The Communal Family Liturgy is vague as to origin and observance. In western Europe this Communal Family Liturgy was only on Yom Kippur. In eastern Europe it was also on the last day of the three festivals."[84] Gaster adds: "Yizkor was from the beginning a prayer for the repose of the dead, and it was also, from the beginning, a communal ceremony, not an act of individual devotion...Yizkor appears to have been written for this Communal Family Liturgy somewhere in Germany during the 12th century."[85]

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[83]Freehof, p. 179.

[84]Freehof, p. 181.

[85]Gaster, pp. 237 and 240; and, De Sola Pool, p. 106.

Freehof does not describe the individual memorial as "liturgical" because the entire community does not have to recite it together at one particular time.

> This third type of memorial cannot be described as liturgical because it is not a part of the prayer book incumbent upon all worshipers simultaneously. It may be described as an Individual Memorial. A man is called up to the Torah and he has a special prayer recited for his dead. This Individual Family Memorial seems to be the one carried over into the Sephardic world from the Ashkenazic. Among the Sephardim there is the custom that an individual, whether called up to the Torah or not, asks for a prayer which is to be recited before the Ark in memory or on behalf of his departed relative. This the Sephardim call Hashkavah.[86]

As we saw from our chronological survey of Jewish memorial customs, the Sephardim voiced stronger opposition to the concept of praying for the dead than did the Ashkenazim. Perhaps this is the reason that neither the custom of "Communal Martyr Liturgy" nor the custom of "Communal Family Liturgy" crossed over from the Ashkenazic world into the Sephardic world. The Sephardim borrowed only the custom of "Individual Memorial" from the Ashkenazim. As we shall see in Chapter III, the Sephardic Hashkaba prayer is built around the Ashkenazic El Male Rachamim.

We can now make certain observations on the link between Christian and Jewish memorial practice. First, we know that at least by the fourth century there was a fixed ritual in the Christian world for commemorating the deceased

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[86]Freehof, p. 181.

(specifically martyrs) while there was no such fixed ritual in the Jewish world until after the Crusades. Second, in Christianity, the commemoration ritual for martyrs was fixed in the liturgy before the commemoration for the souls of everyone. Similarly, in Judaism, the commemoration ritual for martyrs was fixed in the liturgy before the commemoration for individuals (we see this from our chart in Appendix A). Third, and perhaps most importantly, there is a strong correlation between the language of the commemoration prayer (cited above on page 38) used as part of the Catholic Requiem Mass and the language used in El Male Rachamim and Hashkaba.[87]

> The correspondence of this formula (i.e., the prayer quoted above which is used in the Requiem Mass) - apart of course, from its purely Christian elements - with that of the Yizkor prayer, and in even more marked degree, with the requiem for the dead used in the Sephardic liturgy (Hashkaba), is indeed remarkable. First: the names "Memento" and "Yizkor," both derived from the opening words of the prayer, are in fact identical. Second: just as the diptych lists begin with the names of the generally venerated worthies of the Church, so too does the Jewish Memorbuch. Third: the expressions used are virtually the same. In the Christian prayer, God is besought to grant to the souls of the deceased a place in His "holy tabernacle;" in the Jewish prayer, [both in Hashkaba and El Male Rachamim] He is asked to grant them "abiding rest under the wings of the Divine Presence in the exalted place of the holy and pure" - where the word rendered "exalted place" really refers to a particular degree or level of heaven, and "the holy" (kedoshim) is the regular Hebrew term for "martyrs." In the Christian formula, God is entreated to grant that

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[87]The language of Hashkaba and El Male Rachamim is discussed in depth in Chapter III.

> the martyrs "sleep in the sleep of peace," while the Jewish requiem used by the Sephardim [Hashkaba] asks that the dead "may rest in peace upon their beds" and that "peace may accompany them." Finally, the Christian formula invokes on the departed the blessing of eternal repose "alongside all who are at rest in Christ;" while the Jewish version entreats that they abide "with all the righteous who are in Paradise." Moreover, it is difficult to resist the suspicion that some of the phrases used in the Jewish versions may have been designed deliberately to provide a kind of counterpart to Christian beliefs. Thus for example, in the Sephardic formula God is besought to grant the deceased a "keeping-afar of transgression and a bringing-near of salvation," words which have a curiously un-Jewish ring and sound like an adaptation of the Christian doctrine of absolution and salvation at death. Similarly, when it is entreated that the dead may "rest in peace alongside with all the righteous of His people Israel, who lie with him in the plentitude of mercy and forgiveness," one can perhaps detect a clever modification of the Christian doctrine of the communion of the Saints, seeing that the word rendered "plentitude" - a somewhat curious expression in the Hebrew - may also mean "communion, totality." On the other hand, the Jewish formula is unique - namely in its reference to the binding up of the soul "in the bond of the living." This phrase is taken from the passage in the First Book of Samuel (25:29) where Abigail says to David: "And a man rise up to pursue thee and to seek thy soul, the soul of my Lord shall be bound up before Jehovah thy God in the bundle of life." The "bundle of life" is an immortal community of souls held like a treasure in the hand of God and it is in that sense that the expression is used both in the Yizkor prayer and as a favorite text upon Jewish tombstones.[88]

Gaster explicitly points out that the Jews must have been strongly influenced by the Christian prayer and used it as a model for their own memorialization prayers (Yizkor, El Male Rachamim and Hashkaba) - especially since the

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[88]Gaster, pp. 241-242.

similarities between the Christian prayer and Yizkor/Hashkaba are so striking. Levi, however, feels that "even though the prayers and alms and the commemoration of the souls in Christianity have their correspondence in the Jewish liturgy, there is nothing which recalls, even from afar, the memorialization of the dead (in Judaism) to the "sacrifice" of the Requiem Mass."[89]

D. Differences of Opinion Regarding Jewish Memorial Practice:

Gaster and Lévi tend to disagree on many levels. For example, Lévi feels that since the rituals of prayer and charity on behalf of the dead had already been a part of Jewish history, all that was needed was some massive, tragic event - like the Crusades - to firmly entrench a fixed commemoration ritual in Jewish culture, first as a communal rite and then as an individual rite. For Lévi, these fixed prayers represent a "cult of the dead" to which he strongly objects:

> The introduction of prayers and charity on behalf of the dead into Jewish life occurred naturally, although in an obscure manner. To be sure, there was no dearth of motivating factors. For the birth of the custom to commemorate the dead [i.e., Yizkor] however, all that was needed was a tragic event, namely, the blood of the martyrs of the Crusades, which precipitated the inauguration of this rite; and little by little, from the martyrs alone to the great people, and from the great people with their benefactors, and from the

[89]Lévi, p. 59.

> benefactors to the simple faithful, that is, all the deceased Israelites who now received help from this prayer. But this prayer always retained signs of its relative novelty; it never managed to become fixed in a definitive manner, and to take a first-row place in the ritual of the prayers which was constituted before its birth. Now the cult of the dead gains in fervor what it loses in piety; fidelity to the memory of one's parents becomes a sort of religion which eclipses the other one a little bit. Therefore, no one should be astonished to find that the ceremony of the commemoration of the dead, at least on Yom Kippur, assumes a solemnity and a prestige of increasing importance.[99]

Levi tends to be very conservative. We have seen this with his assessment of the II Maccabees and the Sifre texts; and with his pronouncement of the Jewish commemoration ritual a "cult of the dead." He seems unwilling to believe that the Jews could have been influenced by the environs in which they were living. He seems to think that if Jewish practice seems to "imitate" or emulate Christian practice, than it is either simply pure coincidence or stems from the fact that the two groups were living amidst similar circumstances.

On the other hand, Jews have always been influenced by the cultures with whom they came in contact. For example, the Jewish notion of "afterlife" is based on Greek philosophy; the format of our Passover seder is based on a Greek custom; the ancient Hebrews borrowed many customs from their pagan neighbors; etc. Based on the history of

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[99]Lévi, p. 60.

Christian memorialization rituals, the similarities of the Christian and Jewish prayers for commemorating the dead, and my understanding of the Jewish mind-set during the Middle Ages, I would have to agree with Gaster that Yizkor and Hashkaba were modeled on the Christian prayers for commemorating the dead.

It is also interesting to note that Lévi does not think Hashkaba to be worthy of discussion. For him, "This is a thing of little importance because this prayer has certainly been introduced more recently than the commemoration of souls [i.e., Yizkor]."[91] In contrast, Gaugin devotes a whole chapter to Hashkaba, although he has no idea who wrote it or when. He speculates that it was written sometime in Geonic times (while we know that it probably was not composed until circa the 16th or 17th century) but states that this is a "mere speculation."[92]

Finally, in modern times, Lévi objects to the notion of memorializing the dead for two reasons. First, he thinks that the custom became attached to Yom Kippur by "confusion;" and second, he feels that we have turned it into a "cult of the dead."[93]

> Some casuists say that we memorialize the dead on Yom Kippur, after the Haftarah reading. This is done because of a confusion which jumps out at

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[91]Lévi, p. 44.

[92]Gaugin, p, 262.

[93]Lévi, p. 60.

> one's eyes. The commemoration was dragged along by the habit to vow some offerings in favor of transgressions on that day. R. Jacob Weill founded the institution of a throwing away of sins of the dead on Yom Kippur on the plural of "kippurim." This plural proves, he says, that it is a day of atonement for both the living and the dead. Kolbo, section 70, says that the ceremony of the commemoration of the dead on that day has the goal of breaking the heart of the worshippers. But these exegeses are very lame.[94]

I am not quite sure what to make of this claim. However, I do agree with Gaster's negation of Lévi's "cult of the dead."

> ...The Yizkor ceremony is in no sense a cult or worship of the dead, as Israel Lévi so perversely assumed. Indeed it is highly doubtful whether worship of the dead really bulks so largely in any religion as former generations of students supposed;...What animates these ceremonies is, in a word, not an approach to the dead, but a feeling of wanting to be with them, of being part of a larger life in which death has finally no meaning and imposes no division.[95]

Our study of the development of Jewish memorial customs is almost complete. We only have two more customs to examine: the names which the Ashkenazim and Sephardim use to designate the yearly anniversary of death; and a brief comparison of when the Ashkenazim recite their Individual Memorial with the times that the Sephardim recite theirs.

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[94]Lévi, p. 47.

[95]Gaster, p. 240.

E. The Name of the Yearly Anniversary of Death:

No term was given to the yearly observance of a relative's death, in either Ashkenazic or Sephardic custom, until the 14th-15th centuries.[96] The Ashkenazim borrowed the term *Jahrzeit* from the Christian Church in Germany, where it was used to indicate "the annual time for honoring the dead at anniversary Masses. It is an established custom in the Jewish community by the 14th century in southern Germany and the word *Jahrzeit* is encountered in a responsum of the 15th century German rabbi, Moses Minz."[97] On this occasion, Kaddish was recited and a candle was burned for 24 hours.

The Sephardim use different Spanish words to designate the yearly anniversary of death, including *Annos*, and *meldado*, "meaning literally that which is read."[97] However, unlike the Ashkenazic equivalent, we do not know exactly when the Sephardic terms were coined. During the annos/meldado, a Hashkaba was recited, Kaddish was recited, a limud (study session) was held in honor of the deceased and an oil lamp was burned for 24 hours.[98]

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[96]Gutmann, pp. 134-135.

[97]Mair Jose Benardete, Hispanic Culture and Character of the Sephardic Jews, (New York, NY: Sepher-Hermon Press, Inc., 1954), p. 132.

[98]The Sephardic memorial customs will be described in depth in Chapter IV.

F. The Time of Recitation of the Individual Memorial:

Differences exist, also, between the times that the Ashkenazim recite their Individual Memorial, and when the Sephardim recite theirs. The current Ashkenazic custom varies widely. Perhaps this is due to the differences in custom from Minhag Poland vs. Minhag Rhineland. Most Jews in the United States do not recite El Male Rachamim as part of their daily service. However, we can clearly see from Gaugin's following statement, that practice varies.

> El Male Rachamim is recited as part of the burial service. In addition, it is said on Mondays and Thursdays after the Torah reading - before the Torah is returned to the Ark. However, it is not recited on those days when Tachanun is said. Nor is it recited on Shabbat or Yom Tov, with the exception of Yom Kippur, Sukkot, Pesach and Shavuot when Yizkor is recited (it then becomes part of the Yizkor service). Some people are accustomed to reciting El Male Rachamim once a month for the first year after their relative's death, in addition to reciting it on every Yahrzeit and during Yizkor.[99]

The current Sephardic custom is to recite a Hashkaba on Mondays, Thursdays, Shabbat and Yom Tov, no matter if it is a day when Tachanun is recited or not. It is either recited after an aliyah to the Torah, or between the Torah and Haftarah readings, or after the Haftarah reading, depending on the custom of the community. It is recited as part of the burial service, at the mourner's home for the seven days of Shiva, at the end of Sheloshim, on the yearly

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[99]Gaugin, pp. 264-265.

anniversary of the death, as well as once during the period between Rosh Hashanna, Yom Kippur and Sukkot. (It depends on the size and custom of the congregation. Some congregations give an aliyah to every member who would like to say a Hashkaba at this time, hence, they can only call them up once during this period. Some congregations recite a communal Hashkaba and they read out a list of names of those people for whom the Hashkaba is being recited.) Depending on custom, some people also recite it once a week during the first year of a relative's death.[100]

We have now seen how the Crusades were the catalyst for the institutionalization of Jewish memorial customs. What had formerly been a random practice, based on superstition and fear, was now a permanent custom in most communities of Ashkenazic and Sephardic Jewry.

The prayers that the Jews wrote to memorialize their dead had links to similar Christian prayers. The pattern of development for the Jewish commemoration custom was also similar to that of Christian development: the prayers to commemorate the martyrs were fixed first; then the communal commemoration of individuals was established; finally, individual memorialization practices were set.

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[100]Gaugin, p. 264; Yosef Obadia, responsa, Section 6 to Y.D. #36, Piska 1, Egypt, 20th c.; and Dr. Isaac Jerusalmi, HUC-JIR, Cincinnati, in an interview in May, 1988.

The Ashkenazic custom developed first and not too long afterwards, some of these customs spread to the Sephardic world. In particular, the Sephardim embraced the custom of individual memorials, for which the Hashkaba prayer was written.

Precisely because we are dealing with custom and not law, the customs and sentiments surrounding the memorialization practices are difficult to trace and greatly differ in the various Jewish communities. Some people strongly defend the Jewish memorial customs, while others object to either parts of them, or to the general idea of memorializing the dead as a whole.

Nonetheless, these customs still play a major role in both the Ashkenazic and Sephardic worlds today. Perhaps this is because:

> ...particularly in matters related to death, the human mind is intensely conservative. In modern practice this conservatism rests very largely upon sentiments of reverence and affection for the dead and the desire to promote their well-being. But, unquestionably, the real origin of this conservatism must be found in the primitive fear of the spirits of the dead, which, as we have seen, was so firmly rooted in the beliefs and practices of the early Semites.[101]

The next step in our examination of this custom is to look at the texts of the memorialization prayers themselves, to see how all of the above history has played itself out in the liturgy.

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[101] Morgenstern, p. 145.

CHAPTER III

THE TEXT OF HASHKABA

Even though Yizkor/El Male Rachamim and Hashkaba developed along parallel lines, the Sephardic Hashkaba is not as rigid as its Ashkenazic parallels. In Ashkenazic liturgy, we find one basic prayer for Yizkor and one basic prayer for El Male Rachamim. The prayer is the same for all Ashkenazic communities. The only differences are gender related: the endings of words depend on whether the prayer is recited for a man or for a woman.

The Sephardic memorial liturgy is much more fluid. The texts of Hashkaba used by Sephardic communities differ, most being variations on the same theme, but others diverging completely from it. In addition, the text recited for men is different from the text said for women, not only in the formula used, but even in language: Hebrew for men, and Aramaic for women. (Although, as we shall see later, the men's text contains one line of Aramaic and the women's text contains one line of Hebrew). In addition, some, but not all, Sephardic communities have a special Hashkaba for a child. The examination of Hashkaba is thus more complicated than an examination of either Yizkor or El Male Rachamim.

As we saw in our chronological study of the development of Jewish commemoration customs in Chapter II, the prevailing opinion is that the Sephardim borrowed the custom

of personal memorials from the Ashkenazim. Specifically, the Sephardim used a common line found in the Ashkenazic El Male Rachamim. This is most evident in the Hashkaba recited for a man. We will compare and contrast Hashkaba with El Male Rachamim, since Hashkaba is verbally related to El Male Rachamim (but not to Yizkor).

The following Hashkaba text will serve as a basis for comparison for the purposes of this chapter. For even though many variations of Hashkaba exist, most are similar to the following text.[1]

HASHKABA FOR A MAN:

לחכם אפרים את הפסוקים האלה קדם לפה רב

וְהַחָכְמָה מֵאַיִן תִּמָּצֵא. וְאֵי זֶה מְקוֹם בִּינָה:
אַשְׁרֵי אָדָם מָצָא חָכְמָה. וְאָדָם יָסִיק תְּבוּנָה:

לש"ץ לפרנס ולאדם ראשם פתחילין

מָה רַב־טוּבְךָ אֲשֶׁר־צָפַנְתָּ לִירֵאֶיךָ. פָּעַלְתָּ לַחוֹסִים בָּךְ
נֶגֶד בְּנֵי אָדָם: מַה־יָּקָר חַסְדְּךָ אֱלֹהִים. וּבְנֵי אָדָם בְּצֵל
כְּנָפֶיךָ יֶחֱסָיוּן: יִרְוְיֻן מִדֶּשֶׁן בֵּיתֶךָ. וְנַחַל עֲדָנֶיךָ תַּשְׁקֵם:

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[1]This text, and the translation which follows, is taken from Book of Prayer, edited and translated by David De Sola Pool, (New York, NY: Union of Sephardic Congregations, 1947), pp.206-207. I chose to use the De Sola Pool texts (I will use his text for the women's Hashkaba also) as my reference point because most Sephardic congregations today (in the United States) use this prayer book (according to Dr. Isaac Jerusalmi and to Rabbi Marc Angel).

