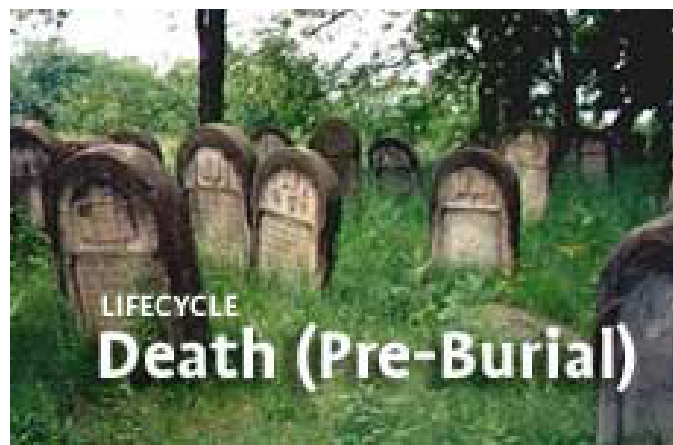




DAILY LIVING - CLASS #24



FACING THE PASSAGE OF LIFE
WITH FAITH AND DIGNITY.

BASED ON THE RESEARCH OF
RABBI DOV LEV

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that are available online.*

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Aging

In the western world, the elderly are often viewed with pity and sometimes with a touch of disdain. Senior citizens are viewed as being unproductive and as sapping the resources of society. This attitude is antithetical to Judaism. The Torah commands us to respect and revere our elders. Age brings wisdom and a clearer outlook toward life, due to exposure to more life experiences.

Age also suggests a closer connection to the ancient Jewish wisdoms, in that the tradition that is handed down from one generation to the next.¹ It is to the previous generations that we owe our entire existence.

When a senior citizen enters a room, everyone is supposed to rise out of respect.² Instead of perceiving seniors as being old-fashioned, we should try to glean insight from elders with whom we come into contact. Spiritual strength is greatest in old age, as the person prepares for his or her return to the embrace of God.

Even an elderly person who has reduced mental faculties must be treated with utmost respect. We learn this from the example of the first set of tablets: though they were broken and unusable, Moses still placed them alongside the new tablets in the Ark of the Covenant.³

Why is it that respect for the elderly permeates Jewish life? The story is told of two grandfathers, one religious and one agnostic, who were having a chat. "I don't understand," said the agnostic, leaning back in his rocking chair. "My grandchildren don't respect me. They never come to visit. And when they do, it's only to borrow money or ask for a favor. But your grandchildren are different. They come to see you often, they sit at your feet while you share stories and thoughts, anxious to hear every word. What's the difference between you and me?"

¹ See Avot 1:1

² Leviticus 19:32; Yoreh De'ah 244:1

³ Talmud - Brachot 8b

"I'll tell you the difference," said the religious man, running his fingers through his tzitzit. "I teach my grandchildren that I'm two generations closer to receiving the Torah at Mount Sinai. You teach your grandchildren that you're two generations closer to the ape from which you evolved."

Death

There are few concepts that arouse as much fear and dread among people as death. For many, dying carries the association of demise and total termination. However, Judaism views death as merely a change of state. The soul was temporarily placed into a physical body in order that it develop a relationship with God. This relationship is fostered by the performance of mitzvot. Throughout one's lifetime, an individual uses the power of free will to choose between right and wrong, between doing the right thing versus what may be more comfortable. By making the right choices, a person earns eternal reward.

Death frees one's soul from the limitations and challenges of physicality, and allows him to bask unencumbered in the loving relationship with the Almighty that it has developed. For the person who has lived a fulfilled life, death is not a tragedy. His soul is entering a place of tranquil serenity where the meaningful pleasure surpasses anything that we can possibly imagine.⁴

On the other hand, since the purpose of life is to utilize our resources to connect to our Creator, every moment of life is invaluable. In the next world, there is no opportunity to perform mitzvot. This is why it is so important to maximize the quantity and quality of all life. In Judaism it is considered a grave sin to waste time. Of course, rest and relaxation are an important aspect of recharging one's batteries, but idle hours of watching TV or engaged in frivolous chatter is regarded as an abuse of the preciousness of life.

