

THE YESHIVA PIRCHEI SHOSHANIM PRESENTS:
THE ROADMAP TO PRAYER PROJECT

The Roadmap to Prayer

Special Yom Kippur Edition

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Special
Yom Kippur
Edition

Erev Yom Kippur

Kaparos: The Custom of Redeeming one's Soul

There is an ancient custom of taking an item and swinging it over one's head while reciting the prayer *Zeh Chalifassi, Zeh Temurassi, Zeh ...*

Rasbi brings from the *Geonim*,

There used to be a custom to plant seeds in a flower pot for every child in the family a few weeks before *Rosh Hashanah*. After a few weeks when the seeds started to sprout each child would swing the flower pot around their heads saying *Zeh Tachas Zeh, Zeh Chalifassi, Zeh Temurassi* and then toss it into the river¹.

Nowadays, the custom is to do this on *Erev Yom Kippur*, or some time between *Rosh Hashanah* and *Yom Kippur*. Many people have a custom to perform this ritual with a chicken, taking a male for males and a female for females. After swinging it over our heads and reciting *Zeh Tachas Zeh* (this in place of this), *Zeh Chalifassi* (this is my exchange), *Zeh Temurassi* (this is my substitute) *etc.* the chicken is *Shechted* (ritually slaughtered) and distributed to the poor. Others prefer to take the value of the chicken and distribute it to the poor and keep the chickens for themselves. This was done in order not to offend the poor people by sending them the chickens themselves that seemingly carry their sins². However, if one knows that it would be more convenient for the poor person to receive the chicken itself and that he wouldn't be embarrassed by it, then it would be better to send him the chicken itself³.

¹ See *Rasbi* in *Shabbos Daf* 81b

² *Mishna Berura* 605:5 and other *Poskim*

³ *Ibid.*

The Same Lesson as a Sacrifice

Just as with a *Korban* in the time of the *Beis Hamikdash*, someone who would bring a sacrifice to atone for a sin would view everything done to the *Korban*; the slaughtering, sprinkling of the blood, and the burning of its fats and limbs as if it were being done to him, so too with the slaughtering of the chicken after reciting the reading of *Zeh Tachas Zeh, Zeh Chalifassi, Zeh Temurassi etc.*

There are a number of reasons for using Chickens:

- 1) A chicken was the most common and inexpensive animal available for this ritual.
- 2) The *Aramaic* term for rooster is *Gever*. *Gever* in Hebrew means man. Therefore, using a chicken for this ritual sends a message that what is happening to the chicken should really be happening to us.
- 3) This ritual is done as a commemoration for the *Sa'ir L'Azazel* (the goat that was sent off over a cliff during the *Yom Kippur* services in the time the *Beis Hamikdash* was standing). In this service, a goat was paired up with another identical one and one was brought as a sacrifice inside the *Beis Hamikdash* and the second one was shipped off *L'Azazel*, a mountainous region where the goat was thrown off the cliff and was instantaneously torn to pieces, carrying along with it the sins of *Bnei Yisrael*. Since there is a prohibition to bring sacrifices outside of the *Beis Hamikdash*, the custom was to use a chicken that was a type of a kosher bird that was never itself brought as an offering.

Money instead of Chickens:

Since there are so many chickens that need to be *Shechted* (ritually slaughtered) in such a relatively short amount of time, the Rabbis had great concern that the chickens may not be slaughtered properly. **Therefore, it became customary to extend the time for *Kapparos* from *Erev Yom Kippur* to any day during *Aseres Yemei Teshuvah*, giving the *Shochtim* (Rabbis trained in ritual slaughtering) who slaughter the chickens ample time to assure that the chickens are slaughtered properly according to strict *Halachic* requirements without compromise.**

There are others who prefer to use money instead of chickens. After swinging the money around one's head and reciting *Zeh Tachas Zeh, Zeh Chalifassi, Zeh Temurassi etc.* it is then distributed to the poor.

The Text of the Order of Kaparos

The full text of the order of *Kaparos* begins with the stanza of *Bnei Adam*.

Children of Man, who sat in darkness and the shadow of death shackled in affliction and iron. He removed them from the darkness and the shadow of death and broke open their shackles. The fools - because of their sinful past and their iniquities they were afflicted. Their souls abhorred all food - and they reached the portals of death. They cried out to Hashem in their distress; from their woes He spared them. He dispatched His word and cured them and let them escape their destruction. Let them thank Hashem for His kindness and His wonders to mankind⁴.

