

The Importance of *Kaddish*

By Rabbi Dovid Markel

I recently have become aware of individuals who decry the recitation of mourner's *Kaddish* based on a statement made by Avraham bar Hiyya HaNassi.¹

In his philosophical work, *Sefer Higayon HaNefesh*, Bar Hiyya wrote the following:²

"So anyone who believes that after his death he can be benefited by the actions—in his merit—of his sons and his people and their prayers for him, is harboring false ideas. It is a false hope in the eyes of all scholars and men of knowledge... For, we do not find any citation in the Torah from which we can derive that any action of the living in this world can benefit the dead."

Around the internet one can find people who scurrilously deprecate the strong Jewish tradition of reciting *Kaddish*, based on this statement of Bar Hiyya, a medieval Jewish mathematician, astronomer and philosopher. In a desire to present their views as authentically Jewish, they have dredged up the one solitary opinion that seems to voice this opinion, in the vast ocean of Jewish literature.

To me, the dishonesty of this approach is astounding. Over thousands of years of active Judaic scholarship, Judaism has created such a broad corpus of literature that it is possible to find almost any opinion under the sun—if one seeks it.

Refraining to recite *Kaddish* based on this quote, ignores the context that this opinion has been universally ignored throughout history and that Bar Hiyya was never regarded to be an Halachic authority, even in his own time. This exhibits to worst kind of deception.

The so-called "researcher" who develops such theories is akin to a person who shoots an arrow and then draws a target around it. In the same manner, these writers and bloggers begin with their personal bias and then surround it with feeble and scanty research, while ignoring the mountain of contrary evidence.

In referencing the above quote, they overlook four important points:

- A) Notwithstanding Bar Hiyya's statement, the recitation of *Kaddish* is universally accepted within all sectors of Judaism and always has been. This fact, in and of itself, should be ample proof to its veracity for any honest researcher of Jewish customs and laws.
- B) Bar Hiyya was never a Halachic authority, nor did he represent himself as such. Of the many books he authored, all except the philosophical work quoted above, were on the subject of

¹ See for example Leon Wieseltier, *Kaddish*, Pan Macmillan, (2011) Pg. 157

² *Sefer HiGayon HaNefesh, Ha-Amud HaRevi-I*, Pg. 32 (Jerusalem, 1967).

mathematics and astronomy, rather than Jewish practice. His opinion on this subject is therefore of little value.

- C) Contrary to Bar Hiyya's statement, there are indeed adequate sources indicating that the actions of the living do in fact affect the dead.
- D) While indeed sources in Jewish literature state that the recitation of *Kaddish* benefits the dead, nonetheless, this is not its only purpose.

To clarify the error of the above opinion, we now will expand on these four points:

Normative practice

Concerning the importance of normative practice there is a story that the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson, would often tell, that expresses an important point in our discussion.

Once, in a Russian open-market, a Jew happened to come upon a peasant extolling his wares. He noticed that the peasant was selling a pair of Tefillin. They obviously did not belong to the peasant and were probably stolen goods.

The Jew asked the peasant how he had come across such an item, to which he responded: "Sam Saposhnik"—"I am a shoe maker. I sewed them myself."

The Rebbe told this story to express the idea that oftentimes, people rely on their own speculation and intelligence, when in truth they don't have a clue of what they're talking about.

It is important to take this into consideration when examining Jewish custom. If we pick and choose our Jewish practice basing ourselves only on our personal preferences and inclinations, we are very likely to come up with a warped version of Judaism that, at best, mimics the real thing.

Rather than relying solely our own intelligence, we should heed the advice of Solomon, the wisest of all men, who said, (Mishlei, 3:4) "Do not rely upon your own understanding." On this verse, Rashi, the foremost Torah commentator, explains that it means, "Seek a teacher for yourself from whom to learn, rather than just relying on your own understanding."

Indeed, when encountering a person who constantly espouses his own thoughts and seldom quotes others, one should be very wary of his words—because a person who ignores the scholarship that preceded him, surely has a myriad of mistakes and flaws in his reasoning. It is because of this that the Mishnah states, (Avot 1:16) "Make a master for yourself and thus distance yourself from doubt."

The way to ensure clarity of thought and proper conduct is to hearken to the voice of Jewish tradition, rather than inventing one's own path.

Concerning Jewish practice one is reminded of the idiom (Talmud, Pesachim 66a): "Leave it to Israel; if they are not prophets, they are the children of prophets!" The context of this statement

is that if one is unsure about proper Jewish practice, one should investigate what is generally practiced by the people, for this is a primary indicator of proper action.

