Dedicated in Loving Memory of
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By Tunie Missry and family

Preface *Kaddish Yatom* – the Mourner's Kaddish

Day 1

From Gehinnom to Gan Eden

Our Sages taught us that by reciting the kaddish, a person can relieve his parents from suffering in Gehinnom. The *Or Zaruwa* (Vol. II, #50) cites a Midrash relating that Ribbi Akiva once saw a man running as fast as a racehorse. He was as black as coal and naked, carrying a heavy load of thorny twigs on his head. Ribbi Akiva ordered him to stop and asked him why he was doing such terribly difficult work. Ribbi Akiva said, "Perhaps you are enslaved by a cruel master. If so, I will buy your freedom. If you need to work like this because of your poverty, I will support you personally."

The man shook his head, replying, "Please, let me go on my way so that my overseers will not get angry."

"But, what kind of work is this?"

"You see, I am not among the living. Every day, I am sent out to cut firewood, and then they incinerate me in the fire."

"My son, what was your occupation during your lifetime?"

"I was a tax collector, and I used to gain favor with rich people while I taxed the poor to death. Besides that, I sinned in many ways during my life."

"Have your overseers revealed to you a way for you to be redeemed?"

"Please, let me go on my way so that my overseers will not get angry. There is no way that I can be redeemed. The only possibility is for a child of mine to lead the congregation in prayer and say *Barekhu et Hashem hamevorakh* so that they will respond *Barukh Hashem hamevorakh le'olam va'ed*, or if the child will recite kaddish so that the congregation responds *Amen Yehe Shemeh rabba mevarakh*. If this would happen, I would be released immediately from this misery. But I died without any children, except that my wife was expecting a child at that time. Even if the child is a boy, there is no one who would bother to teach him Torah and bring him to the synagogue."

Ribbi Akiva decided at that moment that he would not rest until he found this man's child and taught him Torah. He asked the man, ''What is your name?''

''My name is Akiva.''

''And your wife's name?''

''Shushniba.''

''And your city?''

''Ludkia.''

Ribbi Akiva was distraught over this man's plight, and he immediately set out for Ludkia. When he asked the residents about the late Akiva, they cursed the man vehemently. When he asked about the man's wife, they cursed her as well, wishing her to be wiped off the face of the earth. When he asked about the child, they said, ''He has not even been circumcised.''

Ribbi Akiva found the child and persuaded him to be circumcised. He began teaching the boy Torah, but he was severely learning disabled and did not absorb a word. Ribbi Akiva fasted for forty days until he received permission from Heaven to teach the boy Torah. He taught the boy to recite the *Shema* and the *Amida*, and to say *Birkat Hamazon* after he eats. When he was ready, Ribbi Akiva brought him to the synagogue and the boy recited kaddish. The congregation responded *Amen Yehe Shemeh rabba mevarakh*. The boy said *Barekhu*, and the congregation responded *Barukh Hashem hamevorakh le'olam va'ed*.

After this, Ribbi Akiva continued to teach the boy Mishnah, Talmud, *halakhot* and Aggadah. Eventually, the boy became known as the Sage Ribbi Nahum Hapakoli, based on the verse (*Yeshayahu* 28:7): ''*Paku peliliya* – he who extracts the guilty,'' since he extracted his father from Gehinnom.

As soon as the father was released from his punishments, he appeared again to Ribbi Akiva in a dream and said, ''May your soul be granted a high place in Gan Eden, since you comforted me and redeemed me from the punishments of Gehinnom. As soon as my son recited that kaddish in the synagogue, they annulled the terrible decree of suffering to which I had been subjected. When my son became a regular student in the *bet midrash*, they freed me of all punishments, and when he was ordained with the title of Ribbi I was elevated to join the tzaddikim in Gan Eden and I was crowned. You are credited with bringing all this to me.''

Ribbi Akiva responded, ''ה' שִׁמְךָ לְעוֹלָם, ה' זִכְרְךָ לְדוֹר וָדוֹר – God, Your Name is eternal. God, You will be spoken of for all generations.''

Harav El'azar of Worms found a passage in *Tanna debe Eliyahu* teaching that even a small child who recites kaddish can save his late father from

being punished. See also the *Zohar Hadash* (the end of *parashat Ahare Mot*; and on *Rut* 2:1).

Kibbud Av va'Em

The responsa *Yad Eliyahu* Ragoler (#66) states that by reciting kaddish for one's departed parent, one fulfills the mitzvah of honoring and caring for the parent. In fact, he asserts that he accomplishes more by reciting kaddish than one does by fulfilling the mitzvah of *kibbud av va'em* during the parent's lifetime. This is because a living parent is allowed to refuse to be honored or cared for, while a departed parent cannot and would not forgo the advantages of having kaddish recited for his or her soul. Even if the parent never mentioned it, we view the situation as if the parent demands that his sons recite kaddish. There is no situation sorrier than when a son ignores his obligation to recite kaddish for his parent. Thus, the mitzvah of reciting kaddish has the status of a Torah mitzvah, and when there is any doubt, the son is still obligated to recite it.

Harav Yosef Engel (*Gilyone Hasha''s* to *Kiddushin* 31b) concurred with this, stating that reciting kaddish is the highest act of *kibbud av va'em*, since nothing that a child can do for his parent can equal the value of bringing the parent to Gan Eden.

