



# A Summary of the Laws of Mourning

A Practical Guide to Common Questions  
Relating to Mourning  
**According to the Customs of Various Communities**

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# **Baruch Dayan HaEmet - Blessed is the True Judge**

I would like to begin by expressing my sincere condolence  
on the passing of your loved one

In these difficult moments of confusion and uncertainty,  
I would like to help by answering the many questions that arise.

You are welcome to call with any questions, small or large.

Here for you, Yoni

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Masculine form is used for convenience only.  
Terms used apply mostly to both females and males.

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## Time of the Soul's Departure

It is proper to recite the "Affirmation of Faith" (*Kabbalat Ol Malchut Shamayim*): "*Shema Yisrael*", "*Hashem Melech*" together with the sick person, as well as the Confession (*Vidui*) - "*Ashamnu, Bagadnu*"..., "*Yigdal Elokim Chai*", and "*Adon Olam*". There is also a common Sephardic custom to recite the annulment of vows and curses (*Hatarat Nedarim*) in the presence of three people.<sup>1</sup>

One may tell the sick person that these verses can help with their healing.<sup>2</sup> If there is concern that reciting these may cause stress to the sick person, it is proper to say them quietly.

According to the strict letter of the law, the relatives should recite "*Baruch Dayan HaEmet*" (Blessed is the True Judge) and perform *Kriah* (the tearing of the outer garments) at the time that death has been determined. However, today it is customary to wait until the funeral, where the mourners are assisted on how to perform *Kriah* and how to say the blessing.

It is appropriate that the relatives of the deceased recite '*Tzidduk HaDin*' (Acceptance of God's Judgment) after the passing, except on Shabbat and holidays:

"Hashem gave and Hashem took,  
Blessed be the Name of Hashem.  
The Rock! - perfect is His work,  
for all His paths are justice.  
A God of faith without iniquity,  
righteous and fair is He.  
Your righteous deed will precede you,  
and the glory of Hashem will gather you in.  
May you lie in peace,  
and may you sleep in peace,  
until *Menachem* (the Comforter, *Moshiach*) comes,  
announcing peace".

"**אָדָנִי נָתָן וְאָדָנִי לְקָחָה,**  
**יְהִי שֵׁם אָדָנִי מִבְּרָה.**  
**הַצּוֹר תָּמִים פְּעָלוֹ,**  
**כִּי כָל דָּرְכֵי מוֹשֶׁפֶט.**  
**אֵל אֶמְוֹנָה וְאֵין צָוָל,**  
**צַדִּיק וַיְשַׁר הָוָא.**  
**וְהַלְּבָד לְפָנֵיךְ צְדָקָה,**  
**כְּבָוד אָדָנִי יְאָסָפָה.**  
**תְּשַׁבֵּב בְּשָׁלוֹם**  
**וְתִישְׁן בְּשָׁלוֹם,**  
**עַד בָּא מְנִיחָם**  
**מִשְׁמִיעַ שָׁלוֹם".<sup>1</sup>**

It is permitted to touch the deceased. According to *Kabbalah*, parents should not kiss their son or daughter who has passed away as such an act poses a danger.<sup>3</sup> Some authorities hold that it is proper to refrain from kissing any deceased person.<sup>4</sup>

One should not eat or drink in the room where the deceased is present, and some prohibit smoking as well. One should not put on *tefillin* there, and *tzitzit* should not be exposed.<sup>5</sup> One should make an effort to avoid family quarrels, especially in such difficult moments when unity is needed. This is especially true in the room where the deceased is present.<sup>6</sup>

\*1. "Adonai natan v'Adonai lakach, yehi shem Adonai mevorach.

*HaTzur tamim pa'olo ki chol derachav mishpat. El emunah ve'ein avel, tzaddik veyashar Hu. Vehalach lefanecha tzidkecha, kevod Adonai ye'asfecha.*

*Tishkav beshalom vetiyshan beshalom ad bo menachem mashmi'a shalom".*

## After the Burial

At the conclusion of the funeral, the mourners change from **leather shoes** to cloth or rubber shoes.<sup>35</sup> If there is concern that they might fall or become ill due to the cold, they are permitted to put on leather shoes but should try to place some soil in the leather shoes and remove the shoes when they arrive home. In such cases it is recommended to wear non-leather shoes in advance.<sup>36</sup>

### **Where to sit *Shiva* (seven-day mourning period)?**

It is proper to sit in the home of the deceased, as this brings comfort to the soul.<sup>37</sup> If this is not possible, they are permitted to sit in the home of one of the mourners or wherever possible.