לאיש

טוֹב שֵׁם מִשֶּׁמֶן טוֹב. וְיוֹם
הַמָּוֶת מִיּוֹם הִוָּלְדוֹ: סוֹף
דָּבָר הַכֹּל נִשְׁמָע. אֶת־
הָאֱלֹהִים יְרָא. וְאֶת מִצְוֹתָיו
שְׁמוֹר. כִּי זֶה כָּל־הָאָדָם:
יַעְלְזוּ חֲסִידִים בְּכָבוֹד. יְרַנְּנוּ
עַל־מִשְׁכְּבוֹתָם:

מְנוּחָה נְכוֹנָה בִּישִׁיבָה
עֶלְיוֹנָה. תַּחַת כַּנְפֵי הַשְּׁכִינָה.
בְּמַעֲלַת קְדוֹשִׁים וּטְהוֹרִים.
כְּזֹהַר הָרָקִיעַ מְאִירִים
וּמַזְהִירִים. וְחִלּוּץ עֲצָמִים
וְכַפָּרַת אֲשָׁמִים. וְהַרְחָקַת
פֶּשַׁע וְהַקְרָבַת יֶשַׁע. וְחֶמְלָה
וַחֲנִינָה מִלִּפְנֵי שׁוֹכֵן מְעוֹנָה.
וְחֶלְקָא טָבָא לְחַיֵּי הָעוֹלָם
הַבָּא. שָׁם תְּהֵא מְנָת
וּמְחִצַּת וִישִׁיבַת נֶפֶשׁ הַשֵּׁם
הַטּוֹב ______ רוּחַ יְיָ
תְּנִיחֶנּוּ בְּגַן עֵדֶן. דְּאִתְפְּטַרִי
מִן עָלְמָא הָדֵין. כִּרְעוּת
אֱלָהָא מָרֵא שְׁמַיָּא וְאַרְעָא:
הַמֶּלֶךְ בְּרַחֲמָיו יָחוּס וְיַחְמוֹל
עָלָיו. וְיִלָּוֶה אֵלָיו הַשָּׁלוֹם.
וְעַל מִשְׁכָּבוֹ יִהְיֶה שָׁלוֹם.
כִּדְכְתִיב. יָבוֹא שָׁלוֹם. יָנוּחוּ
עַל־מִשְׁכְּבוֹתָם. הֹלֵךְ נְכֹחוֹ:
הוּא וְכָל־שׁוֹכְבֵי עַמּוֹ יִשְׂרָאֵל בִּכְלַל הָרַחֲמִים וְהַסְּלִיחוֹת.
וְכֵן יְהִי רָצוֹן. וְנֹאמַר אָמֵן:

TRANSLATION:

(When the memorial is recited for a distinguished rabbi, it is preceded by the following verses:)

Where can wisdom be found? Where is the source of understanding?[2] Happy is the man who finds wisdom, the man who attains understanding.[3]

(The following verses are recited before memorializing a man who was important in the community:)

How abundant is the good that You have in store for those who fear You, that You do in the full view of men for those who take refuge in You.[4] How precious Your faithful care, O God! Mankind shelters in the shadow of Your Wings. They feast on the rich fare of Your house; You let them drink at Your refreshing stream.[5]

(Continue with the following. For an ordinary person, begin with the following:)

A good name is better than fragrant oil, and the day of death than the day of birth.[6] The sum of the matter, when all is said and done: Revere God and observe His commandments! For this applies to all mankind.[7] Let the faithful exult in glory; let them shout for joy upon their couches.[8] May the destined portion of the soul of ... be true repose under the wings of the divine presence in the celestial realm, the sphere of the holy and pure shining resplendent as the bright light of the firmament. May his re-creation be free of guilt. May he know redemption and compassionate grace from Him who is enthroned on high and happy

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[2]Job 28:12, JPS translation.

[3]Proverbs 3:13, JPS translation.

[4]Psalms 31:20, JPS translation.

[5]Psalms 36:8-9, JPS translation.

[6]Ecclesiastes 7:1, JPS translation.

[7]Ecclesiastes 12:13, JPS translation.

[8]Psalms 149:5, JPS translation.

participation in the life of the world to come. May the spirit of the Lord grant rest in the happiness of the beyond to him who has departed from this world according to the will of God, Lord of heaven and earth. May the supreme King of kings in His mercy show him love and compassion. May peace attend him and his repose be peaceful, as it is written: "They shall enter into peace; they who walk in their uprightness shall have repose in their resting places."[9] May he and all his people of Israel slumbering in the dust be included in mercy and forgiveness. May this be the divine will, and let us say, Amen.[10]

TEXT OF EL MALE RACHAMIM:

אֵל מָלֵא רַחֲמִים, שׁוֹכֵן בַּמְּרוֹמִים, הַמְצֵא מְנוּחָה נְכוֹנָה
תַּחַת כַּנְפֵי הַשְּׁכִינָה, בְּמַעֲלוֹת קְדוֹשִׁים וּטְהוֹרִים כְּזֹהַר הָרָקִיעַ
מַזְהִירִים, אֶת נִשְׁמַת . . . שֶׁהָלַךְ לְעוֹלָמוֹ. בַּעֲבוּר שֶׁנְּדָרוּ
צְדָקָה בְּעַד הַזְכָּרַת נִשְׁמָתוֹ, בְּגַן עֵדֶן תְּהֵא מְנוּחָתוֹ. לָכֵן בַּעַל
הָרַחֲמִים יַסְתִּירֵהוּ בְּסֵתֶר כְּנָפָיו לְעוֹלָמִים, וְיִצְרוֹר בִּצְרוֹר
הַחַיִּים אֶת נִשְׁמָתוֹ. יְיָ הוּא נַחֲלָתוֹ; וְיָנוּחַ עַל מִשְׁכָּבוֹ בְּשָׁלוֹם.
וְנֹאמַר אָמֵן.

TRANSLATION:

Merciful God in heaven, grant perfect repose to the soul of ... who has passed to his eternal habitation; may he be under the diving wings among the holy and pure who shine bright as the sky; may his place of rest be in paradise. Merciful One, O keep his soul forever alive under thy protective wings. The Lord being his heritage, may he rest in peace; and let us say, Amen.[11]

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[9]Isaiah 57:2.

[10]This English translation is taken from De Sola Pool.

[11]Both the Hebrew and English texts of El Male Rachamim are from: Ha-siddur Ha-shalem, Philip Birnbaum, ed., (New York, NY: Hebrew Publishing Co., 1977), pp. 605-606.

Both Hashkaba and El Male Rachamim are prayers said by the living for the dead. It would thus appear that by the time these prayers were written and institutionalized, the notion of praying on behalf of the dead dominated over the notion of asking the dead to intercede on behalf of the living. The language used in both prayers explicitly conveys the message that this is a request by the living for the dead. For example, both prayers request that God grant menuchah nekhonah ("perfect rest") to the deceased. Not only do they request "perfect rest," they also give us a definition for this "rest:" it means resting tachat kanfei hashekhinah ("under the divine wings") - i.e., when a person dies and his soul then becomes bound to God, that is "perfect rest." The bonding of the human soul with God is considered to be "perfect rest" because that is where all the kedoshim utehorim ("the holy and the pure") dwell. Therefore, with this initial request, the living are asking God to consider their dead as if they were one of the kedoshim utehorim and to grant them this perfect rest under the divine wing. This is the ultimate definition of "paradise" - Gan Eden. Finally, both prayers request that the dead "rest upon their couches in peace."

However, even though both Hashkaba and El Male Rachamim share these requests for "perfect peace under the divine wing with the holy and the pure," and for "peaceful rest upon their couches," they differ in major respects. First,

El Male Rachamim is concise and to-the-point, while Hashkaba is lengthy and poetic.

Second, El Male Rachamim includes the concept of donating tzedakah on behalf of the dead - ba'avor shenadro tzedakah be'ad hazkarat nishmato ("through the donation of tzedakah for the remembrance of his soul"), while Hashkaba does not.

Third, Hashkaba specifically requests atonement and forgiveness for the sins of the dead, while El Male Rachamim does not. This request for atonement is emphasized at three different points in the text of Hashkaba: vechilutz atzamim vekhaparat ashamim veharchakat peshah vehakravat yesha; Hamelekh berachamayv yachos veyachmol alayv; and, hu vekhol shokhvei amo Yisra'el bikhlal harachmim vehaslichot.

Fourth, Hashkaba paints a very explicit picture of the Sephardic concept of death (this concept will be discussed at length in the fourth chapter), while El Male Rachamim is not very explicit about the Ashkenazic concept of death. We get our first introduction to the Sephardic concept of death from the opening verses of Hashkaba. From the very beginning we are told that "the day of death is better than the day of one's birth."[12] (This is borrowed from Ecclesiastes). Why would this verse be chosen to begin the Sephardic memorial prayer? Because for the Sephardim, as we

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[12]Ecclesiastes 7:1; JPS translation.

shall see in the next chapter, death is the ultimate wedding of the human and the divine souls. Therefore, death should be a time of great rejoicing. Thus, the composers of Hashkaba included also the verse from Psalms in their introduction: "Let the faithful exult in glory; let them shout for joy upon their couches."[13] In addition, Hashkaba tells us that life in the world-to-come, for the worthy, is a delightful place - vechulaka tava lechayei haolam haba. Sham tehei menat umchitzat vishivat nefesh hashem hatov ruach Adonai tenichenu vegan eden de'itpetar min alma hadein. In El Male Rachamim, however, we are given only one "clue" regarding the Ashkenazic concept of death: if the dead are granted "perfect rest under the divine wing," than that is considered to be Gan Eden, or Paradise. We do not get the sense from El Male Rachamim that death is a time for rejoicing, as we do from Hashkaba.

Fifth, when Hashkaba is recited for a Torah scholar who has died, or for a man of eminence in the community, we see that the Hashkaba is preceded by a few extra biblical verses which praise the merits of wisdom and love of God. In Ashkenazic custom, however, no differentiation is made between scholars, people of eminence and "regular" people.

Finally, it is interesting to note the origin of the names of the Sephardic and Ashkenazic prayers for

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[13]Psalms 149:5; JPS translation.

memorializing the dead. El Male Rachamim is simply named after the first three words of the prayer itself and there is no discussion (at least not that I found) about this name. Yizkor, too, is named after the first word of the prayer itself. The name Hashkaba, however, does not come from the first word of the prayer or from the first words of any of the introductory paragraphs. It seems to perplex people that the Sephardic prayer for memorializing the dead has a name that comes from some source other than the opening lines of the prayer itself. No one is really sure of the source from which the name Hashkaba was derived, but there is much speculation about it. For example, some sources maintain that the name Hashkaba is derived from biblical verses which use the word shakhav to indicate death:

> Why is this prayer called Hashkaba? Know that Scripture calls the resting place of the soul mishkav. [Which could mean "bed," "couch" or "the lying down"]. For it is written in Isaiah 57:2: "Yet he shall come to peace. He shall have rest on his couch, who walked straightforward." [This is one of the last lines of Hashkaba]. Therefore, the request for compassion and mercy on behalf of the soul is called by the name Hashkaba because through this request, the soul will lay down in a restful place,...because this prayer helps them to lay down in peace.[14]

Gaugin quotes a different biblical source as the origin for the name Hashkaba:

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[14]Author unknown, Responsa of Rav P'alim, Section 4 to O.H., #35, Piska 12.

> The reason why the Sephardim call the prayer Ma Rav Tuvkha by the name Hashkaba is that it is said (in I Kings 2:10): "Vayishkav David im avotav vayikbor ba'ir David" ("So David slept with his fathers and was buried in the city of David.") However, in Morocco they call this prayer Rachmana because God's mercy is mentioned in it.[15]

As noted in Chapter II, (pp.68-69) from at least the 13th century on, general Sephardic funeral liturgy is called Hashkabot. It is very likely that the name Hashkaba - for this specific memorial prayer - was derived from the use of the term Hashkabot. Perhaps originally the term Hashkabot was used to indicate general Sephardic funeral liturgy because, biblically, the word shakhav is used to indicate a peaceful death, as contrasted with the word mavet which simply means "death" without any indication of what kind of death it is. It is possible that the Sephardim entitled their funeral liturgy Hashkabot because the prayers requested a peaceful death for their deceased.

While the Ashkenazim use the same prayer, El Male Rachamim, for memorializing both men and women (with appropriate changes made for gender), the Sephardim composed a different Hashkaba for women. It does contain some of the same elements as the men's Hashkaba, but not all of them. In addition, it is slightly shorter that the men's Hashkaba.

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[15]Gaugin, p. 261.

HASHKABA FOR A WOMAN:

לאשה

אֵשֶׁת חַיִל מִי יִמְצָא. וְרָחוֹק
מִפְּנִינִים מִכְרָהּ:

תְּנוּ־לָהּ מִפְּרִי יָדֶיהָ.
וִיהַלְלוּהָ בַשְּׁעָרִים מַעֲשֶׂיהָ:

רַחֲמָנָא דְּרַחֲמָתָא דִּלָּה
הִיא. וּבְמֵימְרֵהּ אִתְבְּרִיאוּ
עָלְמַיָּא. עָלְמָא הָדֵן וְעָלְמָא
דְּאָתֵי. וּמִנֵּהּ בֵּהּ צַדִּקָנִיּוֹת
וַחֲסִידָנִיּוֹת דְּעָבְדָן רְעוּתֵהּ.
וּבְמֵימְרֵהּ וּבִיקָרֵהּ וּבְתֻקְפֵּהּ
יֵאמַר לְמֶעֱל קֳדָמוֹהִי. דְּכַרְן

הָאִשָּׁה הַכְּבוּדָה וְהַצְּנוּעָה
וְהַנִּכְבֶּדֶת. מָרַת——רוּחַ
יְיָ תְּנִיחֶנָּהּ בְּגַן עֵדֶן.
דְּאִתְפְּטָרַתּ מִן עָלְמָא הָדֵן.
כִּרְעוּת אֱלָהָא מָרָא שְׁמַיָּא
וְאַרְעָא: הַמֶּלֶךְ בְּרַחֲמָיו
יָחוֹס וְיַחְמוֹל עָלֶיהָ. וְיִלְוֶה
אֵלֶיהָ הַשָּׁלוֹם. וְעַל מִשְׁכָּבָהּ
יִהְיֶה שָׁלוֹם. כְּדִכְתִיב. יָבוֹא

שָׁלוֹם. יָנוּחוּ עַל־מִשְׁכְּבוֹתָם.
הֹלֵךְ נְכֹחוֹ: הִיא וְכָל־בְּנוֹת
יִשְׂרָאֵל הַשּׁוֹכְבוֹת עִמָּהּ.
בְּכָלַל הָרַחֲמִים וְהַסְּלִיחוֹת.
וְכֵן יְהִי רָצוֹן. וְנֹאמַר אָמֵן:

TRANSLATION:

What a rare find is a capable wife! Her worth is far beyond that of rubies.[16] Extol her for the fruit of her hand, and let her works praise her in the gates.[17]

By the word of the most merciful One whose attribute is mercy were created both this world and the future world wherein He treasures the souls of the true and pious who do His will. May He through His glory, and His word of power ordain that the memory of His worthy, good and honored daughter...come into His presence. May the spirit of the Lord grant rest in the happiness of the Beyond to her who has departed this world according to the will of God, Lord of the heaven and earth. May the supreme King of kings in His mercy show love and compassion to her. May peace attend her and her repose be peaceful, as it is written, "They shall enter into peace; they who walk in their uprightness shall have repose in their resting places." May she and all daughters

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[16]Proverbs 31:10; JPS translation.

[17]Proverbs 31:31; JPS translation.

> of Israel slumbering with her in the dust be included in mercy and forgiveness. May this be the divine will, and let us say, Amen.'[18]

The women's Hashkaba is more subdued than the men's. The notion that one should rejoice for the deceased does not come across as strongly here as it does in the men's Hashkaba. We still see that the reward of the pious is to be gathered into God's world to come. Rachamana derachamanuta delei hi uvmeimrei itberi'u almaya, alma hadein vealma de'atei, ugenaz bei tzadkaniyot vechasdaniyot de'avdan re'utei. ("The merciful One whose attribute is mercy created both this world and the future world wherein He treasures the souls of the true and pious who do His will.") Nevertheless, we do not find the request to "grant perfect rest under the divine wing with the holy and the pure" in the women's Hashkaba. Perhaps this is something that is only granted to the souls of men and not to the souls of women. However, from the line "May the spirit of the Lord grant rest in the happiness of the Beyond...." onwards, the Hashkaba for men and women are almost identical.

