

THE SOFIEV FAMILY EDITION



מבקש בציר

CONNECTING AT THE KEVER

A Practical Halachic Guide

CONNECTING AT THE KEVER

A Practical Halachic Guide
Rabbi Nissan Shalomayev

תשפ"ו

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מחבר שו"ת יורו משפטיך





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נשיא בית הדין הרבני הגדול

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מנאי' המבדקו ומיקירו בזרכו הרב

בג' אלו מנ"ב

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P R E F A C E

The subject of prayer at *kivrei tzaddikim* is often misunderstood, both in terms of its *halachic* boundaries and its intent. My interest in this topic began after observing the wide range of practices people follow when visiting *kivrei tzaddikim*. Some visitors quietly recite *tehillim*, while others follow more elaborate mystical customs. The diversity of approaches raised a simple question: what is the *halachic* foundation for these practices, and what guidance do the classical sources provide regarding proper conduct at a gravesite?

Questions naturally arise regarding many aspects of this practice: the proper intent of prayer at *kivrei tzaddikim*, the *halachic* limitations involved, issues of *tumah* as they pertain to *kohanim*, the permissibility of travel for this purpose, and the various customs practiced when visiting these sacred sites.

This curiosity gradually led me to explore the topic more seriously. Over the years, I began collecting sources and studying the relevant discussions in the Gemara, *midrashim*, *poskim*, and the writings of the *mekubalim*. What began as personal research developed into a systematic effort to organize the many sources scattered throughout the literature.

This work is the result of that journey, an attempt to gather the many threads encountered and weave them into a clear and concise English guide grounded in the classical sources. It does not seek to endorse one approach over another, nor to replace the *halachic* decision-making of one's own Rav. Rather, its purpose is to present the

halachic framework and the diverse customs with clarity and respect, clarifying the principles and practices surrounding visits to *kivrei tzaddikim*. My hope is that by understanding the “why” behind the different approaches, the reader will be able to engage in this practice with greater intention and knowledge. Where appropriate, differing opinions are noted so that the reader gains an accurate understanding of the breadth of the discussion among the *poskim*.

To address these matters systematically, the *sefer* is divided into three parts.

Part I examines the Torah sources supporting the practice, its encouragement in *halachah* and *hashkafah*, the advantages of *tefillah* at such sites, safeguards against prohibited forms of *tefillah*, the general *halachot* of entering cemeteries, special considerations for kohanim, proper reverence, and the permissibility of leaving Eretz Yisrael for this purpose.

Part II explores practical guidance: the most propitious times to visit, spiritual preparation, the nature of *hishtachut* (form of prostration on graves) versus standard prayer, the recommended sequence of *tefillot* at the gravesite, customs such as lighting candles and performing *hakafot*, and *hilula* celebrations.

Part III delves into the reliability of identified gravesites and discusses how to approach locations whose identification is uncertain or disputed.

The appendices provide practical and structured orders of prayer for use at *kivrei tzaddikim*.

In terms of structure, this *sefer* has been designed with the reader’s varying needs in mind. Each chapter is divided into clear thematic subsections, and before each subsection is a brief summary outlining the key points that follow. This structure allows for a flexible learning experience: one who wishes to study the sources in depth can read

the full discussion, while one who seeks a quick overview or a specific *halachic* point can review the summaries and move efficiently through the material. It is my hope that this format makes the *sefer* accessible to both the serious student and the visitor seeking guidance before traveling to these sacred places.

Great Sephardic *gedolim* possess a particularly rich and well-documented body of literature concerning *kivrei tzaddikim*, from detailed prayer protocols to profound kabbalistic insights. Many of these sources, including the works of the *Ben Ish Chai*, *Rav Salman Mutzafi*, and others, have remained largely inaccessible to the English-speaking reader. A central goal of this *sefer* is to help bridge that gap by bringing these luminous teachings to a wider audience and enriching the broader discussion with their wisdom.

The goal is to equip the reader with the knowledge to approach these sacred places with *yirat Shamayim* (awe of Heaven) and a deep sense of connection. It is my hope that this *sefer* will serve as a reliable, *halachically* grounded companion for those drawn to this *minhag*, enabling them to approach these sacred sites with proper *kavod*, *yirah*, and *emunah* while avoiding potential pitfalls.

First and foremost, I thank the *Ribbono Shel Olam* for granting me the opportunity to study His Torah and to complete this work, and for granting me life and health. I acknowledge *Hashem Yitbarach*, Who bestows kindness upon the unworthy and grants success to those who toil in Torah, and I am humbled by the opportunity to contribute, in some small way, to the vast ocean of Torah literature.

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INTRODUCTION

Are departed souls aware of earthly events? When we speak to loved ones or the *tzaddikim* at their graves, do they truly hear and comprehend? Is communication possible between the living and the dead?

