YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Talmudic *Aggadot***

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Shiur #06: The *Chasid* in the Cemetery (Part II)

Introduction

# In the [previous *shiur*](http://etzion.org.il/en/shiur-05-chasid-cemetery-part-i), we began to look at the story of the *chasid* in the cemetery. We saw that this story has a number of themes and messages, and we dealt with the shifting focus as the context changes.

The interpretations we suggested last week are based on reading the story in its immediate context. Regarding each source, we considered the narrative in terms of what precedes it. For example, in the Babylonian Talmud, the immediate context of the *chasid* in the cemetery is a discussion of whether the dead are aware of what is going in the world of the living. In light of this context, the reader focuses on this theme and understands from the story that the dead are indeed aware and conscious of what happens on earth.

**The *Sugya* in *Berakhot***

In this *shiur*, we will focus on the *sugya* in *Berakhot* in which the story appears. My goal is to expand our view beyond the immediate context of the tale to take in the entire *sugya*. We will attempt to see how this view contributes to reading the story, as well as to the understanding of the *sugya* as a whole.

The *mishna* that opens the *sugya* in which the tale appears is the first *mishna* of the third chapter of Tractate *Berakhot*:

One whose dead lies in his presence is exempt from the recitation of the *Shema*, and from prayer, and from *tefillin*, and from all the *mitzvot* of the Torah.

The *gemara* infers from the language of the *mishna*:

This is the rule for a dead relative, but not for the dead that one is merely watching. But it has been taught: One who watches the dead, even if not his own dead, is exempt from the recitation of the *Shema*, and from prayer, and from *tefillin*, and from all the *mitzvot* of the Torah!

[We must therefore reinterpret the exemption to apply to] one who watches the dead, even if it is not his own dead, as well as one whose own dead is present, even if he is not watching [the body]. But if one is walking in the cemetery, there is no such exemption.

But it has been taught: One should not walk in a cemetery with *tefillin* on his head or a Torah scroll in his arms and read, and if one does so, he comes under the heading of “Whoever mocks the poor shows contempt for their Maker”!

In that case, the act is forbidden within four cubits of the dead, but beyond four cubits the obligation applies. For it has been said: A dead body affects four cubits in respect to recitation of the *Shema*. But in this case, one is exempt even beyond four cubits. (*Berakhot* 18a)

At first, the *gemara* limits the exemption from *mitzvot* to the relatives of the deceased. However, the *gemara* cites a *baraita* that indicates that the exemption is more extensive: not only are relatives of the deceased released from their duties, even those who merely watch the body have the same status. This exemption does have its limits, however; if one is merely walking through a cemetery, this does not apply, except within four cubits of the dead.

The *gemara* further clarifies that the reason for the exemption for one who walks through a cemetery is different than the reason for exempting the others. When one is in close proximity to a dead person and involved in the conspicuous fulfillment of a *mitzva* (e.g. wearing *tefillin* or studying from a visible text), this constitutes mocking the dead who cannot fulfill *mitzvot*. Moreover, according to the verse in *Mishlei* (17:5), such mockery is blasphemous.

In the continuation of this analysis, the *gemara* cites two *baraitot* dealing with those who watch the corpse or the bones and their obligation to the dignity and protection of the dead, and the *gemara* briefly deals with these *baraitot*. In light of this analysis of the dignity of the dead and the citation of the verse from *Mishlei*, the *Amora’im* discuss the obligation to accompany the dead to burial.

Rachava said in the name of R. Yehuda: Whoever sees a corpse [on the way to burial] and does not accompany it comes under the heading of “Whoever mocks the poor shows contempt for their Maker.” And what is the reward for one who accompanies it? R. Assi says: The following verse may be applied to such a person: “God’s creditor is whoever is gracious to the poor, and He will return that one’s recompense.”

R. Yehuda’s statement allows the *gemara* to expand its analysis of the *mishna* to another rule concerning the dignity of the dead: the obligation of one who sees a funeral procession to join it. In the view of R. Yehuda, this is another matter derived from the clause, “Whoever mocks the poor shows contempt for their Maker.”

