

דין ומנהgi يوم ליפור

The Laws and Customs of Yom Kippur.

לע"ג ר' יהיאל נתן ב"ר שמאי פעלדמאן ז"ל.

Yom Kippur is the holiest day of the year, a day when we rise above our physical selves and act like angels. Yom Kippur, along with Teshuva is integral in our receiving Kapara, i.e. fully undoing the destructive effects of our negative actions on the spiritual realms. On Yom Kippur in addition to the prohibition of melacha (Yom Kippur has the status of Shabbos rather than Yom Tov) there are 5 restrictions. Of these 5 only eating and drinking carry the punishment of Kares.

1. Eating and drinking.
2. Washing.
3. Anointing oneself.
4. Wearing shoes.
5. Marital Relations.

Eating on Erev Yom Kippur

There is a mitzvah to eat more than usual on Erev Yom Kippur ¹so as to prepare for the upcoming fast. Chazal say that if one eats on the 9th of Tishrei and fasts on the 10th it is as if he has fasted for two days.

- It is forbidden to fast on Erev Yom Kippur².
- One should work and even learn less (if he is generally constantly involved in learning) so as to be able to eat extra³.
- Many have the custom to have a fish meal in the morning and a meaty meal just before the fast. This second meal is known as the seudah hamafsekes⁴.
- One should avoid foods that are hard to digest, as such people eat chicken rather than meat for the seudah hamafsekes⁵.
- One may not get drunk at the seudah hamafsekes⁶.
- The seudah must be finished before candle lighting time⁷.
- If one finishes his seudah a while before the start of Yom Kippur, he should ideally say (or at least have in mind) that he is not yet accepting the fast upon himself⁸.
- One should brush his teeth before the fast comes in⁹.

Tefillos on Erev Yom Kippur

- Men should go to the Mikveh on Erev Yom Kippur. Ideally one should only go from an hour before chatzos¹⁰.

¹ או"ח תר"ד ע"פ גם ברכות ח: וועד

² רמ"א תר"ד:א'

³ מ"ב תר"ד ס"ק א'

⁴ רמ"א תר"ח:א'

⁵ תר"ח:ז'

⁶ מ"ב תר"ח ס"ק י"ח

⁷ ע"פ גם ר"ב יומא פא:

⁸ תר"ח:ג'

⁹ מקראי קודש (הררי) עמ' פח

¹⁰ רמ"א תר"ו:ז'

- Viduy is said at mincha¹¹. The reason for this is in case G-d forbid one chokes at his seudah hamafsekes¹². As such mincha must be davened before starting the seudah hamafsekes.
- One who wears a Tallis should put it on before shkiya so as to be able to make a bracha on it.
- Upon arriving at shul one should say Tefilla Zakah, in addition to setting the tone of the day it also fulfills the opinion of the Ramban who holds that one should say viduy as Yom Kippur is coming in¹³.

Teshuva

Yom Kippur is the climax of the forty day period starting on Rosh Chodesh Elul and in the final day of the ten days of repentance.

'If a person transgresses any of the Mitzvot of the Torah, whether positive or negative, whether willingly or inadvertently – when he repents and returns from his sins he must confess before Hashem as the verse states, 'If a man or woman commit any of the sins of man ... they must confess the sin that they committed.' This confession is a positive command.'¹⁴

Between Man and Hashem.

Based on the above there is a discussion amongst the commentaries as to whether there is an independent Torah commandment of Teshuva.

Whether Teshuva is actually an independent mitzvah is largely an academic discussion as it is clear that it is the dominant theme at this time of year.

Teshuva is a basic 3 step process¹⁵.

1. That one stops doing that particular sin.
2. That he regrets having engaged in such behaviour.
3. That he genuinely resolves never to do that act again.

- In addition to this there is a mitzvah to confess ones sins by reciting the viduy. The basic text¹⁶ of the viduy is to say

אנא ה' חטאתי עויתתי פשעתה לפניך ועשיתך וכך והרי נחמתי ובושתי במעשה ולוולם איני חוזר
לדבר זה

I implore You Hashem, I sinned, I transgressed, I committed iniquity before you by doing the following. Behold I regret and am embarrassed of my deeds and I promise never to repeat this act again.
- This is the basic text of the viduy, however if one wishes to add more this is praiseworthy. As such it is correct for one to specify sins that they have done during their private viduy. It is not appropriate to speak about one's own sins during the public viduy (during the chazan's repetition of the Amida.)

The process of Kapara (forgiveness) depends on the severity of the sin¹⁷.

¹¹ תר"ג:א'

¹² גם, יומא פז:

¹³ מ"ב תר"ג ס"ק א' ושמעתה מהגר"ח קני'בוסק' שליט"א שיש לומר אשרנו אצ'

¹⁴ רמב"ם הל' תשובה א':א'.

¹⁵ שם ב':ב'.

