

יום הכיפורים

I think I must have been 4 or 5 years old and I have a vivid picture of the Yom HaKippurim of that year in my mind. I don't think that I exactly understood that the day was Yom HaKippurim, but it was and I can still see the scene now from my eyes then as a child.

The shul that we davened at was not exactly the way it should have been, but I wasn't aware of that of course. What I was aware of was that the men, with maybe a handful of exceptions, wore Taleisim that were literally prayer *shawls*. Usually made from silk or rayon, they were worn around the neck, like a shawl and not like the Taleisim that we wear that come down far across the back and with the tzitzis hitting the floor.

That Yom Kippur some 66 years ago, my father z"l took me to the shul that his father, my grandfather z"l, davened at. It was a shul in which everyone wore Taleisim as we do today. Besides those individuals who lived in our city, there were many *Shochetim* who would come for months at a time and they were there as well.

So on that Yom HaKippurim morning we came into the small shul which was called *HaKerem* and was full with every man wearing his *kittel* and Talis, as we wear today, and my Zaidy, who was then 80 years old or so, was leaning on the banister that surrounded the Bima where the Torah was read.

That is all that I remember from that day. I share that memory to consider the impact that experience had upon me. I didn't know what I was experiencing but the impression was everlasting.

And now, let us come back to the present, to the Yom HaKippurim that we will shortly observe and think about its impressions and how we are to relate to them.

Now that my experiences over the last many decades have been quite different there are other events that have a forceful effect. Certainly the first night of Selichos, when the Shliach Tzibbur begins *Ashrei* with the distinctive tune of the Yomim Noroim I am reminded vicariously that a new period of time is beginning, In the many years when I was part of the Beis Din for *Hataras Nedorim* of the 100 + Machal students reciting the formula for renouncing vows, their unified voices

with their hopes and aspirations, as well as taking account of what the previous year, that last year's Yomim Noraim brought, have a powerful effect. With so many people participating in those first Selichos – it was always moving. On Rosh Hashanah the *klap* on the Bima and then the Chazan's recitation of Borechu moves me as well.

On Yom HaKippurim, as Kol Nidrei is to begin, and the Sifrei Torah are removed from the Aron HaKodesh and the Bima is circled, I begin to feel the immensity of the day.

Additionally and unquestionably, the *nigunim* that are used have a distinct holiness and they inspire as well. Rama to Shulchan Aruch Siman 619 (s'if 1) writes:

ואל ישנה אדם ממנהג העיר אפילו בניגונים או בפיוטים שאומרים שם (מהרי"ל).

No one should change from the custom of the city, even regarding the tunes or the *piyutim* that they say there – from *Maharil*.

Mishnah Brurah (s'if koton 7) explains:

אפילו בניגונים - כי על ידי ה מבלבל דעת הקהל

Even the tunes – because by changing the congregation will get confused.

Anyone who has davened in the same shul for many years knows how comforting it is to hear the same tunes sung – how that makes us part of the unified congregation. And when we happen to be some place that is foreign to us, no matter how wonderful the Tefilah may be, it can be very disconcerting to feel out of synch with the entire *Tzibbur*.

However, we must consider if these feelings that are discussed above, and all of the rest of the emotions that we experience as a *tzibbur* and as individuals, are sufficient to convey to us the importance of Yom HaKippurim, the day that the Torah signifies as being unmatched in its singularity.

We will read of that singularity on the morning of Yom HaKippurim from Parshas Acharei Mos (Vayikro Perek 16/Posuk 34):

וְהִיְתָה זֹאת לָכֶם לְחֻקַּת עוֹלָם לְכַפֵּר עַל בְּנֵי יִשְׂרָאֵל מִכָּל חַטָּאתָם אַחַת בַּשָּׁנָה וַיַּעַשׂ כַּאֲשֶׁר צִוָּה ה' אֶת מֹשֶׁה:

This will be for you an eternal statute to atone for B'nei Yisroel from all of their sins, once in the year; Aharon did as Moshe commanded.