Above All, Torah Study

The *Yosef Ometz* (*Yuzpa*, page 331) emphasized that our Sages instituted the concept of a child reciting kaddish and *Barekhu* for the benefit of his parents to enable even unlearned people to benefit them in a spiritual manner. If the child is capable of studying Torah, he benefits his parents many times more than he could by reciting kaddish or other prayers. And, if the son manages to discover a novel Torah thought or clarification of the halakha, his parents will receive immeasurable honor in the Yeshivah of Heaven. Therefore, the person in mourning over his parent ought to invest as much as possible in Torah study.

The *Yesod Vashoresh Ha'avoda* echoed this idea, and it is cited in the *Hazon Ovadya Avelut* (Vol. I, footnote on page 362).

דיני קדיש יתום

מו. באמירת הקדיש וברכו וההפטרה, יש סגולה נפלאה להציל את ההורים מדין גהינם, ולהעלותם מחיל אל חיל ממדרגה למדרגה בגן עדן. וכן לימוד תורה וצדקה לעילוי נשמת הנפטר, על ידי הבנים, יש בהם תועלת רוחנית גדולה להורים, דקיימא לן (בסנהדרין קד ע"ב) ברא מזכה אבא. [חזו"ע אבלות ח"א עמ' שלב]

מז. מנהג הספרדים שאם יש כמה מיחידי הקהל שעליהם לומר קדיש, שכולם כאחד אומרים הקדיש. והאשכנזים יש שנוהגים שרק אחד אומר הקדיש, ויש להם דיני קדימה. אולם כיום נתפשט המנהג בהרבה מקומות גם אצל האשכנזים לומר קדיש ביחד, וצריכים שכל האומרים את הקדיש, יאמרו אותו

Kaddish Yatom – the Mourner's Kaddish

Day 2

To save a parent from Gehinnom

46) After a parent passes away, the sons can help to save him or her from the punishments of Gehinnom and to elevate the parent's soul to higher levels of Gan Eden. They can accomplish this by reciting kaddish and *Barekhu*, and by chanting the *haftara* after the Torah reading. This is what the Talmud teaches (*Sanhedrin* 104b): "A son can pass spiritual merit onto his father."[432]

Several mourners reciting kaddish in unison

47) According to the custom of Sefardic Jews, if several members of a congregation need to recite kaddish for the benefit of a departed soul, they may all recite it in unison. In some Ashkenazic communities, the custom is for only one person to recite kaddish at a time, and the Ashkenazic *Poskim* created a halakhic hierarchy giving one person precedence over the others, in the hope of preventing arguments about who will recite kaddish. Nowadays, many Ashkenazic communities have discarded this practice, and several people may recite kaddish in unison.

If several people are reciting kaddish together, they must all take care to recite it in unison. It is incorrect for one person to recite it at a fast pace while another person is reciting it slowly, as mentioned above in halakha 15. Anyone who hopes to maximize the

432. See the preface to this section of the *Siman*.

Harav HIDA (*Shiyure Berakha* to *Y.D.* 376:11, cited in *Mikabtze'el parashat Vayehi* halakha 32) cited the *Vayak'hel Moshe* teaching that by reciting kaddish after reciting *Tehillim* we receive the strongest protection against attacks by demons. For this reason, anyone who is in the year of mourning over a parent should regularly attend a group reciting *Tehillim* and recite kaddish afterward. In *Kesher Godal* (8:4) he asserted that kaddish recited after *Tehillim* is effective in providing the parent protection from angels who would otherwise administer punishments.

ביחד בשוה מלה במלה, אין מקדים, ואין מאחר (כמבואר לעיל הלכה ט״ו). והנזהרים בזה זכות גדולה בידם, ומביאים את התועלת הרצויה למנוח. [ראה חזו״ע אבלות ח״א עמ׳ שלד-שלו בהערה]

benefit his deceased parent gains from his kaddish should take the care to observe these rules.[433]

433. The traditional Ashkenazic practice is described in the responsa of Rabbenu Moshe Minz (#80), the *Magen Avraham* (132:2), and other *Aḥaronim*, including the *Mishna Berura* (*Bi'ur Halakha* to *Siman* 132).

Kemaḥ Solet (170b) asserted that all the rules regarding the hierarchy for reciting kaddish do not apply to Sefardic communities, since our custom is for all the mourners in the synagogue to recite kaddish together, and it makes no difference whether they are in mourning for the loss of a father, a mother, or any other relative. No one gets upset over the fact that he is not the only one reciting kaddish. The *Sede Ḥemed* (*ma'arekhet Avelut* #154) concurred with this, citing the ruling of responsa Ra'anaḥ (Vol. I, #77) that it makes no difference whether one person recites kaddish for the benefit of the souls of several deceased souls or if a different person recites it on behalf of each soul. Likewise, the *Kaf Haḥayim* Sofer (134:16) testified that in Sefardic congregations the accepted practice is for a number of people to recite kaddish in unison, and thus to avoid strife.

Harav Yaakov of Emden wrote (prayer book *Bet Yaakov* Vol. I, page 351): "I am not going to bother giving all the details regarding who has precedence to recite kaddish, although they are found in the literature of the Ashkenazic *Poskim*, since that entire issue is a matter of custom. The practice of Sefardic Jews, which is to permit many people to recite kaddish in unison, is far superior and makes things much simpler and free of strife."