If there will be for someone but a single defending angel out of a thousand to declare a man's uprightness on his behalf then He will be gracious to him and say 'Redeem him from descending to the Pit; I have found atonement.'⁵

After these verses, the declaration of *Zeh Chalifassi* (this is my exchange), *Zeh Temurasai* (this is my substitute) *etc.* is recited as printed in *Siddurim* (prayer books) and *Machzorim* (festival prayer books).

The Deeper Meaning – Becoming Righteous

From the verses that were selected for this ritual, it is evident that they were chosen to depict the gravity of someone trapped in the web of sin and iniquity. As with *Korbanos* in general and with the *Sa'ir L'Azazel* in particular, the *Torah* finds it necessary for someone seeking to change his ways from being a sinner to becoming a righteous individual, that he must do something concrete to demonstrate the seriousness of sin and thereby find his way towards a life of following the path of *Torah*.

Change requires Doing

Without such a demonstration, it is very difficult for a human being to be moved in a meaningful manner to becoming a different person. The *Rambam* in *Hilchos Teshuvah* explains the way *Teshuvah* works. A person must change his essence and is now essentially a different person.

Shedding Complacency

The ritual of taking the life of a living creature and slaughtering it instead of ourselves has the unique ability to awaken us from our complacency and to

⁴ Selected verses from *Psalms* chapter 107

⁵ *Iyov* 33:23, 24

become more concerned with our actions and deeds and how we conduct our lives. Let us imagine ourselves in the *shadow of death*; for sin is death and self destruction. Let us know that *Hashem* can save us from this abyss; all we have to do is cry out to Him.

Making that First Step

The verse from *Iyov* tells us that even if we only start our journey back with one accomplishment, even if that itself is not a perfect one, we will have *Hashem* seeking out that *one single defending angel out of a thousand* and take him graciously to redeem us from descending to the Pit; for we have found atonement.

Act Now Before it is TOO LATE

However, it is imperative that we act on this now, before *Yom Kippur*, before the *Aseres Yemei Teshuvah* (the ten days of Repentance) has passed and it is too late. Let's seize this opportunity of performing this ritual to its fullest benefit so that indeed we will find true atonement.

Kaparos: A Lesson in Forgiving

It is common for people to say when something breaks or goes wrong *It should be for a Kaparah* (it should serve as atonement). This adage is truly one of the more meaningful sayings that Jews commonly exclaim unwittingly. Let us examine the following and learn to appreciate our own simple talk.

Rabbi Avraham Twersky in *Twersky on Prayer*⁶ sees another lesson in this ritual of *Kaparos*. He does this through the following story:

One of the disciples of the holy Chassidic Master, Rebbe Elimelech of Lizhensk once asked for the concealed meaning of the Kaparah ritual. What was the meaning of this exchange and substitution?

The Rebbe instructed his disciple to observe a specific innkeeper from whom he will learn the meaning of this exchange process.

The disciple set out to the town where this innkeeper lived and took up lodging in his inn. To his disappointment, the innkeeper seemed to be a very simple individual, who rushed through his prayers and spent the rest of the day serving his customers and engaging in

⁶ Mesorah Publications

petty talk. After spending some time observing this innkeeper, he grew quite impatient, for the holy day of Yom Kippur was quickly approaching and he still knew nothing more about the meaning of Kaparos. On the night before the eve of Yom Kippur the disciple noticed that after closing up for the night, the innkeeper took out two large ledgers. He started reading from the first ledger things that he had done wrong during the course of the year. Each time he mentioned some misdeed that he committed, he let out a huge sigh of remorse. After doing this for a couple of hours, he began reading from the second ledger. He read how on this day a hail storm tore off a large part of his roof causing much damage. On another day his horse died suddenly and how on another day his wife fell and broke her foot. Finally after reading this ledger for a long time he shut both books and said: "Master of the Universe! I know I have done many things wrong this year, but You have also done many things that have hurt me. Inasmuch as tomorrow night is Yom Kippur let us make an "exchange". You will forgive me for the things I have done wrong and I will forgive You for those things You have done to me." At this point the disciple returned to his Rebbe (teacher).

Rebbe Elimelech said to his disciple "A person must learn to forgive G-d. Many times people harbor resentment against G-d even though they may not express it or even be aware of it. We oftentimes question: 'Why did G-d do this to me? What did I do to deserve this?' In truth, this is actually a lack of faith in Divine justice. If we would only achieve true faith in Divine justice and in G-d's absolute benevolence we will have learned the lesson of Kaparos, to "forgive" G-d for all that He has done to us, for ultimately His judgment is perfect."