And twice more, in Parshas Tetzaveh before Yom HaKippurim was ever mentioned, when the Torah teaches regarding the *Mizbach HaZahav*, the Golden Altar that was inside the building of the Beis HaMikdosh, we read about the unmatched uniqueness of Yom HaKippurim. Twice in the one Posuk, the Torah writes the same words – אחת בשנה (Sh'mos Perek 30/Posuk 10):

וְכִפֹּר אֶהְרֵן עַל קַרְנֹתָיו אֶחַת בַּשָּׁנָה מִדַּם חַטָּאת הַכֹּפְרִים אֶחַת בַּשָּׁנָה יִכַּפֵּר עָלָיו
לְדֹרֹתֵיכֶם קֹדֶשׁ קֹדְשִׁים הוּא לֵה':

Aharon will atone on the horns of the altar once in the year from the blood of the sin-offering of atonement; once in the year he shall atone for your generations; it shall be the holy of the holy for Hashem.

And so, we must ask ourselves: what is expected of us on Yom HaKippurim? Is it enough to be happy with the singing, with the Chazan and with all who are with us in Shul¹? What is the foundational thought that we are to have in mind as we approach that holiest of days?

Let us learn what Rambam teaches in Hilchos Teshuva. We read there in the first Perek (Halachah 2):

שְׁעִיר הַמִּשְׁתַּלַּח לְפִי שֶׁהוּא כֹפֵר עַל כָּל יִשְׂרָאֵל כֹּהֵן גָּדוֹל מֵתוֹדָה עָלָיו עַל לִשׁוֹן כָּל
יִשְׂרָאֵל שֶׁנֶּאֱמַר (וַיִּקְרָא טז/כ"א²) וְהַתּוֹדָה עָלָיו אֶת כָּל עֲוֹנוֹת בְּנֵי יִשְׂרָאֵל.

שְׁעִיר הַמִּשְׁתַּלַּח מִכֹּפֵר עַל כָּל עֲבִירוֹת שֶׁבַתּוֹרָה הַקְּלוֹת וְהַחֲמוּרוֹת, בֵּין שֶׁעָבַר בְּזָדוֹן,
בֵּין שֶׁעָבַר בְּשִׁגְגָה, בֵּין שֶׁהוֹדַע לוֹ בֵּין שֶׁלֹּא הוֹדַע לוֹ הַכֹּל מִתְּכַפֵּר בְּשֶׁעִיר הַמִּשְׁתַּלַּח,

¹ See Mishnah Brurah s'if koton 1 to Siman 519 regarding the phrase that is recited prior to Kol Nidre:

אנו מתירים להתפלל עם העבריינים

We [the Beis Din] permit praying with sinners.

² The entire Posuk reads:

וְסָמָה אֶהְרֵן אֶת שְׁתֵּי יָדָיו עַל רֹאשׁ הַשְּׁעִיר הַחַי וְהַתּוֹדָה עָלָיו אֶת כָּל עֲוֹנוֹת בְּנֵי יִשְׂרָאֵל וְאֶת כָּל פְּשָׁעֵיהֶם
לְכָל חַטָּאתָם וְנָתַן אֹתָם עַל רֹאשׁ הַשְּׁעִיר וְשָׁלַח בְּיַד אִישׁ עֵתִי הַמְּדַבֵּר:

Aharon shall lean his two hands on the head of the living goat and he shall confess over it all of the transgressions of B'nei Yisroel and all of their iniquities for all of their sins and he shall place them on the head of the goat; he shall send it in the hand of the man who is at-ready to the wilderness.

והוא שעשה תשובה, אבל אם לא עשה תשובה אין השעיר מכפר לו אלא על הקלות, ומה הן הקלות ומה הן החמורות, החמורות הן שחייבין עליהם מיתת בית דין או כרת, ושבועת שוא ושקר אף על פי שאין בהן כרת הרי הן מן החמורות, ושאר מצות לא תעשה ומצות עשה שאין בהן כרת הם הקלות.

The goat that is sent out [on Yom HaKippurim] because it serves to atone for all of Israel, the Kohen Godol recites the *viduy*-confession over it in the name of all of Israel, as it says, 'He shall confess over it all of the sins of B'nei Yisroel'.

