

Sh'ma

a journal of Jewish responsibility

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Saying kaddish: the making of a "regular"

Marian Henriquez Neudel

A little less than a year ago, my father died. When I had dealt with all the immediate logistics, I began working on the more long-term logistics of saying *kaddish*.

My expectations were shaped by innumerable articles, biographies, and novels I had read about bereaved Jewish women who went through all sorts of unpleasantness to be able to say *kaddish* in all-male *minyanim* which most emphatically did not want them around and disapproved of their taking on the obligation in the first place. Henrietta Szold's marvelously moving statement about saying *kaddish* for her mother was perhaps the basic text I was operating on. I was braced to spend the better part of a year gritting my teeth. I'm not quite sure why, under the circumstances, I still wanted to assume the obligation. My father, while he undoubtedly would have understood why I chose to do so, would also have understood if I had not. Most of my other relatives would have trouble making sense of the ritual.

Additionally, I had the purely biological problem of not being a morning person. Until this year, I have had the luxury of being able to get up at 7:30, take an 8:25 train and get to work slightly early for a 9:30 court call most mornings. Daily *minyanim* start at 7:30 AM, or (downtown) 8 AM at the latest.

The egalitarian *minyan* I daven with on *Shabbas* doesn't meet during the week. It's twenty five years old now and is unlikely to change its ways on this issue. Most of us have trouble enough getting to *shul* on time for a 9:30 service once a week.

MARIAN HENRIQUEZ NEUDEL is a lawyer, practicing in Chicago.

Again, a Wandering Jew

There's a Conservative synagogue downtown, a stone's throw from court and not too far from the train. It serves a good breakfast after services in the morning. Breakfast is also (it turns out) a good place to meet fellow attorneys and talk shop. Seating is mixed but women are not counted in a *minyan*. On the other hand, they almost always have a *minyan*. People are friendly. On the other hand, the Middle East politics of the rabbi and many of the regulars are only a hair to the left of Jabotinsky himself, and they love to talk politics at breakfast. That was one possibility.

There's another Conservative synagogue in my neighborhood, about eight blocks from home; which is a difficult walk on icy winter days, though rather nice in good weather; getting there involves a walk through a park, among other things. They're also usually reasonable about letting me park my car in their lot on bad days. They're half a block from a train station. Breakfast is intermittent. They count women in the *minyan*. On the other hand, some weeks, they can't get a *minyan*, even by counting women. (Most of the regulars are retired men who get sick, or go to Florida to visit their kids, or have doctor's appointments, on a fairly regular basis.) Some mornings, they ask me to lead services, even though the Ritual Committee has not quite gotten around to ruling on this issue, even for *Shabbas* services. (This is the only daily *minyan* I know of which is ahead of the Ritual Committee on anything.) I get *aliyot* pretty regularly. They need me. To make a *minyan*, I mean. They need everybody they can get, male and female. When I don't show up for a couple of days (because the weather was bad and it was easier to go downtown) people ask if I'm okay and say they would have called me at home if I'd missed another day.

Architecturally, the *shul* is unprepossessing. And it leaks. Getting from the parking lot entrance to the chapel on wet days is an obstacle course of pots, pans, and puddles. On really wet, windy days, the rain blows into the chapel through cracks in the leading of the stained glass windows. Breakfast is also a disappointment. My most ardent revolutionary struggle of the year was the effort to get bran muffins for breakfast. Instead, breakfast has dwindled away altogether, when there were only two or three of us who stayed around to eat it.

And what if you Care about Spirit?

The *davenning* is less musical than I am used to, and somewhat faster. (By Orthodox standards, on the other hand, it's pretty slow.) The men who lead

it most of the time are serious about it. Their *kavannah* (devotion) shows. Their religiosity reminds me of my father's.

A *minyan* full of (mostly) older men becomes a very vivid reminder of the narrowness of the gap between those who *say kaddish*, and those for whom we say it. Over the year, two of the regulars themselves have died. A couple of the others are looking a lot frailer, and I worry about them. At the same time, the rest of us move in, and then move on—my last week of saying *kaddish* turned out to be the first week for a friend of mine, who has lost *her* father.

I have become very fond of the regulars. I see my father in them. Temperamentally they have a lot in common with him. A couple of them are very frail men who have trouble seeing and walking, and go to a lot of trouble to get to *shul*. As my donation to the *shul* I have given a check earmarked for the construction of a railing on the *bimah* so they won't have so much trouble getting up and down for *aliyot*.

I sometimes joke about writing a "Mourner's Guide to Chicago Synagogues," rating them all (fifty-odd, I think) on liturgical quality [rating indicated by between one and five tiny *sefer torahs*], speed of *davenning* [indicated by clock faces], odds of having a *minyan* at any given service [stated in percentage], non-sexism [indicated by the number of = signs], friendliness [one to five smiley faces], and quality and quantity of breakfast [forks?]. But, obviously, I have made my choice.

Now that my eleven months are up, I find I do not want to get out of the habit. I find (much to my surprise) I even have trouble sleeping past 6:15. I have committed myself to showing up Wednesdays and Thursdays, to make the counting easier and more predictable.