If we learn just this one lesson from *Kaparos*, that everything that comes our way, even if it's not pleasant, is a result of G-d's perfect Divine justice, it is a worthwhile ritual. Let us hope, as people say, that "it should be for a *Kaparah*" (it should serve as atonement).

Erev Yom Kippur Prayer (Davening)

Selichos and Tachanun

On erev *Yom Kippur* we recite *Selichos* before praying (*davening*) except that in most congregations, it is much shorter than usual. Ashkenaz and *Nusach Sefard* don't recite *Tachanun* at *Selichos* nor the rest of the day. Sephardim have the custom to recite the *Selichos* as usual, including *Tachanun*. However, the rest of the day, *Tachanun* is not recited.

At *Shacharis* and at *Mincha*, we do not recite *Tachanun* just like any *Shabbos* or *Yom Tov*. *Yom Kippur* is the greatest *Yom Tov* as it is **the day Hashem cleanses us from all our sins**, so even on *Erev Yom Kippur* it is celebrated starting already at *Shacharis*.

Mizmor Le'Sodah

On *Erev Yom Kippur*, *Mizmor Le'Sodah* is omitted by Ashkenaz and *Nusach Sefard*, since there is a fast that night. In the times of the *Beis Hamikdash* when an actual *Korban Todah* would be brought, it wouldn't be offered on this day since the fast would diminish the amount of time to eat the *Korban* (sacrifice) and the 40 breads associated with this *Korban* (sacrifice); therefore, we don't recite this passage on *Erev Yom Kippur*. Sephardim recite *Mizmor Le'Sodah* on *Erev Yom Kippur* anyway.

Avin Malkeinu

On *Erev Yom Kippur* Ashkenaz and *Nusach Sefard* do not recite *Avinu Malkeinu* by *Shacharis* and *Mincha*. Sephardim recite it by both.

When *Yom Kippur* is on *Shabbos* and *Avinu Malkeinu* isn't recited by Ashkenaz and *Nusach Sefard*, then on *Erev Yom Kippur* by *Shacharis*, *Avinu Malkeinu* is recited; but not by *Mincha*.

Lamnatzei'ach... Ya'anacha Hashem Be'Yom Tzara

The chapter of *Lamnatzei'ach... Ya'anacha Hashem Be'Yom Tzara* is omitted on *Erev Yom Kippur* when reciting *Ashrei* and *U'va Le'Tziyon* because it would be inappropriate to call this day a *Yom Tzara*, a day of trouble, since today we celebrate with numerous meals⁸.

Al Cheit and Viduy

Ashkenaz and *Nusach Sefard*, as well as Sephardim recite the *Al Cheit* (for the sin ...) and *Viduy* (confession) prayers by the quiet *Shemoneh Esrei* of *Mincha*. The *Chazzan* does not recite it during the repeat *Shemoneh Esrei*.

The Al Cheit of Mincha on Erev Yom Kippur

The Rabbis instituted that although on *Yom Kippur* itself we will recite the *Viduy* (confession) *Al Cheit* ... (For the sin ...) ten times during our prayers in the synagogue, they wanted everyone to at least say it one time before the holy *Yom Kippur* day itself, lest something happen during the meal on the eve of the fast that may cause someone *Heaven forbid* to choke and die before having the opportunity to

⁷ *Simon* 604:2

⁸ *Chayei Adam* 144:4

gain full atonement through the verbal *Viduy* of *Al Cheit* ... therefore, they instituted for each individual to recite *Al Cheit* by the silent *Shemoneh Esrei* prayer of *Mincha* right before *Yom Kippur*. Since it was recited only as a precaution, they did not institute for the *Chazzan* to recite it during his *Chazoras Hashbatz* (repeat *Shemoneh Esrei*) so not to lengthen the prayer on *Erev Yom Kippur* longer than necessary.

Blessing the Children: Birchas HaBanim

Many people have the custom of blessing their children on *Erev Yom Kippur*. The custom is to bless both the boys and the girls individually. There is a separate version for the boys and a separate one for the girls since the grammar needs to address in the masculine and the girls in the feminine. Besides for this obvious difference, there is also a difference in the initial blessing itself.