The Talmud there recounts the following episode that occurred with Hillel concerning the question of carrying a slaughtering knife for the Pascal offering when Passover falls on Shabbos:

“They said to him, ‘Master, what if a man forgot and did not bring a knife on the eve of Shabbos?’ ‘I have heard this law,’ he answered, ‘but have forgotten it. But leave it to Israel: if they are not prophets, they are the children of prophets!’ The next morning, he whose Pascal offering was a lamb, stuck [the knife] in its wool; he whose Pascal offering was a goat, fixed it between its horns. He saw this and recollected the Halachah and said, ‘Thus have I received the tradition from the mouths of Shemayah and Avtalyon.’”

If one sees that Jewish people act in a certain way universally, he can be assured that they are acting in the proper fashion—indeed, the Talmud intimates that Israel acts correctly on account of prophecy.³

Indeed, the Jerusalem Talmud suggests:⁴ “Any law that is weak in the courts and one is unsure what is correct, he should go out and see how the community acts, and act accordingly.” Additionally, concerning a gamut of laws, the Talmud uses the idiom,⁵ “Go out and see what the people do.”

In regard to why the practice of the public has so much bearing, two reasons are suggested;

A) “Because of G-d’s love for his nation Israel, he removes them from folly, so that the entire world does not follow the opinion of a lone individual if his reasoning is faulty.”⁶

B) “This is a result of *Ru’ach Hakodesh* (The Holy Spirit)...as if it were prophetic. For through actions done for the sake of heaven, HaShem causes *Ruach HaKodesh* (The Holy Spirit) to shine upon the Community of Israel to direct them in the proper course of action. This is indicated in the words (Pesachim 66a) ‘If they are not prophets, they are the sons of prophets.’”⁷

Thus, paradoxically, the litmus test of whether a custom is correct and should be followed or not, is specifically whether the Community of Israel indeed follows it. While from a rationalistic perspective this may seem not to make sense, it nonetheless is in line with Talmudic reasoning which suggests that G-d is directly involved in the actions of the Community of Israel as a whole and would not permit an erroneous custom to gain widespread practice.⁸

³ For the discussion of this rule, see אברהם טננבוים, על חכמת הציבור וקביעת ההלכה, המרכז להוראת המשפט העברי ולימודו, פרשת בא, תשס"ט, גיליון מס' 338

⁴ Peah 7:5, Ma'asar Sheini 5:2, Yevamot 7:3

⁵ For example, Berachos 45a, Eiruvim 14b, Menachot 35b

⁶ Halachot Ketanot, Vol. 1 Sec. 9

⁷ Yad Eliyahu, Chelek HaPoskim Sec. 25

⁸ This is in addition to the important Halachik clause of Shemot (23:2) that one should follow the rule of the majority. This rule is even when the law seems to be clearly mistaken, see Talmud, Bava Metzia 59b and is meant to ensure the homogeneity of Jewish Law, see Chinuch Mitzvah 496.

This being the case, the greatest proof that the recitation of Mourner's *Kaddish* is valid Jewish practice is the simple fact that it is an age old universal Jewish practice that cuts across all nationalities, traditions and denominations.

Avraham bar Hiyya

The opinion that suggests that the actions of the living have no effect on the dead is that of the Jewish Catalanian thinker, Avraham bar Hiyya HaNassi (ca. 1070 – ca. 1136). Bar Hiyya was a mathematician, astronomer, astrologist and philosopher, but not a Talmudist.⁹

Of the many books he wrote, all except his one philosophical work, *Sefer Higayon HaNefesh*, are on subjects, such as mathematics and astronomy, but none deal with Jewish law and practice in a direct way.¹⁰

An example that demonstrates that even in his own time he was not regarded as an authority on Jewish practice, is when he tried to postpone a wedding due to astrological considerations.

⁹ See at length Dovid, Markel, *Avraham Bar Hiyya's Defense of Astrology*, Neirut Foundation of Jewish Thought (2015) pp. 1-28. The only *regular* Talmudic discussion that he has is his defense of astrology. However, that too seems polemical to an extant rather than analytical.