If it is important to the mourner to sit in his home and not in the home of the deceased, it is permitted. Likewise, if the mourner wants to return to his home for part of the days of *Shiva* to enable his neighbors to come comfort him, it is permitted.<sup>38</sup>

**Condolence meal.** After the burial, it is forbidden for the mourners to eat their first meal from their own food. Their friends or relatives should bring them food.<sup>39</sup>

The mourners should try to eat bread, ritually washing their hands before, or they at least should eat baked goods such as cakes, pretzels and the like. It is customary to add a hard-boiled egg or lentils. The mourner may eat and drink in addition to this as he wishes.<sup>40</sup> Regarding additions to the Grace After Meals, see page 11.

**Prayer and blessings.** If the mourner did not yet recite the *Torah* blessings or the morning blessings as an 'onen', he recites them after the funeral. Yet he need not make up for prayers that have passed their time that he missed while he was an *onen*.<sup>41</sup>

**Tefillin.** The *tefillin* are called "glory" and are as a crown for a person, the opposite of the lowly state of the mourner. Therefore *tefillin* are

not worn on the entire day of the passing, **even after the burial.**<sup>42</sup> If the passing was at night and the burial also at night or the next day - *tefillin* are not worn during the day.<sup>43</sup> It is permitted for the mourner to be the *Sha"tz* (leader of prayers) at the morning prayer, even though he has not worn *tefillin*.

If the passing and burial occurred on different days, such as passing during the day and the burial at night or the next day, many are customized to put on *tefillin* without reciting a blessing.<sup>44</sup>

# Laws of Sitting *Shiva* (Seven-Day Mourning Period)

**The relatives of the mourner**, such as his wife and children (the grandchildren and nephews/nieces of the deceased), do not observe the laws of mourning.<sup>45</sup>

**Leaving the house.** The mourner is not supposed to leave the house where he is sitting *Shiva*, in order not to distract himself from the mourning, except for prayers.<sup>46</sup> If there is a need, it is permitted for the mourner to sleep in his home, and it is proper that someone should accompany him in order for him not to go alone.<sup>47</sup>

**Leather shoes.** Leather shoes are not worn during the *Shiva*, similar to the Laws of *Tisha B'Av*.<sup>48</sup>

**Husband and wife.** Marital relations are forbidden and the beds must be separated.<sup>49</sup> Some authorities permit hugging and kissing.<sup>50</sup>

**Eating meat.** According to Jewish law, only before the burial should one refrain from eating meat and wine, while during the days of *Shiva* it is permitted.<sup>51</sup> Some Sephardic Jews refrain from eating meat all seven days, excepting Shabbat because there is no outward mourning on Shabbat.<sup>52</sup> Moroccan Jews are accustomed to refrain from eating meat even on Shabbat.<sup>53</sup>

**Grace After Meals.** If two people ate with the mourner, they must form a *zimmun*. Sephardic and Yemenite Jews practice that anyone who eats in the mourner's home recites a special version for the *zimmun* and Grace After Meals (the text is usually found at the end of prayer books). On Shabbat, when people who are not mourners dine with the mourners, the special version is not recited.<sup>54</sup>

Ashkenazic Jews do not practice reciting the special version but rather say Grace After Meals as usual.<sup>55</sup>

**Personal care.** It is permitted to brush teeth and apply creams as needed for medical purposes. It is permitted to use deodorant or

perfume to prevent sweat and body odor, but not for the sake of enjoying a pleasant fragrance.

Makeup is not permitted, except for the following exceptions: An unmarried woman while she is seeking to be married. A bride in the first month of her marriage.<sup>56</sup> Anyone applying minimal makeup to cover a blemish and prevent embarrassment.<sup>57</sup>

It is customary not to wear jewelry, except a wedding ring.<sup>58</sup>

**Showering** is forbidden as a source of physical pleasure, but for cleanliness it is permitted. Therefore nowadays, when people are accustomed to showering for hygienic reasons, it is permitted for the mourner to take a short shower with soap in cold or lukewarm water, if he feels a need to clean himself.<sup>59</sup>

A woman mourner does not immerse in the *mikveh* during the *Shiva*, but performs a '*hefsek taharah*' (the initial examination of family purity) and can clean herself for this purpose.<sup>60</sup>