Aside from the fact that the concept of "death as a time of rejoicing" does not come through as strongly in the women's Hashkaba, there is a major difference in the language of the two texts. The women's Hashkaba is written

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[18]Both the Hebrew and English texts for this Hashkaba come from De Sola Pool, pp. 206-207.

in Aramaic (but it includes one line of Hebrew); and the men's Hashkaba is written in Hebrew (but it includes one line of Aramaic). Rabbi Chayim Benveniste, in his commentary to the Tur, gives the following reason for the difference in the language:

> It is customary to recite the Hashkaba for men in the "holy language" (belashon hakodesh)and for women in Aramaic. The reason for this, writes Rabbi Yisrael Halevi, is that the Hashkaba for women is only done among women and they understand the language of the translation alone.[19]

This statement is problematic. Obviously, this is not an accurate observation for modern times because men recite Hashkaba for their deceased mothers, sisters, wives and daughters, as well as for the deceased men in their family; and women recite Hashkaba for their deceased fathers, brothers, husbands and sons, as well as for the deceased women in their family. So both men and women recite the men and women's Hashkaba. Perhaps originally, women recited it alone and men alone, so that the form for women originally meant the form women say, and not the form for women who died. Alternatively, maybe the original thought, no longer known even to Israel Halevi, was that the deceased had to understand what was being said. Only Aramaic was known to women, so the memorial prayer for women was thus written in Aramaic. Later, this theology died and Israel Halevi made

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[19]Chayim Benveniste, Knesset Hagedolah, O.H. #284. This is a commentary to the Tur, written circa 1603-1673.

up another excuse, either because that is how Hashkaba was recited in his time, or because he did not live in a place where Hashkaba was said, so he made it up. Even though Gaugin does not have any explanation for the difference in the language of the two texts, he does negate Benveniste's statement:

> This is unacceptable because first of all, Hashkaba is said in the synagogue among both men and women - the men in the sanctuary itself and the women in their section. Second, how can he say that women only understand it in translation when very few men can also understand it in its original form. This whole thing mystifies me.[20]

Despite the fact that the man's text is in Hebrew, there is one line of Aramaic in it: "de'itpetar min alma hadein kir'ut ehlaha marei shemaya ve'ar'a." And, there is one line of Hebrew in the women's text: "Hamelekh berachamav yachos veyachmol ahleha." De Sola Pool offers some insight as to why the Hebrew prayer would contain some Aramaic and why the Aramaic prayer would contain some Hebrew:

> When Arabic became the vernacular, Aramaic became a second holy tongue, so much religious literature being composed in it. It is to some extent regarded as such at the present day, and among the Jews of Yemen, the employment of the Targum is a living institution...The composite character [of the language of the prayers can be attributed to the fact that] familiar words and expressions of either language became the common property of both.[21]

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[20]Gaugin, p. 261.

[21]De Sola Pool, The Kaddish, pp. 13 and 17.

While De Sola Pool's explanation helps us to understand the use of both languages in a single prayer, it does not help us to understand why the men's Hashkaba was written in Hebrew and the women's Hashkaba was written in Aramaic. I could not find any explanation for this, other than Benveniste's feeble answer, so I can only speculate that this was done to further distinguish between the two.

The Sephardim not only composed a separate Hashkaba for men and women, they composed a separate Hashkaba for children (i.e., for people who are younger than 13 years old) as well. However, not all Sephardic communities recite a Hashkaba for children. It seems that a community's philosophical outlook regarding the status of a katan (one who is younger than 13 years old) determines whether or not they recite a Hashkaba for children. Some people argue that since children under the age of 13 are not yet obligated to observe the mitzvot, they are also not liable for the same divine punishment as adults. Therefore, it is not necessary to intercede on their behalf and to request God's compassion for them if they die before reaching the age of 13.

In his 16th century commentary to the Tur, Menachem Shimon Mordecai argues that "until the age of 13 one is not liable for punishment, neither in the courts of human beings nor in the heavenly courts."[22] He says that this is because

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[22]Menachem Shimon Mordecai, Divrei Menachem, Siman 133.

one is not obligated to observe the mitzvot until the age of 13.

Isaac Lampronti concurs with Mordecai's view. In his 18th century halachic encyclopedia, he says:

> It is customary in several communities to recite Hashkabot only for those people who died at the age of 13 and older. The reason for this is that when they are younger than 13, they are not bar mitzvah and thus are not liable for punishment. So why would it be necessary to request the heavenly courts to intercede on their behalf?[23]

Hayyim Hezekia Ben Raphael Elijah Medini also agrees that one recites a Hashkaba only for people 13 years old or older. He quotes Lampronti's opinion verbatim as his source for his opinion.[24]

Other communities, however, do recite a Hashkaba for children who are younger than 13 years old. The reasons for doing so vary from community to community.

> There are those who disagree with this view [i.e., that Hashkaba is recited only for people 13 years old and older] and say that you should say a Hashkaba for a katan because a katan is liable for the same punishment as an adult. Others say this is to distinguish between olam haba and olam hazeh. They say that Hashkaba is for olam haba and therefore it is recited for a katan; while punishment is for olam hazeh. And still others say that a Hashkaba is recited for a katan because

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[23]Isaac Lampronti, Pachad Yitzchak, "Hashkaba," early 18th c.

[24]Hayyim Hezekia Ben Raphael Elijah Medini, Sdei Chemed, Asifat Dayanim, "Avelut," Siman 212.

> it is for those who will be reincarnated and who will be liable for punishment at that time.[25]

According to Gaugin, the custom in Israel, Syria, Turkey and Morocco is that Hashkaba is recited only for people after they have reached the age of 13 for the reasons stated above; while the custom in London is to recite Hashkaba for everyone who has died, regardless of their age.[26] However, I have found prayer books from London that do not include a special Hashkaba for children and other prayer books that are used in Turkey, Italy, Holland, Morocco, etc. that do include a special Hashkaba for children. It is very difficult to say that "country X" follows this custom and "country Y" follows that custom because, for reasons that we shall see further on, Sephardic customs vary widely from community to community. And, if there is more than one Sephardic congregation within one community, there is a good chance that customs will vary within that same community.

Just as the text of the men's and women's Hashkaba varies from community to community, so too does the text of

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[25]Gaugin p. 264. Both Gaugin and Zevin (editor of the "Hazkarat Neshamot" article in the Encyclopedia Talmudit) cite Yechi'el Michal Tuktzinski's work Gesher Hachayimn, section 31, as their source for this. However, in HUC-JIR's edition of Gesher Hachayim, there is no section 31 and I could not figure out where to find this citation.

[26]Gaugin, p. 264.

the children's Hashkaba vary from community to community. The most common text seems to be the following:

HASHKABA FOR A CHILD:

השכבה לילד

רַחֲמָנָא דְרַחֵם עַל אֲבָהָתָנָא קַדִּישֵׁי אַרְעָא וְעַל צַדִּיקַיָּא
וַחֲסִידַיָּא דְעָבְרִין רְעוּתֵהּ דְקוּדְשָׁא בְּרִיךְ הוּא.
הוּא בְּרַחֲמוֹהִי יְרַחֵם עַל נַפְשׁ עוֹלְמָא (פלוני בן פלוני). רוּחַ יְיָ
תְּנִיחֵהוּ בְּגַן עֵדֶן וְיֵעִיל יְתֵהּ לְאִשְׁתַּעְשְׁעָא בְּהֲדֵי צַדִּיקַיָּא
וַחֲסִידַיָּא וְיֵהֵי כַּפָּרָה עַל אֲבוֹהִי וְעַל אִמֵּהּ בְּגִינָן דְּמִתְקַבֵּל
בְּרַעֲוָא קֳדָם מָרֵא עָלְמָא. וְיַמְרִיק חוֹבֵיהוֹן וְיִתֵּן לְהוֹן בְּנִין
דְּכָרִין דִּי יְתוֹן עָסְקִין בְּאוֹרַיְתָא. וְיִסִּיר מִנְּהֶם יְגוֹן וַאֲנָחָה
וְכֵן יְהִי רָצוֹן וְנֹאמַר אָמֵן:

השכבה לילדה אומרים בלשון נקבה

TRANSLATION:

> May the merciful One, who had compassion on our fathers, the holy ones of the earth, and on the upright and righteous persons who have done the will of him, the Holy One, blessed be he, in his mercy have compassion on the soul of the child _____, son (or daughter) of_____, and guide it with his spirit in the garden of Eden; and cause it to find delight amidst the upright and righteous, and let it be an expiation for its father and mother, as an acceptable offering before the Lord of the world. May He also blot out their sins, and give them male children that may live, and be engaged in the study and practice of the law. May it be also his will to remove from them all trouble and affliction, and let us say, Amen.[27]

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[27]Both the Hebrew and English for this text come from: Isaac Leeser, The Form of Prayers, (Philadelphia, PA: Slote and Mooney, 1857), pp. 266-268.

Unlike the men's and women's Hashkaba, this is not merely a prayer for the living on behalf of the dead. It is also a prayer asking that the deceased child be thought of as a korban - a sacrifice - to atone for the sins of the parents. This children's Hashkaba has many psychological implications. The Sephardim, it seems, had to rationalize the death of a child. A child's death causes so much grief and anguish to parents (modern statistics show that if a child dies, his/her parents have a much higher risk of divorce) that the child's death had to serve some divine purpose. This is where we can see how the Sephardim adopt the concept of the dead interceding on behalf of the living. If a child's death can be thought of as an "acceptable offering" to atone for the sins of the parents, than that death has served a divine purpose. On the one hand, this notion could serve to alleviate the guilt that parents feel over the death of a child. If the parents feel that the death of their child will serve the same purpose as the sacrifices during the times of the Temple, then perhaps their minds will be at ease. Conversely, the notion of the child as an "offering for the sins of the parents" could make the parents feel guilty, for why would their child have to die for their sins? But, if the parents feel that this child will "find delight amidst the upright and the righteous in the Garden of Eden," and if they realize that there was a purpose - a divine purpose - to that death,

then perhaps that will help them to cope with their loss. In addition, the request to "remove from them [the parents] all trouble and affliction" indicates that the composers of this prayer were well aware of the emotional state of parents after a child has died. It acknowledges their emotions and encourages them to move on.

We also find an affirmation of life in this children's Hashkaba. Parents cannot stop living because they lost a child. We see this in the request to grant the parents "male children" (a rather traditional, and sexist request, alas for the poor female who is born after her parents lost a child!). Children represent life - new life - and parents who are able to have more children after the loss of a child, and to raise them with love and dedication, are reaffirming their faith in the cycle of life.[28]

So while the men's and women's Hashkaba are requests by the living on behalf of the dead - i.e., they are really prayers for the dead - this children's Hashkaba is really a prayer for the living, it is mostly a prayer for the parents. So with these two different types of Hashkaba, we

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[28]I find the psychological element of this children's Hashkaba most interesting because I am currently working at Memorial-Sloan Kettering Cancer Center. I work with all types of caner patients, both children and adults, and I find that it is much more difficult for a parent to deal with the illness of a child - no matter if that child is 6 years old or 60 years old - than it is for a child to deal with the illness of a parent. It seems to me that this Hashkaba for a child acknowledges this difficulty and tries to deal with it in a liturgical context.

can see how the Sephardim adopted two different concepts from antiquity. They took the notion of the living interceding on behalf of the dead and the notion of asking the dead to intercede on behalf of the living, and appropriated them to different situations based on the psychology of that situation.

So far we have examined the Hashkaba texts which are most commonly used in the Sephardic world. However, as mentioned above, there are many variations in the texts, depending on the communities in which they are used. Why would there exist such diversity in the liturgy of the Sephardic community and not in the Ashkenazic community? This is because "unlike the Ashkenazim, Spanish Jewry had a self-perception of itself [sic] as the nobility of the Jewish people, as the crème-de-la-crème."[29]

Up until the 15th century, the Jews had been very successful in the Iberian peninsula. They had reached great heights of political power, were religiously powerful, were culturally important and economically successful. But even before the 15th century, things were changing for the Jews. Beginning in 1391, massive pogroms forced Jews to convert or to flee. The Spanish Inquisition only exacerbated the situation and resulted in mass conversions and flight from

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[29]Rabbi Joshua Stampfer, ed., The Sephardim. A Cultural Journey from Spain to the Pacific Coast, (Portland, OR: The Institute for Judaic Studies, 1987), p. 41.

the Iberian peninsula. Many Jews fled to Italy, especially to the towns of Genoa, Naples, and Livorno. They also fled to Algeria and to the Ottoman empire - Turkey, Egypt, Rhodes and Constantinople, where Jews were treated very well.

> Wherever the Spanish refugees came, they brought with them great pride, loyalty and nostalgia for their cities of origin...They considered their customs to be sacrosanct, and the Sephardim attempted to impose their customs upon the local Jews. Given their large numbers, superior educational level, and self-confidence, Spanish Jewry assumed the helms of power in most of the Maghreb [Algeria]. In matters of personal status as well as questions of communal leadership, inheritance and ritual slaughtering, the Sephardic way became the standard mode of behavior for most Maghrebi Jews...Meanwhile, the newcomers to the Ottoman empire and Italy displayed a degree of separatism and individualism that surpassed that of their Sephardic coreligionists in the Maghreb. They tended to divide along geographic lines so much so that before long there were more than 40 congregations in Istanbul and Salonika each...Distinctive identities were reinforced by the separate formations of self-help societies of all sorts. [30]

In this light, we can see how different Sephardic communities would each cling to their individual customs. It seems that each Sephardic community desired to maintain their own separate identity, perhaps due to feelings of superiority or perhaps due to pride. And since Hashkaba is based on custom, and not on law, each community had the power to decide for itself which text they would use, how the custom would be carried out, and whether or not they

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[30]Jane S. Gerber, "Judaism," The Encyclopedia of Religion, (New York, NY: Macmillan Publishing Co., 1987), vol. 8, pp. 158-159.

would recite a Hashkaba for someone under the age of 13. Not only could each community choose the Hashkaba text it so desired, each shaliach tzibur who recited or chanted it could embellish it as he so desired. We saw this above in Chayim Palagi's responsum (p. 70). He states:

> But I feel that the Hashkaba offers great consolation to mourners who hear it, especially when the shaliach tzibur knows how to enhance the "fire,' but it all depends on who says it. And this is especially true of the text of the Hashkaba belonging to Rabbi Chaye Avraham Kovar; but everyone does it according to his own will, i.e., how he will say the Hashkaba and how he will describe the departed.[31]

In Appendix B (pp. 154-168), I have included examples of various Hashkaba texts recited for men, women and children. I am sure that many other variations exist, but I had difficulty tracking them down. To obtain these texts, I spent four days in the library of Hebrew Union College-Jewish Institute of Religion in Cincinnati; I researched them at the library of the Jewish Theological Seminary in New York; and of course, I researched them at the HUC-JIR library in New York. The problem is multifold: it would take months to research every Sephardic prayer book that has been printed; but none of the above-mentioned libraries has every single Sephardic prayer book in print. In addition, many prayer books are missing pages or are mutilated. I do not have examples of Hashkaba from all the different

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[31] Chayim Palagi, #125, Piska 27.

Sephardic communities because I was unable to find them. So what I have included in the Appendix and will discuss here is only a sample to show the type of variety that exists.

First, as we saw in Chapter II, Hashkaba is usually recited at some point during the Torah ritual. Most prayer books, however, do not include the text of Hashkaba in this ritual. Some texts, but not many, will include a line of fine print which says: "It is customary to memorialize the dead at this point, each place according to its custom."[32] Isaac Jerusalmi said that the reason that the text of Hashkaba is not included in the Torah ritual is that everyone knows it by heart and knows when to do it.[33] The text of Hashkaba can usually be found in the Seder Avelim section of the prayer book.

Some Sephardic prayer books will include a note in the Torah ritual that "it is customary to memorialize the dead," but then they will give the text of El Male Rachamim - the

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[32]Examples of this can be found in: 1. Siddur Kolel, (the prayer book of the Sephardic community in Teman), (Jerusalem, Israel: Shmuel Halevi Zuckerman, 1894),p.140. In this text, it states after the reading of the Haftarah, that it is customary to recite "Ma rav tuvkha" at this point. 2. Siddur Beit Ya'akov, ed. Jacob Emden, (Lemberg, 1950), p. 24. Here it states that it is customary to memorialize the dead on Shabbat because this is a day of rest for them also). 3. Siddur Tefilah, ed. Eliezer Shlomo from Italy, (Mantua, 1777), pg. 9. Here it states that it is customary to memorialize the dead according to the custom of the place.

[33]Interview with Dr. Isaac Jerusalmi at Hebrew Union College-Jewish Institute of Religion, Cincinnati, May, 1988.

Ashkenazic prayer for memorializing the dead.[34] Jerusalmi said that this was due to the assimilation of the Sephardic Jews into Ashkenazic culture. He said that whenever one finds the texts of Yizkor or El Male Rachamim in a Sephardic prayer book, one should recognize that that particular community has been influenced by Ashkenazic custom.

We now shall examine the variations in the text of Hashkaba. All texts in Appendix B are being compared to the texts given above on pages 88-89; 97; and 104.