¹⁰ He did however affect the laws of calendar making out wrote extensively about how to correctly create a Jewish calendar in his work *Sefer Halbbur*. This however displays as well an expertise in astronomy rather than Halacha. Maimonides, *Laws of Kiddush HaChodesh* 9:1 and 10:1-7 brings an argument of the sages concerning the length of a year. While "some Sages maintain that it is 365 days and 1/4 of a day, others maintain that it is slightly less than that figure." They say that a year is (10:1) "365 days, 5 hours, 997 units, and 48 moments." Indeed, when stating which is more accurate Maimonides states that the second one is, saying (10:6): "It appears to me that [the Sages] relied on this calculation [of the length] of the seasons regarding the institution of a leap year, in the era when the High Court held sessions and would institute a leap year because of the time [when the equinox was scheduled to occur] or for other reasons. For this calculation is more accurate than the former one. It shares a greater resemblance to the data explained by the astronomers than the first opinion, which considered a solar year to be 365 and 1/4 days." However, while the first opinion is Shmuel's—as found in the Talmud, *Eruvin* 56a, the other opinion is not found there at all. Indeed, this opinion is not extant in any Talmudic dialogue at all. Instead, it is found in *Sefer Halbur* of Avraham Bar Hiyya, *Ma-amar 3, Sha-ar 4*. (London) 1851, Pg. 101: "The length of a solar year according to R. Ada b. Ahava when one understands his reasoning—like we saw explicitly in the *Beraita* with his name is 365 days, 5 hours, 997 units and 48 moments." There too, he has an extensive elucidation of the calculation—similar to Maimonides—eventually saying (Shar 5) saying that this is the one the sages relied on: "The calculation of R. Ada b. Ahava is accurate." He postulates that the sages hid the more accurate calculation of R. Ada and instead said the less accurate calculation of Shmuel because the nations at the time were less accurate about their calculations so they therefore hid the calculation passed down for Sinai. It is for this reason, says Bar Hiyya that the Talmud, *Kesubos* 112b refers to the calculation of the years as "the secret of *ibbur*," because they hid the true calculation of R. Ada b. Ahava. Being that the "Beraita of R. Ada" is not extant it is probable to assume that Maimonides first learned of it from the work of Bar Hiyya. Although possible that Maimonides too had access to it, from the similar conversation it seems that he was affected by Bar Hiyya's work which as expressed above Maimonides highly praised. So while perhaps Bar Hiyya was not a halachik authority in the regular sense, his expertise in astronomy definitely influenced the laws of creating the Jewish calendar.

He records this episode in his own words:

“There was a certain student who was greatly beloved by me and precious in my eyes, who was going to the chupah (marriage canopy) on Friday. I agreed that he should be brought to the chupah in the third hour of the day—when the congregation leaves the synagogue...this was proper according to the movement of the stars. However, the matter was postponed due to a chance burial in the city. The attendees of the wedding, who were the heads of the congregation and its leaders, decided to give preference to the burial of the dead. The congregation returned at the end of the fifth hour and the beginning of the sixth... This was not proper in my eyes due to the movement of the stars ...¹¹ When I saw this, I told him: “Since it has already been postponed until the sixth hour, wait until this hour passes and the seventh hour comes, which is separate and is ruled by the sun and it is proper to begin any matter within it...” The man listened to my advice and was convinced by my words and he and his acquaintances decided to wait. However, there was someone there who found this matter problematic and said, “This waiting is equivalent to ‘asking the Chaldeans,’ and our Rabbis stated, ‘one may not ask the Chaldeans.’ Someone who does this act transgresses the words of the Rabbis...”¹² He repeated these words a second and third time until, against his will, the groom went to the chupah at the sixth hour.”

Not only was this “Halachic” ruling of Bar Hiyya clearly ignored and derided, but as he continues to describe, because of this episode he was denigrated by his townsfolk. He writes: “Because this matter came through me, it was, in my eyes, as if all those that heard about it considered me to be a transgressor and sinner.”

We see from this incident, expressed in his own words, that while Bar Hiyya may have been an expert in mathematics, astronomy and philosophy, he was not respected as a Halachic authority, even in his days. This being the case, if his halachic rulings were disregarded then, it certainly is foolish to dredge them up now and take them into serious halachik consideration.

Additional evidence of Bar Hiyya’s lack of status as a Talmudist can be seen in the words of Ravad (*HaShlishi*) in his work *Kasuv HaShem*. He writes there:¹³

“After these words, and after this whole commentary, and the scent that he smelled from the Kuzari and R. Avraham bar Hiyya the Spaniard...he surrounds himself with adornment

¹¹ Interestingly, there are *halachik* ramifications of beginning matters during the sixth hour of Friday which is ruled by mars. Rabbi Avraham Gombiner in his famous work *Magen Avraham* to Shulchan Aruch, *Orach Chaim* 271:1) sites the opinion of *Tikunei Shabbos* that one should not recite the Kiddush on the eve of Shabbos between the sixth and seventh hour as that is the time when mars rules. Indeed, this is a widespread custom until today in many communities. See as well צ. לנגרמן, *לכוון את השעה, פעמים, סתיו* (תשס"א) עמ' 76-88.