Blessing of the Sons,

When blessing our sons we begin by saying *May G-d make you like Ephraim and Menashe* and then we continue with the verses of *Birchos Kohanim*; *Yevarachecha Hashem... Ya'eir Hashem... Yissa Hashem...*

For a Girl,

We begin by saying *May G-d make you like Sarah, Rivka, Rachel and Leah*. We then follow with the verses of *Birchos Kohanim* like we do for boys. After this we continue to bless our children with our heartfelt prayers for a New Year filled with blessing. We pray for their health both physically and spiritually, that they be blessed with the ability to make the right choices by using all their faculties for *Avodas Hashem* (Service of G-d).

Praying for Your Children's Needs

We pray that *Hashem* bless them with a source of posterity. We also pray that they have a source of income from G-d's *generous hand*, and that the manner they earn their income allows them to serve *Hashem* freely. One can pray any prayer in any language either in addition to the standard text or in its place. However, since the text is very thorough and precise, it is advisable to recite it and then add any other prayer one wishes to say afterwards. One who doesn't understand the Hebrew version of the prayer can use a translation, which can easily be found in the *Machzor*.

Why we are Permitted to use verses from Birchos Kohanim

The Torah commands the *Kohanim* (Descendants of *Aharon* the *Kohen Gadol*) to bless the *Bnei Yisrael* with the *Birchas Kohanim* (Priestly Blessings) of *Yevarechecha*, *Ya'eir* and *Yissa*. Accordingly,

THE SHULCHAN ARUCH RULES THAT IT IS FORBIDDEN FOR ANYONE OTHER THAN A KOHEN TO BLESS OTHERS USING THE VERSES OF YEVARECHECHA, YA'EIR AND YISSA.

Why then do we use these verses to bless our children right before *Yom Kippur*? The *Chafetz Chaim* gives three answers to this question in his commentary *Biur Halacha*:

- ☞ If a *Mitzvah* requires intent in order to fulfill the *Torah* command, likewise to transgress it when done through a non-*Kohen*, then in this case, since one doesn't have intent to perform the *Mitzvah* of *Birchas Kohanim* when blessing his children, it is permitted
- ☞ Since it not done by spreading one's hands in the manner that a *Kohen* does
- ☞ Since the Rabbis instituted that *Birchas Kohanim* be performed only during the *Chazoras Hashatz*, then one who does it outside of the *Shemoneh Esrei*, it is assumed that his intention is specifically not for the sake of doing the *Mitzvah* of *Birchas Kohanim*. This counter-intent of fulfilling it for the *Mitzvah* prevents a non-*Kohen* from the transgression according to all opinions; even if generally a *Mitzvah* performance is valid without any specific intent to fulfill the *Torah* command.

Kol Nidrei

One of the most moving moments of the *Yom Kippur* liturgy comes right at the beginning of the *Yom Kippur* prayers. The congregants are standing wearing their white *Kittles*¹⁰ wrapped in their *Talleisim*¹¹; the Holy Ark is opened and two of the

⁹ *Simon 128 D"b De'zar over be'issur*

דור עובר בעשה - עיין במשנה ברורה שכתבנו ו"ל דל"ז דוקא למאי דק"ל דמצות צריכות כונה וכי' ולכאורה לפ"ז יש לתמוה על מנהג העולם שנוהגין לברך אחד לחבירו בין שהוא כהן או זר בעת שמלוה אותו בלשון יברכה וגו' ואף דברכה כזו הוא שלא בשעת התפלה וידוע הוא מה שאיתא בירושלמי פ"ד דתענית לא מצינו נשיאת כפים בלא תפלה הלא זהו בודאי רק תקנתא דרבנן דקבעוהו בתפלה ומדאורייתא אינו תלוי בה כלל תדע דהלא תפלה גופא לחוב הפוסקים הוא דרבנן וא"כ כיון דמדאורייתא יוצא בברכה בעלמא כשמברך אותם אפילו שלא בשעת תפלה וע"ז אמרה התורה אתם ולא זרים האיך מותר לזר לברך אחד לחבירו בלשון זה וא"כ יש ראייה ממנהג העולם להא דק"ל מצות צריכות כונה. ואולי יש לומר דטעם המנהג משום דס"ל כהנ"ל דדוקא בפריסת ידים עובר הור בעשה א"נ דכיון דתקנו רבנן שלא לשא כפים בלא תפלה שוב מי שאומר פסוקים אלו של ב"כ בלא תפלה בין בהן בין ישראל הוי כמכוין בפירוש שלא לקיים בזה המצוה דברכת כהנים ולכן שרי:

¹⁰ A white tunic that is worn on *Yom Kippur*, which resembles burial shrouds, while at the same time representing the purity that reflects man becoming angel like (who don't eat) on this solemn day of fasting.

congregational leaders take two of the *Sefer Torah* scrolls out and stand with them on either side of the *Chazzan* and then he begins with the words:

With the approval of the Omnipresent (Al Da'as HaMakom) and with the approval of the congregation (Al Da'as Hakahal)¹²; by the convocation of the Heavenly tribunal and by the convocation of the Earthly tribunal, we hereby grant permission to pray together with those who have transgressed.