The *Yesh Noḥalin*, cited in the *Divre Igeret* (#7) described the situation as follows: "The mitzvot and good deeds that a person performs after his parents' passing are far more helpful to them than reciting the mourners' kaddish. The kaddish was instituted mainly for the sake of children who have not yet reached the age of mitzvot. My hair stands on end when I see the conflict occurring in the synagogue because of the kaddish. One person insists that he has precedence for every kaddish, and another person suggests drawing lots. Then, before anyone gives the rabbi a chance to give his opinion, someone jumps ahead and quickly recites the kaddish before anyone else takes it away from him, and no one can really hear him to respond and so they end not responding at all. Now that we have established the superior custom in our communities that everyone may recite kaddish in unison, all this conflict has disappeared."

The responsa *Binyan Tziyon* (Vol. I, #122) extolled the practice of allowing all the mourners to recite kaddish in unison, testifying that otherwise the synagogues would be filled with conflict, and that sometimes people even strike one another physically because of kaddish. When several people recite kaddish in unison, the mitzvah is magnified manifold, as Rashi taught in his commentary to *parashat Beḥukotai*. The author of *Ḥatam Sofer* likewise testified that he instituted this practice in his yeshivah so that all his students who were mourners could recite the kaddish in unison.

Nevertheless, the *Binyan Tziyon* defended those who uphold the traditional Ashkenazic practice of allowing only one person to recite each kaddish. Although this sometimes results in conflict, the "Ways of God are just; the righteous stride forward in them while the sinners stumble and fall." Ashkenazic Jews cannot adopt the customs of Sefardic Jews since the Sefardic Jews recite all their prayers in unison and at the same pace, and this is not the way of Ashkenazic Jews where each person conducts his own prayer service at his own rate, raising his voice or remaining silent at his own whim.

Both the *Binyan Tziyon* and the *Erekh Shai* (*O.Ḥ.*, *Siman* 132) commented that we must not take example from the personal practice of the *Ḥatam Sofer*. Even so, in many of today's Ashkenazic communities the practice of the Sefardic Jews regarding kaddish has been adopted, as the responsa *Tzitz Eliezer* (Vol. IX, #15:2) testified. He repeated a warning that people must do their best to recite the kaddish in unison, and in that way the desired advantages will be obtained.

When in an Ashkenazic congregation

The *Or Letziyon* (Vol. II, 5:11) ruled that if a Sefardic Jew is in an Ashkenazic congregation where the custom is to allow only one person to recite kaddish, he should follow that practice and avoid provoking an argument.

מח. מי שמתה עליו אמו, ואביו מקפיד לבל יאמר קדיש עליה, משום שחושש לחייו, כדברי ההמון, שברית כרותה לשפתים, (מועד קטן יח ע"א), יש לשמוע לו, שכבוד האב קודם לכבוד האם. ואם אפשר טוב שישפיע על אביו על ידי רבנים חשובים, שיסיר את התנגדותו, כי אדרבה על ידי המצוה של הקדיש יאריך ימים ושנים בטוב ובנעימים. ואם הצליח להשפיע עליו, יאמר קדיש על אמו. אבל אם אביו מת ואמו מוחה בידו לבל יאמר קדיש עליו, לא ישמע לה, ונכון לפייסה בדברים. [יביע"א ח"ג חיו"ד סי' כו, חזו"ע אבלות ח"א עמ' שלח]

מט. מי שמת לו מת בליל שבת, או בליל יום טוב, יוכל לומר עליו קדיש למנוחתו. ואפילו בחול, כל שנמסר לידי חברה קדישא שמתעסקים עמו, רשאי לומר קדיש למנוחת הנפטר. ומנהג ירושלים שהחזן אומר את הקדיש יחד עם האונן. [יביע"א ח"ו חיו"ד סי' לג. חזו"ע שם עמ' שמז]

Day 3

When the other parent is still alive

48) Some people have the notion that if someone recites the mourner's kaddish while his parent is still alive, this might bring about the parent's premature death. Therefore, it sometimes happens that someone's mother passes away and his father does not permit him to recite kaddish, fearing for his own life. In such a case, the son must obey his father's wishes, since the mitzvah of honoring one's father has precedence over the mitzvah to honor one's mother.

The son should ask respected rabbis to try to persuade the father to permit him to recite kaddish, explaining to him that, on the contrary, in the merit of this mitzvah the father will be granted a long life. If they succeed in persuading him, the son can begin reciting kaddish for his mother.

If someone's father passes away and his mother protests that he should not recite kaddish, he must not obey her wishes. In this case as well, he should try to persuade her to relent and to give her permission for her son to recite it.

Kaddish on Shabbat before the funeral

49) If someone passed away on Friday evening or on the evening of *Yom Tov*, his sons may recite kaddish through the day [although the funeral has not yet taken place]. In fact, even on weekdays the sons may recite kaddish once the *hevra kadisha* (Jewish community burial society) has assumed all the responsibility of caring for the body and preparing the funeral. The custom in Yerushalayim in such cases is that the cantor recites kaddish together with the son in mourning.[434]

434. Maran the Rishon Letziyon (responsa *Yabia Omer* Vol. VI, *Y.D.* #33; *Hazon Ovadya Avelut* Vol. I, page 352) discussed this issue at length. He ruled, citing the *Noda Bihuda* (whose ruling is brought in the *Pit'he Teshuva* 341:21) that the sons may recite kaddish even in communities where the custom is for the sons to follow the father's body to his burial site. Although the sons are exempt from the mitzvot of reciting *Shema* or any of the prayers at that time, they may recite kaddish for the benefit of their parent.