The goat that is sent brings atonement for all of the transgressions in the Torah, light transgressions and severe transgressions, whether the person was aware of the transgression or not – the sent-goat atones for all, when the person repents.

If the person does not repent, the sent-goat only atones for the light transgressions.

What are the light transgressions and what are the severe ones? The severe transgressions are those for which a person receives capital punishment at the hands of Beis Din or *koreis*-excision from heaven as well as unnecessary and false oaths, even though they are not punished with *koreis* – these are the severe transgressions.

All other commandments, whether prohibitions or violations of positive acts, if they do not bring a punishment of *koreis*, they are the light transgressions.

Certainly an initial thought that comes to mind as we complete the learning of this Halachah is that Yom HaKippurim seems inadequate nowadays that we have no Beis HaMikdosh. Rambam addresses that issue in the following Halacha (3):

בזמן הזה שאין בית המקדש קיים ואין לנו מזבח כפרה אין שם אלא תשובה, התשובה מכפרת על כל העבירות, אפילו רשע כל ימיו ועשה תשובה באחרונה אין מזכירין לו שום דבר מרשעו שנאמר (יחזקאל לג/יב³) רשעת הרשע לא יכשל בה

³ The entire verse reads:

וְאֵתָהּ בֶן אָדָם אָמַר אֶל בְּנֵי עַמֶּךָ צְדָקָת הַצְדִּיק לֹא תִצְלִינּוּ בְיוֹם פְּשָׁעוֹ וְרִשְׁעַת הַרְשָׁע לֹא יִכְשַׁל בָּהּ בְּיוֹם שׁוּבוֹ מִרְשָׁעוֹ וְצְדִיק לֹא יוֹכֵל לְחַיּוֹת בָּהּ בְּיוֹם חַטָּאתוֹ:

And now, son of man, say to the sons of your people, 'The righteousness of the righteous will not save him on the day of his sin and the wickedness of the

ביום שובו מרשעו, ועצמו של יום הכפורים מכפר לשבים שנאמר (ויקרא טז/ל) כי ביום הזה יכפר עליכם.

Nowadays, when the Beis HaMikdash is not in existence and we have no altar for atonement, there is only repentance. Repentance atones for all sins. Even if a person was wicked his entire life but repents at the very end, we do not mention to him [in heaven] and aspect of his wickedness as it says, 'the wickedness of the wicked – he will not stumble over it on the day that he repents from his wickedness.'

The very day of Yom HaKippurim atones for penitents as it says, 'On this day He will atone upon you'.

עצמו של יום הכפורים מכפר

The very day of Yom HaKippurim atones.

There are many discussions regarding the opinion of Rambam and other Rishonim whether the 'atonement of the day itself' is valid even when there is a Beis HaMikdash, but that the שעיר המשתלח – the goat that is sent away- adds to the atonement or if 'the atonement of the day itself' is only effective when there is no Beis HaMikdash and no *mizbeach*, i.e. nowadays.

If 'the atonement of the day itself' was not valid when there was a Beis HaMikdash then what would happen if a person would sin on Yom HaKippurim after the atonement of the שעיר המשתלח? Did the effectiveness of atonement of Yom HaKippurim conclude at that the time of the goat that was sent away? If that is so, why is it a *Day* of Atonement? It is a *moment* of atonement?

There are also many discussions regarding when 'the day itself' brings atonement. Does every moment of the day bring atonement or is it only when the Yom HaKippurim comes to its conclusion that atonement is realized.

wicked – he will not stumble on it on the day of his repentance from his wickedness; the righteous person cannot live in it on the day of his sin.

⁴ The entire verse reads:

כִּי בַיּוֹם הַזֶּה יִכַּפֵּר עֲלֵיכֶם לְטַהֵר אֶתְכֶם מִכָּל חַטֹּאתֵיכֶם לִפְנֵי ה' תִּטְהָרוּ:
Because on this day He will atone upon you to purify you from all of your sins; before Hashem you will be purified.

The implications of this question are many. Simply, if a person dies during Yom HaKippurim, prior to the end of the day, has atonement been accomplished? If every moment of Yom HaKippurim brings atonement – then the atonement has been accomplished. If only the end of the day brings atonement, then it hasn't.