¹⁶ שם א':ב'.

¹⁷ ע"פ רמב"ם סוף פ"א דהיל' תשובה.

If one transgressed a positive mitzvah that does not carry the punishments of Kares he gets mechila immediately upon doing Teshuva.

If one transgressed a negative mitzvah that does not carry the punishment of Misas Beis Din or Kares the Teshuva starts the process of kapara, but he does not get kapara until Yom Kippur.

If one transgressed a negative mitzvah that carries the punishment of Misas Beis Din or Kares the Teshuva and Yom Kippur starts the process of kapara, but he does not get full kapara until he has experienced suffering.

If one desecrated Hashem's name through doing an aveira, the Teshuva, Yom Kippur and suffering start the process but full kapara does not come until the person dies.

Between man and man.

Whilst Teshuva can atone for sins between man and Hashem, it is not enough to atone for causing harm to another person. If one has harmed another person he must ask him for forgiveness.

The Kabbalists¹⁸ write that if one does not reconcile with someone that he has harmed before Yom Kippur, his Tefillos are not answered.

Even if his friend is unjustifiably upset with him, he should still endeavour to reconcile with him.

- If one shamed his friend in public he must apologise in public¹⁹.
- One should ask for forgiveness from close relatives (such as ones spouse or parent) in case he hurt them unknowingly. For their part they should forgive even if they have not been asked to.
- It is proper to take the time to think about who one may have hurt, rather than asking mechila from anyone and everyone as it is easy to ask for forgiveness from people that one has not hurt and to ignore or forget about the people that he actually has hurt²⁰.
- If the person he has hurt is unwilling to forgive him, then he must return with three people and ask for forgiveness again. He must repeat this three times (he can take the same 3 people with him). The three times can be on the same occasion as long as he sincerely tries to appease his friend and wait a little but between each request.

If after three times he is still unwilling to forgive him, then he no longer has to ask after this point, unless the person he has hurt is his Rabbi or father or has a good reason for withholding forgiveness²¹.

- If one is unable to contact the person that he hurt, he should firmly resolve that when he is able to do so, he will ask for forgiveness.
- Even if one knows that his friend has already forgiven him without his having to ask for forgiveness, he should nonetheless still ask him for forgiveness as the act of having to humble oneself to ask is also part of the כפלה.
- If one spoke Lashon Hara against a friend, and the friend is unaware of this, if the Lashon Hara has not actually caused any harm, then one does not need to ask for forgiveness. However one still has to do Teshuva for the act of saying Lashon Hara.
- If actual harm was caused to the victim, then the Chofetz Chaim holds that one does need to ask for forgiveness, however Rav Yisrael Salanter is reported to have

¹⁸ מט"א סע"ד 'וא"ר בשם מקובלים.

¹⁹ מקוב"ח המובא בפ"ת או"ח ס' תר"א הערא 5.

²⁰ פשוט וכ"כ בלאו דבר בעתו.

²¹ שפת אמת

held that in such a case asking for forgiveness may in fact cause more pain as he now knows that someone spoke Lashon Hara about him.

- If one caused harm to someone and the victim died before he was able to ask him for forgiveness, he should assemble a minyan of men and go to his grave, he should mention the sin that was done and ask for forgiveness. The minyan then say *מחול לך* three times. If the grave is far away and he cannot get there, he should send someone else who lives closer to ask for forgiveness on his behalf.

Melacha on Yom Kippur

Yom Kippur has the status of Shabbos rather than Yom Tov regarding melacha²². As such one may not cook food nor may they carry in a place that does not have an Eruv.

The Five Restrictions of Yom Kippur.

1. Eating and drinking.

One may neither eat nor drink even the smallest amount of food or liquid on Yom Kippur²³. However one does not incur the severe penalty of Kares until he has eaten food²⁴ the volume of a grogeres²⁵ (fig) or drunk a cheekful (melo lugmav) of liquid.²⁶

- One may swallow their own saliva on Yom Kippur and there is no need to spit it out²⁷.
- If necessary (such as to prepare food for children or sick people) one may handle and prepare food on Yom Kippur and we are not concerned that the healthy adult will come to eat it by mistake²⁸.
- If one made a bracha on a piece of food by mistake they should nonetheless not eat any of the food, rather they should say²⁹ *ברוך שם כבוד מלכותו לעולם ועד*.

All adult men and women are obligated to fast on Yom Kippur. This includes pregnant and nursing mothers and those who are unwell (but are not in a life threatening condition). This applies even if doing so will mean that they are confined to bed for the duration of the fast. Children approaching the age of bar or bas mitzvah should be trained to fast by having them fast for a few hours.

One who has a life threatening condition may not fast on Yom Kippur. Depending on the severity of the illness or the nature of the condition they will either be told to eat normally or to eat (or maybe just drink) 'shiurim'. This means that they will eat less than 30g of food every nine minutes and drink less than 35cc of liquid every nine minutes. They may eat and drink these amounts within the same 9 minutes. If these amounts will not suffice then the time period between each session may be reduced.