**The Story of R. Chiya and R. Yonatan**

Immediately after this, the *gemara* tells the tale of R. Chiya and R. Yonatan as they proceed through the cemetery:

R. Chiya and R. Yonatan were once walking about in a cemetery, and the blue strings of [the *tzitzit* of] R. Yonatan were trailing on the ground. R. Chiya said to him: “Lift it up, lest [the dead] say: ‘Tomorrow they are coming to join us and now they are insulting us!’”

He said to him: “Do they really know so much? Is it not written, ‘But the dead know nothing’?”

He replied to him: “If you have read once, you have not repeated; if you have repeated, you have not gone over a third time; if you have gone over a third time, you have not had it explained to you. ‘For the living know that they shall die’: these are the righteous, who in their death are called living, as it says, ‘And Benaya the son of Yehoyada, the son of a living man from Kavtze’el…’ 'But the dead know nothing': These are the wicked, who in their lifetime are called dead, as it says, ‘And you are a wicked corpse, prince of Israel.’ Alternatively, derive it from here: ‘At the mouth of two witnesses shall the dead be put to death.’ Is he not still alive? What it means is that he is already counted as dead.” *(Berakhot* 18a-b)

This story relates back to what precedes it on two planes. In terms of content, the tale deals with the dignity of the dead, specifically with avoiding the fulfillment of *mitzvot* in their vicinity, as appears in the *baraita* cited before it. There is a connection on the literal level as well: R. Chiya uses the term *cheiruf* to refer to the implied insult in performing *mitzvot* ostentatiously in the presence of the dead, and *cheiruf* is the term used by the verse cited by the *baraita* to describe what one who mocks the poor does to God.

There are a number of interesting points in the literary design of this narrative. First of all, we must note the tone of the story’s opening.

R. Chiya and R. Yonatan were once walking about (*shaklei ve-azlei*) in a cemetery, and the blue strings of [the *tzitzit* of] R. Yonatan were trailing on the ground (*kashadya* *tekhelta*).

The phrase “*kashadya* *tekhelta*” describes the problematic event at the center of the story – the fact that R. Yonatan’s *tzitzit* are sticking out of the hem of his garment. This phrase aurally recalls the phrase “*shaklei ve-azlei*” in the previous line, which describes the actions of these sages before anything happens. This term (literally, “taking and going”) indicates that they were involved in the give-and-take of Torah study. It may be that the author alludes to the certain irony of an additional example of insensitivity, of which neither sage is aware: studying Torah in a cemetery. Indeed, the preceding *baraita* forbids this: “One should not walk in a cemetery with *tefillin* on one’s head or a Torah scroll in one’s arms and read” within four cubits of a dead body, “taking and going.”

It may also be that the biblical citation utilized by the sages, “But the dead know nothing,” also displays insensitivity to the dead. The story itself, apparently, testifies to the caution which those who walk through a cemetery must exercise, whether it is in terms of the actions that they take or the words that they speak, which may injure the feelings of the dearly departed.

Similarly, the reference to *tekhelta* (*tekhelet* in Hebrew) is also quite significant. Consider the words of the Sages:

It was taught: R. Meir used to say: Why is *tekhelet* specified above all the other colors? Because *tekhelet* resembles the color of the sea, and the sea resembles the color of the sky, and the sky resembles the color of [a sapphire, and a sapphire resembles the color of] the Throne of Glory, as it is said, “And there was under his feet as it were a paved work of sapphire stone,” and it is also written, “The likeness of a throne as the appearance of a sapphire stone.” (BT *Menachot* 43b)

*Tekhelet* symbolizes, among other things, the fact that the lower world reflects the upper world; the sky is thus reflected in the seas and in the *tekhelet* with which Jews dye their *tzitzit*. This connection between heaven and earth strengthens the idea that appears in the story of the *chasid* concerning a different connection — the dead knowing what befalls the living. Perhaps this is the reason that R. Chiya shows greater sensitivity to the insult of R. Yonatan’s *tekhelet* dangling in the cemetery.