The first two texts which we will look at are the Hashkaba for children:

Example #1 (p. 156): This text is written in Hebrew instead of Aramaic. It is a translation of the text on p. 104 above. Gaugin states that even though the text of his London prayer book (I could not figure out to which prayer

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[34]Examples of this can be found in the following prayer books: 1. Siddur Eitz Chaim: The Complete Artscroll Siddur, (Nusach Sefard), (Brooklyn, NY: Mesorah Publications, 1985), p. 492. 2. Siddur Tefilat Yisrael, (Tel Aviv, Israel: Masada Publishing, 1964), p. 162. 3. Siddur Beit Yisrael, (New York, NY: Hebrew Publishing Co.), pp. 395-396. This text includes both Yizkor and El Male Rachamim. 4. Siddur Tefilah, (Jerusalem, Israel: Koren Publishing, 1981), p. 274. 5. Siddur Kol Bo Derekh Hachayim, (New York, NY: Ziegelheim, 1943), pp. 315-316. 6. Siddur Kol Yehuda, (Buenos Aires, Argentina: Editorial Yehuda, 1977), pp. 338-339.

book he was referring) was written in Aramaic, the chazzanim chant it in Hebrew. He then cites this Hebrew text.[35]

Example #2 (p. 157): This text is a mixture of Hebrew and Aramaic. Instead of nefesh uleima it has yeled hana'im. It does not ask that the dead child serve as a kaparah for the parents. Instead, it asks God to have compassion on the parents and to keep them free from trouble and sorrow. Perhaps this community was uncomfortable with the notion of a dead child serving as a sacrificial offering for the sins of the parents.

The next six examples are variations on the men's Hashkaba:

Example #3 (p. 158): This text is more common than the one cited above on pp. 88-89. It is basically the same as the above text, however after the line: kir'ut ehlaha marei shemaya ve'ar'ah it adds a few more lines about protecting the soul of the dead under the divine wing, and requests that the soul will be able to behold the beauty of God. It is a little more "flowery" than the above text. However, the reason why I chose the text on pp. 88-89 as my reference point (aside from the fact that it comes from De Sola Pool's prayer book) is that according to Gaugin: "It is customary,

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[35]Gaugin, p. 264.

when the Hashkaba is read, to omit the following line, even thought it is printed in the prayer book: melekh malkhei hamlakhim berachamaiv yastireihu...until hu nachalato."[36]

Example #4 (p. 159): This text adds a line in the beginning which states that it is good to go to the house of mourning from the "saloon" (beit mishte) because death is the end of everyone. In the body of the text, it not only mentions resting with the holy and the pure, it specifically mentions the elders of Hebron (Abraham, Isaac and Jacob), along with Moses and Aaron. This is a shorter version of Hashkaba than that above. In addition, the prayerbook also includes Yizkor after Hashkaba, so we can see a blending of Sephardic and Ashkenazic custom.

Example #5 (p. 160): This is simply a condensed version of the text on pp. 88-89. It gets the point across succinctly without being too flowery.

Example #6 (p. 161): This text is a lengthened version of Hashkaba. It is the same text as that on pp. 88-89, with a lengthy addition attached at the end. It mentions that those who are dead must rejoice; it mentions the revival of the dead with dew - in conjunction with the refa'im (see pp. 6-7; and 13 above for a discussion of this concept); and it expounds on God's forgiving nature.

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[36]Gaugin, p. 265.

Example #7 (p. 162): The main text is the same as that of Example #3 (so I did not include it here). However, they preface it with a short two-line Hashkaba saying that it is preferable to recite this shorter version. This two-liner is used for both men and women, and basically only asks God to have compassion and mercy on the soul of the dead.

Example #8 (p. 163): This text is totally different from all the other texts. It is not built around El Male Rachamim, as are the others. It sounds more like a description than a prayer. It discusses the notion that every soul is in God's hands. God has the power to cause death and to bring souls back to life. It goes on to explain that there is no such thing as a perfect tzaddik who has never sinned, but God is compassionate and will have mercy on everyone.

The next three examples are variations on the women's Hashkaba:

Example #9 (p. 164): The introductory verses include Proverbs 31:11-12 in addition to Proverbs 31:10. The body of the main text is very different from the text above on p. 97. It specifically states that the soul of this woman will be treasured along with those of the holy and pure mothers: Sarah, Rebecca, Rachel, Leah, Miriam, Abigail and Esther. It does not request forgiveness at any point, as

does the above Hashkaba; nor does it mention God's mercy/compassion. It is not as emotional as the above text, either. (This is the prayerbook that includes Yizkor after Hashkaba).

Example #10 (p. 165): This text is simply a condensed version of the text on p. 97. It is succinct and not very flowery.

Example #11 (p. 166): This text takes the Hashkaba from p. 97 and adds a lengthy addition to the end of it. (See the comments from Example #6 - this is from the same prayer book and the same comments apply).

The last two examples are Hashkaba texts that were written for special people:

Example #12 (p. 167): This is an example of a Hashkaba that was written specifically for rabbis. It is similar to the Hashkaba on pp. 88-89, but adds comparisons of the deceased to famous scholars, such as Rav and Shmu'el.

Example #13 (p. 168): This is a Hashkaba for martyrs. It is very similar to a lament. It portrays a deep sense of loss. It beseeches God by asking twice in a row: "How long must this evil continue?" (It reminds me of the book of Lamentations). It says: "Your people are oppressed, the widows and orphans have been murdered. Where is God?" This is a highly emotional prayer.

These examples show that Hashkaba is not a rigid, fixed text. Just as there are many philosophies of life and death, there are many different variations of Hashkaba to correlate to those philosophies. That is the reason why some Sephardic communities recite a special Hashkaba for children under the age of 13, while others only recite it for people who are 13 years old and older. We have seen that although the Ashkenazim use the same prayer for memorializing both men and women, the Sephardim composed a different prayer for each sex. Even though both El Male Rachamim and Hashkaba are requests by the living on behalf of the dead, they greatly differ from each other in both ideology and content. Now that we have analyzed the text of Hashkaba itself, our next step is to examine the Sephardic concept of death. We will see how this text accurately depicts that concept; and, we will see that it is only a segment of the ritual which makes up the Sephardic memorial practice.

CHAPTER IV

THE SEPHARDIC CONCEPT OF DEATH

Both the Ashkenazim and the Sephardim believe that death is part of the cycle of life. Everyone who is born must eventually die. When people die, we hope that their souls will receive the ultimate divine reward: menuchah nekhonah tachat kanfei hashekhinah bema'alot kedoshim utehorim kezohar haraki'a mazhirim. This sentiment is expressed in both the Ashkenazic El Male Rachamim and the Sephardic Hashkaba, as we saw in Chapter III. The Sephardim, however, take this concept of divine reward tachat kanfei hashekhinah and expand it to portray a distinct concept of death: the ultimate wedding of the human and the divine souls. Therefore, death is a time both to mourn, and to rejoice.[1] As we shall see further on, it is thought that the Sephardim borrowed this idea from the Kabbalists.

Hashkaba represents only one element of the Sephardic ritual for memorializing the dead. The Sephardim themselves do not consciously formulate their memorial ritual so as to portray a specific attitude toward death, but, when we examine all of the elements of the Sephardic memorial

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[1]From an interview with Dr. Isaac Jerusalmi, Hebrew Union College-Jewish Institute of Religion, Cincinnati, OH, May, 1988. Dr. Jerusalmi said that the Moslems have a similar concept of death to that of the Sephardim.

ritual, we can clearly see that there is a common thread which binds all of these various components together to form an integrated whole. This common thread is the notion that death is not only a time to mourn; it is also a time to celebrate.

There are four basic constituents of the Sephardic memorial ritual, which combine to form a limud - a study session which is held in honor of the deceased. The limud thus includes: 1) the study of various mishnayot; 2) the study of a particular Zohar passage known as "Edara Zuta on Shimon Bar Yochai;" 3) the recitation of Kaddish; and 4) the recitation of Hashkaba.[2] While there exists a wide variety of approaches to this limud among the different Sephardic communities (as we shall see in the next chapter), a limud is generally held on each night of Shiva, at the end of Sheloshim, at the end of the one-year anniversary of death, and on every succeeding yearly anniversary of death.[3]

Before we examine each of the elements of the limud separately to see how they reflect the Sephardic concept of

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[2]On the yearly anniversary of a person's death, Hashkaba is recited twice: once as part of the limud which is held in honor of the deceased, and once during the reading of the Torah when the deceased's family is called up for an aliyah.

[3]Interview with Dr. Jerusalmi; and, Herbert C. Dobrinsky, A Treasury of Sephardic Laws and Customs, (New York, NY: Yeshiva University Press, 1986), pp. 69-109. See Chapter V for variations in custom among the different Sephardic communities vis-a-vis when they hold a limud.

death, it is important first to understand how "study" became a part of general Jewish memorial practice. The idea that one studies a particular text - either Torah text, Mishna or Aggadah - in conjunction with the memorialization of the dead, is not unique to Sephardic Jewry, but is part of Ashkenazic memorialization custom as well. Study became important because it was assumed that it was the means by which a son might release his father's soul from punishment. Thus, if a father died and his son studied something in his honor, it proved that the father was worthy to receive his due reward in the olam habah. The author of Tanna De Be Eliyahu Zuta is very clear on this:

> You must conclude that it will be the man who, though unlettered in Torah, had his son read and recite Torah. Indeed, such a son can deliver even a sinful father from the punishment of Gehinna.[4]

Tanna De Be Eliyahu Rabbah adds also that a man can be blessed by his son's Torah study:

> David said another thing to God: Master of the universe, by what means is a poor man known in Your presence? A rich man is known by his possessions - his silver and gold, his precious stones and pearls, and all kinds of costly things [which he shares with the needy]. But how is a poor man known in Your presence? [The answer is that] he is known through his son. How so? When his son stands up in the synagogue and reads the Torah, people ask: "That one, whose son is he?" and are told, "He is the son of So-and-so, a poor man." Thus by way of the son of a poor man, a great many people in the synagogue are led to bless Your great name. Likewise when a poor man's son rises in the academy and raises a question concerning the Oral Law, people ask: "That one,

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[4] Tanna De Be Eliyahu Zuta 12:194.

> whose son is he?" and are told, "He is a son of So-and-so, a poor man." Thus by way of the son of a poor man, a great many people in the academy are led to bless Your great name.[5]

As we saw in Chapter I, (pp. 25-28) it was not uncommon for the rabbis to think that the son could vindicate the father after the father's death. The son could vindicate his father via acts of charity, prayer and study.

> 'Redemption' means redemption of a man's good name after his death. Those, they [the rabbis] explained, who have wasted or abused their lives and left nothing of value behind them may yet be 'redeemed' by the piety or learning which they have inculcated in their children, or by the gifts and talents which they have fostered and developed in them. In this sense, they observed, a son may vindicate or acquit his father in the final judgement; for when the merits or good deeds of a son reflect the upbringing which his deceased father gave him, death is defied and it is the father who actually deserves and performs them.[6]

De Sola Pool concurs with Gaster that a son may vindicate his father through study:

> When the son of the dead man reads the law in the synagogue or participates actively in the discussions of the study house, the people bless God's great name through him...An unlearned man is rescued from the punishment of Gehinnom by his son who has studied Torah.[7]

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[5] Tanna De Be Eliyahu Rabbah 18:99.

[6] Gaster, pp. 238-239.

[7] De Sola Pool, p. 103. De Sola Pool cites the above-mention Tanna De Be Eliyahu Zuta and Rabbah passages as his sources for this.

Some people, however, object to the idea of studying any kind of text in the home of a mourner. We see this is a responsum of Joseph Obadia:

> It is customary to explain matters of Torah and Aggadah in the house of a mourner, and they study mishnayot there for the benefit of the soul of the departed. But this is in opposition to what the Rambam said: "One does not speak of any news or aggadah in the house of the mourner, rather they sit and grieve and are silent."[9]

No one knows exactly when the custom of holding a study session in conjunction with the memorial ritual was established in either the Sephardic or Ashkenazic world. However, since it is mentioned in Tanna De Be Eliyahu Zuta and Rabbah (circa 10th century, C.E.) we can conclude that it is probably older than either Yizkor, El Male Rachamim and Hashkaba themselves. Moreover, as each community developed its own unique way to memorialize their dead, it also developed its own unique way to incorporate this concept of study into their memorial ritual.

The Ashkenazim utilize study as a means to demarcate the end of the period of Shiva. Gaster refers to this in connection with a discussion of how Kaddish came to be associated with mourning:

> It [Kaddish] was originally recited after a session of study or at the conclusion of a religious discourse, its purpose being to dismiss the attendant company with a comforting assurance of the coming of the Messiah. It was only because

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[9]Joseph Obadia, section 4 to Y.D., responsa #29, Piska 1, Egypt (Israel), 20th century. Unfortunately, he does give the source from which he obtained the Rambam's comment.

> the week of mourning usually ended in such a session of study that Kaddish came to be associated with mourners."

The Ashkenazim usually study Mishna at this study session. They study various mishnayot which are "seasonal" i.e., those laws related to up-coming holidays. Thus, the study session marking the end of Shiva, for the Ashkenazim, represents a return to daily routine. During the seven days of Shiva, mourners do not follow their normal daily routine, since mourning takes precedence over everything else.

The Sephardim, by contrast, utilize study as a way to honor their dead and to remind themselves that death is the vehicle through which a soul is granted eternal life. Hence, the Sephardim hold a limud on every occasion when they memorialize their dead.

Like the Ashkenazim, the Sephardim begin their limud by studying various "seasonal" mishnayot. This Mishna study allows the son the opportunity to vindicate the father (in order to show that the father is worthy of reward in the olam habah). On the surface, the study of Mishna does not seem specifically to inform us of the notion that death is a time to rejoice. However, if we look at when the Sephardim study Mishna, as opposed to when the Ashkenazim study Mishna (in relation to the memorial ritual) we can see that through this study the Sephardim are making a very specific

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"Gaster, pp. 236-237.

statement about death. The Ashkenazim study Mishna to mark the end of an intensive period of mourning - Shiva. Thus, for the Ashkenazim, this study represents a change in the status of the mourner.

The Sephardim, on the other hand, hold a limud every evening during Shiva.[10] This daily study, during the Shiva period, conveys the message that the best way to remember and to honor a person is through some kind of act which exemplified the life of the deceased. Not only is it hoped that every man exemplified his life through some degree of talmud Torah, but it is hoped that every person gained pleasure in his study. Therefore, it is hoped that those who study Mishna during Shiva will also gain pleasure in their study and thus bring true honor to the name of the deceased. So this act of Mishna study every evening during Shiva distinguishes the Sephardic attitude toward the purpose of study, in conjunction with memorializing the dead, from that of the Ashkenazim.

The meaning behind the Mishna study becomes very clear when we look at the Zohar text "Edara Zuta on Shimon Bar Yochai," which is studied immediately following the Mishna

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[10]However, as we shall see in the next chapter, there are some Sephardic communities which do not hold a limud every evening during Shiva. Either they hold it at the end of Shiva or not at all. According to Dr. Isaac Jerusalmi and Dr. Martin A. Cohen, those communities which do not hold a limud every evening during Shiva have been influenced by Ashkenazic custom.

study during a limud. This text itself explicitly states that death is a wedding of the human and the divine souls and that the living are expected to "participate in the wedding feast."[11] Hence, the limud represents a wedding feast to which all mourners are invited so that they may celebrate and rejoice on behalf of the dead.[12] Therefore, we not only honor the dead through the joy which we achieve through the study of Mishna, but this joy also represents our participation in the celebration of the wedding of the human soul to that of the divine soul.

Nobody knows why the Sephardim chose this "Edara Zuta" passage to represent their concept of death, nor do they know when the Sephardim added it to their memorial ritual. Dr. Martin A. Cohen suggested that the Sephardim found this Kabbalistic notion of death very appealing. Thus, they borrowed this "Edara Zuta" text from the Kabbalists in order to give expression to their own sentiments.[13]

During a limud, Kaddish is recited following the study of the "Edara Zuta" text. As we are well aware, Kaddish is

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[11]The text and translation of the "Edara Zuta" passage are included as Appendix C, pp. 169-172.

[12]This information came from my interview with Dr. Jerusalmi. In addition, some Sephardic communities serve different kinds of food during the limud so that it will truly seem like a wedding feast.

[13]From an interview with Dr. Martin A. Cohen, Hebrew Union College-Jewish Institute of Religion, New York, NY, February, 1989.

not a prayer for the dead; rather it is a sanctification of God's name. When we recite Kaddish we affirm our belief in God thereby accepting God's role in the cycle of life and death. This is true for both the Sephardim and the Ashkenazim. When the Sephardim recite Kaddish immediately after they study the "Edara Zuta" text, they are not only "reciting [it] after a session of study...[for the] purpose of dismissing the attendant company with a comforting assurance of the coming of the messiah,"[14] but with this recitation they are also sanctifying the wedding of the human soul to that of the divine soul. When Kaddish is recited at this point in the limud, it serves as an affirmation of the Sephardic concept of death.

Finally, the limud is concluded with the recitation of Hashkaba "for the benefit of the soul of the deceased."[15] As we saw in Chapter III, (pp. 93-94) the text of Hashkaba itself explicitly states that death is a time to rejoice. We see this from the very beginning of Hashkaba, with its opening verse from Ecclesiastes: "the day of death is better than the day of one's birth."[16] This theme is continued with the inclusion of the verse from Psalms: "Let the

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[14]Gaster, pp. 236-237.

[15]Joseph Obadia, responsa #29, Piska 5.