¹² Talmud, Pesachim 113b. Interestingly, though the Rabbi’s derived this prohibition from a verse, he refers to the prohibition as rabbinic as opposed to biblical.

¹³ Pg. 37, *Rosh HaShana* 20b, Jerusalem (1979)

that is not his. We should not learn from the words of individuals that were not Talmudists—for they bend the Halacha to fit their word—when it is not so.”

Ravad’s argument against citing the words of Bar Hiyya in matters of Halacha, is that though he was a great astronomer, astrologer and mathematician, Ravad does not consider him to be a Talmudist.

It is therefore exceedingly ironic to employ the words of Bar Hiyya in order to bring the custom of *Kaddish* into question—though *Kaddish* is clearly accepted as valid Jewish practice by *all* Talmudists and Halachic authorities and is universally practiced by all.

Benefit for the dead

What is particularly curious about Bar Hiyya’s statement is his expression that “We do not find in the Torah any citation from which we can derive that any action of the living in this world can benefit the dead.”

This is rather curious as there are various Talmudic sources that intimate the very opposite. While it may be assumed that Bar Hiyya had an alternate manner of explaining these sources, we cannot take his words at face value in the face of various sources that express the opposite.

Being that indeed there are numerous sources that express that the living can affect the dead, it is quiet understandable that the overwhelming majority of halachic authorities indeed sanctioned the recitation of *Kaddish*.

When Avshalom, King David’s son, was killed, the Talmud (Sota 10b) recounts the following:

“[The verse (II Shmuel 18:33) states:] And the king was much moved, and went up to the chamber over the gate, and wept; and as he went, thus he said: O my son Avshalom, my son, my son Avshalom! [Additionally, *ibid* (19:4) states:] Would God I had died for thee, O Avshalom, my son, my son. And the king covered his face, and the king cried with a loud voice, O my son Avshalom, O Avshalom my son, my son.

Why is ‘my son’ repeated eight times? Seven to raise him from the seven divisions of Gehinnom (hell); and as for the last, some say to unite his [severed] head to his body and others say to bring him into the World to Come.”

Clearly, the Talmud is expressing the view that a living person can indeed correct much of the heavenly decree that has been issued upon the dead.

In addition to the various sources that express that, “A son confers merit on his father,¹⁴” the clearest source for the recitation of the *Kaddish* is expressed in the following story found in multiple sources.¹⁵

There, the following story is recounted:

“Rabbi Akiva went out to a certain place. He saw a man that was carrying a load on his shoulders; the man had difficulty with the load and was moaning and groaning.

Rabbi Akiva said to him: ‘what is your story?’

The man responded: ‘There is no sin that I did not commit in that world, and now there are guards who do not allow me to rest.’ Rabbi Akiva asked him: ‘Do you have a son?’ The man responded...: ‘I left a pregnant wife.’”

Rabbi Akiva went to the town (where the man was from) and asked: ‘where is the son of so and so?’”

They said to him: ‘May his name be uprooted. This bandit stole from people and tortured people. Not only that, but he raped a betrothed girl on Yom Kippur...’

Rabbi Akiva took the child, had him circumcised and when he was older, brought him to the synagogue to recite blessings with the minyan.¹⁶

Soon after, Rabbi Akiva again went to that place. When he saw the man, the man told him: ‘May you have peace, for you have brought peace upon me.’”

From this story we clearly see that the prayers of the child can indeed bring merit to the father, absolving him of punishment in the world to come.

Clearly then, contrary to what Bar Hiyya asserts that, “we do not find in the Torah any citation from which we can derive that any action of the living in this world can benefit the dead,” in actuality we find numerous citations to this effect.

¹⁴ Talmud, Sanhedrin 104a. See as well Jerusalem Talmud, Sanherdin 11:5 concerning various prayers of the living for the dead.

¹⁵ Kalla Rabati Ch. 2, Tanna D’bei Eliyahu Ch. 17. While the story is expressed in greater detail in Tanna D’Bei Eliyahu, we provide here, for simplicity sake the condensed version as found in Kalla Rabati. See Ohr Zarua, Shabbat Sec. 50, the earliest source for the recitation of *kaddish*, who uses this story as the reasoning behind the *kaddish*.

¹⁶ The actual words there are *levaruchei betzibur*. Though some have understood that this is an expression of the *Barchu* prayer, others—including Zohar and Ohr Zaruah—understand that it is the statement in *kaddish* of “*Yehei shmei rabba mevorach le’olamm*” which is also an expression of blessing and is the central section of the *kaddish*.