In the process of becoming a regular, I have learned a lot about what the ritual is *for*. I know something of the history, but that doesn't have a whole lot to do with how it works *now*. For most of us, the 11 months of mourning is the first acquaintance we will ever have with daily *davenning*, individually *or* in a congregation. It draws us into a community (typically a rather small one) at a time when grief might otherwise isolate us. It imposes a routine on us when we might be tempted to let chaos take over. It gives us something to do early in the morning when depression wakes us up earlier than usual.

Understanding Heschel's Leap of Action

And it gives us (many of us, anyway) our first sample of real genuine Jewish petitionary prayer. Those of us who *daven* only on *Shabbas* and the holidays

are, obviously, a lot more Jewishly-literate than those who only go to High Holiday services. But we still miss out on a lot. The *Shabbas Amidah*, the central prayer of the service, goes out of its way *not* to deal with the needs and concerns of the rest of the week. G-d, we figure, is *also* entitled to take the day off. So what we mostly do on *Shabbas* is praise H**. Which leads many of us to think of Judaism as more abstract and less nitty-gritty than the many other religions which surround us, with their endless and often very public and petty prayers for health, wealth, and peace of mind. That's okay in our younger days, when we don't usually feel any serious lack of those necessities. It's fine to have a religion that's above such mundane things. But our first major bereavement is likely to coincide with, or even mark, the passage into middle age, when health and wealth (or anyway, sustenance) and other basic necessities become harder to come by.

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Editor Eugene B. Borowitz

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And it also introduces us to the daily *amidah*, and plugs it into the nittiest and grittiest part of our daily life.

The alternatives and adjuncts to *kaddish* also do a lot for us in the situation of bereavement. The Tradition tells us that if you can't say *kaddish* with a *minyan*, the next best thing is to study. Preferably Torah, for instance the *parashah* of the week, or something very closely related to it. So (given the difficulties of our local shul in raising a *minyan* some days) I've done a lot more Torah and *Haftarah* reading than I ever did before. I've done a lot more reading on Jewish topics in general, for the same reason.

We are also supposed to give a lot of *tzedakah* during the year of mourning. I have become acutely conscious of the innumerable beggars on my regular path to and from work, between my office and court, and around my neighborhood. Some of *them* have become "regulars" in my life too. What the Tradition had in mind, I don't know; but the admonition to give extra *tzedakah* makes me aware of other people's troubles when I might otherwise become absorbed in my own. One of the last things I was able to do for my father while he was alive but not able to write or calculate was take care of his regular charitable donations for the year. Here again, the Tradition has given me a very constructive, very personal way to feel close to him.

I used to be bothered that Jews, or at least the ones I come in contact with, see daily prayer as something to be done only in the context of bereavement. Now I realize how many of the regulars in our daily *minyan* were drawn into it during their various bereavements, and I suspect that they—and I, now—don't exactly see daily prayer as a mourning ritual. After all, we stay on past our year. Rather, we see bereavement as a kind of initiation into the meaning of the ritual. Now we know what it's for. □

Liability for missing an appointment

Aaron Levine

It often takes the sensational to raise our consciousness to an ordinary everyday moral dilemma. A case in point is the ethics of missing an appointment. A sensational case in this regard, receiving much publicity in the media, involves a \$130,000 damage suit a couple lodged against a rabbi for al-

AARON LEVINE teaches economics at Yeshiva University, is the rabbi of Young Israel of Ave. J., Brooklyn, and is a Contributing Editor of *Sh'ma*.

legedly being an hour and a half late to perform their Wedding Ceremony (Adler vs. Frank). The rabbi's alleged tardiness, according to plaintiffs, led to a chain reaction of calamities: an inflated liquor bill as bored guests took to drink; vicious gossip that the marriage might be off; for the bride, a long wait in a stifling room as she awaited, in frustration, her "grand entrance;" and, finally, for the groom, the reemergence of an old back injury.

While the phenomenon of the missed appointment occurs in many social and business settings, what comes to mind as the most frequently encountered irritant is the frustration of the patient sitting in the waiting room for his or her turn to see the doctor. Doctors routinely overbook appointment schedules. For the patient, the question most often is not whether he or she will see the doctor at the designated time, but rather how long beyond this time the wait will be. It takes little imagination to conjure up the scenarios of anguish for the patient resulting from the failure of the doctor to see him or her at the appointed time. Imagine the hysteria of frightened children when the unexpected delay results in their mother missing the bus stop; or the dismay of the student who missed his school examination or the anguish of the family who freeze because no one was home to let the plumber in to fix the boiler.

The Guidance of Jewish Law

The compensation claim that may arise out of a missed appointment is dealt with by *Rema* (*Sh.Ar. H.M.*(14-5) in connection with a broken out of town court appointment. Here, *Rema* rules that the stood up party is entitled to recover his travel expenses. The rationale behind this ruling is that since A had legitimate expectation that B would show up for the court appearance, we can regard it as if B *instructed* A to incur the necessary travel expense. B's failure to show makes him therefore responsible for A's expenditure. (*Imrei Binah Hil. Dayyanim* 21).

Proceeding from the above is that the Adlers' claim against the rabbi has no halakhic validity. While the Adlers had every right to expect the rabbi to arrive on time, this expectation does not amount to an *implicit* instruction on the part of the rabbi that in the event of his tardiness the guests should over-indulge in liquor and engage in gossip.

Untenable on even more fundamental grounds is the patient's claim against the doctor for lateness. Given the frequency of this phenomenon, the setting of a designated time does not amount to any sort of implicit instruction to the patient. The