

# WELCOMING MOURNERS ON SHABBAT

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## שאלה

In many siddurim, greetings for mourners are found following the hymn לכה דודי in the Kabbalat Shabbat service. If services are not held prior to sunset, is it proper to greet mourners who attend late Friday night services or Shabbat morning worship with the words המקום ינחם אתכם בתוך שאר אבלי ציון וירושלים, “May the Ever-present console you along with others who mourn within Zion and Jerusalem”? Would this, or other statements which recognize mourners and offer public consolation to them, cause public mourning on Shabbat?

## תשובה

It is a fundamental mitzvah to offer consolation to mourners (נחום אבלים) and it is permitted to do so as individuals or as a congregation on the Shabbat.

### *The Mitzvah of Consolation*

In his commentary to the Mishnah, Rabbi Yom Tov Lipmann Heller (Moravia, 1579-1654) cites the Spanish moralist Rabbenu Yonah ben Avraham of Gerona (c. 1200-1263) and indicates that this mitzvah has Biblical authority, since he views acts of חסד to be specifically mandated by the Torah:

תנחמי אבלים מדאורייתא דבכלל גמילות חסדים הוא שהוא מן התורה.

Consoling mourners is a Biblical commandment since it is in the general category of acts of loving-kindness which are considered to be of Torah status (Tosafot Yom Tov to Mishnah Berakhot 3:2).

Rabbi Heller establishes this status in relation to the Talmudic discussion about acts of loving-kindness found in Bava Kamma 100a and Bava Metzia 30b. Both sources refer to Exod. 18:20 as the basis for this commandment:

והזהרתה אתהם את-החקים ואת-התורות והודעת להם את-הדרך ילכו בה  
את-המעשה אשר יעשו.

And enjoin upon them the laws and the teachings and make known to them the way they are to go and the practices they are to follow.

Similarly, Rabbi Israel Lipschutz (Germany, 1782-1860) writes:

תנחמי אבלים ה"ל גמילות חסדים דאורייתא.

Consoling mourners is [an act of] loving-kindness which is of Torah status (Tiferet Yisrael on Mishnah Berakhot 3:2).

However, Maimonides (Spain and Egypt, 1135-1204) classifies this commandment as one of rabbinic status:

מצות עשה של דבריהם לבקר חולים ולנחם אבלים. אף על פי שכל מצות  
אלו מדבריהם, הרי הן בכלל "ואהבת לרעך כמוך."

It is a positive commandment from their words to visit the sick and to console the mourners. Even though all these mitzvot are Rabbinic, they are included in the [Biblical] commandment "You shall love your neighbor as yourself" (M.T. Hilkhot Avel 14:1).

Writing in the Ashkenazi tradition, Rashi (France, 1040-1105) similarly states that, **תקנתא** **הוא** **דרבנן בעלמא** **הוא** **(לא תוויי 70b, s. v. לאתוויי)**. "Consoling mourners is a general rabbinic enactment," (Sanhedrin 70b, s. v. לאתוויי).

Regardless of the juridical classification, it is clear that all authorities regard this as a religious obligation of great importance.

### ***The Period of Consolation***

Maimonides indicates that while the initial act of consoling mourners takes place immediately following the burial, "Afterwards, the mourner returns to his home. Every day within the seven days of mourning people should come to console [the mourner]" (Mishneh Torah, Hilkhot Avel 13:1-2). In a similar manner, Rabbi Menahem Meiri (Provence, 1249-1316) defined the formal time framework for consoling mourners:

תנחומי אבלים והוא מה שהיו נכנסים אצל האבל כל שבועה לנחמו.

Consoling the mourners refers to [people] going in to the mourner throughout the seven days to console him (Moed Katan 24b, ad loc.).

One should make every effort to reach out to the mourner during this period.

### ***The Prohibition Against Public Mourning***

However, it is also well established that there is no public mourning on Shabbat. The Talmud (J. Moed Katan 3.5, 82d) interprets Prov. 10:22:

ברכת ה' היא תעשיר ולא-יוסף עצב עמה.

It is the blessing of the Eternal that enriches, and no sadness/toil can increase it.

“The blessing of the Eternal” is understood to refer to Shabbat, which was blessed by God, while the “sadness” – which is linked to the mourning of King David – is not “increased” on Shabbat. Maimonides codifies this:

אין אבילות בשבת אלא בדברים שבצנעה.... אבל דברים שבגלוי אינו נוהג בהן אבילות.