נ. אחר קריאת התורה ביום שני וחמישי, טוב שהאבל תוך י"ב חודש להוריו יאמר את הקדיש לעילוי נשמת הוריו. וגם לאחר י"ב חודש, טוב לעשות מדי פעם בפעם השכבה להורים. וכן בשעת לימודו, יאמר השכבה לעילוי נשמתם. [חזו"ע שם עמ' שנג]

נא. קטן שהגיע לחינוך שיודע למי מברכים ולמי מתפללים, והוא מבן שש שנים ומעלה, יכול לומר לבדו קדיש יתום, הנאמר בסוף התפלה קודם עלינו לשבח, וטוב שהחזן או איש גדול אחר יאמר הקדיש עמו. וקדיש שאינו חובה, כגון אחר לימוד תהלים, או משניות רשאי הקטן שהגיע לחינוך לאומרו לבדו, ועונים אחריו "אמן". [חזו"ע שם עמ' שנד]

Kaddish following the Torah reading

50) It is commendable for the son, during the year of mourning over his parent, to recite the half-kaddish following the Torah reading on Monday and Thursday. After the first twelve months, it is commendable to occasionally have the cantor recite *hashkava* for the benefit of the deceased parent. Likewise, he should recite *hashkava* for the parent's soul when he studies Torah.[435]

A child reciting kaddish

51) A child who is at least six years old and who understands the concept of praying to God may recite the kaddish preceding *Alenu Leshabe'ah* in the synagogue even if no one else is reciting it along with him. Nevertheless, it is best for the cantor or some other adult to recite it together with him. After a Torah study session, or after a session of reciting *Tehillim*, it is permissible to allow a child younger than this to recite kaddish by himself, and the congregation may respond Amen to his kaddish.[436]

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435. Maran the Rishon Letziyon (footnote to *Hazon Ovadya Avelut* Vol. I, page 353) testified that the custom is that if someone in the congregation is within the year of mourning for a parent, he recites the kaddish following the Torah reading on Monday and Thursday even if he was not called up to the Torah. Maran the Rishon Letziyon cited the *Emet leYaakov* Algazi (page 82a) teaching in the name of Harav Yaakov Molkho that people must not recite *hashkava* for people who passed away more than twelve months earlier [except during the week of his *yahrtzeit*]. He explained that every time the deceased person's name is mentioned, his soul descends from its place in Heaven, and it cannot ascend unless a donation is made to charity for the soul's benefit.

The responsa *Rav Pe'alim* (Vol. IV, *O.H.* #38) disagreed with this, explaining that no one can claim that this is true without bringing proof from the *Zohar* or some other Midrash or from the writings of the Arizal [who received his traditions from the Prophet Eliyahu]. Without proof, there is no basis to say that the soul descends from Heaven just because the cantor in the synagogue mentioned his name. Even if the soul descends, what basis is there to say that it cannot return to Heaven without the merit of a donation to charity? Is it plausible to say that all the souls whose names we mention every Shabbat and *Yom Tov* are trapped down in this world until someone remembers to give charity for their benefit? The custom for many generations has been for the cantor to recite *hashkava* for any name given to him, regardless of how long ago they had passed away, without asking for a donation to charity. In fact, the Arizal's words in *Sha'ar Hamitzvot parashat Vayehi* appear to contradict the concept forwarded by the *Emet leYaakov*, and therefore there is no reason to take his opinion into account.

436. The *Petah Hadevir* (Vol. II, 215:2) cited Harav Shemuel Vital testifying that the custom is to permit a little child, even younger than six years old, to recite a kaddish that is instituted as part of our prayers by himself, and for the congregation to respond Amen. The *Devar Shemuel* Abohab (#301) protested that this practice runs counter to the halakha, since the kaddish recited by such a small child does not count as a kaddish at all. The *Peri Hadash* (*Siman* 69) likewise voiced this complaint. Moreover, Harav Hayim Palachi (responsa *Hayim Beyad* #125:38) ruled that small children may not recite kaddish

נב. מי שמת ולא הניח אחריו בנים זכרים, שיאמרו אחריו קדיש, כי אם בת, אין הבת יכולה לומר קדיש בבית הכנסת, ורק אם נאספים מנין בביתה, ללמוד תורה, או מזמורי תהלים, יכולה הבת לומר קדיש לאחר מכן. ואם אפשר נכון מאד לשכור אדם הגון בשכר, או שיקבל עליו בחנם לומר קדיש בבית הכנסת לעילוי נשמת הנפטר, ויאמר בפה מלא, אפילו פעם אחת בשנה, שכל הקדישים שיאמר השנה יהיו לעילוי נשמת פלוני בן פלונית שתהיה נפשו צרורה בצרור החיים. [חזו"ע שם עמ' שנז]

Day 4

A daughter reciting kaddish

52) Even if someone leaves behind no sons, his daughter may not recite kaddish for his soul in the synagogue. If a minyan gathers in her home for a Torah study session or to recite *Tehillim*, however, she may recite kaddish at the session's conclusion.

