The Chicago Center
Digest
Mishna Berura
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סימן ע"א סעיף ב'-ז'

Halacha Highlight

Informing an *onen* of the passing of a relative

Mishnah Berurah Siman 71 Seif Koton 11

מי שהתחיל להתפלל או לקרות שמע ונעשה אונן פתאום וכו'

Someone who started to *daven* or read *shema* and he suddenly became an *onen* etc.

Shulchan Aruch (סע' א') wrote that an *onen* is exempt from *krias shema* and *tefila*. Mishnah Berurah (ס"ק י"א) relates that there is a disagreement what a person should do if he is informed that a relative died while he is in the middle of *davening*. He first cites Chochmas Adam (כלל קנ"ג אות ה') who agrees with Teshuvas Shvus Yaakov that since he was already engaged in the performance of a *mitzvah* he is not required to stop in order to fulfill the *mitzvah* of honoring the deceased. He then references Sha'arei Teshuvah who cites numerous authorities who require the *onen* to stop. Chazon Ish (או"ח סי' ט"ו סק"א) rules that the *onen* must interrupt and cites the halacha regarding *Korban Pesach* as precedent. The *halacha* is that someone who was involved in bringing the *Korban Pesach* must interrupt that *mitzvah* if he is informed about a *meis mitzvah*. Similarly, when a relative dies it is considered for the *onen* the same as a *meis mitzvah* and he must interrupt his current activity to attend to the deceased.

Sefer Piskei Teshuvos (אות ג') points out that according to all opinions there is no obligation to inform someone who is *davening* that a relative died. In fact, it is preferable to not inform them of the passing of their relative in order to avoid the question of whether they are permitted to continue *davening*. Moreover, if the question occurs in the morning there is an additional reason why one should avoid telling the *onen* that his relative died and that is because informing him at that moment would then exempt him from putting on *tefillin* and assuming that the burial will not take place that day he would lose the *mitzvah* of putting on *tefillin* for a day. Rav Shlomo Zalman Auerbach (הליכות שלמה תפילה פי"ח ה"א) adds that if the relative is inquiring about the status of his relative it is possible that he should be informed that his relative passed away.

Stories to Share

True Consolation

ש"ע ס' ע"ב, ה': "העומדים בשורה לנחמו..."

The following is from a letter that Rav Wolbe sent to another gadol who lost his mother in 1977:

..."During your shivah I was unable to visit and comfort your precious family...so I write the following lines now in an effort to comfort you. Comforting a mourner does not entail enabling him to forget his mourning, as many mistakenly believe. We see this from the verse in Parshas Chayei Sora, 'And Yitzchak was comforted after his mother...' He was comforted when he returned to the tent and saw that everything was on exactly the same spiritual level as when his mother was alive. From here we learn the definition of true consolation. When someone loses a relative, they often find that they had been leaning on the parent to enable their spiritual level. For this reason, people often fall spiritually after the death of a close relative. This then is the definition of consolation: to encourage the mourners and help prevent them from falling spiritually.

The letter continued, "...Your mother, the daughter of gedolim, surely helped you stand at your present exalted level... To one as understanding as yourself, it is surely apparent that this is an opportunity for spiritual growth to ensure that the new generation without her will not fall short of the earlier generation in any way, but will continue to grow spiritually, maintaining the high standards of the past. This is an aspect of: "כי אבי ואמי עזבוני וה' יאספני"— For my father and mother have abandoned me, but Hashem will gather me in'..."

Overview

Siman 71 Seif 2:

This ruling (exempting the *onen* from *davening*) applies during the week but on Shabbos he is obligated in all the *mitzvos* until evening if he walks to the end of the *techum* to prepare to attend to the burial after Shabbos. If he is not waiting at the end of the *techum* he is obligated to perform all the *mitzvos* until nightfall. The second day of Yom Tov is the same as a weekday (see *siman* 548:5)**. Regarding the first day of Yom Tov if the deceased will be buried by a gentile that day it is treated like a weekday but if the burial will not be held that day it is treated like Shabbos.**

- On Shabbos he is obligated in all the *mitzvos* [except for private aspects of mourning] and is permitted to go to *shul*. (M.B. 8)
- There is a discussion in the *Poskim* whether he should read *shema* and *daven* while still light since he will not be able to do so after Shabbos. Mishnah Berurah writes that he should read *shema* without the *berachos* and should not read *shemone esrei*. After Shabbos he may eat without reciting *havdalah* and after the burial he should recite *havdalah* and if necessary through Tuesday. (M.B. 10)
- If one may not bury a relative due to a gentile law or some other *ones* the *aninus* does not begin. (M.B. 11)
- On Yom Tov if one will not be burying the deceased he is obligated in all the *mitzvos* except Torah study since that provides joy but during the week *aninus* takes effect even if the burial will not occur. (M.B. 11)

Siman 71 Seif 3:

One watching a corpse, even if it is not his relative, is exempt from *krias shema*.

- The watchman is exempt from *krias shema*, *davening* and all other *mitzvos* since he is engaged in the performance of a *mitzvah* and he may not be stringent even if he sits four *amos* from the corpse. (M.B. 12)

Siman 71 Seif 4:

If there are two people watching the deceased, one will watch and the other could read *shema* and then they could switch.

Siman 71 Seif 5:

One digging a grave for a corpse is exempt from *krias shema*.

- Even while he rests he is exempt since he is still considered to be engaged in a *mitzvah*. (M.B. 13)

Siman 71 Seif 6:

If there are two or more people digging a grave, those needed to dig at once are exempt and the extras should slip away, read *shema* and then return to dig so that the others could slip away to read (See Yoreh Deah 365)**.**

Siman 71 Seif 7:

It is prohibited to read *shema* within four *amos* of a corpse or in a cemetery and if one reads *shema* he does not fulfill the *mitzvah*.

- The same *halacha* applies with regards to *kaddish* and other *Devarim she-b'kedusha*. (M.B. 15)
- Ra'avad disagrees and maintains that if one did read *shema* he has fulfilled the *mitzvah*. *L'ma'aseh* one should repeat *shema* but should not repeat *shemone esrei* and Pri Megadim is uncertain whether *birchos krias shema* should be repeated. (M.B. 17)