But, the other side of this question is if every moment of Yom HaKippurim brings atonement – why does the Day of Atonement have to be a day? Why isn't a minute sufficient?

An analysis of these questions and many others are beyond the scope of this D'var Torah. The commentators deal with these issues extensively⁵. Instead, let us attempt to understand the concept that states:

עצמו של יום הכפורים מכפר

The very day of Yom HaKippurim atones.

means for us as we approach that holiest of days.

Kol Nidrei is recited and concludes prior to sunset. It is chanted when it is still Erev Yom HaKippurim. The section of davening of *Kol Nidrei* concludes with the recitation of the B'racha of Shehecheyanu:

ברוך אתה ה' א...ל'קיננו מלך העולם שהחינו וקימנו והגיענו לזמן הזה.

We bless Hashem our G-d, King of the Universe Who has given us life, Who has given us life and has maintained our existence and Who has brought us to this time and season.

The *minhag* in most places is that the Chazan very slowly begins the chanting of the Bracha of Shehecheyanu and the congregation, slowly, but not as slow, also recites

⁵ For a most comprehensive overview and detailed discussion of these questions and others, see the three-volume *Sefer HaTeshuva – Rambam u'Sh'ar Meforshim* from the contemporary Av Beis Din in Yerushalayim Rav Yosef Cohen ZT"l.

The author goes according to the order of Rambam in Hilchos Teshuva and, besides commenting on the Rambam alone, he brings in a fast array of Rishonim and Acharonim, including subjects that Rambam apparently didn't touch.

the entire Bracha⁶, completing in advance of the Chazan so that when he finishes its recitation they can answer with a resounding *omein*.

I imagine that we can all recite that Bracha with ease having said it many, many time upon purchasing new clothing or other valuable items and on Yomim Tovim as well.

⁶ As we will explain further on, the Bracha of Shehecheyanu is our acceptance of קדושת היום, the sanctity of the day.

It is vital to note that women who recite *Shehecheyanu* when they *bensch licht* are forbidden to recite the *Shehecheyanu* that is recited by the rest of the congregation. It would be a ברכה לבטלה, a bracha recited in vain. What a terrible way to start Yom HaKippurim by taking G-d's Name in vain in a *bracha*.

This Halacha also applies on any Yom Tov when a woman recites שהחיו when lighting candles and then that Bracha is said in Kiddush. Certainly if the woman is making Kiddush she would not recite שהחיו a second time. And, if the woman is not reciting Kiddush, just listening to it from someone else who is being מוציא her, enabling her to fulfill the Mitzvah of Kiddush, there are opinions that she should even not answer *omein* to that *Shehecheyanu*. Since that ברכת שהחיו is irrelevant to her, her *omein*-response might constitute an interruptions – הפסק – and interfere with her fulfillment of the Mitzvah of Kiddush.

It is worthwhile to add an additional point here. It is known that our practice is that when a woman benches light on Friday night or Erev Yom Tov, that she accepts upon herself the restrictions of that day, as well as its obligations, with her candle lighting and recitation of the bracha of:

להדליק נר של שבת/של יום טוב/של יום הכיפורים.

To light the lamp of Shabbos/Yom Tov/Yom HaKippurim.

That is what we learn in Shulchan Aruch Siman 263/s'if 10.

Rama there teaches that when there is a significant necessity, a woman can say, or even think, that she is not accepting the restrictions or obligations of Shabbos or Yom Tov or Yom HaKippurim with her candle lighting and that the Halachos of that particular day will not be binding upon her until those Halachos are binding upon all.

That תנאי, condition, cannot be made if the woman recites שהחיו at candle-lighting. The recitation of that blessing, by its very nature, requires immediate acceptance of all of the requirements of that day.

However the word זמן of that blessing that is said when celebrating an important purchase does not have the same meaning as it does when it is said when performing a seasonal Mitzvah or when inaugurating a Yom Tov. And, we can say that the word זמן in that blessing has a meaning that is somewhat differently nuanced when it is part of the Shehecheyanu on Yom HaKippurim than when it is part of the Shehecheyanu of other Yomim Tovim.