Kol Nidrei (all vows) ...

These two stanzas that are juxtaposed in this solemn setting of the *Chazzan* flanked by two *Sefer Torah* scrolls and then followed by the declaration annulling our vows seems a bit odd and need explanation. Firstly, why are we summoning the *Heavenly Tribunal* in conjunction with the *Earthly Tribunal* to allow us to pray alongside our brethren that have gone astray? Why do we need to acknowledge their presence publicly altogether? Finally, what does all this have to do with annulment of vows?

The inception of the Kol Nidrei Prayer

There is one theory that *Kol Nidrei* began during the era of the Spanish Inquisition, when Jews were forced to renounce their religion in favor of the religion of the country. In doing so, they made their vows to be faithful to their newly accepted religion in the most fearful settings. Many of these “converts”, known as the Marranos, secretly continued to practice Judaism. They used to gather clandestinely on *Yom Kippur* to express their deep remorse in having succumbed to the pressures of converting to the new religion. They gathered together to recite *Kol Nidrei* with permission from the *Heavenly* and *Earthly Tribunals* to declare their oaths to convert as null and void. It is said that the common melody that is used for this prayer is the same somber melody the Marranos themselves used for this prayer.

It's Early History

This theory is **erroneous**, since the *Kol Nidrei* prayer is already mentioned in the *Siddur* of *Rav Amram Ga'on* who lived in the 9th century, long before the Marranos. In fact *Rav Amram* dismisses the practice of reciting *Kol Nidrei* altogether for other reasons. There is much *Halachic* discussion amongst the *Rishonim* as to the effectiveness of *Kol Nidrei* with regard to annulling vows that were either made in the past or for those that one may

¹¹ Four-cornered fringed prayer garment

¹² Some versions have this phrase second the second phrase first

express in the future. In the writings of the *Rishonim* it is evident that indeed it was the common practice to recite *Kol Nidrei* right at the beginning of *Yom Kippur* services.

Even earlier in the 8th century, in the times of the *Ge'onim* there is reference that there was such a *Minhag* (custom) in some countries, but not in the local central *Yeshivas* (Talmudic academies) of Babylon in that era. *Rav Natranaee Ga'on*¹³ comments that he did not wish to render a *Halachic* decision on its effectiveness since “it has been already a hundred years that the *Yeshivas* stopped dealing with issue of *Nedarim* (vows) [this was apparently due to the troubles they had from the Karaite sect as discussed in the following paragraph].

Emphasizing the Authority

Another theory has it that *Kol Nidrei* is a way of emphasizing the authority of the *Oral Law* handed down by the Rabbis from generation to generation. During the Middle Ages¹⁴ there was a faction of Jews known as Karaites, who denounced their adherence to traditional *Oral Law* in explaining the *Torah*. They rather espoused an approach of distorting *Torah Law* by interpreting the laws of the *Torah* in a very literal manner. Thus, according to this sect, annulment of vows is limited to the father of a young girl and/or to the husband, which is explicitly stated in the *Torah*¹⁵. However, according to traditional *Oral Law*, the *Torah* allows the annulment of oaths and vows through a Jewish court presiding over the circumstance that the oath or vow may have been expressed under erroneous pretense, rendering them null and void. Because of this, the *Ge'onim* stopped dealing with these issues altogether.

Validating the Oral Law

Accordingly, it is possible that *Kol Nidrei* may have been instituted to be performed publicly on the holiest day of the year at a time when the most Jews would be present in the synagogues. Perhaps the fearful setting described above, was to emphasize the importance of validity of the *Oral Law* preserved by the Rabbis and their teachings.

¹³ *Piskei Teshuvos* 122

¹⁴ Circa 8th century

¹⁵ *Bamidbar* 30: 2-17

In truth, this theory is also erroneous since it appears that during the *Ge'onic Era* when the Babylonian *Yeshivas* (Talmudic academies) had their problems with the Karaites, they didn't recite *Kol Nidrei* while other communities in a different part of the world were already reciting this.