[16]Ecclesiastes 7:1; JPS translation.

faithful exult in glory; let them shout for joy upon their couches."[17]

Thus, even when viewed separately, the four elements of the limud - Mishna study, Zohar study, recitation of Kaddish and recitation of Hashkaba - portray the Sephardic concept of death as a time for rejoicing. However, when they are combined together to form a unified whole, this concept is made even more explicit. When the limud is looked at as a whole, there can be no doubt that the Sephardim regard death as an ultimate reward for the soul and therefore, an occasion for us to celebrate the soul's eternal reward. This notion is further enhanced by the terminology used to discuss a limud. Limudim are always held in honor of, rather than in memory of, the deceased.[18]

The use of the words "in honor of" convey a very different message than the use of the words "in memory of." When something is done "in honor of" someone, it is done to show esteem, homage, respect reverence and veneration. When something is done "in memory of" someone, it is also usually done to show the same esteem, homage, respect, etc. However, when something is done "in honor of" someone, we get the sense that we should rejoice because of the honor which is being bestoved upon them. When something is done

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[17]Psalms 149:5; JPS translation.

[18]As told to me by Rabbi Marc Angel, Dr. Isaac Jerusalmi, Dr. Jakob Petuchowski and Dr. Martin Cohen.

"in memory of" someone, on the other hand, we get the feeling that we should be sad that they cannot be here to join us. The words "in honor of" convey a happier tone than the words "in memory of." Limudim and Hashkaba are always done "in honor of" someone, while Yizkor and El Male Rachamim are always done "in memory of" someone. The difference in the meaning of "in honor of" vs. the meaning of "in memory of" is the difference in the attitude of the Sephardim toward death vs. that of the Ashkenazim toward death.

CHAPTER V

MEMORIAL CUSTOMS IN SEPHARDIC COMMUNITIES

In the Sephardic world, death, mourning and memorial customs had been passed on by word-of-mouth.[1] Hence, the customs observed by Sephardic Jews in connection with death and mourning vary considerably from country to country and, in some cases even from city to city. We have already seen in Chapter III that a wide variety of Hashkaba texts are used among the different Sephardic communities. They are typical of the diversity that exists regarding many religious customs in the Sephardic world, including commemoration customs.

Very few records exist which document these various customs. One has to interview many different people (and, thus, to rely on their personal memory and knowledge) to discover exactly how memorial customs are carried out in different Sephardic communities. Fortunately, Rabbi Herbert C. Dobrinsky has recently published just such an in-depth study of laws and customs in different Sephardic

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[1]Interview with Dr. Isaac Jerusalmi and Dr. Martin A. Cohen.

communities.[2] Much of his study was based on extensive interviews with different experts in the Sephardic world.[3]

What follows in this chapter is basically a summary of Dobrinsky's study regarding memorial customs. Specifically, I am concerned with the customs pertaining to how Hashkaba and the limud are carried out in the different Sephardic communities. I have also included any other information which other scholars have written pertaining to this field. This summary shows just how fluid Sephardic memorial custom is compared to Ashkenazic memorial custom. In addition, it gives some insight into the different mind-sets and characters of the various Sephardic communities.

At the outset it is important to keep in mind that since the 17th century on, when the Spanish-Portuguese Jews in western Europe fully emerged as Jews in their various communities, (i.e., when they gave up Catholicism and became active participants in the Jewish world) there began a considerable amount of cross-fertilization of Sephardic books, liturgies and customs among the different Sephardic communities. There also began a cross-fertilization of

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[2]Herbert C. Dobrinsky, A Treasury of Sephardic Laws and Customs, (New York, NY: Yeshiva University Press, 1986).

[3]Because most of Dobrinsky's information was derived from personal interviews, I was unable to check most of his sources. Therefore, I realize that what I include here is subject to the accuracy of his sources. However, Dr. Martin A. Cohen says that the accuracy of his sources is to be trusted.

different Ashkenazic books, liturgies and customs with those in the Sephardic world.[4] The result of this cross-fertilization was two-fold: first, many local Sephardic customs became subsumed under the new practices instituted by the Spanish-Portuguese Jews; and second, there now exists the "hodge-podge"[5] of customs that we see below. Some of the customs are indigenous to that particular community, some came from other Sephardic communities, and some came from the Ashkenazic world.

First we will summarize the memorial customs of the Jews in some of the eastern Sephardic communities. These communities are classified as: Judeo-Spanish[6]; Syria; Morocco; and, Turkey/Israel. Then we will summarize the memorial customs of the Jews in the western Sephardic communities, those classified as Spanish-Portuguese.[7] Of

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[4]Interview with Dr. Martin A. Cohen.

[5]This term is directly quoted from Dr. Martin A. Cohen, and I feel that it accurately describes the situation.

[6]The term "Judeo-Spanish," according to Dr. Martin A. Cohen, refers to the Levintine Sephardim. That is, those Jews who left Spain in 1492 and instead of crossing over into Portugal, went to eastern communities such as Syria, Turkey, and Morocco. However, within these eastern communities the Judeo-Spanish Sephardim retained many of their own customs, and did not adapt to local practice.

[7]According to Dr. Martin A. Cohen, the Spanish-Portuguese Sephardim are those Jews who stayed in Spain after 1492, they were forced to convert to Catholicism, and eventually they went to Portugal. The Spanish-Portuguese Sephardim include the Sephardic communities of London, Amsterdam, Altuna, Hamburg and Antwerp, among other places.

course there are many other Sephardic communities, but I only found information on these five communities. However, this survey will at least serve as an example to show some of the memorial customs in both the eastern and western Sephardic communities.

Judeo-Spanish:[8]

Hashkaba is first recited for a person during the burial ceremony, after seven hakafot are made around the grave and after the prayer Vehu rahum is recited. After this individual Hashkaba is recited,

> the Hashkabot (memorial prayers for the departed) are also recited for all the other deceased members of his [the newly deceased] immediate family, for whom he would normally be required to mourn. This is in fulfillment of the tradition of the Kabbalah which portrays all of the souls of those who predeceased the person who has just been buried as an accompanying, or escorting party to bring him to his heavenly abode.[9]

Kaddish is recited for the first time after the burial, after everyone leaves the cemetery and washes their hands. It is recited outside of the cemetery.

During Shiva, Hashkaba is recited at every service which is held in the mourner's home, as well as every morning when the mourner wakes up. Various mishnayot are

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[8]Unless otherwise noted, my information on Judeo-Spanish memorial custom is summarized from: Dobrinsky, pp. 66-72.

[9]Dobrinsky, p. 90-91.

studied every day, but there is no limud until the end of Shiva. (This seems to be similar to Ashkenazic practice.)

At the end of Shiva, a minyan accompanies the mourners to the cemetery where they study mishnayot and recite Hashkaba. "That night, a special limud, entitled *corte de seite*, is held at the home of the deceased, and the name of the deceased is spelled out through the mishnayot. The mourners are permitted to participate for the first time in the Torah study session. *Zohar* is studied as well."[10]

The Judeo-Spanish Sephardim hold a limud in honor of their deceased at the end of Sheloshim, at the end of seven months, at the end of nine months, at the end of eleven months and at the end of a year. The general term which they use for this limud is "meldados" - which is Spanish for "reading." "The Kabbalah considers each of these months as marking a special occasion for the soul of the deceased to ascend to a higher level as it makes its way to the celestial abode. Therefore, it is customary for this meldados to take place in the home of the deceased or in the home of the children."[11] This meldados consists of Mishna study; the study of the Zohar text "Edara Zuta;" the recitation of Kaddish; and the recitation of Hashkaba.

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[10]Dobrinsky, p. 92.

[11]Dobrinsky, p. 92.

Hashkaba is recited in the synagogue whenever a meldados takes place; whenever a family member has an aliyah to the Torah; on every holiday for the first year after death; when the tombstone is dedicated at the cemetery; and on the yearly anniversary of death.

Syria:[12]

Unlike the Judeo-Spanish Sephardim, the Syrian Sephardim perform hakafot around the grave only for a person who was distinguished in the community. Hashkaba is recited for the first time at the grave-side, after the grave is filled in, and after the recital of Zidduk Hadin and Kaddish.

Also unlike the Judeo-Spanish Sephardim, the Syrian Sephardim hold a limud in the home of the mourner every evening during Shiva. "Throughout the week of Shibah, [sic] in the home, the Zohar is studied by visiting scholars and by community rabbis so that this limud will constantly benefit the soul of the deceased: le'ilui nishmat haniftar."[13] This limud which takes place at the end of Shiva and at the end of Sheloshim is given the name Ariyat.

During Shiva, Hashkaba is recited every morning and evening. In addition, Hashkaba is recited at the end of every service for all the family members who died before the

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[12]Unless otherwise noted, information on the practice of the Syrian Sephardim comes from: Dobrinsky, pp. 70-75.

[13]Dobrinsky, p. 73.

newly deceased. Hashkaba is also recited whenever a relative has an aliyah in the synagogue; at the Ariyat which marks the end of Shiva and which marks the end of Sheloshim; and at the Ariyat which is held on the yearly anniversary of death.

The Syrian Sephardim have an interesting custom regarding Kaddish and Yahrzeit.

> The Yahrzeit is observed by starting to recite Kaddish for up to seven days prior to the annual Yahrzeit, always beginning on the Friday night before the Yahrzeit. On the Yahrzeit, the mourner will lead in the services and be called to the Sefer. This is the procedure followed each year throughout the life-time of the mourner.[14]

Morocco:[15]

Hashkaba is recited for the first time at the grave-side, after the grave has been filled in, and after Zidduk Hadin and Kaddish have been recited.

During Shiva, Hashkaba is recited in the morning and evening service during the Amida. "All the worshippers rise and stand in front of the mourners and recite the Zidduk Hadin and then recite the Hashkaba in honor of the deceased."[16] However, Hashkaba is not recited for any male who died under the age of 20 years. "This reflects the

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[14]Dobrinsky, p. 75.

[15]Unless otherwise noted, all information regarding the practice of the Moroccan Sephardim comes from: Dobrinsky, pp. 82-87.

[16]Dobrinsky, p. 84.

Talmudic teaching that anyone under that age is not punishable for his sins, which, to their mind, obviates the need for Kaddish and Hashkaba."[17]

> Those who come from northern Morocco do not mention the name of the deceased in the Hashkaba until after the Shivah. The reason for this is that if the name of the individual is mentioned, then the deeds of that person will be very carefully investigated in the Court on High, where his "file" will be carefully reviewed. This might result in the individual's being brought for a harsh judgement. Therefore, in order to avoid this, instead of the name being cited in the Hashkaba, the statement is read, *Haniftar lebeit olam* ("the deceased has entered to his eternal place in heaven"), [sic] without mention of the specific name. It is recognized that the Almighty Himself surely knows all about the individual. However, since He is only "one witness," and we know that on the testimony of only one witness punishment cannot be exacted, the deceased will be spared any punishment and will enter into his eternal resting place in peace. In all other parts of Morocco, however, the deceased's name is mentioned in the Hashkaba.[18]

The limud is held for the first time on the seventh night of Shiva. This limud is called a mishmara. The components of the mishmara differ slightly from the Syrian limud. In the mishmara, they study Zohar; parashat hashavu'a; the maftir for that week; Hosea 14:2-10 for a man or Samuel 2:1 for a woman. Then sections from Pirke Avot are read, some Mishna is read, and they conclude with the reading of the Zohar text "Edara Zuta."

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[17]Dobrinsky, p.84.

[18]Dobrinsky, p. 82.

At the end of Shiva the mourners go to the cemetery where they recite Hashkaba. They also go to the cemetery and recite Hashkaba at the end of Sheloshim, the end of the tenth month and on the yearly anniversary of death. At these times, a mishmara is held in the home of the family and the Zohar is studied.

Turkey/Israel:[19]

Hashkaba is first recited at the grave-side, after the grave has been filled in and after Zidduk Hadin and Kaddish are first recited.

During Shiva, Hashkaba is recited as part of the morning and evening services. It is also recited as part of the limud which is held every evening. This limud consists of Mishna study; study of the Zohar text "Edara Zuta;" the recitation of Kaddish; and the recitation of Hashkaba.

A limud is also held at the end of Sheloshim, at the end of the one-year anniversary of death, and during the yearly anniversary of death. Hashkaba is also recited at these times. It is also customary to recite Hashkaba at some point during the Yamim Nora'im.

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[19]Turkey and Israel are grouped together because they tend to follow the same practices. Unless otherwise noted, my information for the practice of the Sephardim in Turkey/Israel comes from my interview with Dr. Isaac Jerusalmi.

Spanish-Portuguese:[20]

Unlike the custom of the eastern Sephardim, the Spanish-Portuguese Sephardim do not recite Hashkaba at the grave-side during the funeral. Hashkaba is recited for the first time in the chapel after the burial (after everyone has washed their hands and after Zidduk Hadin is recited). They then recite two special Hashkabot: one for all of the men who are buried in that cemetery who have died within the past 11 months, and one for all of the women who are buried in that cemetery who have died within the past 11 months.

During Shiva, Hashkaba is recited at the end of the morning and evening services after Aleinu. Zidduk Hadin precedes the recitation of Hashkaba and Kaddish follows the recitation of Hashkaba.

Unlike the Judeo-Spanish and the Moroccan Sephardim, the Spanish-Portuguese Sepharadim discourage the mourners from visiting the cemetery until after Sheloshim. In addition, male mourners are not given an aliyah to the Torah until the conclusion of Sheloshim.

Hashkaba is recited at every service during Shiva, at the end of Sheloshim, at the end of 11 months and one day, on those occasions when one has an aliyah during the 11 months following death (after the end of Sheloshim); and on the yearly-anniversary of death. It is also recited at the

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[20]Unless otherwise noted, information on the Spanish-Portuguese Sephardim comes from: Dobrinsky, pp. 101-109.

unveiling of the tombstone and whenever a family member visits the grave. The Spanish-Portuguese Sephardim do not include the custom of limud in their memorial practice. According to Dr. Martin A. Cohen, this is because they have partially assimilated into the Ashkenazic world.

From the above five summaries alone, we can see a wide range of customs among the different communities. A survey of every single Sephardic community in the world would reveal even more variation in the memorial practice. Our next step in the study of Sephardic memorial practice is to see how the Reform movement utilized the Hashkaba prayer in their original mourner's Kaddish. We will also discuss different possibilities for using either Hashkaba, or the Sephardic concept of death in Reform ritual today.

CHAPTER VI

REFORM JUDAISM AND ITS CONNECTION TO THE SEPHARDIC HASHKABA

We have traced Jewish memorial practice from antiquity to modern times. We have seen that death and mourning customs were informed by fear. The rituals which developed out of this fear were based on sacrifices that were offered to the dead to appease them so that they would not harm the living. Eventually, these sacrifices were replaced by prayer and charity which were either offered on behalf of the dead to request atonement for them; or which were offered to the dead to request that they intercede to God on behalf of the living.

It is not known exactly when this custom of prayer and charity was actually instituted in Jewish culture. However, we have seen that this concept has been discussed in most of the major texts from the Bible to the Geonim. From the Middle Ages on through, we have references to specific prayers which were used to memorialize the dead in Judaism.

The Crusades served as the catalyst for fixing memorial customs in Jewish liturgy. The prayers that the Jews wrote to memorialize their dead were similar to Christian prayers. We have also seen that the pattern of development for the Jewish commemoration custom was similar to that of Christian development. In Judaism, the prayers to commemorate the

martyrs in a communal setting were fixed first (Av Harachamim); then the communal commemoration of individuals was established (Yizkor); finally personal memorializaton practices were set, first in the Ashkenazic world (El Male Rachamim) and then in the Sephardic world (Hashkaba).

Since we are dealing with custom and not law, the customs and sentiments surrounding commemoration practices greatly differed in the various Jewish communities. We have seen that the Sephardic Hashkaba is not as rigid as the Ashkenazic El Male Rachamim. Hashkaba varies from community to community, while El Male Rachamamim tends to remain the same. We have seen examples of some of the different Hashkaba texts which are used in the Sephardic world. We have also seen that the Hashkaba which is recited for a man differs from the Hashkaba which is recited for a woman. In addition, there is even another Hashkaba which is recited for a child (in those communities which do recite Hashkaba for children). However, while the Hashkaba which is said for adults is a prayer for the dead, i.e., a request by the living on behalf of the dead, the Hashkaba which is said for children is really a prayer for the living: it is basically a prayer for the parents.

We have also seen that the Sephardim have a unique concept of death which is portrayed through their memorial ritual. Hashkaba is only one element of that ritual. Both El Male Rachamim and Hashkaba express the sentiment of hope

for the dead, namely that their souls will receive the ultimate divine reward: menucha nekhonah tachat kanfei hashekhinah bema'alot kedoshim utehorim kezohar haraki'a mazhirim. The Sephardim, however, take this concept of divine reward which is expressed in Hashkaba, and expand it to portray a distinct concept of death: death is the ultimate wedding of the human and divine souls. Therefore, death is a time both to mourn and to rejoice.

This concept of death became very clear when we examined the four constituents of the Sephardic memorial ritual: the study of various mishnayot; the study of the Zohar passage "Edara Zuta on Shimon Bar Yochai; the recitation of Kaddish; and the recitation of Hashkaba. These four elements combine together to form a limud, a study session which is held in honor of the dead.
Finally, we saw examples of how Sephardic memorial customs (especially Hashkaba and the limud) are carried out in some of the different communities.