When making a new purchase, the זמן is very personal. Today, I made the purchase and the term זמן is unique to me. It does not relate to anyone else in the world. In fact, even if someone else made an important purchase that day and recites the שהחינו at the very same moment, the *z'man* of each are independent because the recitation of that blessing for a purchase has no communal aspect at all⁷.

The זמן for such blessing is a moment of time that I have carved out for myself, singularly. It is a personal reflection of whom I am and I give thanks to the Ribono Shel Olom Who gave me the בחירה חופשית, the free-will to exercise that free-will by giving me life and preserving me to reach that particular time.

⁷ If however a blessing celebrating a purchase or other personal important event, such as the birth of a child for which there are many beneficiaries, then instead of Shehecheyanu, the Bracha:

ברוך אתה ה' א...ל'קיני מלך העולם הטוב והמטיב

We bless Hashem Who is good and Who does good
is recited.

Regarding whether the same Brachos are recited for the birth of a son and for the birth of a daughter, see Shulchan Aruch Siman 223 (s'if 1) and the Mishnah Brurah and the Biur Halachah there.

Seasonal Mitzvos, on the other hand, are very different. They are not individual and are not singular; they are communal and encompass all of Israel. We all light Chanukah candles on that holiday and we all read Megillas Esther on Purim.

Certainly, the holidays that are Torah-ordained have an even greater sense of *z'man* and season. HaKodosh Boruch Hu imbued Pesach as a *z'man*-season when eating Matzah is meaningful and eating *chometz* could lead to *koreis*. He Yisborach implanted within Rosh Hashanah a nature that makes sounding the Shofar more than just a noise that can be grating and Sukkos when shaking some fruit and branches is of Divine-value, not just some silly behavior.

However, Yom HaKippurim is different, even than those other Torah-mandated Yomim Tovim.

All of the other Yomim Tovim create an atmosphere where actions that would be meaningless the rest of the year have supreme value on those days. The holiness of that Yom Tov is a framework for the fulfillment of specific Mitzvos as well as for certain behaviors being anathema. The Yom Tov is passive; it is a sacred background for behaviors to be performed or avoided.

But the יָמֵינוּ of Yom HaKippurim is more than a framework, it is not only a sacred background.

Yom HaKippurim is a day that Hashem imbued with an active and dynamic character.

Yom HaKippurim is a framework and a background. There are behaviors that are to be performed and others that are to be avoided on that day.

But Yom HaKippurim is more than that. It has a life of its own. *It* atones.

עצמו של יום הכפורים מכפר

The very day of Yom HaKippurim atones.

No other time during the year exists in the same way that Yom HaKippurim exists.

And thus, that is the recognition that we are to seek, the understanding that we are to perceive on that holy day.

There are many cues to help us realize that understanding. Whether it is the white of the *Kittles* or the loud recitation of

ברוך שם כבוד מלכותו לעולם ועד

during Krias Shema or the very many simanim of the Day's uniqueness that we meet over and over again, all come to bring us a focus.

And it is not only the signs and cues that do that. The prohibitions of Yom HaKippurim: eating, drinking, washing, perfuming, intimate relations and shoes – all of them come to let us see beyond the activities, interests and habits that we have daily, all-year around.

The elimination of all those prohibited activities leaves us room to recognize that there is an additional existence present on the Tenth of Tishrei – the active and dynamic day itself, Yom HaKippurim.

And thus, we must set a goal for ourselves. When we recite Shehecheyanu, let us recognize the gift that the Ribbono Shel Olom has placed before us.

G-d gave us life, and He sustains us and He continues our life, physical and spiritual to experience a day not like any other.

Yom HaKippurim is a day that is alive and G-d gives us life to experience the life of that day and use its powers to the fullest.

Let us recognize that which are the 'helpers' and that which are the basic and fundamentals of Yom HaKippurim so that, not only will the day atone, but the Ribbono Shel Olom will have a smile on His Face when that special day that He created serves the People for whom He wants to be close to Him now and ever after.

Ksiva Vachasima Tova,

Rabbi Pollock