⁴ Rambam (Teshuva 8:2,6)

As an illustration of how every moment is precious, the Torah demands that we violate Shabbat for the sake of the potential lengthening of a person's life – even if only for a momentary extension.⁵

Certainly, nothing may be done to expedite the end of a dying person. Even if the individual is in great pain, and even if he requests that his own life be terminated, any act of accelerating his demise is regarded as murder!⁶ (Of course, if a physician tried to the best of his ability to extend the life of the patient, but the patient died anyhow, the practitioner is not culpable.) This principle is emphasized by the law that a moribund person may not be moved in the slightest way lest it expedite his death by a moment. Certainly, life-sustaining devices may not be turned off.⁷

There are various issues as far as refraining from activating a life-saving device, and in certain conditions, there is no need for aggressive life-saving techniques or operations.⁸ In such matters, a responsible rabbi must always be consulted.

It is important to remain in the room with him but without doing anything that may advance his end.⁹ It is especially comforting for the dying person to be surrounded by the beloved members of his family when he is departing from this world.¹⁰ However, if any family member is overcome by grief and cannot contain his crying, he should not stay there and distress the dying person.¹¹

If the dying person is conscious, he should be guided to recite *vidui* (confession).¹² This short prayer asks God for recovery from the

⁵ Orach Chaim 329:1-4

⁶ Shach (Yoreh De'ah 339:5)

⁷ Yoreh De'ah 339:1

⁸ *Shu"t Igros Moshe* (Yoreh De'ah 3:132, 4:24:4, Choshen Mishpat 2:74:5); *Tzitz Eliezer* 4:13; *Teshuvot V'Hanhagot* 3:362.

⁹ Yoreh De'ah 339:4

¹⁰ *Ma'avar Yabok* 5:27-28

¹¹ Cf. Yoreh De'ah 338:1

¹² Yoreh De'ah 338:1

illness, and asks that if death should occur, it should be an atonement for one's transgressions, clearing the way for a proper place in Heaven.¹³ By reciting *vidui*, the soul is assured a portion in the World to Come.¹⁴

The Corpse

After he breathes his last breath, a minimum of 20 minutes should be waited before touching the deceased, just in case he is not yet really dead.¹⁵ The *chevra kadisha* should be contacted immediately to tend to the body.

The body of the departed is considered sacred. This was the casing of a holy soul and therefore it must be treated with reverence. It is considered disrespectful to eat¹⁶, pray¹⁷ or study Torah¹⁸ in the presence of the corpse, but it is permissible to recite Psalms there.¹⁹

From the moment of death until the burial, the corpse may not be left alone.²⁰ At least one Jewish adult must remain with the body at all times. This is out of respect to the departed, almost like an honor guard. It also prevents the unauthorized removal of organs.²¹ Every part of the body must be buried, which is why you see the heart-wrenching images of religious Jews dutifully going around after a terrorist bombing, scraping up pieces of flesh and blood for burial.

In most cases it is forbidden to donate organs to be used for organ transplants.²² Organ donation is permitted in the case when an organ

¹³ Yoreh De'ah 337:2

¹⁴ Yoreh De'ah 338:1

¹⁵ *Gesher HaChaim* 3:2:1

¹⁶ *Yesodei S'machot* 4:1:11

¹⁷ Orach Chaim 71:1

¹⁸ Yoreh De'ah 344:16

¹⁹ Aruch HaShulchan (Yoreh De'ah 376:5)

²⁰ Yoreh De'ah 341:6

²¹ *Gesher HaChaim* 5:4.4

²² There is much halachic literature on this complex subject. See *Shu"t Igros Moshe* (Yoreh De'ah 1:229, Yoreh Deah 2:174); *Noda Bi'Yehuda* 2, Yoreh Deah 210; *Minchat Yitzchak* 5:7; *Tzitz Eliezer* 10:25. See also *Judaism*

is needed for a specific, immediate transplant. In such a case, it is a great mitzvah for a Jew to donate organs to save another person's life. Yet it is forbidden to simply donate to an "organ bank," where there is no specific, immediate recipient. Furthermore, for general medical research or for students to practice in medical school, a Jew is not permitted to donate organs.