Our study of the Sephardic Hashkaba and its place in the Jewish tradition of memorializing the dead is almost complete. We have only one more task ahead of us: to examine Hashkaba and its connection to the Reform movement.

In the 19th century, the early founders of the Reform movement initiated a liturgical reform of many prayers, including the Kaddish. Even though the Kaddish was not a prayer for the dead, many Jews treated it as such.

Theoretically, a radical Reform movement might have done away with the Kaddish altogether, just as it had eliminated a number of customs and ceremonies which, in the mind of the people, had given rise to superstitious notions. But, in practice, Reform Judaism did nothing of the kind with the Kaddish. On the contrary, it provided an Introduction to the Kaddish, and it added a paragraph to the Kaddish, in such a way that henceforth the Kaddish would express in its actual wording the meaning which people had read into it all along. Reform Judaism made the Kaddish a "prayer for the dead." The Hamburg Temple Prayerbook of 1819 was the first to do so.

Stating that "this prayer is recited only when mourners are present at the Temple," that prayerbook offers the following text...which although it had been without precedent in liturgical history, it was constructed out of materials contributed by both the Ashkenazi and the Sephardi rites:

כל ישראל יש להם חלק לעולם הבא. שנאמר ועמך כלם צדיקים. לעולם יירשו ארץ: אשרי מי שעמלו בתורה. ועשה נחת רוח ליוצרו. נולד בשם טוב. ונפטר בשם טוב מן העולם: ועליו אמר שלמה בהבלותו. טוב שם משמן טוב ויום המות מיום הולדו: למיר תורה הרבה. ויתנו לך שכר הרבה. וידע מתן שכרם של צדיקים לעתיד לבא:

יתגדל ויתקדש שמיה רבא. דהוא עתיד לחדתא עלמא. ולאחאה מתיא. ויסליק גלותהון בחייכון וביומיכון וגו':

אמן. יהא שמה רבא וגו':

יתברך וישתבח וגו':

על ישראל. ועל צדיקיא. ועל כל מן דאתפטר מן עלמא הדין ברעותיה דאלהא. יהא להון שלמא רבא. וחולקא טבא לחיי עלמא דאתי. ותכריא ורחמי. מן קדם מאריה שמיא וארעא. ואמרו אמן:

יהא שלמא רבא וגו':

עושה שלום במרומיו וגו':[5]

All Israel have a share in the world-to-come, as it is said, "And thy people shall be all righteous; they shall inherit the land for ever."[6]

Happy is he whose labor was in the Torah, and who has given pleasure to his Creator. He grew up with a good name, and departed the world with a good name. And it is about him that Solomon said in his wisdom: "A good name is better than precious oil, and the day of death than the day of one's birth."[7]

Study much Torah, and they will give you much reward, and know that the giving of the reward to the righteous is in the world-to-come.

Magnified and sanctified be the great Name of Him Who will renew the world and revive the dead. May He establish His kingdom during your life and during your days, etc.
Amen. May His great Name be blessed etc.
Blessed, praised, glorified etc.
May there be to Israel, and to the righteous, and to all who have departed from this world by the will of God, abundant peace, and a good portion in the life of the world-to-come, and grace and mercy from the Master of heaven and earth; and say ye, Amen.
May there be abundant peace etc.
He who maketh peace in His high places, etc. [1]

This Kaddish text is preceded by passages which are taken from Rabbinic literature. Earlier, we saw that Hashkaba, too, is preceded by various passages, though the passages preceding Hashkaba are biblical. The early Reformers borrowed the notion of preceding a prayer for the dead with appropriate verses, from the Sephardim.

> Moreover, the Hashkaba prayer itself contains the kind of ideas (and some of the words) which the Hamburg Reformers inserted into the Kaddish. Quoting the text of the Hashkaba in Hebrew only, we highlight the words which found their way into the Hamburg Kaddish.

מנוחה נכונה בישיבה עליונה. תחת כנפי השכינה. במעלת קדושים וטהורים: כזוהר הרקיע מאירים ומזהירים. וחלון עצבים. וכפרת אשמים. והרחקת פשע. והקרבת ישע. וחסלה וחנינה. מלפני שוכן מענה. וחלקא טבא לחיי העולם הבא. שם תהא מנת ומחיצת וישיבת נפש השם הטוב (פלוני) רוח יי תניחנו בגן עדן. דאתפטר מן עלמא הדין. כרעות אלהא מיא שמיא וארעא: המלך ברחמיו יחם ויחמל עליו: וילוה אליו השלום. ועל משכבו יהיה שלום. כדכתיב. יבא שלום יניחו על-משכבותם. הלך נכחו: הוא וכל-בני ישראל השכבים עמו בכלל הרחמים והסליחות. וכן יהי רצון ונאמר אמן: [2]

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[1] Jakob J. Petuchowski, Prayerbook Reform in Europe, (New York, NY: The World Union for Progressive Judaism, 1968), pp. 324-325.

[2] Petuchowski, p. 326.

Not only was Hashkaba used by the Hamburg Reformers in their Kaddish, but a simplified version of Hashkaba was used in many Reform rituals, including the Hamburg Temple Prayerbook as a part of the Memorial Service, according to Petuchowski. However, while the Sephardic Hashkaba was a prayer which was recited for individuals, the early Reformers made it apply to all of the dead. In the early Reform tradition, Hashkaba became a communal memorial.[3]

According to Petuchowski,[4] the Hamburg Temple prayerbook tried to follow the customs of the Sephardic community in Hamburg. In 19th century Europe, the Sephardic community was aristocratic; they were "the elite." The 19th century Reformers were striving to attain a high social status and thought that they could do so by following Sephardic custom. Therefore, in addition to their use of the Sephardic Hashkaba, the Hamburg Reformers very consciously borrowed two Sephardic traditions: they adopted Sephardic pronunciation of Hebrew; and, they abolished Ashkenazic piyyutim in favor of Sephardic ones.

While the Hamburg Reformers borrowed Sephardic traditions in the hopes it would improve their social status, the London Reformers borrowed Sephardic traditions

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[3]Petuchowski, p. 326.

[4]Interview with Dr. Petuchowski, Hebrew Union College-Jewish Institute of Religion, Cincinnati, OH, May, 1988.

for another reason.[5] In London, the Reform movement was started in 1840 by 18 Sephardim and six Ashkenazim. Therefore, Sephardic custom became the norm since that was the custom of the majority.

The Reform movement included the line from Hashkaba in its Kaddish in all editions of its prayerbook until 1975. Gates of Prayer, The New Union Prayerbook[6] does not include this line in its Kaddish. So we can see that Sephardic memorial custom influenced Reform tradition until very recently.

However, even though the Reform movement no longer includes the line from Hashkaba in its Kaddish, I feel that our movement would greatly benefit if it incorporated the Sephardic concept of death into its commemoration ritual. In particular, I think that our lives as Jews would be enriched if we would hold a study session, like the Sephardic limud, on the anniversaries of our relatives' deaths.

This year I have been working as a hospital chaplain at Memorial Sloan-Kettering Cancer Center. Throughout the year, I have been counselling patients and their grieving families. It is never easy to watch your loved ones die.

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[5]Interview with Dr. Petuchowski.

[6]Chaim Stern, ed., Gates of Prayer, The New Union Prayerbook, (New York, NY: The Central Conference of American Rabbis, 1975),

Nor is it easy to live your life knowing that you have a terminal illness. These families are fighting an inner battle: they struggle to let go of their dying relatives because they know that death will end their suffering. However, at the same time, they struggle to hold on to them because they know that they will greatly miss their loved ones' presence in life. Even when someone dies a "good death" without illness or pain at the end of a long life, death is still a painful process for the family.

Everyone deals with grief differently. But after our initial grief at a loved one's death has diminished, we look for ways to keep that person's memory alive. For "we are more than a memory slowly fading into the darkness. With our lives we give life. Something of us can never die."[7] We donate money to charity in memory of our loved ones; we build buildings in their memory; we think "what would so-and-so do in this situation?" and try to behave accordingly.

We have many different ways of remembering our dead. Yet it is rare that we express our sentiments about our loved ones in a particularly Jewish format. Yes, our Yizkor services are crowded on Yom Kippur. Yes, people get upset if the rabbi forgets to read their loved ones' names from the bimah during Yahrzeit. But Yizkor and saying Kaddish during Yahrzeit are really rather private moments. We

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[7] Gates of Prayer, p. 627.

get introspective and think about our loved ones for awhile, but we tend not to share those memories with others. How can we be a "memory that never fades" or how can we give something of ourselves to others after we die, if we remain only in the thoughts of individuals.

Jewish tradition teaches us the importance of study - talmud Torah. Every morning we recite: elu devarim she'ein lahem shi'ur...vetalmud Torah keneged kulam."[8] What better way is there to commemorate our dead, in a Jewish context, than to hold a study session in their honor on their Yahrzeit? As we have seen from our study, the Sephardim have been doing just this for a long time. When we invite our family and friends to join us for a limud in honor of a deceased relative, we are keeping that person's memory alive by sharing it with others. Hopefully, our study session will strengthen us and guide us so that we live our lives as our loved ones hoped we would. In my mind, this is the best tribute we could pay to someone whom we love.

I would like to share a story to illustrate this: At Sloan-Ketting I have become friendly with one of the doctoral students. Last year, his 18-month-old son died suddenly from an unknown cause. This has been a very difficult year for him and his wife. Every time they saw a baby, they would get depressed and think of their son.

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[8] Mishna Pei'ah 1:1.

Every time they saw a pregnant woman, they felt afraid for that woman's unborn child. My friend and his wife dealt with their grief by turning to their friends in their Jewish community. They found comfort in going to the synagogue and saying Kaddish surrounded by their friends. Recently, they marked the first-year anniversary of their child's death. On the baby's Yahrzeit, my friend and his wife first went to the synagogue to say Kaddish. Then one of their friends held a study session at her home in honor of their baby's Yahrzeit. Afterwards, my friend told me that this limud was very special and meaningful for him and his wife. It enabled them to feel as if their son's presence was among them, adding to and enriching their lives. What made the experience so extraordinary, though, was that by sharing this limud with them, their friends felt enriched by the baby's life also.

Perhaps if the Reform movement encouraged families to hold a limud on the Yahrzeit of their loved ones, the death and mourning process would become more of a life-sustaining process than the life-draining process which it is now. Death is part of the cycle of life. As soon as a baby is conceived, not only is that conception the start of a new life, but it is also the start of a process which eventually will lead to death. The Sephardim, it seems to me, have the perfect solution for dealing with death and grieving. Their attitude toward deaths, as portrayed via their commemoration

rituals, enables people to cope with the death of their loved ones and then to move on with life.

APPENDIX A: THE CHRONOLOGICAL DEVELOPMENT OF JEWISH MEMORIAL CUSTOMS

DATE:	2ND C.	3RD C.	5TH C.	6TH C.	6TH C.	9TH C.	9TH C.
TEXT:	II MACC.	SIFRE	P. TALMUD	B. TALMUD	G. RABBAH	TANCHUMA	PES. RABBATI
CUSTOM:							
Prayer can redeem the dead	Y		Y	Y	Y	Y	Y
Dead can intercede on behalf of the living				Y			
Dead require atonement		Y				Y	
Memorialize the dead on Yom Kippur						Y	
Donate charity for dead on Yom Kippur						Y	
Memorialize the dead on Shabbat						Y	
Donate charity for dead on Shabbat							
Memorialize the dead on the 3 Regalim							
Donate charity for dead on the 3 Regalim							
Mention Av Harachamim by name							
Mention El Male Rachamim by name							
Mention Hashkaba by name							

KEY:

Y = mentions custom and asserts that this is true;
O = mentions custom but objects to its practice;
G = mentions custom and asserts that it benefits only those people who were good while alive;
? = text is unclear regarding this custom

APPENDIX A: THE CHRONOLOGICAL DEVELOPMENT OF JEWISH MEMORIAL CUSTOMS (continued)

DATE:	10TH C.	10TH C.	11TH C.	11TH C.	12TH C.	12-13TH C.	12-13TH C.
TEXT:	TANNA DEBE ELIYAHU ZUTA	TANNA DEBE ELIYAHU RAB.	HAI GAON	MACHZOR VITRY	ABRAHAM BAR HIYYA	SEFER HASIDIM	ROKEACH
CUSTOM:							
Prayer can redeem the dead	T	T	O	T	O	G	G
Dead can intercede on behalf of the living							G
Dead require atonement				T			G
Memorialize the dead on Yom Kippur			O	T		G	G
Donate charity for dead on Yom Kippur			O	T		O	G
Memorialize the dead on Shabbat				T		G	
Donate charity for dead on Shabbat						G	
Memorialize the dead on the 3 Regalim			O				T
Donate charity for dead on the 3 Regalim			O				?
Mention Av Harachamim by name							
Mention El Male Rachamim by name							
Mention Hashkaba by name							

KEY:

T = mentions custom and asserts that this is true;
O = mentions custom but objects to its practice;
G = mentions custom and asserts that it benefits only those people who were good while alive;
? = text is unclear regarding this custom

APPENDIX A: THE CHRONOLOGICAL DEVELOPMENT OF JEWISH MEMORIAL CUSTOMS (continued)

DATE:	13TH C.	13-14TH C.	13-14TH C.	13-14TH C.	14TH C.	14-15TH C.	15-16TH C.
TEXT:	SHIBBOLEI HALEKET	MACHZOR AVODAT YISRAEL	RITBA	ORCHOT CHAYIM	SEFER ABUDARHAM	MAHARIL	RADBAZ
CUSTOM:							
Prayer can redeem the dead	T			G			0
Dead can intercede on behalf of the living							
Dead require atonement	T						
Memorialize the dead on Yom Kippur				G			0
Donate charity for dead on Yom Kippur				0			
Memorialize the dead on Shabbat	T						0
Donate charity for dead on Shabbat	T						
Memorialize the dead on the 3 Regalim						T	
Donate charity for dead on the 3 Regalim							
Mention Av Harachamim by name		T				T	
Mention El Male Rachamim by name							
Mention Hashkaba by name			?				

KEY:

T = mentions custom and asserts that this is true;
0 = mentions custom but objects to its practice;
G = mentions custom and asserts that it benefits only those people who were good while alive;
? = text is unclear regarding this custom

APPENDIX A: THE CHRONOLOGICAL DEVELOPMENT OF JEWISH MEMORIAL CUSTOMS (continued)

DATE:	15-16TH C.	16TH C.	16TH C.	16TH C.	18-19TH C.
TEXT:	ISAAC LURIA	BEIT YOSEF	SHULCHAN ARUCH	MOSES ISSERLES	CHAYIM JOSEPH DAVID AZULAI
CUSTOM:					
Prayer can redeem the dead	0			Y	
Dead can intercede on behalf of the living					
Dead require atonement				Y	
Memorialize the dead on Yom Kippur	0			Y	
Donate charity for dead on Yom Kippur			Y	Y	
Memorialize the dead on Shabbat	0			Y	
Donate charity for dead on Shabbat	0				
Memorialize the dead on the 3 Regalim					
Donate charity for dead on the 3 Regalim					
Mention Av Harachamim by name				Y	
Mention El Male Rachamim by name					
Mention Hashkaba by name	?				0

KEY:

Y = mentions custom and asserts that this is true;
0 = mentions custom but objects to its practice;
G = mentions custom and asserts that it benefits only those people who were good while alive;
? = text is unclear regarding this custom

APPENDIX B: VARIOUS HASHKABA TEXTS

The attached Hashkaba texts can be found in the following prayerbooks, which are listed here in chronological order:

1. Seder Tefilot. Amsterdam, Netherlands: 1728.
2. Seder Tefilot. Amsterdam, Netherlands: 1729.
3. Tefilat Yesharim. Amsterdam, Netherlands: 1740.
4. Seder Hatamid. Avignon: 1747. (As cited by Gaugin, Keter Shem Tov, p. 263).
5. Seder Hatamid, Mordechai Karmi, ed. Avignon: 1767.
6. Seder Hatamid, Eliyahu Karmi, ed. Avignon: 1767.
7. Seder Tefilah, David Chayim Malach, ed. Leghorn: 1803.
8. Seder Hatefilot, David Levi, ed. London, England: E. Justins Publishing, 1810.
9. Seder Tefilot. Koenigsberg: 1850.
10. Siddur Sefatei Tzadikim, Isaac Leeser, ed. Philadelphia, PA: Slote and Mooney Publishers, 1857.
11. Seder Tefilat Kol Po. Vienna, Austria: Josef J. Alschech Publishers, 1868.
12. Siddur Sefatei Tzadikim, Abraham De Sola, ed. Philadelphia, PA: Sherman and Co., 1878.
13. Seder Bet Tefilah Yekara'. Vienna, Austria: Josef Schlesinger Publishers, 1880.
14. Seder Tefilat Yesharim. Leghorn: Eliezer Sa'adon Publishers, 1880.
15. Seder 'Avodat Hashanah. Belgrad, Romania: 1887.