Let us take a moment to consider the verse expounded in the narrative: “For the living know that they shall die, but the dead know nothing” (*Kohelet* 9:5). There is another way to read the verse if we change the punctuation: “For the living, who shall die, know, but the dead know nothing.” This would create a direct parallel between the awareness of the living and the obliviousness of the dead. “They shall die” thus would not refer to what the living know, but to their existential nature: they are currently alive, but eventually they must die. This requires rearranging the order of the verse somewhat, since “[they] know” precedes “[they] shall die” in the text, but it would fit in better with the reading of R. Chiya, who imagines the deceased’s complaint: “Tomorrow they are coming to join us, and now they are insulting us!” It behooves the living, who are fated to die, to take this knowledge to heart.

However, R. Yonatan seems to accept our initial rendering: “For the living know that they shall die.” He apparently reads the verse thus, and his argument is twofold. First of all, the living are well-aware of their mortality; it is inappropriate to blame them for insensitivity due to inattention to this matter. Second of all, “the dead now nothing,” and therefore a few strings of *tzitzit* dangling loose as they walk among the gravestones will not hurt their feelings, as they cannot see or be aware of such activity.

In any case, the presence of this story in the *sugya* sharpens the point concerning the dignity that the dead are entitled to, bringing it to a whole new level. This issue is not confined to the treatment of the body on the day of death, expressed through watching the body and burying it. Beyond the funeral and interment, the deceased has the right to considerate treatment even long after death and burial. An act of *cheiruf* – of mockery, scorn, insult or contempt – is utterly forbidden, even when this is merely implied by fulfilling ostentatious *mitzvot* in the vicinity of the dead.

As the *sugya* continues, the focus veers off to a question raised by the story of R. Chiya and R. Yonatan: “Do they really know so much?” Are the dead truly aware of what the living do or say? This is a secondary discussion that branches out from the central issue, the dignity of the dead. The *gemara* cites a number of sources in this discussion, one of which is the story about the *chasid* in the cemetery, which ostensibly indicates that the dead do in fact know about and are aware of the affairs of the living.

However, before citing this story, another story is told, which seems to serve one purpose only – developing the theme of what the dead know. Still, reading this story shows us that the issue of sensitivity to the feelings of the deceased is also a matter of concern:

The sons of R. Chiya went out to cultivate their property, and they began to forget their learning. They tried very hard to recall it. One said to the other: “Does our father know of our trouble?”

“How should he know,” replied the other, “seeing that it is written, ‘His sons come to honor and he knows it not’?”

The other said to him: “But does he not know? Is it not written: ‘But his flesh grieves for him, and his soul mourns over him’? And R. Yitzchak said [commenting on this]: The worm is as painful to the dead as a needle in the flesh of the living!”

[He replied]: “It is explained that they know their own pain, but they do not know the pain of others.”

This story shows that the dead do indeed have feelings. This sharpens the point of protecting the dignity of the dead, which is the topic of this *sugya*.

**The Context of the *Chasid*’s Tale in the *Sugya***

Now we must ask what the proper context is for reading the story of the *chasid* in the cemetery. As we saw in the previous *shiur*, Ofra Meir has one way of understanding the narrative, and we may certainly adopt that approach: the story is cited in the context of what the dead know of the living, the discussion at the heart of which this tale is found.

However, if we take a more expansive view, it appears that the story of the *chasid* may fit in with the central theme of the *sugya*: the matter of the dignity of the dead. Unlike the story of R. Chiya’s children, which deals exclusively with the feelings of the dead, but not their dignity, in the story of the *chasid*, the dignity of the dead is clearly at issue as well. The spirit of the poor girl is ashamed to leave her grave because of the reed matting; this is her shroud, the attire of which she is so deeply ashamed. The *chasid* is not sensitive to her dignity, and so he fails to omit this detail when he tells his wife what he heard in the cemetery. His wife then goes to the mother of the poor girl and insults her, further impinging on the dignity of the girl, who is aware of this conversation.

The injured dignity of the girl expands the message of the story far beyond the technical question of what the dead know of the living. The message arising from the story indicates the importance of sensitivity to the dignity of the dead; lack of such sensitivity causes the *chasid* to lose everything he has gained.