It is however still possible to use this opportunity to learn this important principle from the order of *Kol Nidrei*. It is also possible that Marranos eventually adopted this prayer with the above-mentioned intentions; but they were definitely not the originators of this passage.

Kol Nidrei and the Permission to Pray with Transgressors

As mentioned above, the prayer of *Kol Nidrei* dates back to the at least the 8th and 9th century when *Rav Natranaee Ga'on* and *Rav Amaram Ga'on* lived. In fact, the *Shitah Mekubetztes*¹⁶ suggests that this custom started already 300 B.C.E. in the time of the *Anshei Knesses Hagedola* (the Men of the Great Assembly). It also seems that the opening passage of *With the approval of the Omnipresent (Al Da'as HaMakom)* was added at a much later time as its earliest mention is in the writings of *Rav Meir* of Rothenberg¹⁷, who lived at the very end of the 13th century. Therefore, it is difficult to draw any conclusion on the combination of these two passages since they were instituted independently of each other. However, each one has its own significance and relevance to *Yom Kippur*.

¹⁶ **Shitah Mekubetztes - R' Betzalel Ben Avraham Ashkenazi** - Born: Egypt, 1520. Died: Israel, 1594. Author of *Shitah Mekubetztes*, a compilation of emendations and Chiddushim from the Rishonim, which is included in the traditional editions of the Talmud. Teacher of the Ari Z"L. Chief Rabbi of Egypt and then a leading Rav in Jerusalem.

¹⁷ **Maharam M'Rottenberg – R' Meir Ben Baruch HaKohen** - Born: Worms, Germany, c. 1215 Died: Ansishein, Alsace, 1293 Notes: One of the last and most influential Tosefists. Student of Rabbi Yechiel of Paris. Rabbi in Wurzburg, Augsburg, Worms, Mayence, Nurenberg, and Rotenberg. The most important German rabbi of his day he was also the recognized Ashkenazic authority of his time. Spent the last 7 years of his life in prison where he died having refused to allow himself to be redeemed for extortionary amounts of money. His body was released for burial only 14 years after his death.

With the approval of the Omnipresent (Al Da'as HaMakom) ... pray together with those who have Transgressed

The *Tur* writes that the reason we recite the passage of *With the approval of the Omnipresent (Al Da'as HaMakom) ... we hereby grant permission to pray together with those who have transgressed*, is to include those individuals who have strayed away from adherence to *Torah Law* during the course of the year, yet have within them an inner spark that still keeps them connected to their people and to their heritage. The *Gemara* in *Kerisos*¹⁸ finds it necessary to include our brethren that are distant from *Torah* observance to be included in our quest for G-d's forgiveness on a day of fasting. Therefore, on *Yom Kippur*, the holiest day of the year when we all fast and pray to G-d to atone for our sins, we acknowledge and include *those who have transgressed* to join us in our fasting and praying (*davening*).

The *Gemara* compares this concept to the added *Chelbana* spice in the *Ketores* (special incense) used in the *Beis Hamikdash*, our Holy Temple. It consisted of ten sweet fragrant spices, plus the *Chelbana* spice that had a bad odor was mixed with the rest. When they were combined, it blended in such a way that the entire combination was so pleasantly fragrant that the women who lived with a few miles of the *Beis Hamikdash* wouldn't need to wear any other perfume. So too, including the transgressors of *Torah Law* with us in our *Yom Kippur* will not detract, but enhance our atonement of sin on this holy day¹⁹.

¹⁸ *Daf'6b*

¹⁹ See Dissertation of the Ran *Drashos HaRan Drush 1*, Roadmap to Prayer Lesson 32 page 483

Kol Nidrei: Annulment of Vows

One of the reasons for the *Kol Nidrei* prayer/formula on *Yom Kippur* night is because on this night, the synagogues are attended by the most number of Jews. Not only do religious Jews attend, but as mentioned in the passage that precedes this prayer, even *those who have transgressed* join us in our fasting and praying (*davening*).

The importance of doing this annulment right at the start of *Yom Kippur* is because we want to attain the full measure of atonement from this holy day. One of the things that *Yom Kippur* cannot accomplish is the annulment of vows. Therefore, any transgression related to a violation of our vows cannot be atoned for through the holiness of *Yom Kippur*.

What's even more remarkable about this is that on a certain level, any transgression of *Torah Law* consists of an infringement of the *Bris* (covenant) and *Shevu'ab* (oath) that we undertook to abide by all *Torah Laws*. Thus, the first order of our atonement must come through the annulment of the binding nature of an oath.