If she can, it is commendable for the daughter to hire someone to recite kaddish in the synagogue for the benefit of her father's soul. Alternatively, someone can volunteer to do this. Whoever takes upon himself to recite kaddish for someone other than his parent should say, at least one time during the year, that he is reciting kaddish each day for the benefit of the soul of so-and-so, in order that the soul will be elevated to a state of eternal life.[437]

unless an adult recites it along with them, and if a child recites it alone no one may respond Amen to him.

The responsa *Zekhor leYitzhak* Harari (#9) ruled that even if a child is over six years old, he may not recite kaddish by himself for the congregation. Harav Ephraim Laniado (responsa *Degel Mahane Efrayim O.H.* #1) disagreed, ruling that if the child is six years old or more, he may recite kaddish for the congregation. The *Hikre Lev* concurred with this lenient ruling. The responsa *Bet Yehuda* (Vol. I, #22) ruled that a child under bar mitzvah age may not recite a kaddish by himself if it is essential to the prayers [this means the seven basic renditions of kaddish, or twelve according to the Arizal, as explained above in halakha 1], but a six-or-seven-year-old child may recite any other kaddish by himself. This ruling was cited by Harav HIDA (*Mahazik Berakha*, *Kesher Godal*) and the *Kaf Hahayim* Sofer 55:19).

The *Kaf Hahayim* Sofer 55:20) ruled that if the orphan is not yet bar mitzvah, the cantor must recite kaddish and *Barekhu* along with him. Harav Menahem Azarya of Fano (#84) ruled likewise that the child cannot recite *Barekhu* by himself for the congregation. Maran the Rishon Letziyon cited all these *Poskim* in *Hazon Ovadya Avelut* (Vol. I, pages 354-356).

The *Or Letziyon*, however, asserted that in practice we may permit a six-or-seven-year-old child to recite kaddish and *Barekhu* for the congregation, just as we permit such a child to say *Barekhu* when he is called up to the Torah. Moreover, the *Shulhan Arukh* (282:3) ruled that we may count this child as one of the seven required people called up to read from the Torah, and if so he certainly should be able to recite kaddish. Maran the Rishon Letziyon, however, demonstrated that the *Poskim* did not concur with the *Or Letziyon's* position.

437. The *Shevut Yaakov* (Vol. II, #93) ruled that if someone passed away leaving no sons, his daughter may recite kaddish if ten men have assembled in her home [but not in the synagogue]. The *Teshuva Me'ahava* (#229:10) testified that the rabbinical leaders of Amsterdam did not protest a woman reciting kaddish when ten men assemble in her home. The author of *Havot Ya'ir* testified (responsa #222) that in at least one instance this practice was followed in Amsterdam. He commented that although he found no proof against this practice, and it is likely that the departed soul was pleased to hear his daughter sanctifying God's name in this way, we must still remain wary of people introducing new practices that our ancestors never adopted. This might lead to people bending the halakha and eventually even overlooking the halakha in various matters. Therefore, since this incident has become well-known and celebrated, we must take steps to prevent it from being repeated. The responsa *Kenesset Yehezkel* (*Y.D.* at the end) concurred with this, ruling that a daughter may not recite kaddish in the synagogue for her father's soul, and the daughter's son [grandson of the deceased] may not recite the kaddish, either.

The *Teshuva Me'ahava* admitted that there is a basis to permit the daughter to recite kaddish, since this is

נג. גר צדק שמתו אביו ואמו כשהם נכרים, רשאי לומר עליהם קדיש למנוחתם, שכיון שהם הביאוהו לעולם הזה, וגרמו לו שיזכה להסתפח בנחלת ה' ולהכיר בדת האמת, יש תועלת באמירת הקדיש עליהם למנוחתם, ולהקל מעליהם חומר הדין. [יחו"ד ח"ו סי' ס, חזו"ע אבלות ח"א עמ' שנט]

Kaddish for non-Jewish parents

53) Someone who converts to Judaism may recite kaddish to benefit the souls of his non-Jewish biological parents in appreciation for giving him life and for giving him the opportunity to grow spiritually and become a member of the Jewish nation. By reciting kaddish, the convert enables his parents' soul to rest comfortably, and it can lessen their suffering if they are being punished in the next world.[438]

considered a facet of the mitzvah to honor her parent. The reward for this mitzvah is long life, the Torah promises, and it would be unfair to say that only men may gain this reward while women may not. After all, both men and women are commanded to fulfill the mitzvah of honoring their parents. He testified that in Prague the old men and women used to gather in the women's gallery of the synagogue and sit there all morning reciting *Tehillim* until the afternoon. If there was someone who had passed away without sons, but who had daughters who were five or six years old, those daughters would recite kaddish when the old people completed the entire book of *Tehillim*. In the synagogue itself, however, this was never permitted. It would never be correct for a woman or a girl to enter the men's section of the synagogue.

Maran the Rishon Letziyon (*Hazon Ovadya Avelut* Vol. I, page 357) concurred with this. He cited the *Torah Lishmah* (#27) who insisted that we must never permit a woman to recite kaddish, since people might stretch this until they permit women to recite kaddish on behalf of the men during the prayers. Maran the Rishon Letziyon decided that, despite this, it is permissible for a woman to recite kaddish for a private minyan of men gathered in her home for a Torah-study session. We have no authority to forbid this even if we are afraid that people will learn from this that she may recite kaddish during the prayers in the synagogue.