What we derive from the above is that benefit can be affected upon the soul of the parent through the son's recitation of *Kaddish*.¹⁷

However, even if Bar Hiyya's words were correct, this would not imply that one should not recite *Kaddish*. Indeed, Bar Hiyya's words were not said in context to *Kaddish*. This is because the purpose of *Kaddish* is not only for the benefit the deceased. It also serves an important function for the living.

Accepting G-d's judgement

While, as expressed above, the recitation of *Kaddish* can bring benefit to the soul of the deceased, the commentators explain that this is not the main reason for *Kaddish*.

In the work *Derech Chaim*¹⁸ the author postulates that the primary reason for the recitation of the *Kaddish* is based on a Tamudic statement regarding an individual that is executed in court.

The Talmud (Sanhedrin 46a) states:

“And they did not bury him in his ancestral tomb, but two burial places were prepared by the Beth Din, one for those who were decapitated or strangled, and the other for those who were stoned or burned.

When the flesh was completely decomposed, the bones were gathered and buried in their proper place. The relatives then came and greeted the judges and witnesses, as if to say, we have no [ill feelings] against you in our hearts, for you gave a true judgment.”

He goes on to explain in relation to the *Kaddish*:

“It seems that the main reason for it is because (as is expressed in Talmud, Shabbos 55a) “There is no death without sin.” Indeed most people die on account of desecrating G-d's name which cannot be completely absolved until one dies.¹⁹... Therefore, the son of this sinner stands before the altar and states ‘May His great name be sanctified and glorified,’ meaning to say that he is comforted concerning his father's death, because as a result of it, the name of G-d is glorified. Immediately, the father is forgiven for desecrating G-d's name. This is similar to those that were executed in court, when the family members came and admitted that, “You gave a true judgment and we have no ill will against you.”

Two important points are brought out here;

¹⁷ See Rama, Yoram Deah 306:4, Arizal, *Sha'ar HaKavanot, Derush HaKaddish* 15b who explains that *kaddish* it is not only beneficial in removing the dead from purgatory, but it improves his state in *gan eden* as well. It is for this reason, explains the Arizal that one recites the *kaddish* during the Shabbat although the dead do not suffer in hell during the Shabbat.

¹⁸ Sec. 2 Ch. 8, Amsterdam, 1713

¹⁹ Talmud, Yuma Ch. 8

A) The purpose of *Kaddish* is to express an acceptance G-d's judgment and is not only an act to help the parent but is rather the *child's* expression of accepting G-d.²⁰

B) The absolution resulting through *kaddish* is not senseless, but is rather the direct result of reversing the sin. What caused the father's death was the desecration of G-d's name. Since his death effects the sanctification of G-d's name, the acknowledgement of this through his son's recitation of *Kaddish* absolves the father of the sin.

What we understand from this is that *Kaddish* is not only about helping the dead, but it is also about the living accepting the judgement of G-d. Indeed, this thought is echoed in a statement made by the fifth Chabad-Lubavitcher Rebbe, Rabbi Sholom Dovber, when he said,²¹ "There are some *Kaddishes* that are for the benefit of the deceased and some that are for the benefit of the reciter."

In conclusion

The institution of reciting Mourner's *Kaddish* is an age old Jewish custom practiced by all segments of Jewish society. As such, we cannot scoff at it, for surely there is good reason and intent for it. This is because though the Jewish people are not prophets, they most certainly are the sons of prophets. HaShem would not create a situation in which all Jews would err by practicing an incorrect practice.

Though Bar Hiyya seems to have been under the impression that the living cannot benefit the dead, there nonetheless is ample evidence that according to many sources, this is not the case, and that the prayers of the living do indeed benefit the souls of those who have passed.

Additionally, *Kaddish* serves another important purpose. It expresses the acknowledgement, by the living that G-d's judgment is true and His actions are just.

Kaddish then, is of tremendous benefit for both the living and the dead and it is a tremendous merit to recite it.

²⁰ See as well Chok Yaakov 429:7 that expresses: "One does not at all recite *Kaddish* on those days when *Tziduk Hadin* is not recited." From the correlation of the two it is understood that just as *tziduk hadin* is the acceptance of G-d's judgement, so too, the primary concept of *kaddish* is accepting G-d's judgement. It is for this very reason that in *kaddish* there is no mention of the dead, but it is rather an expression of the greatness of G-d.

²¹ Likutei Dibburim Pg. 80