Making a Commitment

However, we must understand this in an allegoric manner, for in truth, there is no way to annul the general *Bris* (covenant) and *Shevu'ab* (oath) that we undertook to abide by *Torah Law*. Rather, we can only acknowledge that we feel remorse and regret not following our commitment and ask *Hashem* to grant us a pardon from this aspect of our transgressions. The *Gemara* refers to this general commitment as *Mushba Ve'omed MeHar Sinai* (One is sworn to uphold the Torah ever since our acceptance of the *Torah* at *Har Sinai*).

Adhering to our Original Agreement

The *Chazon Ish*²⁰ explains that the original oath that *Bnei Yisrael* took upon themselves to abide by the *Torah* is only valid for that particular generation. Rather the *Bris* (covenant) was a commitment on that generation as well as

²⁰ *Yoreh De'ab, Likkutim*

on all future generations; but there is no actual oath that future generations need to uphold. We just refer to it as *Mushba Ve'omed MeHar Sinai* (One is sworn to uphold the Torah ever since our acceptance of the Torah at Har Sinai) since for all practical purposes we are bound by that original agreement. Hence, we can say that figuratively we are annulling our vows since we didn't adhere to the Torah as per our original agreement that is referred to as a vow.

Imploring the Redemption of our People

Rabbi Eli Munk in *The World of Prayer*²¹ treats the subject of *Kol Nidrei* in a very thorough manner. He writes about the Hebrew and Aramaic versions of this prayer and its origin. He discusses the various issues of *Kol Nidrei's* opponents as well as its proponents. He notes how much difficulty this passage endured over the time, and is fascinated that it has been embraced by all backgrounds of Jewry. He concludes with the following hypothesis for its survival as well as its fame and reverence.

He brings *Kabbalistic* sources that link this prayer with its relevance to Jewish survival of an oath that G-d expressed as is recorded in the Talmud in *Bava Basra*²². “*Alas, that I have sworn (to send My children into exile). Now that I have done this, who can render it null and void?*” It is to this oath that we allude to in the annulling of vows of the *Kol Nidrei* prayer/formula. With this subtle allusion, we mean to implore *Hashem* to redeem His downtrodden nation from the present lengthy *Galus* (exile). Perhaps we can add that for this reason, *Kol Nidrei* has been recited with such a melancholy tune since it alludes to our long and difficult years in *Galus* (exile). Some theorize that at least the tune dates back to the era of the Marranos, as its tune fits the mode of that era.

Kol Nidrei: Three Times

The entire passage of *Kol Nidrei* is recited by the *Chazzan* out loud, and by the congregation in an undertone, three times over. It is important that everyone say it in order for the *Halachic* aspect of the annulment to be effective in whatever capacity it is *Halachically* legal²³.

²¹ Pages 227-238

²² *Daf* 74a

²³ This is discussed in *Shulchan Aruch Yoreh De'ah Simon* 211

Rabbi Munk notes that we find a similar precedent in the *Mishna Menachos*²⁴ regarding the cutting of the *Omer* (barley offering) on the *Yom Tov* of *Pesach* even on the *Shabbos*, contrary to the opinion the Sadducees sect. They announced the cutting three times over to uphold and lend support to the opinion of the Rabbis in dispute with the Sadducees. Likewise here, reciting the annulment process three times lends credibility to the opinion of the Rabbis regarding the issue of annulling vows.

In addition to being repeating it three times, each subsequent time the *Chazzan* raises his voice a little louder. *Shibalei HaLeke*²⁵ explains that this was done in an attempt to catch the attention of anyone who didn't follow along the initial two readings. The *Mabaril* understands that this was done to intensify the awe and reverence people had to this passage. Also, the growing strength in the *Chazzan's* voice indicates our growing confidence that *Hashem* will hear our prayer and grant us **forgiveness**²⁶.

After the conclusion of *Kol Nidrei*, the *Chazzan* and the congregation recite the verses *Ve'nislach* (and **forgive**) and *Selach Nah* (please **forgive**) both from *Sefer Bamidbar*²⁷.

Halachic Time for Kol Nidrei

The *Rama* mentions that since *Kol Nidrei* is technically a formula for annulling vows, it is the custom to complete this prayer before nightfall²⁸. The *Magen Avraham* explains that we do this before nightfall even according to the opinion that *Kol Nidrei* doesn't nullify any vows made in the past and it is mainly to prevent any future non-intentional vows, because it still resembles the process of *Hatoras Nedarim* which is not allowed to be performed on *Shabbos* or Festivals.