16. Seder Tefilat Tzion. Vienna, Austria: Berthold Alkalay, Publisher, 1890.

17. Seder Hatefilot, Alexander Crehange, ed. Parish, France: Libraire Durlacher, 1911.

18. Seder Mincha 'Erev Rosh Hashanah, Baruch Biyom, ed. Salonica, Greece: 1931.

19. Beit 'Oved Seder Tefilah. Levorno, Italy: Shlomo Bilporti Publishers, 1948.

20. Tefilat Kol Poh, B. Israel Ricardo, ed. Amsterdam, Netherlands: 1950.

21. Libro de Rezos Diarios. Tetuan, Morroco: 1951.

22. Tefilah Ledavid, David Prato, et. Rome, Italy: 1954.

23. Sefer 'Olat Hatamid Hashalem, Boaz Hadad, ed. Jerba, Tunisia: Beit 'Otzar Ha'ivri Publishing, 1962.

24. Siddur Patach Eliyahu, Joseph-Elie Charbit, ed. Paris, France: Colbo Publishers, 1985.

25. To Comfort the Living. Brooklyn, NY: Graphi Text Type Co., 1986.

Example #1 - Hashkaba for a child:

השכבה לילד,

מאת החכם השלם כמוה״ר בנימין ארטום ראש ק״ק ספרדים יע״א בבריטניא

האל אב הרחמן אשר רחם על אבותינו הקדושים
עו״ש רצונו הוא ירחם על נפש הילד הנעים · · · · ·
(הילדה הנעימה) רוחה תניחנו בגן עדן וינהלהו להתענג
בין הצדיקים · ויהיה כפרה על אביו ואמו כקרבן אשה ·
ויסלח לכל־עונם וירפא לכל מכותם · ויתן להם בנים
זכרים אשר יחיו ויעסקו בתורה · ויסיר מהם יגון ואנחה
וכן יהי רצון ונאמר אמן :

בל״ע המות וכו׳

This text can be found in the following prayerbook (listed in the bibliography on the preceding page): #11, pp. 266-267.

Example #2 - Hashkaba for a child:

הַשְׁכָּבָה לִילָדִים

רַחֲמָנָא דְרַחֵם עַל אַבְהָתָנָא קַדִּישֵׁי אַרְעָא וְעַל צַדִּיקַיָּא
וַחֲסִידַיָּא דְעָבְדִין רְעוּתֵיהּ דְקוּדְשָׁא בְּרִיךְ הוּא
הוּא יְרַחֵם עַל הַיֶּלֶד הַנָּעִים (שלוני: לוקח) הַיַּלְדָּה
הַנָּעִימָה (שלונית: רוֹחַ) יֵי תְּנִיחֵנוּ (תנחֶנָּה) כְּגַן עֵדֶן לְהִשְׁתַּעְשָׁעָא
כְּהַדֵּי צַדִּיקַיָּא וַחֲסִידַיָּא: הַמֶּלֶךְ בְּרַחֲמָיו יְרַחֵם עַל אֲבִיו
(אֲבִיהָ) וְעַל אִמּוֹ (אִמָּהּ) וְיָסִיר מֵהֶם יָגוֹן וַאֲנָחָה וְכֵן יְהִי
רָצוֹן וְנֹאמַר אָמֵן: (לתלים הכנסה והשרשים אומרים לֹא יָבוֹא עוֹד
שִׁמְשֵׁךְ וכ הכתוב למעלה:

This text can be found in prayerbook #20, p. 512.

Example #3 - Hashkaba for a man:

השכבה לאיש

לאדם גדול משמיעים פסוקים אלו

והחכמה מאין תמצא ואי זה מקום בינה : אשרי אדם מצא
חכמה ואדם יפיק תבונה : מה רב טובך אשר
צפנת ליראיך פעלת לחוסים בך נגד בני אדם : מה יקר
חסדך אלהים ובני אדם בצל כנפיך יחסיון : ירויון מדשן ביתך
ונחל עדניך תשקם : (ע"כ)

טוב שם משמן טוב ויום המות מיום הולדו : סוף דבר הכל
נשמע את האלהים ירא ואת מצותיו שמור כי זה כל
האדם : יעלזו חסידים בכבוד ירננו על משכבותם :
מנוחה נכונה . בישיבה עליונה . תחת כנפי השכינה .
במעלת קדושים וטהורים . כזוהר הרקיע . מאירים
ומזהירים . וחלוץ עצמים . וכפרת אשמים . והרחקת
פשע . והקרבת ישע . וחמלה וחנינה . מלפני שוכן
מעונה . וחולקא טבא . לחיי העולם הבא שם תהא מנת
ומחיצת וישיבת נפש השם הטוב (פלוני) רוח יי תניחנו בג"ע
דאתפטר מן עלמא הדין כרעות אלהא מריה שמיא וארעא .
מלך מלכי המלכים ברחמיו ירחם עליו . ויחוס ויחמול עליו
ממ"ה ברחמיו יסתירהו בצל כנפיו ובסתר אהלו לחזות
בנועם יי ולבקר בהיכלו , ולקץ הימין יעמידהו . ומנחל
עדניו ישקהו . ויצרור בצרור החיים נשמתו . וישים כבוד
מנוחתו . יי הוא נחלתו . ויהיה אליו השלום . ועל משכבו
יהיה שלום . כדכתיב יבא שלום ינוחו על משכבותם
הולך נכוחו הוא וכל בני ישראל השוכבים עמו בכלל
הרחמים והסליחות וכן יהי רצון ונאמר אמן :

This text can be found in the following prayerbooks: #1, pp. 219-220; #2, pp. 145-146; #3, pp. 89-90; #7, pp. 101-102; #8, pp. 231-232; #9, pp. 111-112; #10, pp. 262-264; #11, pp. 262-264; #14, pp. 91-92; #17, pp. 545-548; #19, pp. 455-456; #22, pp. 192-193; #23, pp. 27-28; #24, p. 395.

Example #4 - Hashkaba for a man:

לאיש

טוֹב שֵׁם מִשֶּׁמֶן טוֹב וְיוֹם
הַמָּוֶת מִיּוֹם הִוָּלְדוֹ: טוֹב
לָלֶכֶת אֶל בֵּית אֵבֶל מִלֶּכֶת
אֶל בֵּית מִשְׁתֶּה בַּאֲשֶׁר הוּא
סוֹף כָּל הָאָדָם וְהַחַי יִתֵּן אֶל
לִבּוֹ: סוֹף דָּבָר הַכֹּל נִשְׁמָע
אֶת הָאֱלֹהִים יְרָא וְאֶת מִצְוֹתָיו
שְׁמוֹר כִּי זֶה כָּל הָאָדָם:

מְנוּחָה וְנָכוֹנָה בִּישִׁיבָה עֶלְיוֹנָה
תַּחַת כַּנְפֵי הַשְּׁכִינָה:
בְּמַעֲלַת קְדוֹשִׁים וּבְמַלְאָכִים
וְתַרְשִׁישִׁים וְטָהוֹרִים כְּזֹהַר
הָרָקִיעַ מְאִירִים וּמְזֻהָרִים: עִם
יְשָׁגֵי חֶבְרוֹן ׀ עִם מֹשֶׁה וְעִם
אַהֲרֹן בְּהַרְחָקַת פֶּשַׁע וְהַקְרָבַת
יֶשַׁע ׀ בְּחִלּוּץ עֲצָמִים וְכִפֻּרַת
אֲשָׁמִים וּמְלִיצַת רַחֲמִים ׀
בְּחָכְמָה וְחֶנְיָנָה מִלְּפְנֵי שׁוֹכֵן
מְעוֹנָה וְחוֹלְקָא טָבָא לְחַיֵּי
הָעוֹלָם הַבָּא: שָׁם תְּאֵה לָנֶה
וּמְחִיצָה וִישִׁיבַת נֶפֶשׁ לְשֵׁם
הַטּוֹב פליי רוּחַ יְיָ תְּנִיחֵנוּ
כֵּן עֵדֶן:

This text can be found in prayerbook #20, p. 510.

Example #5 - Hashkaba for a man:

השכבה

לאדם גדול אומרים קודם ההשכבה פסוקים אלו

והחכמה מאין תמצא ואי זה מקום בינה: אשרי אדם מצא חכמה
ואדם יפיק תבונה: מה רב טובך אשר צפנת ליראיך
פעלת לחוסים בך נגד בני אדם: מה יקר חסדך אלהים ובני אדם
בצל כנפיך יחסיון: ירויון מדשן ביתך ונחל עדניך תשקם:

אשרי איש ירא את יהוה במצותיו חפץ מאד: טוב שם משמן טוב
ויום המות מיום הולדו:

מנוחה נכונה בישיבה עליונה תחת כנפי השכינה במעלת קדושים
וטהורים· כזוהר הרקיע מאירים ומזהירים· וחלוץ עצמים

וכפרת אשמים והרחקת פשע והקרבת ישע· וחמלה וחנינה מלפני
צור שוכן מעונה· וחולקא טבא לחיי העולם הבא· שם תהא מנת
ומחיצת וישיבת נפש השם הטוב פלוני רוח יהוה תניחנו בגן עדן
בכלל הרחמים והסליחות וכן יהי רצון ונאמר אמן:

This text can be found in the following prayerbooks: #12, pp. 55-56; #13, pp. 55-56; #15, pp. 187-188; #16, pp. 448-449.

Example #6 - Hashkaba for a man:

הַשְׁכָּבָה לְאִישׁ

טוֹב שֵׁם מִשֶּׁמֶן טוֹב וְיוֹם הַמָּוֶת מִיּוֹם הִוָּלְדוֹ :

הַצּוּר תָּמִים פָּעֳלוֹ כִּי כָל דְּרָכָיו מִשְׁפָּט אֵל אֱמוּנָה וְאֵין עָוֶל צַדִּיק וְיָשָׁר הוּא : דַּיָּן אֱמֶת שׁוֹפֵט צֶדֶק וֶאֱמֶת כִּי כָל דְּרָכָיו צֶדֶק וֶאֱמֶת בָּרוּךְ דַּיָּן הָאֱמֶת :
מְנוּחָה נְכוֹנָה כִּישִׁיבָה עֶלְיוֹנָה תַּחַת כַּנְפֵי הַשְּׁכִינָה ·
בְּמַעֲלוֹת קְדוֹשִׁים וּטְהוֹרִים מְאִירִים וּמַזְהִירִים כְּזוֹהַר הָרָקִיעַ וְחִלּוּף עֲצָבִים וְכַפָּרַת אַשְׁמִים · וְהַרְחָקַת פֶּשַׁע וְהַקְרָבַת יֵשַׁע · וְחֶמְלָה וְחַנִּינָה מִלִּפְנֵי שׁוֹכֵן מְעוֹנָה ·
וְחוֹלָקָא טָבָא לְחַיֵּי הָעוֹלָם הַבָּא · שָׁם תְּהֵא מְנָרַת וּמְחִיצַת נַפְשׁ הַיְקָרוְהַנִּכְבָּד (ר פלוני בר פלוני) דְּאִתְפְּטַר מִן עָלְמָא הָדֵין לְעָלְמָא דְּאָתֵי כִּרְעוּת אֱלָהּ מָרֵיהּ שְׁמַיָּא ·
הַמֶּלֶךְ בְּרַחֲמָיו יְרַחֵם עָלָיו · הַמֶּלֶךְ בְּרַחֲמָיו יַחְמוֹל עָלָיו ·
הַמֶּלֶךְ בְּרַחֲמָיו יַסְתִּירֵהוּ בְּסֵתֶר אָהֳלוֹ לַחֲזוֹת בְּנֹעַם יְיָ וּלְבַקֵּר בְּהֵיכָלוֹ וְלִקְּנִין הַיָּמִין יַעֲמִידֵהוּ וּמִנַּחַל עֲדָנָיו יַשְׁקֵהוּ וְיִצְרוֹר בִּצְרוֹר הַחַיִּים נִשְׁמָתוֹ וְיָשִׁים כְּבוֹד מְנוּחָתוֹ ·
וְיִלְוֶה אֵלָיו הַשָּׁלוֹם · וְעַל מִשְׁכָּבוֹ יִהְיֶה שָׁלוֹם :

כִּדְכְתִיב יָבֹא שָׁלוֹם יָנוּחוּ עַל מִשְׁכְּבוֹתָם הוֹלֵךְ נְכֹחוֹ הוּא וְכָל שׁוֹכְבֵי יִשְׂרָאֵל יְהֵיוּ בְּכְלַל הָרַחֲמִים וְהַסְּלִיחוֹת וְהַנֶּחָמוֹת אָמֵן וְכֵן יְהִי רָצוֹן וְנֹאמַר אָמֵן :
כִּדְכְתִיב בִּלַּע הַמָּוֶת לָנֶצַח וּמָחָה יְיָ אֱלֹהִים דִּמְעָה מֵעַל כָּל פָּנִים וְחֶרְפַּת עַמּוֹ יָסִיר מֵעַל כָּל הָאָרֶץ כִּי פִּי יְיָ דִּבֶּר : יִהְיוּ מְתֶיךָ נִבְלָתִי יְקוּמוּן הָקִיצוּ וְרַנְּנוּ שׁוֹכְנֵי עָפָר כִּי טַל אוֹרוֹת טַלֶּךָ וְאֶרֶץ רְפָאִים תַּפִּיל : וְהוּא מְרַחֵם עַל חַי וְעַל מֵת · כִּי הוּא רַב חֶסֶד וֶאֱמֶת : וְלֹא יִדִּין אֱנוֹשׁ כְּאַשְׁמָתוֹ · וְלֹא יָעִיר כָּל חֲמָתוֹ : כִּדְכְתִיב וְהוּא רַחוּם יְכַפֵּר עָוֹן וְלֹא יַשְׁחִית וְהִרְבָּה לְהָשִׁיב אַפּוֹ וְלֹא יָעִיר כָּל חֲמָתוֹ : סוֹף דָּבָר הַכֹּל נִשְׁמָע אֶת הָאֱלֹהִים יְרָא וְאֶת מִצְוֹתָיו שְׁמוֹר כִּי זֶה כָּל הָאָדָם : מִן הַשָּׁמַיִם תְּנוּחָמוּ :

This text can be found in the following prayerbooks: #5, pp. 101-102; #6, pp. 101-102.

Example #7 - Hashkaba for a man or a woman:

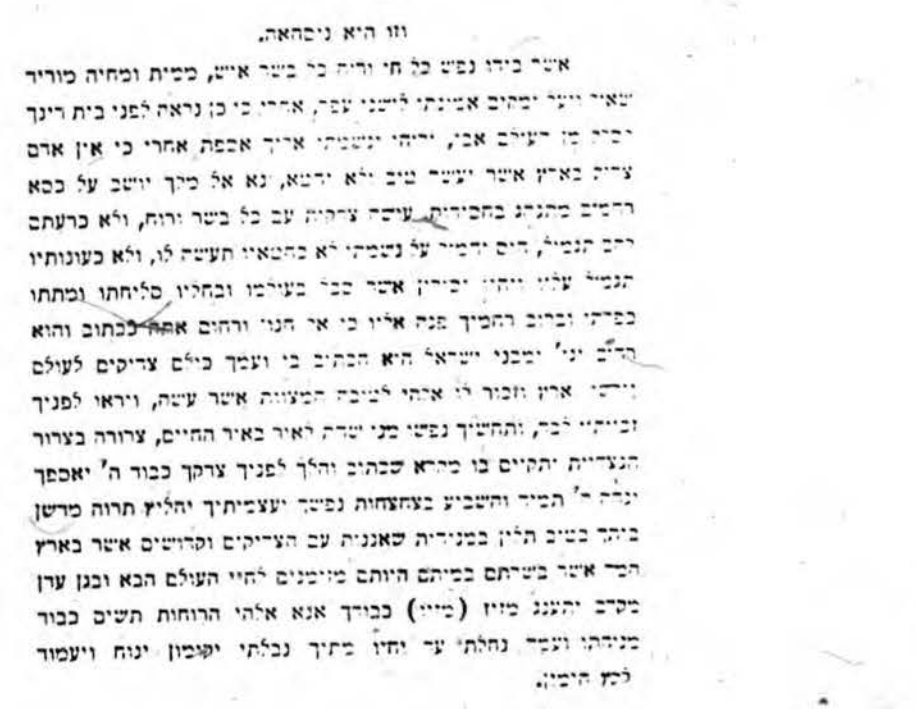
השכבות

יותר טוב ויותר מועיל לנשמת המת לומר השכבה זאת בקיצור

הַמְרַחֵם עַל־כָּל־בְּרִיּוֹתָיו הוּא יָחוּס וְיַחְמוֹל וִירַחֵם עַל נֶפֶשׁ רוּחַ
וְנִשְׁמָה של (פב״פ). רוּחַ יְהוָֹה תניחנו (לאשה תניחנה) בגן עדן

This text can be found in prayerbook #25, p. 41.

Example #8 - Hashkaba for a man:



This text can be found in prayerbook #4.

Example #9 - Hashkaba for a woman:

לאשה

אֵשֶׁת חַיִל מִי יִמְצָא
וְרָחֹק מִפְּנִינִים
מִכְרָהּ: בָּטַח־בָּהּ לֵב
בַּעְלָהּ וְשָׁלָל לֹא יֶחְסָר:
גְּמָלַתְהוּ טוֹב וְלֹא רָע
כָּל יְמֵי חַיֶּיהָ: דָּרְשָׁה צֶמֶר
וּפִשְׁתִּים וַתַּעַשׂ בְּחֵפֶץ
עַל כַּפֶּיהָ: שִׁקְּרָה הַחַן
וְהָבֶל הַיֹּפִי אִשָּׁה יִרְאַת
יְיָ הִיא תִתְהַלָּל: תְּנוּ לָהּ
מִפְּרִי יָדֶיהָ וִיהַלְלוּהָ
בַּשְּׁעָרִים מַעֲשֶׂיהָ:

בְּגָנֵּנוּ אִמּוֹתֵינוּ הַקְּדוֹשׁוֹת
וְהַטְּהוֹרוֹת שָׂרָה
רִבְקָה רָחֵל וְלֵאָה
וּמִרְיָם הַנְּבִיאָה
וַאֲבִיגַיִל עִם אֶסְתֵּר
הַמַּלְכָּה בַּת אֲבִיחַיִל
שָׁם תִּאָה צְרוֹרָה נֶפֶשׁ
הַגְּבִרֶת אֵשֶׁת חַיִל
עֲטֶרֶת תִּפְאֶרֶת פלונית
רוּחַ יְיָ תְּנִיחֶנָּה בְּגַן
עֵדֶן:

This text can be found in prayerbook #20, p. 510.