For a grandparent

Maran the Rishon Letziyon (*Hazon Ovadya Avelut* Vol. I, footnote on page 357) stated that there is a mitzvah to recite kaddish on behalf of one's grandparent's soul, since the Talmud teaches (*Yevamot* 62b) that grandchildren are considered equal to children. In fact, the Rama ruled (gloss to *Y.D.* 240:24) that the mitzvah of honoring one's parents applies to honoring one's grandparents as well. Since the obligation of reciting kaddish is a facet of the mitzvah to honor one's parents, that obligation should apply to grandchildren as well. See the responsa of Rama (#118).

The *Kenesset Hagedola* (*Y.D. Siman* 403) stated: "The custom is to recite kaddish on behalf of one's grandparents. I personally instructed my sons to recite kaddish to benefit their grandmother's soul although their mother and I are still alive." The *Eliya Rabba* (132:9) likewise ruled that it is proper to recite kaddish on behalf of the soul of one's grandfather or grandmother.

Maran the Rishon Letziyon added that there is no obligation to recite kaddish to benefit one's wife's soul, citing Harav Menahem Azarya of Fano. Even so, the common custom is to recite it. The husband's kaddish is more beneficial to her soul than that of someone unrelated.

Kaddish for someone unrelated

Harav Yosef Colon (#44) that it is possible for someone to recite kaddish to benefit the soul of someone who is not at all related to him. He cited the responsa of Ra'anah (Vol. I, #77) ruling that if someone was hired to recite kaddish to benefit someone unrelated to him, and then his father passed away, he may continue reciting kaddish to benefit both his father and the other departed soul, as long as this is his intention while reciting the kaddish.

While traveling

The *Eliya Rabba* (133:9) cited the responsa *Binyamin Ze'ev* (#201) regarding someone who needed to travel overseas, and there would be no minyan available during his cruise. In this case, he should hire someone else to recite kaddish to benefit his father's soul during his trip.

The rabbi's kaddish

The responsa *Hayim Beyad* Palachi (#114) cited his grandfather, author of *Hikre Lev*, explaining that in many communities the rabbi recites the kaddish that precedes *Alenu Leshabe'ah*. The rabbi's kaddish benefits all those who passed away and have no sons to recite kaddish for their benefit.

438. Maran the Rishon Letziyon (responsa *Yehave Da'at* Vol. VI, #60) cited the Tosafot (*Sota* 10b) which pointed out that although the Talmud teaches (*Sanhedrin* 104a) that a son can grant spiritual credit to his father, but a father cannot grant spiritual credit to his son. Even

נד. בן מאומץ אף על פי שאינו חייב מן הדין לנהוג אבלות שבעה ושלשים על הוריו המאמצים, מצוה לומר קדיש לעילוי נשמת מאמציו, כי הוא חייב בכבודם בחייהם ובמותם, וטוב שיתאבל קצת עליהם, משום הכרת הטוב שגידלוהו והביאוהו עד הלום. [חזו"ע אבלות ח"א עמ' תקנא]

נה. העומד בפסוקי דזמרה, והצבור הגיעו לפני "עלינו לשבח", רשאי להפסיק לומר קדיש יתום שנאמר לפני עלינו לשבח, לעילוי נשמת אביו או אמו, דהוה ליה כשואל מפני הכבוד, וכמו שאמרו חז"ל (קדושין לא ע"ב): מכבדו בחייו ומכבדו במותו. ולכתחלה ההפסקה תהיה בין מזמור למזמור. [חזו"ע אבלות ח"א עמ' שסב]

Kaddish for adoptive parents

54) If someone was adopted as a child, he is not obligated to observe any of the halakhot of mourning when his adoptive parents pass away. Even so, it is only proper that he recite kaddish on behalf of their souls in gratitude for their kindness toward him over the years; the halakha obligates him to honor them during their lifetimes and afterward as if they are his real parents. It is commendable for him to observe some aspects of mourning over their deaths as well.

Kaddish during *Pesuke dezimra*

55) If the congregation has reached the kaddish preceding *Alenu Leshabe'ah* of *shaharit*, and the mourner is still in the middle of *Pesuke dezimra*, he may recite kaddish at that point to benefit the soul of his father or mother. Interrupting his prayers to recite kaddish is equal to interrupting in order to greet someone he is obligated to honor, which is permitted. In this case the son is obligated to honor his departed parent by reciting kaddish, since the mitzvah of honoring a parent includes reciting kaddish after the parent has passed away. If the mourner sees that this situation is about to materialize, he should try to schedule the interruption between two of the Psalms and not in the middle of a Psalm.

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so, King David's prayers saved his son Avshalom from suffering in Gehinnom and raised him to bask in the splendor of the World to Come. A father's mitzvot will not give credit to his son and increase his reward, but the father's prayer can help to extract his son from Gehinnom and enable him to enter Gan Eden.

Maran the Rishon Letziyon reasoned that the same should apply to a convert regarding his biological parents. Although according to the halakha he is not at all related to them, it is befitting for him to offer prayers on their behalf in gratitude for their bringing him into the world. This is especially so if his parents supported his decision to convert and assisted him financially. His kaddish will be at least as effective as that of someone unrelated to the person for whom he recites it, as described in the previous footnote.