Even when there is a specific, immediate transplant, there is need for caution, because oftentimes in order to obtain organs as fresh as possible, a doctor will remove the organ before the patient is actually "dead" according to Jewish law. The doctor is therefore effectively killing the patient, which is of course forbidden.

The bottom line is that each case comes with its own myriad of detailed halachic factors. So before going ahead with any procedure, consult with a rabbi well-versed in Talmud and Jewish law. It is clearly not as simple as blankly signing an organ donation card.

It is forbidden to perform an autopsy for the sake of medical research²³. On the contrary, everything should be done to prevent an autopsy from taking place.²⁴

The process of cleaning and preparing the corpse for interment is known as tahara.²⁵ It is important that the tahara be done by a responsible *chevra kadisha*. Close family members should not be present for this process.²⁶

It is the universal Jewish custom that every corpse is buried in simple white shrouds.²⁷ A male corpse is also clothed in a tallis (but without tzitzit).²⁸

and Healing by Rabbi J. David Bleich (Ktav Publishing); *Encyclopedia Hilchatit Refu'it* by Rabbi Avraham Steinberg, online at [http://www.hods.org/pdf/Dr.A.Steinberg Encyclopedia.pdf](http://www.hods.org/pdf/Dr.A.Steinberg%20Encyclopedia.pdf).

²³ *Shu"t Shi'eilas Yaavetz* 1:41; *Shu"t Nodah Bi'Yehuda* (Yoreh De'ah 210); *Shu"t Chatam Sofer* (Yoreh De'ah 336); *Shu"t Igros Moshe* (Yoreh De'ah 2:151).

²⁴ *Shu"t Chelkat Yaakov* (Orach Chaim 157); Cf. *Shu"t Igros Moshe* (Yoreh De'ah 2:150)

²⁵ Rama - Yoreh De'ah 352:4

²⁶ *Shu"t Igros Moshe* (Yoreh De'ah 2:147)

²⁷ Yoreh De'ah 352:1-2

²⁸ Yoreh De'ah 351:2; Aruch HaShulchan 551:3

Spiritual Impurity

Kohanim maintain a special relationship with the Almighty and are therefore forbidden to defile themselves by coming into contact with the dead (if there is anyone else to tend to deceased).²⁹ However, a kohen may come into contact with the bodies of his immediate relatives (i.e. a parent, child, spouse, paternal brother, and a never-married³⁰ paternal sister).³¹ In any case, only male kohanim bear these restrictions of impurity.³²

A kohen may not touch any corpse and may not even be within eight feet of a Jewish corpse.³³ A kohen may not enter any building or be under any roof (e.g. airplane, or even trees overhanging a cemetery) if a Jewish corpse or dying person is within.³⁴

Aninut

From the time that a person passes away until he is buried, the immediate relatives are in a state of *aninut* (pre-burial mourning). During this time, they should devote all their time and energy to the proper and expeditious funeral and burial of the deceased. In this context, immediate relatives are defined as the parents, children, siblings and spouse of the deceased.

²⁹ Yoreh De'ah 373:3-4

³⁰ *Gesher HaChaim* 5:4

³¹ Yoreh De'ah 374:3

³² Yoreh De'ah 373:2

³³ Yoreh De'ah 371:5

³⁴ Yoreh De'ah 370:1, 371:1

An onen may not:

- Greet people³⁵
- Go to work³⁶
- Sit on a regular chair³⁷ [although sitting on a low chair is permitted]
- Eat meat or drink wine³⁸
- Wash his hands or face with warm water³⁹
- Take a shower or bath⁴⁰
- Apply any cosmetics, perfumes, colognes or creams for pleasure⁴¹
- Take a haircut or shave⁴²
- Have his nails cut⁴³
- Launder clothes⁴⁴
- Change into fresh clothes⁴⁵
- Have marital relations⁴⁶
- Pray or make any blessings⁴⁷ or wear tefillin⁴⁸
- Study Torah, except for those laws that pertain to the funeral, etc.⁴⁹