- In practical terms, one who is suffering from a potentially life threatening condition must consult with both a doctor and a competent Rabbi in advance of the fast to determine if they should eat, and if so how frequently.

²² ע"פ משנה מגילה ז:

²³ תר"א:א

²⁴ תר"ב:ה

²⁵ The exact volume or weight is cubic centimetres or grammes is the subject of a huge halachik debate with opinions ranging from 30-40 cubic centimetres. This will be relevant in the case of someone who is ill and has been instructed to eat less than a 'shiur' of food. A Rav must be consulted regarding the exact measurements,

²⁶ תר"ב:ט

²⁷ מג"א תקע"ז ס"ק ח

²⁸ מט"א תר"ב:ב

²⁹ מקראי קדש (הררי) עם קמ"א

2. Washing.

One may not wash even the smallest part of one's body for pleasure on Yom Kippur whether in cold or hot water, with or without soap³⁰.

- One must to netilas yadayim upon arising in the morning³¹. They should wash each hand three times until the knuckle. Whilst one's hands are still moist they may wipe their eyes to remove any mucous etc.
- After relieving oneself they should wash their hands up to the knuckle³².
- If one has dirt on their body it may be washed off³³.
- One who touched a normally covered part of their body and then wishes to daven, make a bracha or learn Torah should wash the hand up to the knuckle (even if they only touched that place with one finger)³⁴. However if one finger got dirty with mud etc then only that finger may be washed.
- Whenever one is permitted to wash or clean a part of their body on Yom Kippur they should have in mind that they are doing so to remove the dirt, and are not doing so for pleasure.
- One may not press a cold bottle of water to one's body to cool down³⁵.

3. Anointing oneself.

One may not anoint oneself whether with oil or any other type of ointment regardless of whether one's intent is to gain pleasure or just to remove dirt³⁶.

- One may not put on any type of makeup, perfume, aftershave or scented deodorant.
- One may not use liquid soap to remove dirt from one's body.
- If one needs to clean dirty hands to prepare food for a child they may use alcohol or liquid disinfectant³⁷.

4. Wearing shoes.

One may not wear shoes made of (or containing) leather³⁸. One may wear shoes made out of other materials³⁹. There are some who are machmir not to wear any type of shoes if they are so comfortable that they cannot feel the hardness of the ground⁴⁰.

- If there is a concern of snakes and scorpions etc (as may be the case in some areas in Eretz Yisrael) one may wear leather shoes⁴¹.
- One who is unwell may wear leather shoes to walk to shul if it raining and he has no appropriate Yom Kippur shoes⁴².
- One may sit on a leather couch on Yom Kippur⁴³. Some are machmir not to do this⁴⁴.

³⁰ תר"ג:א'

³¹ תר"ח:ב'

³² תר"ג:ג'

³³ מ"ב תר"ג ס"ק א'

³⁴ תר"ג:ד'

³⁵ תר"ג:ט'

³⁶ תר"ד:א' ע"פ גמ' יומא עג:

³⁷ שמעתי מהගרי"י ליכטענשטיין שליט"א

³⁸ תר"א:א' ע"פ גמ' יומא עג:

³⁹ תר"ד:ב'

⁴⁰ ע' מקראי קודש (הררי) עמ' קעד בהערה ז' בארכיות

⁴¹ תר"ד:ד'

⁴² רמ"א תר"ד:ד' ע"פ מהרי"ל

- One who finds it difficult to wear non leather shoes for health reasons should consult a Rabbi.

5. Marital Relations.

Marital relations are forbidden on Yom Kippur.⁴⁵ All restrictions of separation (harchakos) apply to the entire day⁴⁶.

Motzei Yom Kippur

Yom Kippur ends with the appearance of three stars.

During Maariv one should remember that the aseres yemei teshuva have now ended and the Amida should be adjusted accordingly.

- If one said Hamelech Hakadosh by mistake, the Amida does not need to be repeated⁴⁷.

One may not eat until Havdala has been made.

- Havdala is made on a cup of wine⁴⁸.
- One may only make the bracha of Borei Me'orei Ha'aish on a candle lit from a flame that has been burning for all of Yom Kippur⁴⁹.
- When Motzei Yom Kippur falls on Motzei Shabbos if one does not have such a candle, he may make the bracha on a freshly lit flame⁵⁰.

⁴³ רמ"א תרי"ד:ב'

⁴⁴ שם

⁴⁵ תרט"ז:א

⁴⁶ מ"ב שם ס"ק א'

⁴⁷ ק"ח מ"ב ס"ק א'

⁴⁸ תרכ"ז:ג'

⁴⁹ תרכ"ז:ד'

⁵⁰ עי' מקרי קודש (הררי) עם ש' הערא ל"ג