Example #10 - Hashkaba for a woman:

השכבה לאשה

אשת חיל קודם ההשכבה יאמר פסוקים אלו

אֵשֶׁת חַיִל מִי יִמְצָא וְרָחֹק מִפְּנִינִים מִכְרָהּ: תְּנוּ לָהּ מִפְּרִי יָדֶיהָ
וִיהַלְלוּהָ בַשְּׁעָרִים מַעֲשֶׂיהָ:

רַחֲמָנָא דְרַחֲמָנוּתָא דִילֵיהּ הִיא וּבְמֵימְרֵיהּ יֵאָמֵר לְעַיֵּל קֳדָמוֹהִי
דּוּכְרָן הָאִשָּׁה הַכְּבוּדָה וְהַנִּכְבֶּדֶת מָרַת פלונית רוּחַ יְהוָה
תְּנִיחֶנָּה בְּגַן עֵדֶן בִּכְלַל הָרַחֲמִים וְהַסְּלִיחוֹת וְכֵן יְהִי רָצוֹן וְנֹאמַר אָמֵן:

This text can be found in the following prayerbooks: #12, p. 56; #15, p. 188; #16, p. 449.

Example #11 - Hashkaba for a woman:

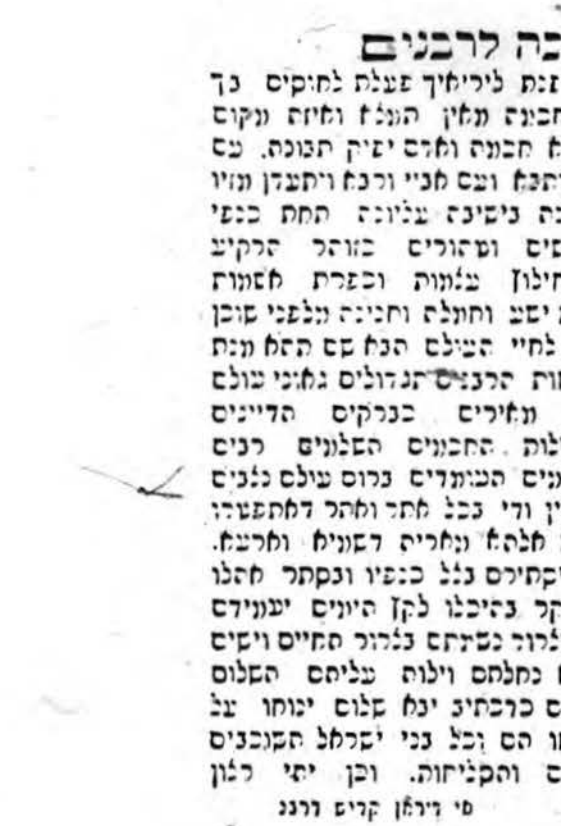
השכבה לאשה

טוֹב שֵׁם מִשֶּׁמֶן טוֹב וְיוֹם הַמָּוֶת מִיּוֹם הִוָּלְדוֹ ׃
הַצּוּר תָּמִים פָּעֳלוֹ כִּי כָל דְּרָכָיו מִשְׁפָּט אֵל
אֱמוּנָה וְאֵין עָוֶל צַדִּיק וְיָשָׁר הוּא ׃ דַּיָּין אֱמֶת שׁוֹפֵט
צֶדֶק וֶאֱמֶת · כִּי כָל מִשְׁפָּטָיו צֶדֶק וֶאֱמֶת · בָּרוּךְ
דַּיָּן הָאֱמֶת ׃ רַחֲמָנָא דְּרַחֲמָנוּתָא דִּילֵיהּ הִיא ·
וּבְמֵימְרֵיהּ אִתְבְּרִיאוּ עָלְמַיָּא עָלְמָא הָדֵין וְעָלְמָא דְּאָתֵי ·
בְּמֵימְרֵיהּ וְתוּקְפֵיהּ וִיקָרֵיהּ יְמַר לְמִיעַל קָדָמוֹהִי דּוּכְרָן
הָאִשָּׁה הַכְּשֵׁרָה וְהַצְּנוּעָה (פלונית אשת פלוני)
דְּאִתְפְּטָרַת מִן עָלְמָא הָדֵין לְעָלְמָא דְּאָתֵי כִּרְעוּת אִלָּה
שְׁמַיָּא ׃ הַמֶּלֶךְ בְּרַחֲמָיו יְרַחֵם עָלֶיהָ ׃ הַמֶּלֶךְ בְּרַחֲמָיו יַחְכְּמֵל

עָלֶיהָ · וְתֶהֱא מְחִיצָתָהּ עִם שָׂרָה רִבְקָה · רָחֵל וְלֵאָה
וִילֵיהּ אֲלֵיהָ הַשָּׁלוֹם וְעַל מִשְׁכָּבָהּ יְהִי שָׁלוֹם כִּדְכְתִיב
יָבֹא שָׁלוֹם יָנוּחוּ עַל מִשְׁכְּבוֹתָם הוֹלֵךְ נְכֹחוֹ הָיָה וְכָל.
שׁוֹכְבוֹת יִשְׂרָאֵל יִהְיוּ בִּכְלַל הָרַחֲמִים וְהַסְּלִיחוֹת וְהַנֶּחָמוֹת
אָמֵן וְכֵן יְהִי רָצוֹן וְנֹאמַר אָמֵן ׃ כִּדְכְתִיב בִּלַּע הַמָּוֶת
לָנֶצַח וּמָחָה יְיָ אֱלֹהִים דִּמְעָה מֵעַל כָּל פָּנִים
וְחֶרְפַּת עַמּוֹ יָסִיר מֵעַל כָּל הָאָרֶץ כִּי פִּי יְיָ דִּבֶּר ׃ יְחִיוּ
מֵתֶיךָ נְבֵלָתִי יְקוּמוּן הָקִיצוּ וְרַנְּנוּ שׁוֹכְנֵי עָפָר כִּי טַל
אוֹרוֹת טַלֶּךָ וְאֶרֶץ רְפָאִים תַּפִּיל ׃ וְהוּא מְרַחֵם עַל חַי
וְעַל מֵת · כִּי הוּא רַב חֶסֶד וֶאֱמֶת ׃ וְלֹא יָדִין אֱנוֹשׁ
כַּאֲשֶׁמָתוֹ · וְלֹא יָעִיר כָּל חֲמָתוֹ ׃ כִּדְכְתִיב וְהוּא
רַחוּם יְכַפֵּר עָוֹן וְלֹא יַשְׁחִית וְהִרְבָּה לְהָשִׁיב אַפּוֹ וְלֹא
יָעִיר כָּל חֲמָתוֹ ׃ סוֹף דָּבָר הַכֹּל נִשְׁמָע אֶת הָאֱלֹהִים
יְרָא וְאֶת מִצְוֹתָיו שְׁמוֹר כִּי זֶה כָּל הָאָדָם ׃ מִן הַשָּׁמַיִם
תַּנְחִמוּ ׃

This text can be found in the following prayerbooks: #5, p. 102; #6, p. 102.

Example #12 - Hashkaba for rabbis:



השכבה לרבנים

This text can be found in prayerbook #18, p. 170.

Example #13 - Hashkaba for martyrs:

השכבה לשרופים על קדוש השם

מה רב טובך אשר צפנת ליראיך · פעלת לחוסים
בך נגד בני אדם : מה יקר חסדך אלהים ·
ובני אדם בצל כנפיך יחסיון : ירויון מדשן ביתך ·
ונחל עדניך תשקם :
אל נקמות יי · אל נקמות הופיע : הנשא שופט
הארץ · השב גמול על גאים : עד מתי רשעים ·
יי · עד מתי רשעים יעלזו : יביעו ידברו עתק ·
יתאמרו כל פעלי און : עמך יי ידכאו · ונחלתך
יענו : אלמנה וגר יהרגו · ויתומים ירצחו : ויאמרו

לא יראה יה · ולא יבין אלהי יעקב : למה יאמרו
הגוים · איה אלהיהם · יודע בגוים לעינינו · נקמת
דם עבדיך השפוך : תבוא לפניך אנקת אסיר ·
כגדל זרועך · הותר בני תמותה : והשב לשכנינו
שבעתים אל חיקם · חרפתם אשר חרפוך ארני :
תחשכנה עיניהם מראות · ומתניהם תמיד המעד :
שפך עליהם זעמך · וחרון אפך ישיגם : תהי
טירתם נשמה · באהליהם אל יהי יושב : כיה נאם
יסה יי · ויצב גבול אלמנה : ונקיתי דמם לא נקיתי ·
ויי שוכן בציון :

This text can be found in prayerbook #21, pp. 217-218.

APPENDIX C: ZOHAR TEXT STUDIED DURING THE LIMUD: "EDARA ZUTA ON SHIMON BAR YOCHAI"[1]

אדרא זוטא

קעד. אָמַר רִבִּי אַבָּא לָא סַיֵּים בּוֹצִינָא קַדִּישָׁא לְמֵימַר חַיִּים, עַד דְּאִשְׁתַּכַּח מִלּוֹי. וַאֲנָא פָּתֵבְנָא, סָבַרְנָא לְמִכְתַּב טְפֵי, וְלָא שָׁמַעְנָא וְלָא זָקִיפְנָא רֵישָׁא, דְּנְהוֹרָא הֲוָה סַגִּי, וְלָא הֲוָה יָכֵילְנָא לְאִסְתַּכָּלָא. אַדְּהָכִי [ו] אִזְדַּעְזַעְנָא. שָׁמַעְנָא קָלָא דְּאַקְרִי (יט) וְאָמַר. "ארך ימים ושנות חיים ושלום יוסיפו לך. שָׁמַעְנָא קָלָא (כ) אחרא "חיים שאל ממך נתת לו ארך ימים עולם ועד."

קעה. כָּל הָהוּא יוֹמָא לָא אִפְסִיק אֶשָּׁא מִן בֵּיתָא. וְלָא הֲוָה מַאן דְּמָטֵי לְגַבֵּיהּ דְּלָא יְכִילוּ, דְּנְהוֹרָא וְאֶשָּׁא הֲוָה בְּסוֹחָרָנֵיהּ. כָּל הָהוּא יוֹמָא נָפֵילְנָא עַל אַרְעָא וְגָעֵינָא. בָּתַר דְּאָזֵיל אֶשָּׁא חָמֵינָא לְבוֹצִינָא קַדִּישָׁא קדש הקדשים דְּאִסְתַּלַּק מִן עָלְמָא. אִתְעַטַּף שָׂכֵיב עַל יַמִּינֵיהּ וַאֲנָפּוֹי חָיְיכִין.

קעו. קָם רִבִּי אלעזר בְּרֵיהּ, נָטַיל יָדוֹי וְנָשֵׁיק לוֹן. וַאֲנָא לָחֵיכְנָא עַפְרָא דְּתָחוֹת רַגְלוֹי. בְּעוֹ חַבְרַיָּיא לְמִבְכֵּי וְלָא יְכִילוּ לְמַלָּלָא. שָׁאַרוּ חַבְרַיָּיא בִּבְכְיָה. וְרִבִּי אלעזר בְּרֵיהּ נָפַל תְּלָת זִמְנִין וְלָא יָכֵיל לְמִפְתַּח פּוּמֵיהּ. לְבָתַר פְּתַח וַאֲמַר אַבָּא אַבָּא. [ז] תְּלָת הֲווֹ, חַד אִתְחַזַּרוּ. הַשְׁתָּא תְּנוּד חֵיוָותָא צְפָרָאן טָאסִין מִשְׁתַּקְעָן בְּנוּקְבָאן דְּיַמָּא רַבָּא. וְחַבְרַיָּיא כֻּלְּהוֹ שָׁתַיִין דְּמָא.

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[1] Zohar, "Edara Zuta," #174-179

APPENDIX C (continued)

קעז. קם ר׳ חייא על רגלוי ואמר: עד השתא בוצינא קדישא (כא) מסתכל עלן. השתא לאו הוא עידן אלא לאשתדלא ביקריה. קם רבי אלעזר ורבי אבא. נטלו ביה [ח] בטיקרא דסיקלא. מאן (כב) חמא ערבובייא דחברייא. וכל ביתא הוה סליק ריחין. סליקו ליה בפורייה, ולא אשתמש ביה אלא ר׳ אלעזר ור׳ אבא.

קעח. אתו [ט] טריקין ומארי תריסין דכפר צפרי, והוו בני מרונייא צווחין בקטירין וטרדן (כג) בהו, דחשיבו דלא יתקבר תמן. בתר דנפק פורייא, הוה סליק באוירא, ואשא הוה לחיט קמיה. שמעו קלא: עולו ואתו ואתכנשו להלולא דר׳ שמעון. (כד) יבא שלום ינוחו על משכבותם.

קעט. כד עאל למערתא שמעו קלא במערתא. זה האיש מרעיש הארץ מרגיז ממלכות. [י] כמה פטרין ברקיעא (כה) משתככין ביומא דין. בגינך דנא רשב״י. דמאריה משתבח ביה בכל יומא. זכאה חולקיה לעילא ותתא. כמה גניזין עלאין מסתמרן ליה. (כו) עליה אתמר. ואתה לך לקץ ותנוח. ותעמוד לגורלך לקץ הימין.

עד כאן האדרא קדישא זוטא

APPENDIX C - (continued)

Translation of "Edara Zuta"

"RABBI SIMEON'S DEPARTURE"[2]

Rabbi Abba said, Scarcely had the Holy Lamp completed the word "life," when his words ceased. I was writing, and expected to write more, but I did not hear any more. I was not able to raise my head, for the brightness was so great that even previously I could not look about. I trembled; and I heard a voice proclaim (Prov. 3:2), "Length of days and years of life they will add to you." I heard yet another voice (Ps. 21:5), "He asked life of you and you gave it to him, length of days into eternity." All that day the fire did not cease from the house, and no one came near him, for they were unable to venture into the light and the fire that were around him. All that day I was fallen upon the ground, moaning. Later, when the fire had gone away, I saw that the Holy Lamp, the Holy of Holies, had departed from the world. He was wrapped in his garments, lying upon his right side, and his face was smiling. Rabbi Elazar his son rose, took his hands and kissed them. I, however, licked the dust that was under his feet. The Companions wished to mourn, but they were unable to speak. At last they began to weep, and Rabbi Elazar his son prostrated himself three times but was unable to open his mouth. Finally he was able to do so and said, "Father, father! There had been three, but now they have become one. Now the beasts wander about, the birds fly away and immerse themselves in the opening of the Great Sea, and all of the Companions must drink blood."

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[2]Roy A. Rosenberg, trans. "Rabbi Simeon's Departure," The Anatomy of God, (New York, NY: Ktav Publishing House, 1973), pp. 180-181.

APPENDIX C (continued)

Rabbi Hiyya rose to his feet and said, "Until now the Holy Lamp looked after us. Now it is the time for us to look to his glory." Rabbi Elazar and Rabbi Abba got up and arranged his burial garment. One could see a great commotion among the Companions, and the entire house gave forth sweet odors. They placed him upon a bier, only Rabbi Elazar and Rabbi Abba attending to him. Then came police and soldiers from the village to protect them, for the inhabitants of Meron had complained of a conspiracy, thinking that he was not to be buried there. Finally, when they took up his bier, it rose in the air and fire burned round about it. They heard a voice, "Come one and all to participate in the wedding feast of Rabbi Simeon. (Isa. 57:2) 'He comes in peace; they shall rest upon their beds.'"

When the bier entered the burial cave, they heard a voice in the cave, "This is the man who disturbed the earth, who caused kingdoms to tremble. How many farewells are sunken into the firmament for you this day! This is Rabbi Simeon, the son of Yohai, who praised his Master all his days. Blessed is his portion both above and below. How many supernal treasures are set aside for him. Of him is it said (Dan. 12:13), 'As for you, go to the end; you shall rest and then rise for your lot at the end of the right hand.'"

THE LESSER HOLY ASSEMBLY

BIBLIOGRAPHY

This bibliography consists of two sections: primary sources and secondary sources. Primary sources are listed in English alphabetical order, according to the transliteration of the title of the work. I have included the date of composition of these texts for historical reference. Secondary sources are listed in standard form, in alphabetical order according to the author's last name. I have used standard editions of classic Jewish works, such as: the Bible, Mishna, Talmud and the Codes. They are not listed separately in the following bibliography, but can be found in the footnotes. The bibliographic information for the Sephardic prayerbooks listed in Appendix II (pp. 154-155) is included as part of that appendix. Hence, it is not repeated here. Finally, in addition to the sources listed here, I have made use of personal interviews with several people. These interviews are referred to in the footnotes.

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