I. Precedent

The *Gemara* (*Shabbat* 152b) brings an opinion that the deceased retain awareness until their flesh decomposes. This view is supported by the *pasuk* (*Iyov* 14:22), "But his flesh grieves for him, and his soul mourns over him." This indicates that the deceased have some awareness of their own physical decay, but it does not necessarily extend to awareness of earthly events.

The *Gemara* (*Berachot* 18b) explores the question of whether the departed are aware of what is going on in this world. The following are the pieces of evidence cited there:

1. *R' Chiya's* sons forgot their Torah while working the fields. One claimed the dead (their father) do not know what happens to their children, while the other argued the dead must feel pain when worms consume them. The *Gemara* concludes that the dead are aware only of their own pain, not of events among the living.
2. A *chassid* slept in a cemetery on *erev* Rosh Hashanah¹ and

1. The *Maharsha* interprets the *Gemara* to mean that the *chassid's* visions were experienced in a dream. The significance of dreams is heightened on Rosh

overheard two deceased girls discussing the coming year's punishments. They were aware that the living had overheard their conversation, which indicates that the dead have awareness of events among the living. The *Gemara* explains that perhaps another newly deceased soul informed them of this fact.

3. *Ze'iri* deposited money with an innkeeper who later died. *Ze'iri* went to the cemetery, where the innkeeper's spirit revealed the money's location and foretold a woman's death. The *Gemara* explains that this knowledge may have originated from a proclamation by the angel *Dumah* and does not indicate that the departed possess awareness of events in this world.

4. *Shmuel* sought his deceased father in the cemetery² regarding orphans' funds entrusted to him. His father revealed the money's location and said *Shmuel* would soon die. The *Gemara* explains that the father may have heard a heavenly announcement about *Shmuel's* impending death.

The *Gemara* ultimately resolves that the deceased indeed possess knowledge of earthly events. Citing a verse, it notes that Hashem instructed *Moshe Rabbenu* to inform the *Avot* – *Avraham*, *Yitzchak*, and *Ya'akov* – that the Jewish people had entered Eretz Yisrael. The *Gemara* reasons that the dead must be aware of worldly occurrences, posing a logical question: "If the deceased are unaware, what purpose would it serve for *Moshe Rabbenu* to inform them?" Thus, Hashem's instruction to *Moshe* presupposes that the *Avot* have awareness of earthly events even after death.

The vast majority of commentators (*meforshim*) agree that the deceased possess knowledge of events occurring in the world of the

Hashanah, a day of divine judgment marked by exceptionally vivid and revelatory dreams.

2. As a Kohen, *Shmuel* stood outside the cemetery (*Maharsham*).

living. **Tosafot** (*Sotah* 34b, s.v. *Avotai*)³ stands alone in its dissenting view, arguing that the dead are only aware of earthly events when they are specifically informed of them. Similarly, the **Shu"t Duda'ei HaSadeh** (30) interprets the *Shulchan Aruch* (YD 363) as implying that the deceased possess knowledge of events occurring in the world of the living.

II. Zohar

The **Zohar** (*Shemot*, 16a) sheds more light on the topic by relating a story. *R' Yehudah bar Shalom* and *R' Aba* were traveling and stopped for the night, laying their heads on a mound of earth that concealed a grave. Suddenly, a voice from the grave addressed them. The deceased, a Jewish man, shared his tragic story: his young son, *Lachma bar Livai*, had been kidnapped as a child by an idol worshiper who beat him daily. Due to his child's suffering, he barred himself from entering the Gan Eden.⁴ The dead man revealed that the deceased are aware of the living's struggles and that their prayers are crucial for the living's survival. "Were it not for our prayers," he said, "they would not survive for even half a day."

As they spoke, the grave rumbled, and the voice urged the rabbis to leave, saying, "Go, arise, for they are beating my son now." The voice was overwhelmed by the pain his son was enduring and couldn't bear to continue conversing.⁵ The rabbis fled in alarm, traveling half a

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3. *Tosafot's* assumption appears to contradict the *Gemara* in *Berachot* by stating that the deceased lack knowledge of worldly events. However, *Rav Chida* (*Petach Einayim*, *Sotah* 34b) and *Hagahot Ben Aryeh* (*ibid.*) clarify that *Tosafot* addresses a specific view within the *Gemara* which maintains that position.
 4. See *Zoharei Chamah*.
 5. See *Nefesh David*.

mile before stopping to wait for morning. At dawn, they encountered a battered man, *Lachma bar Livai*, covered in blood, fleeing from his abusive master. The son's account of his ordeal confirmed the dead man's story. Realizing the connection, the rabbis became fearful and refrained from further conversation. This extraordinary encounter demonstrates that the dead are aware of earthly events.