There is no mourning on Shabbat except for those things which are in private. . . .But public acts of mourning are not followed (M.T. *Hilkhot Avel* 10:1).

Mourners change their clothing, sit in their usual way and attend synagogue, but still maintain private mourning practices, such as restrictions on bathing, shaving and sexual relations. Consequently, many have questioned whether it is proper to formally console mourners on the Sabbath, since that is an acknowledgement of their grief which might be linked to a public form of mourning.

Moreover, Rabbi H. Rabinowicz of England (*A Guide to Life* [New York: Ktav, 1964], p. 68, citing *Moed Katan* 15a and *Yoreh De'ah* 385.1), notes that during the first three days of shivah, the mourner neither greets nor responds to greetings. This custom is linked to the words *לא-תעשה אבל דם מתים* אבלי לא-תעשה, “Moan softly; observe no mourning for the dead” (*Ezek.* 24:17). One might therefore imagine that formally welcoming mourners at any point during this period would appear to be a form of prohibited greetings. All this would seem to prohibit the offering of consolation on Shabbat if it fell during the first three days of grief.

### ***Greeting Mourners on Shabbat is Allowed***

In the Talmud (*J. Moed Katan* 3.5, 82d) and in the aggadic midrash *Yalqut Shim'oni* (*Beresheet* 15, s.v. *ויכעלו*) the case of Rabbi Oshaya the Elder is recounted. He greeted someone on Shabbat with *שלום עליכם* in accordance with his practice, saying, “I do not know the custom of your place, but *שלום עליכם* in accordance with the custom in my place.” From this we see that it is permissible to greet mourners on Shabbat.

If so, what types of greeting are appropriate? Rabbi Yosef ben Moshe (Bavaria, 1423-1490) composed *Leket Yosher*, which contains halakhic vignettes about and rulings by his teacher, Rabbi Israel Isserlein, (Germany, 1390-1460), the author of *Terumat ha-Deshen*. Rabbi Yosef indicates that the restriction on greeting the mourner refers only to the words *שלום עליכם*, but not to “Good Shabbat,” since such a greeting does not use the word *שלום* which is a true word of consolation (*sec. 1, Orah Hayyim*, p. 110, no. 3). Despite the case of Rabbi Oshaya in the Talmud, Rabbi Yosef restricts greetings with the words *שלום עליכם* and not to more common greetings or salutations. If so, as long as one avoids certain terminology, greeting mourners on Shabbat would be permissible. Moreover, since public forms of mourning are not in effect, one may speak directly to the mourner even during the first three days of *אבילות*.

However, this linguistic restriction cannot ultimately be sustained. First of all, much depends, as Rav Hai Gaon observed, on the custom of the land (cited by Bet Yosef to *Tur Yoreh De'ah* 393). Additionally, Maimonides (*Mishneh Torah, Hilkhot Avel* 10:1) and Rabbi Yosef Karo (*Bet Yosef, Tur Yoreh De'ah* 400, s.v. *ומה שכתב*) specifically use the word *שלום* when they rule that on Shabbat a mourner may offer greetings to all, *לכל אחד נותן שלום*. Since such

actions are visible and public mourning is prohibited on Shabbat, it is permissible to greet the mourner and for the mourner to respond to and initiate greetings.

### ***Consoling Mourners on Shabbat***

What about extending condolences? The Talmud tells us of a debate between Bet Shammai and Bet Hillel regarding consoling mourners on Shabbat. Bet Hillel permitted and Bet Shammai prohibited such activity. Ultimately,

ואמר רבי חנינא בקושי התירו... לנחם אבלים בשבת.

Rabbi Hannina stated that reluctantly they permitted consolation on Shabbat (Shabbat 12b).

Rashi offers the rationale for the reluctance: consolation would cause pain, thus minimizing the joy of Shabbat. Rabbi Alfasi indicates that the reason is that the visitor may join in the cries of pain.

In a responsum dedicated to the question of whether it is permitted to console mourners during Hol Hamoed, Rabbi Tzemach Duran (Algeria, fifteenth century) discussed offering consolation on Shabbat. He cites Rabbi Hai Gaon who differentiated between formal condolences, which would be prohibited, and merely sitting with the mourner to lessen his or her burden. Rabbi Duran indicates that the only concern is the prohibition against speaking about weekday matters on Shabbat:

ודבר דבר: שלא יהיה דבורך של שבת כדבור של חול.