Minors need not maintain these restrictions.⁵⁰

During Shabbat and Yom Tov, only the restrictions of studying Torah and marital relations apply.⁵¹

³⁵ Yoreh De'ah 341:5

³⁶ Yoreh De'ah 341:5

³⁷ Yoreh De'ah 341:5

³⁸ Yoreh De'ah 341:1

³⁹ Yoreh De'ah 341:5

⁴⁰ Yoreh De'ah 341:5

⁴¹ Yoreh De'ah 341:5

⁴² Yoreh De'ah 341:5

⁴³ See Yoreh De'ah 390:7

⁴⁴ *Yesodei S'machos* 3:17

⁴⁵ *Yesodei S'machos* 3:17

⁴⁶ Yoreh De'ah 341:5

⁴⁷ Yoreh De'ah 341:1

⁴⁸ Yoreh De'ah 388:1

⁴⁹ Yoreh De'ah 384:4

⁵⁰ *Chochmat Adam* 552:17

⁵¹ *Chochmat Adam* 553:6

Kriyah

When King David learned of the death of his son Absalom, he immediately tore his garments.⁵² Similarly, when Job was told of the untimely demise of his children, he tore his clothing.⁵³

A mourner is obligated to tear his clothing as a result of the distress over his relative's death. This practice is known as *kriyah*. This obligation applies to the parents, children, siblings and spouse of the deceased.⁵⁴

The laws of *kriyah* are as follows:

- The *kriyah* should be performed upon hearing of the death or at the funeral.
- *Kriyah* is performed while standing.⁵⁵
- It may not be done on Shabbat⁵⁶ or Yom Tov.⁵⁷
- One who is mourning the loss of a parent must tear all of the following that he or she is wearing: shirt, vest, sweater, jacket, dress and blouse.⁵⁸
- When mourning the loss of a parent, *kriyah* must be done by hand,⁵⁹ but it may be begun with scissors to make it easier to rip. Other mourners may use scissors for the entire tear.⁶⁰
- About 8 cm. or 3 inches of material should be torn.⁶¹
- The tear should be done from the top down. A horizontal rip does not fulfill this obligation.⁶²
- If the mourner is the child of the deceased, the tear must be over the heart.⁶³ Other relatives perform *kriyah* over the right side of the chest.⁶⁴

⁵² Samuel-2 ch. 13

⁵³ Job ch. 1

⁵⁴ Yoreh De'ah 340:1

⁵⁵ Yoreh De'ah 340:1

⁵⁶ Yoreh De'ah 340:28

⁵⁷ Yoreh De'ah 340:31

⁵⁸ *Yesodei S'machot* 2:2:1

⁵⁹ Yoreh De'ah 340:14

⁶⁰ Yoreh De'ah 340:14

⁶¹ Yoreh De'ah 340:3

⁶² *Chochmat Adam* 152:2

⁶³ Yoreh De'ah 340:3

⁶⁴ Taz (Yoreh De'ah 340:6)

- A woman may pin the tear or cover it with another garment for the sake of modesty.⁶⁵

Throughout the shiva week, any change of clothing requires additional *kriyah*⁶⁶ except for that which is worn on Shabbat and Yom Tov. Other mourners only need to rend one garment, preferably a shirt, blouse or dress.⁶⁷ Subsequent changes of clothing do not require additional *kriyah*,⁶⁸ but it is proper to wear the torn garments for the entire shiva.⁶⁹

The Blessing over the Death

The Sages exhort us to bless God over bad experiences just as we bless Him over the good. This means that we must happily accept whatever God does to us even if we cannot comprehend His justice.⁷⁰

In this vein, this is a blessing that is recited over the demise of an immediate relative.

Upon the death of a close relative, say:

בְּרוּךְ אַתָּה יְהוָה	Bâruch Atâ Adonoy
אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם,	Eloheinu Melech há'olâm,
דֵּין הָאֱמֶת.	Dayan há'emet.