**Hair and nails.** The mourner may not get a haircut or shave, nor may he cut nails with a tool (although there is no prohibition to cut nails with hands or teeth).<sup>61</sup>

**Laundry and clothing.** The mourner is forbidden to wash clothes or iron, even not for others.<sup>62</sup> If necessary, it is permitted to clean a stain from the garment.<sup>63</sup>

The mourner may not wear laundered clothes, but he is permitted to change sweat-absorbing clothes such as underwear, socks, and undershirts. Even other clothes may be changed if they cause discomfort to the mourner, and there is no need for someone else to wear them first.<sup>64</sup>

The torn shirt is customarily not changed, but if it is unpleasant to wear because of sweat or dirt it is permitted to change into a different shirt. If the mourner is in mourning for one of his parents he must perform "*Kriah*" also on the shirt he changed into.<sup>65</sup> However, it is permitted to wear pajamas without making a tear in it.<sup>66</sup>

Bed linens should not be changed to laundered ones unless there is a need.<sup>67</sup>

**Chair and bed.** It is customary that mourners sit on a low chair or on a mattress. Elderly people who find this difficult may sit on a regular chair.<sup>68</sup> At night, it is permitted to sleep on the bed as usual.<sup>69</sup>

**Household tasks.** It is permitted for the mourner, whether either male or female, to clean and cook for the household.<sup>70</sup> However, it is customary to help them by doing these tasks on their behalf.<sup>71</sup>

A mourner should not sew or knit during the *Shiva*.<sup>72</sup>

**Torah study.** The *Torah* brings joy to the heart and soul, and therefore it is forbidden for a mourner to study *Torah*. However, it is permitted to study the laws of mourning as well as any inspirational subject matter in the area of Jewish ethics (*Musar*).<sup>73</sup> It is permitted to recite Psalms that do not contain expressions of joy.<sup>74</sup>

*Torah* classes should not be held in the mourner's home, but it is customary and proper for *Torah* to be learned between *Mincha* and *Ma'ariv* (midday and evening prayers) for the elevation of the soul of the deceased, such as *Mishnayot* (passages of oral law) or ethical teachings (*Musar*).<sup>75</sup>

**Children.** Every effort should be made not to bring young children to the *Shiva*, in order not to present a distraction from the mourning. If the children are at an age that they can be taught to behave appropriately, it is permissible to bring them.<sup>76</sup>

The mourner is forbidden from acts of joy and distractions from the mourning. He must therefore refrain from playing with children who come to visit.<sup>77</sup> Nevertheless, the mourner must care for his children and provide them with all their needs.<sup>78</sup>

**Food and drink for visitors who come to comfort.** There are different customs regarding whether those who come to comfort the mourner should eat and drink in the mourner's home or not. Today it is customary in most places to serve drinks and food.<sup>79</sup>

**Greetings and words of blessing and farewell.** One does not say "shalom" to the mourner because he is not complete, and *shalom* refers to *shalem* - or the whole. The mourner also does not say "shalom". If someone says "shalom" to the mourner, he should respond that he is a mourner, but from the fourth day of mourning onward he may respond "shalom".<sup>80</sup>

Some permit the mourner, as well as the comforters, to say "good morning", "good night" and the like.<sup>81</sup> Similarly it is permitted to nod one's head in place of saying "shalom", shaking the mourner's hand or hugging him.<sup>82</sup>

It is permitted for the mourner to bless and be blessed with good wishes such as 'goodbye', 'take care' and 'k'tivah v'chatima tova' (may you be inscribed and sealed for a good life) and the like.<sup>83</sup>

When people say to the mourner "בָּרוּךְ הוּא הַמָּה יְמִינָה" - "May the Omnipresent console you", and the like, it is proper that he answers *Amen*.<sup>84</sup>

**Mitzvot (commandments) for the elevation of the soul.** It is proper and important to give charity for the elevation of the soul of the deceased. It is proper to organize study of the entirety of *Mishnayot*. One can purchase *Mishnayot* that are divided into small volumes, and distribute them to those able to take upon themselves the study of a tractate for the elevation of the soul of the deceased until the first *yahrzeit* (anniversary of the death).

Some authorities hold that the main comfort for the deceased is in *Torah* study and in the fulfillment of *mitzvot*. Those who succeed in increasing *Torah* study and organizing a new *Torah* class during the year of mourning, or studying more *Torah* on their own, can bring tremendous comfort to the deceased, even more than reciting *Kaddish* or writing a new *Torah* scroll.<sup>85</sup>