“Restrain yourself from speaking words”: Your speech on Shabbat should not be similar to your speech during the week (*Yachin U-Voaz* 1:117).

Rabbi Duran subsequently indicates that, if local custom would be disturbed by authorizing the consoling of mourners on Shabbat, the rabbi addressing the query may maintain the prohibition. However, basing himself on Maimonides, Rabbi Duran indicates that this restriction is not necessary:

הדבר ברור שמותר לנחם אבלים בשבת... ואין חוששין שמא יצטער או שמא יצעוק.

The matter is clear: it is permissible to console mourners on Shabbat. . .and we do not worry that perhaps one will be caused pain or cry out.

In a similar fashion, while recognizing that when visiting mourners it was customary to sit on the ground with them, Rabbi Yosef Karo does not limit this behavior on Shabbat:

משום שרוב עם לא סגי להו בלאו הכי.

Most people would not feel that they had [provided] sufficient [consolation] without this [sitting on the ground with the mourner] (Bet Yosef Yoreh De'ah 393).

It should be noted that although ordinarily offering consolation is mandatory, Rabbi Karo carefully moderates his language when he writes that such consolation is allowed:

יכולים לנחם אבלים בשבת... ולא יאמר לו כדרך שאומר לו בחול.

One may console mourners on Shabbat. . .but one should not do so in the same way that consolation is offered during the week (S.A. Orah Hayyim 287:1).

This hesitancy is noted by Rabbi Israel Kagan who contends that it is permitted, but not necessarily appropriate, to console those in grief on Shabbat (Mishnah Berurah 287:1.1). A trend is beginning to appear. Public mourning is prohibited, but greetings are permitted and consolation may be offered. Some linguistic limitations are in order so as to preserve the differences between Shabbat and the week. Personal visits are in order.

### ***Mourning and Consoling are Two Distinct Mitzvot***

This emerging position is consolidated by Rabbi Yichya ben Joseph Tzalach (Maharitz) of Sana who was recognized as a halakhic authority throughout Yemen. In his commentary on S.A. Orah Hayyim (Shoshanat HaMelech, 1:52), he contrasts the position of Rabbi Karo that consolation is permissible with the opinion of Rambam that there is no אבלות on Shabbat and, consequently, no consolation. He artfully differentiates between mourning (which is prohibited) and consoling (which is permitted). These constitute two distinct actions of individuals with different obligations. The mourner must not show public signs of grief. Members of the community have an obligation to console. Many years later, Rabbi Maurice Lamm stated: "Visitors do not customarily pay condolence calls on the Sabbath or holidays as these are days when one should not mourn publicly. However, the mourner may receive company and condolences on these days" (*Jewish Way in Death and Mourning*, p. 139).

Rabbi Yehiel Michal Epstein (Arukh Hashulhan Yoreh De'ah 393:10) reviews the matter and notes that the Rosh and the Tur already reiterated the position of Rav Hai Gaon that many mourning customs depend on the local patterns (הכל כמנהג המדינה). For example, in some communities mourners remain at home during shivah; in others they go to synagogue for prayers during the week. In Ashkenaz, the custom became for the mourner to go to synagogue on Shabbat and after prayers to be the first to exit the service. The mourner would then sit in front of the synagogue so that the entire congregation could go to sit with him before he would return home. In some cases, the community would then accompany the mourner home and sit with that person for an hour. Rabbi Epstein cites Rabbi Moshe Isserles (Rema) that now we no longer offer consolation in the same way, although there were some congregations in his day where the *shamash* would announce before Kabbalat Shabbat that the community should go to the mourner. Rabbi Epstein is correct when he states once again: "It is evident that all these matters depend on local custom" (393.12).

### ***Taking Public Notice of Mourners***

According to Rabbi Yehiel Michel Tuktsinsky (Geshet HaHayyim, 20:5.2), it is permissible to offer condolences on Shabbat and Yom Tov (based on Moed Katan 20a and Tur Orah Hayyim 385.2). He points out that Sephardim even visit homes on Shabbat, in a way similar to the pattern in Ashkenaz described by Rabbi Epstein. Citing Sofrim (ch. 19, end) and Pirkei d'Rabbi Eliezer (ch. 17), Rabbi Tuktsinsky notes that since גמילות חסד is so important, there were distinct entrances to the Temple in Jerusalem for mourners and the newly married to use on Shabbat. People would gather there between the gates and say to those in mourning, "May the One who dwells in this House comfort you."