קדיש יתום בתוך י"ב חדש, וביום האזכרה

נו. המנהג לומר קדיש על ההורים במשך שנה תמימה אחר פטירתם, אלא שמפסיקים מלומר קדיש בסוף אחד עשר חודש, שאז עושים אזכרה ולימוד לעילוי נשמת ההורים, ואחר הפסקה של שבוע ימים, חוזרים ואומרים קדישים עד סוף שנים עשר חודש, שהוא יום פקודת השנה.

והפסקת הקדישים למשך שבוע אחד שאחר י"א חודש, אינה אלא על הקדישים שבתפלה. אבל רשאים האבלים לומר קדיש "יהא שלמא" אחר קריאת מזמורי תהלים ונ"ך, וכן קדיש "על ישראל" אחר הלימוד בתורה שבעל פה תלמוד ומדרש הלכות ואגדות. [חזו"ע אבלות ח"א עמ' שלו]

During the First Twelve Months, and On the *Yahrtzeit*

Kaddish for almost twelve months

56) The accepted custom is that a person recites kaddish every day for an entire year after his parent passes away. At the end of eleven months, the family hosts an *azkara* Torah-study session for the benefit of the parent's soul, and then the sons cease reciting kaddish for one week. After that, they resume reciting kaddish until the end of the twelfth month, which [in a twelve-month year] is the *yahrtzeit* anniversary of the parent's passing.[439]

During the week that the sons refrain from reciting kaddish, they may still recite kaddish of *Yehe shelama* after a session of reciting *Tehillim* or some other section of the Written Torah, or the kaddish of *al Yisrael* after a Torah-study session of the Oral Torah, such as Talmud, Midrash, or halakha.[440] They only refrain from reciting the kaddish instituted as part of the prayers. If a son serves as cantor, he may recite any kaddish that is included in the prayers, even during that first week of the twelfth month.

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439. Mourners should recite kaddish for the benefit of their parents' souls for the first full year after their passing. The Rama (gloss to *Y.D.* 376:4) stated that since the Mishna (*Eduyot* 2:10) teaches that the wicked are punished in Gehinnom for twelve months, some authorities ruled that the mourners should recite it for only eleven months so that onlookers will not accuse them of believing that their parents are among the wicked. The *Kenesset Hagedola* (*Y.D. Siman* 403) stated that he instructed people to recite kaddish for twelve months minus one week.

The *Sha'ar Hakavanot* (page 15b) states that the Arizal taught that one should recite kaddish every day for an entire year to benefit one's deceased parent, even on Shabbat and *Yom Tov* when the fires of Gehinnom are extinguished. Kaddish, he explained, accomplishes much more than extracting the deceased soul from Gehinnom. It also raises the soul and brings it into Gen Eden, and it elevates the soul to ever higher levels in Gan Eden.

Based on this, Harav HIDA (*Birke Yosef* to *Y.D.* 376:8) and other *Aḥaronim* ruled that the sons may recite kaddish for the full twelve months without interruption. This was the common custom in Italy, Egypt, and Yerushalayim. Nevertheless, Harav HIDA recommended taking off one week during the twelfth month.

The responsa *Rav Pe'alim* (Vol. III, *Y.D.* #32) testified that the custom in Baghdad was to host an *azkara* Torah-study session at the end of eleven months and thus demonstrate that the deceased parent is not among the wicked who are punished in Gehinnom for twelve months. After that, the sons desist from reciting kaddish for one week and then they resume reciting it until the end of the twelfth month. The author added that this is the correct practice according to the Kabbalah. See also the *Ben Ish Ḥai* (*parashat Vayeḥi* halakha 14). This has become the common practice.

440. This is the ruling of the responsa *Rav Pe'alim* (Vol. III, *Y.D.* #32), the *Ben Ish Ḥai* (*parashat Vayeḥi* halakha 14), and the *Kaf Haḥayim* Sofer (55:25). The author of *Halakha Berura* (page 196) cited his father, Maran the Rishon Letziyon, ruling that if the son serves as cantor for the congregation, he may recite every kaddish during the prayers even during the "off" week.

וכן כאשר האבל עומד להתפלל לפני התיבה כשליח צבור, אזי הוא אומר כל הקדישים אף באותו השבוע שבסוף אחד עשר חודש. [כ"כ בהלכה ברורה סי' נו ע"י קצו, ששמע כן מפי מרן הראש"ל זצ"ל]

נז. אפילו אחר י"ב חודש, מצוה לומר לעילוי נשמת ההורים קדישים אלו שאחר לימוד התורה, להעלותם ממדרגה למדרגה בגן עדן. [חזו"ע שם]

נח. בלילה שבסיום י"ב חודש מיום המיתה עורכים אזכרה ולימוד לעילוי נשמת הנפטר, ובאותו יום אומרים הקדישים שבכל שלשת התפלות, ואם האבלים יכולים להתפלל כהוגן כשליחי צבור, מצוה שיעברו לפני התיבה להוציא את הרבים ידי חובתם. [חזו"ע אבלות ח"ג עמ' רו]

נט. נוהגים שבכל שנה ושנה אם חל יום פקודת השנה (הנקרא גם יאר צייט) באמצע השבוע, מתחילים לומר קדיש החל מליל שבת של אותו שבוע. ובשבת עולה הבן למפטיר. ואומרים השכבה לעילוי

Kaddish after twelve months

57) Even after the twelve months have passed, it is still commendable to recite kaddish for the benefit of one's parent's soul after a Torah-study session. The kaddish helps raise the soul to higher and higher levels in Gan Eden.[441]

Day 6

***Azkara* at the end of twelve months**

58) The family hosts an *azkara* Torah-study session for the benefit of the parent's soul on the final evening of the twelfth month. The sons recite kaddish during all three prayers of that final day. If the son is competent as a cantor, it is commendable for him to serve as cantor that day and lead the congregation in the prayers.