However, the connection between the story of the *chasid* and the main *sugya* is even more significant. Note that in discussing the dignity of the dead in the story of R. Chiya and R. Yonatan, the *gemara* cites a verse from *Mishlei* that does not even explicitly mention the deceased, but rather the disadvantaged! “Whoever mocks the poor shows contempt for their Maker” — this means, quite literally, that anyone who scorns or insults the impoverished is in fact defaming the One who created them, i.e. blaspheming God. This verse is expounded to refer to the dead because just as a pauper has no resources, a deceased individual is bereft of opportunities to fulfill *mitzvot*. In fact, this equation is a famous statement of *Chazal*: “Whoever is impoverished is considered like the dead” (BT *Nedarim* 64b).

This analogy appears in the next part of the *sugya* as well. In order to explain what reward one is entitled to for accompanying the dead to their final rest, R. Assi’s teaching is cited, expounding *Mishlei* 19:17:

R. Assi says: The following verse may be applied to such a person: “God’s creditor is whoever is gracious to the poor, and He will return that one’s recompense.”

R. Assi expounds the verse by reversing the order. He makes the subject of the sentence “whoever is gracious to the poor,” as such an individual is considered God’s credit.

The *derasha* here is even more sophisticated, as the *darshan* (the author of the *derasha*) builds on the wordplay of the term the verse uses for creditor, *malveh*. Vowelized according to Masoretic tradition, *malveh* is a lender; however, the letters could also be read *melaveh*, accompanier, escort — and this is the term used for participating in a funeral procession. The text praises the *malveh* who lends money to a pauper, but the *darshan* uses it to praise the *melaveh* who accompanies the deceased to the grave; essentially, he is God’s escort in making sure that His creation is returned to the earth from which all humans come. As for the guaranteed reward, this seems to be based on the second clause, “And He will return that one’s recompense.”

The story of the *chasid* in the cemetery reflects on the intertwined issues of poverty and death in much the same way as the rest of the *sugya*. The dead girl is also impoverished, and her poverty plays a pivotal role in the plot. The injury to her dignity is a double insult, showing disrespect for the dead and for the poor. When the *chasid’s* wife mocks the pathetic garb of the dead girl, this is the epitome of “Whoever mocks the poor.”

Tying the narrative to the *sugya* emphasizes the connection within the story between poverty and death, which contributes to the reading of the tale, sharply honing the causality within it. At the beginning of the story, the *chasid* gives charity to the pauper, for which he is rewarded by hearing the conversation of the dead in the cemetery. The causal connection between the *mitzva* and the reward is tied to the link between death and poverty. Therefore, the reward that the *chasid* receives from the dead is *midda ke-neged midda*, measure for measure.

The converse is also true: when the *chasid* is careless with the dignity of the dead girl, and this incautiousness leads to the mocking of her poverty, he loses his reward and his profitable line of communication to the world of the dead is disconnected.

It may be that there is an additional point in the story that grows more acute in light of the connection to the *sugya*. As we have noted, the *sugya* spends a great deal of time expounding the first half of the verse, “Whoever mocks the poor shows contempt for their Maker,” in the context of the dignity of the dead. But let us consider the second half of the verse: “Whoever gloats over disaster will not go unpunished.” What connection does this clause have to the narrative? In my view, we may read this part as a reference to the spirits of the dead. The aim of listening “behind the curtain” and the constant updating among the spirits in that realm is to discover “what suffering is coming on the world.” It appears that these spirits are trying to keep up with the latest gossip in this context, and there is an element of gloating over disaster in this. It may be that the insult suffered by the spirit of the poor dead girl is something of a punishment for her gloating, as “whoever gloats over disaster will not go unpunished.” Indeed, in this story no one, living or dead, goes unpunished.

Thus, the story of the *chasid* in the cemetery strengthens the overarching message of the *sugya*. The *sugya* deals with the importance of the dignity of the dead; in fact, it is so significant that there are situations in which one who is involved in watching the dead is exempt from all *mitzvot*. The story demonstrates and emphasizes the preeminence of protecting the dignity of the dead, as at the moment that the *chasid* fails to be punctilious about it, he loses the boon of communicating with the dead. The implicit message in the *sugya* regarding the dignity of the poor and their analogy to the dead is enhanced by the story as well, as in the character of the poor dead girl.