The **Zohar** (*Vayechi*, 225a) adds another dimension. For twelve months, the soul remains connected to the body in the grave, undergoing joint judgment. During this period, the soul is present in the grave, aware of the body's suffering and also cognizant of the struggles of the living. However, it does not intercede on their behalf, as the soul during this period is primarily engaged in its own judgment.

After twelve months, the soul dons a spiritual garment woven from the *mitzvot* it performed in this world, enabling it to move freely in the spiritual realm as far as the gates of the lower *Gan Eden*. During this time, the soul acquires knowledge from the spirit and takes an interest in assisting living individuals in distress.

Rav Yonatan Eibuschutz⁶ suggests that the deceased's awareness of worldly events hinges on their lifetime pursuits and values. A *tzaddik* who was always focused on intellectual Torah study may have minimal connection to earthly affairs after he departs from this world. Conversely, community leaders who advocated for the greater good of their fellow Jews retain a strong bond with these causes, continuing to champion them in the afterlife. Similarly, a person devoted to family

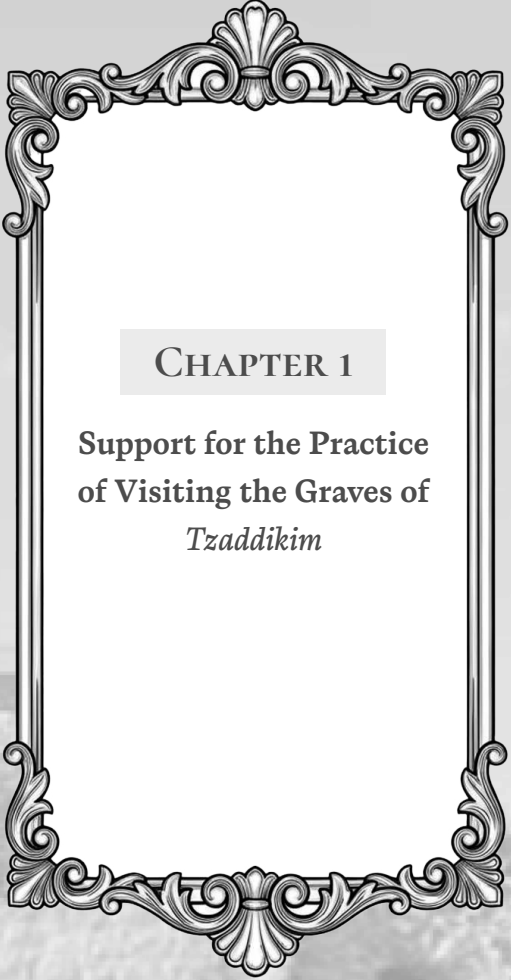
6. *Ya'arot Devash* 1:16:

כי יש צדיקים שאף לאחר מיתתם יש להם דביקות לתחתונים להשפיע להם לטוב ולהועילם לכל טוב כאשר היה בחייהם כמו כן בהסתלקם שטבעם הטוב אז יותר מתגבר בקרבנם לפני ה' שהוא מקור הטוב. ויש צדיקים שמשולקים בכל אופן מעולם התחתון ושמים בינם לבין החיים ואין להם חיבור ושׂיכות כלל בתחתונים וזהו שנחלקו חז"ל (ברכות יח) אם מתים יודעים מאומה או לאו דנוע בכל המחלוקת דאלו ואלו דברי אלהים חיים והוא אף בזה כי יש קצת דיודעים כי יש להם שׂיכות בתחתונים ויש שאין יודעים.

and relationships will likely remain invested in the wellbeing of loved ones after death.

Taken together, the **Gemara** and the **Zohar** converge on a unified conclusion: the deceased do possess awareness of events in the world of the living.

With this, we can gain a deeper understanding of visiting *kivrei tzaddikim*: when one prays at the *kever* of a *tzaddik*, one is not merely standing before a historical monument, but in proximity to a soul that remains aware of the needs of the living and capable of arousing mercy on their behalf before Hashem.



CHAPTER 1

Support for the Practice of Visiting the Graves of *Tzaddikim*

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Support for the Practice of Visiting the Graves of *Tzaddikim*

The practice of visiting the graves of *tzaddikim* is a time-honored tradition that dates back to ancient times. This custom is deeply rooted in Jewish heritage, with numerous sources in the *Gemara* and *Midrashim* that highlight the importance of praying at gravesites. These sources demonstrate not merely a historical practice, but a *halachically* and spiritually meaningful one.

I. Gemara

Chazal teach that *tzaddikim* continue to live and to exert even greater spiritual influence after death. For this reason, the Gemara records individuals and communities praying at the graves of *tzaddikim* and even designating their burial places as sites of supplication in times of distress.