Kaddish during the week of *yahrtzeit*

59) The custom is that every year, beginning on Friday evening before the date of a parent's *yahrtzeit*, the sons recite kaddish in each of the prayers through the day of the *yahrtzeit*. On Shabbat preceding the *yahrtzeit*, the son should

441. Maran the Rishon Letziyon (*Hazon Ovadya Avelut* Vol. I, footnote on page 338) taught that it is virtuous to recite kaddish for the benefit of one's parents even after the twelve months in order to elevate their souls in Gan Eden. In response, the parent will pray on behalf of his son to protect him from harm and to bring everything good to his doorstep. The *Zohar* (*Shemot* page 16b) teaches that if not for the prayers of the deceased on behalf of the living, the world would not continue to exist for even a fraction of a day.

The *Hesed La'alafim* (56:1) likewise recommended instructing one's sons to recite kaddish at least once every day for the rest of their lives. In our times, he warned, no one can be sure that he will be released from Gehinnom even after twelve months. Harav Hayim Vital taught that although our Sages taught that the wicked are punished in Gehinnom for twelve months, a soul might be sentenced to years of harsh punishments before it is even permitted to descend to Gehinnom. The harshest punishments, however, take place during the first twelve months after someone passes away. To ensure that one's parent remains protected from all punishments, the sons should continue to recite kaddish daily even after the first twelve months. Even if it is not needed for the parent's protection, the kaddish will assist the parent in rising to ever higher levels in Gan Eden, as the Arizal taught.

The *Yafe Lalev* (56:1) added that it is therefore commendable to purchase the right to recite kaddish daily before *Hodu* or after a daily session of studying Mishnah. In this way, one fulfills the obligation of honoring one's parent after the parent has passed away, and one will be rewarded with longevity. See more about this in the *Pelle Yo'etz* (entry *Kibbud Av va'Em*), the *Kaf Hahayim* Sofer (56:19; 55:23), and in the footnotes to HaKeter's edition of *Yafe Lalev*.

נשמת הנפטר. ואם חל יום הפטירה בשבת, יש נוהגים להקדים לומר קדיש החל מליל שבת שלפניו, ונמצא שאומרים קדיש בשתי השבתות, וגם בכל ימות החול שביניהם. ומכל מקום השבת שהוא ביום הפטירה, הוא עיקר, ובו יעלה למפטיר, והשכבה, ולימוד התורה. [חזו"ע אבלות ח"ג עמ' קצה]

ס. כל המנהגים שנהגו בהם ישראל, ביום פקודת השנה (יאר צייט), שבכל שנה ושנה, כגון אמירת קדיש, והשכבה, ועריכת אזכרה בלימוד תורה והדלקת הנר, שנעשים לעילוי נשמת האב או האם, אפילו אם עברו כמה עשרות שנים מיום הפטירה, ואפילו חמשים שנה, יש להמשיך להתמיד בעשייתם, כדי להמשיך בעליית נשמתם מחיל אל חיל ממדרגה למדרגה בגן עדן. [חזו"ע אבלות ח"ג עמ' רלז]

סא. מי ששכח לעשות האזכרה ולומר קדיש ביום פטירת אביו, יכול לעשות האזכרה ולומר קדיש למחר, או באיזה יום שירצה, ומכאן והלאה יזהר לערוך האזכרה והקדיש ביום פטירת אביו. [חזו"ע אבלות ח"ג עמ' רלג]

סב. בדבר המנהג שיתומים האומרים קדיש, נוהגים לומר גם קדיש ברכו שאחר ישתבח. ראה לעיל בסימן נ"א הלכה ל"ז.

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purchase the honor of *Maftir*, and after reciting the *haftara* he or the cantor recites the *hashkava* prayer for the benefit of his parent's soul.

Some people have the custom that if the *yahrtzeit* is on Shabbat, they begin reciting kaddish on Friday evening a week before the *yahrtzeit*, and they continue reciting it through the week until after the Shabbat of the *yahrtzeit*. The day of the *yahrtzeit* is the most important day for this, and that is the day that the son should recite the *Maftir* and to host Torah-study sessions, and he should have the cantor recite *hashkava* for his parent's soul.

Observe the *yahrtzeit* all one's life

60) One should continue to observe all the customs and practices of a parent's *yahrtzeit* throughout one's life, even if fifty years or more have passed since the parent's demise. This includes reciting kaddish, reciting the *hashkava* prayer, hosting an *azkara* Torah-study session, and kindling a light in the parent's memory. Each time, these practices will help to elevate the parent's soul to ever-higher levels in Gan Eden.

If the son forgot the *yahrtzeit*

61) If someone forgot to observe these practices on the day of his parent's *yahrtzeit*, he may still observe them on the following day or any other day. He should take steps to avoid forgetting this important date in future years.

Kaddish after *Yishtabah*

62) See above in *Siman* 51, halakha 37, regarding the custom in some communities for the mourners to all recite the kaddish and *Barekhu* following the blessing of *Yishtabah*.