Blessed are You, Lord our God,
King of the universe, the true Judge.

⁶⁵ Yoreh De'ah 340:11

⁶⁶ *Yesodei S'machot* 2:2:1

⁶⁷ *Yesodei S'machot* 2:3:1

⁶⁸ Rema (Yoreh De'ah 346:14)

⁶⁹ *Yesodei S'machot* 2:3:7

⁷⁰ Talmud - Brachot 60b

Technically, this blessing may be recited as soon as one hears of the death, but traditionally it is said immediately before performing the kriyah [see above].⁷¹ In any case this blessing may only be recited once by each relative.⁷²

The Funeral

The word for funeral is “levaya” – literally “escorting procession.” It is a big mitzvah to attend a funeral service.⁷³ The living solemnly escort the departed to the next world, helping to alleviate the shocking transition for the soul as it is removed from its body and faces the heavenly tribunal. It is a great comfort for the deceased to be escorted by his family, friends, colleagues, neighbors and members of the community.

It is forbidden to delay interment unless it is being done out of respect for the deceased.⁷⁴ For example, a funeral may be delayed somewhat to allow the children of the deceased to travel there.⁷⁵

Funerals are not performed on Shabbat⁷⁶ or Yom Tov.⁷⁷ However, the corpse must be guarded the entire time.⁷⁸

The casket may not be opened to view the deceased.⁷⁹ Such practices are not Jewish.

There is an obligation to eulogize the deceased⁸⁰ unless he had previously willed that there should be no eulogies.⁸¹ A eulogy should

⁷¹ Birkei Yosef (Yoreh De'ah 340:1)

⁷² Wagschal, ch. 4 footnote 11

⁷³ Yoreh De'ah 361:1-3

⁷⁴ Yoreh De'ah 357:1

⁷⁵ Yoreh De'ah 357:1

⁷⁶ Orach Chaim 526:3

⁷⁷ *Shu"t Igros Moshe* (Orach Chaim 3:76)

⁷⁸ Orach Chaim 311:1, 526:3

⁷⁹ Kol Bo 1:3:10

⁸⁰ Yoreh De'ah 344:1-2

⁸¹ Yoreh De'ah 344:10

consist of heart-breaking words that will arouse the tears of the listeners.⁸² It should praise the life and good deeds of the departed, but it should not exaggerate his qualities.⁸³ Eulogies are said at the funeral, and typically, also on the 30th day after the death⁸⁴ and on the *yahrtzeit*.⁸⁵ However, eulogies may never be said (even if it is the day of the funeral) on:

- Shabbat or Yom Tov, or on Friday afternoon or erev Yom Tov⁸⁶
- Chol HaMoed⁸⁷
- Chanukah⁸⁸
- 2 days of Purim⁸⁹
- Rosh Chodesh⁹⁰
- Lag B'Omer⁹¹
- 15th of Shevat⁹²
- 15th of Av⁹³
- entire month of Nissan⁹⁴

At the conclusion of the eulogies, the body is solemnly accompanied to its burial place. It is a mitzvah to escort the departed to whatever degree that one can.⁹⁵

⁸² Yoreh De'ah 344:1

⁸³ Yoreh De'ah 344:1

⁸⁴ Yoreh De'ah 364:20

⁸⁵ Orach Chaim 547:5 and Yoreh De'ah 364:20

⁸⁶ Biur Halacha 547:3. But it is permitted to eulogize a Torah scholar on Friday afternoon or on the afternoon of erev Yom Tov.

⁸⁷ Orach Chaim 547:1

⁸⁸ Orach Chaim 570:1

⁸⁹ Orach Chaim 696:3

⁹⁰ Orach Chaim 420:1

⁹¹ *Gesher HaChaim* 8:9:5

⁹² *ibid.*

⁹³ *ibid.*

⁹⁴ Orach Chaim 429:2

⁹⁵ Yoreh De'ah 361:1-3

The Cemetery

After the primordial sin, God told Adam “In the end, you shall return to the earth for it was from the earth that you were taken. You are dust and to dust you shall return.”⁹⁶



Old Jewish cemetery in Warsaw.