Following the destruction of the Temple, it became customary for mourners and wedding celebrants to go to the synagogue. As a consequence, the custom gradually developed to include in the words of consolation a reference to Zion. Still later, it became an Ashkenazic pattern to console mourners during Kabbalat Shabbat, following *לכה דודי* and before the Shabbat psalm. This also served to indicate the cessation of public mourning on Shabbat (Geshet HaHayyim, 20:5.2-3, p. 209). While Rabbi Tuktsinsky places this Temple custom prior to Shabbat, it is actually clear in Pirkei d'Rabbi Eliezer that these greetings took place on the Shabbat (*היו הולכים בשבתות*).

### *Acknowledgement is Not Consolation*

Rabbi Moshe Feinstein (*Iggrot Moshe*, Orah Hayyim 5:20) differentiates between public acknowledgement of mourners and actual consolation. When asked whether it is permissible to offer *תנחומים* on Shabbat, Rabbi Feinstein indicates that the articulation of the words *ינחם המקום* at the conclusion of *לכה דודי* does not constitute *תנחומים*, since the mitzvah of comforting the mourner is to quiet the soul of the person in grief and this can be done only when one sits and converses with the mourner. Public acknowledgement of the mourners does not relieve members of the congregation of their particular and personal obligations to visit the mourner and relieve his or her soul by quiet conversation about the deceased.

Rabbi Feinstein defines a noticeable shift from the initial stages of the rabbinic tradition when a formulaic articulation was considered to be the act of consolation. Now, the formulaic pronouncement is seen as a way of drawing public recognition to those in mourning so that individuals in the community may fulfill their personal obligations to offer consolation. Although Rabbi Feinstein assumes that *לכה דודי* is chanted prior to the onset of Shabbat, the basic principle would be maintained even in the context of a late Friday night service. We already have seen that some communities had the custom to escort mourners home following evening services on Shabbat and to remain with them for a while. We may extend condolences during Shabbat morning services, for this is comparable to those medieval authorities who permitted personal visitation on Shabbat to offer consolation.

It would seem clear that such communal recognition was not considered to be in violation of the prohibition against public mourning on Shabbat. Moreover, the obligation to offer condolences and to support the mourner remains in effect at all times, even though the mourner may not engage in those public acts which are characteristic of the week of shivah.

### *Awareness Creates the Opportunity for חסד*

In modern congregations, as in some pre-modern communities, many people are not in daily contact with one another. They see each other in synagogue on a weekly basis. A public announcement that an individual is in mourning creates an awareness of a personal loss. This enables other members of the community to seek out the mourner to listen to his or her grief and to offer personal condolence and support. Even the classical formula *ינחם המקום* need not be considered public consolation on Shabbat, but simply regarded as a statement that a person is in the week-long period mourning. Certainly, other forms of condolences would be permitted.

In our congregational context, such announcements may be made when mourners enter the synagogue following *לכה דודי*, or at other times during the service, such as if they stand for public acknowledgement before Mourner's Kaddish.

Although such an announcement may cause some pain or weeping, those reactions need not restrict the practice of calling attention to the mourners. Moreover, the avoidance of acknowledgement may be seen as violating the principle of respect for the survivors (יקרא דחיי), just as drawing public attention to the loss may actually be seen as a way of honoring the deceased (יקרא דשכיבא). A simple statement may thus bring a measure of comfort to those in mourning. Such formulaic announcements may be made on Shabbat, since they do not require those in mourning to adopt any of the public practices of shivah. It is already evident that such announcements take place in our congregations and the legitimacy of local custom is particularly *apropos* here.

### **Conclusion**

Accordingly, we have decided that since the community is obligated to offer comfort to mourners even on Shabbat, it is permissible for individuals to greet and welcome mourners during late Friday night services and during Shabbat morning services. As well, it is permissible for individuals and the congregation as a whole to extend condolences to mourners. The language of greeting may include the phrases **המקום ינחם** or “We extend to you the cup of consolation” since these are formulaic in nature. Such greetings and condolences are not to be considered in violation of the sanctity of Shabbat nor should they be thought to be sufficient to offer true personal consolation. This public acknowledgement of the mourners (as well as information about the location of shivah and the times of **מנינים**) should be seen as serving the purpose of drawing congregational attention to those in grief and encouraging others to fulfill their individual obligations to pay personal visits to the mourners during the shivah period. Such personal visits may take place on Shabbat, but are more properly carried out during the week days.