The *Gemara* (*Chullin* 7b) opens our eyes to the profound impact of *tzaddikim* by stating that their influence is even greater after death than during their lifetime. As *Rav Chama bar Chanina* so eloquently put it, “*tzaddikim* are greater in their death than in their lifetime.” *Chazal*

teach that a *tzaddik* is still considered "alive" after passing (*Berachot* 18a). This suggests that while the physical body may be laid to rest, the *tzaddik's* soul transcends mortality, becoming even more vibrant and influential in the spiritual realm.

1. When *Kalev*, one of the twelve spies sent by *Moshe Rabbenu* to Eretz Yisrael, arrived in Eretz Yisrael, he went to *Chevron*, as stated, "*Vayavo ad Chevron*" (*Bamidbar* 13:22). The *Gemara* (*Sotah* 34b) explains that he went to pray at the gravesite of the *Avot* and *Imahot* in an effort to escape the wicked plot of the spies, pleading with his ancestors for spiritual assistance. *Kalev* recognized the power of *tzaddikim* and sought their help, demonstrating the significance of turning to them even after their passing.¹

2. The Torah states that Moshe's burial place remains unknown to this day (*Devarim* 34:6). Why did Hashem choose to conceal this information? The *Gemara* (*Sotah* 14a)² provides a profound explanation: because Hashem knew that the Jews would eventually face the destruction of the *Bet Hamikdash* and be exiled from their land. If they knew where Moshe was buried, they would flock to his gravesite and pour out their hearts in prayer. Moshe, with his immense love for *am Yisrael*, would intercede on their behalf, asking Hashem to reverse the decree. Hashem therefore concealed Moshe's burial place to prevent the Jews from doing so, which would have annulled the decree and altered the course of history.

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1. In *Sha'ar Hagilgulim*, *Rav Chayim Vital* explains that *Kalev* was the reincarnation of *Eliezer*, the loyal servant of *Avraham*. *Kalev* requested a special favor that *Avraham* intercede on his behalf, recalling the many years he had served his master faithfully.
 2. As per the version of the *Bach* and *Eyin Ya'akov*:
א"ר חמא בר חנינא, מפני מה נסתתר מקום קברו של משה מעיני בשר ודם, שגלוי וידוע לפני הקב"ה שעתיד ביהמ"ק ליחרב וישראל יגלו מארצם, שמה יבאו לקברו של משה ויבכו ויתחנונו ועומד משה ומבטל את הגזירה, מפני שחביבים צדיקים במיתתם יותר מבחייהם.

3. *R' Mani*, whose son was being harassed by members of the prince's household, prayed at his father's grave (*Ta'anit* 23b). As a result, the officials' horses' legs were miraculously trapped, forcing them to relent and stop persecuting him. Similarly, the *Gemara* (*Bava Metziah* 85b) tells of a sage who had been blinded and, in his anguish, prostrated himself at the grave of *R' Chiya*. There, he mentioned his diligence in studying *R' Chiya's Tosefta*, hoping to arouse *R' Chiya's* compassion. He was miraculously healed.³ The *Gemara* (*Ta'anit* 16b) also records the custom of visiting the cemetery during a public fast for rain, offering two explanations for it.⁴ The second is so that the deceased should plead for divine mercy on our behalf.

This shows that our Sages did not merely believe that prayers at *kivrei tzaddikim* were effective; they actually turned to them in times of great distress.⁵

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3. The *Maharam Shick* explains that when a person visits a *tzaddik's* grave and expresses their suffering, the *tzaddik's* soul, aware of their pain (as per *Berachot* 18b and *Tosafot, Sotah* 34b), experiences distress. Since the *tzaddik* does not deserve suffering, Hashem alleviates the petitioner's hardship, thereby sparing the *tzaddik* pain while also answering the petitioner's prayers.
 4. The first reason is to humble the living by reminding them that they are considered by Hashem as if they were already dead. The *Shulchan Aruch* (OC 579:3) rules that after completing a series of seven fasts, the community should go to the cemetery to weep and plead at the graves. While the language of the *Shulchan Aruch* appears to align with the first reason (emphasizing the humbling effect on the petitioners), the *Magen Avraham* (ad loc.), *Mishnah Berurah* (579:14), and *Kaf Hachayim* (579:20) all rule in accordance with the second rationale. They maintain that the primary purpose is to invoke the merit and prayers of the departed *tzaddikim*, who can serve as advocates before Hashem on behalf of the living.
 5. The *Gemara* (*Makkot* 5b) tells of *R' Yehudah ben Tabbai*, who, after mistakenly ordering the execution of a false witness due to a legal misunderstanding, devoted the rest of his life to visiting the grave of the man he had wrongly condemned, weeping and pleading for forgiveness. Similarly, in *Yoma* 87a, the