The Torah mandates that a corpse be interred in the earth. In Israel, bodies are buried directly in the ground without a casket.⁹⁷ Outside of Israel, a simple wooden coffin may be used.⁹⁸ Burial in a mausoleum is forbidden.⁹⁹

Cremation of a Jewish corpse is strictly forbidden.¹⁰⁰ Even if the deceased requested cremation, his instructions should not be followed. The soul would suffer great shock due to the unnaturally sudden disengagement from the body.

Immediately after the burial, *tziduk hadin* is recited,¹⁰¹ unless it is nighttime,¹⁰² a minor holiday or the afternoon preceding a holiday or Shabbat. If a minyan is present, a male mourner recites the special Cemetery Kaddish¹⁰³ (see the end of this document).

After interment, a grave may not be re-opened,¹⁰⁴ as this causes metaphysical suffering to the deceased. In exceptional circumstances, a rabbi should be consulted.

⁹⁶ Genesis 2:19

⁹⁷ Yoreh De'ah 362:1

⁹⁸ *Yesodei S'machot* 4:4:1

⁹⁹ *Shu"t Igros Moshe* (Yoreh De'ah 3:143-144)

¹⁰⁰ *Shu"t Igros Moshe* (Yoreh De'ah 3:147, 4:56)

¹⁰¹ *Yesodei S'machot* 5:4:1

¹⁰² Rama - Yoreh De'ah 401:6

¹⁰³ Yoreh De'ah 376:4

¹⁰⁴ Yoreh De'ah 363:7; cf. *Yesodei S'machot* 5:8

The Torah recounts how Abraham exercised great effort and expense to ensure the ideal burial place for his wife.¹⁰⁵ For thousands of years, Jews have attached much significance and reverence to graveyards. Since the burial place of a Jew is considered sacred, within a cemetery, it is forbidden to:

- eat or drink¹⁰⁶
- smoke¹⁰⁷
- walk or lean on a tombstone¹⁰⁸
- step on any graves (unless necessary for the interment)¹⁰⁹
- greet someone within eight feet of a grave¹¹⁰

According to Jewish tradition, the deceased is upset that he no longer has the opportunity to perform mitzvot. Thus, in order not to cause the soul further distress, we curtail our performance of mitzvot in his presence unless it is being done in honor of the departed. Therefore, it is forbidden to:

- have tzitzit exposed within a cemetery¹¹¹
- pray, study Torah or even hold a holy book within close proximity of a grave¹¹²

Due to the spiritual impurity associated with death, anyone who came within eight feet of a grave must wash his hands with a cup (three times on each hand) before entering a private residence.¹¹³

¹⁰⁵ Genesis ch. 23

¹⁰⁶ Yoreh De'ah 368:1

¹⁰⁷ *Yesodei S'machot* 5:2:4

¹⁰⁸ Shach (Yoreh De'ah 364:3)

¹⁰⁹ Taz (Yoreh De'ah 364:1)

¹¹⁰ Rama - Yoreh De'ah 343:2

¹¹¹ Yoreh De'ah 367:4

¹¹² Yoreh De'ah 367:3, 6

¹¹³ Mishnah Berurah 4:42-43

A fundamental principle of Judaism is that we may not pray to anyone other than God.¹¹⁴ Thus when offering a prayer at a gravesite, it is important to remember that we do not pray to the deceased. Rather, it is proper to ask God to allow the departed to protect the living.¹¹⁵

Further Reading

- ***Mourning in Halacha*** by Rabbi Chaim Binyamin Goldberg [ArtScroll]
- ***Halochos of Aveilus*** by Rabbi S. Wagschal [Feldheim]
- ***Mourning and Remembrance*** by Rabbi Aaron Felder [C.I.S. Publishers]

¹¹⁴ Maimonides, 13 Principles of Faith

¹¹⁵ Mishnah Berurah 581:27