Additionally, since the men will be wearing their *Tallis* during the evening prayer, they need to don their *Talleisim* before nightfall as well in order to recite the *Bracha* over the *Tallis*²⁹. The *Be'er Heitev* writes that the custom to wear the *Tallis* at night is

²⁴ *Daf* 65a

²⁵ *Simon* 317

²⁶ *Machzor Vitriye Simon* 351.

²⁷ 15:26, 14:19

²⁸ 619:1

²⁹ *Simon* 619 *Mishna Berura S"t* 5

because they are white garments which resemble the appearance of the Heavenly Angels. The *Rama*³⁰ writes that the custom for men to wear a *Kittel* (a white tunic) on *Yom Kippur* is also because it resembles the appearance of the Heavenly Angels.

The *Rama* also mentions that we wear a white *Kittel* on *Yom Kippur* because it resembles *Tachrichin* (shrouds). By wearing this garment we are reminded of the seriousness of this special holy day and how important it is to do *Teshuva* (repent) and attain *Hashem's* forgiveness.

The Kittel of 1945³¹

YOM KIPPUR EVE 1945/5706,
FOEHRENWALD DP CAMP, GERMANY

The sun was about to set on Yom Kippur eve, the holiest day of the year.

But for us... For us it felt like Tisha B'Av. Just a few months earlier we were living, if you can call that living, it was actually dying, in the unspeakable horror that was called the Gunskirchen Lager (concentration camp) in Northern Austria. It is impossible to describe the hundreds of dead bodies strewn about everywhere you turned throughout the camp. The hunger, the stench, the death, the insanity was everywhere. The Nazis, may their names and memories be forever erased, dehumanized us, turning us into ravenous sub-humans, desperate for a drop of water. Days would go by between a morsel of bread and paltry sip.

I was 14 years old when we were finally liberated on May 5, 1945. Orphaned, widowed, homeless – completely alone with no place to go – we wandered in what now appears a complete fog. But it all comes back to me as I tell the story.

We – some 5000 of us survivors – ended up in the Foehrenwald DP (displaced persons) Camp in Germany (southwest of Munich), where we spent Yom Kippur, together with the Klausenberger Rebbe, Rabbi Yekutiel Yehudah Halberstam, who tragically lost his wife and 11 children to the German beasts.

As night was falling that Yom Kippur eve all 5000 of us gathered in a makeshift shul for Kol Nidrei. As is the custom in many communities, the Klausenberger Rebbe stood up on the Bimah (the platform in the center of the congregation) to

³⁰ *Simon* 610:4

³¹ By Simon Jacobson. The account below was related to me personally by Reb Leibel Zisman, a living witness to these unforgettable events. Leibel was 14 years old at the time, and his birthday is on *Yom Kippur*.

share a few pre-Kol Nidrei words to awaken our hearts and prepare us for the awesome day ahead of us.

I will never forget what the Klausenberger Rebbe said that Yom Kippur eve 61 years ago. The moment was overwhelming.

With tears in his eyes he began by thanking G-d for saving our lives from the Nazi hell.

He then pointed to his Kittel – the white linen robe that we traditionally wear on Yom Kippur – and began to speak (in Yiddish), slowly, deliberately, tearfully:

“One of the reasons we wear this Kittel is because it is the traditional burial garment, in which we wrap a body before laying it to rest in the ground, as we do when we bury our parents and those that came before us. Wearing a Kittel on Yom Kippur thus reminds us of our final day of judgment when we will be laid to rest. It therefore humbles and breaks our hearts, stirring us to do complete Teshuvah (return). The white, linen Kittel is a symbol of purity that we achieve through our introspection and efforts to repair all our wrongs.

“Since the Kittel reminds us of the burial shroud of those that passed on before us,” continued the Klausenberger, “why are we wearing a Kittel today? Our parents and loved ones were just slaughtered without Tachrichim (burial shrouds). They were buried, with or without clothes, in mass graves, or in no graves at all...”

Suddenly, the Klausenberger Rebbe began tearing off his own Kittel, literally. “No Kittel!” he cried out in an anguished voice. “Let us be like our parents. Let us remove our Kittels, so that they can recognize us. They won’t recognize us in Kittels, because they are not wrapped in Kittels...”

I have no words to capture the emotions pouring out of the grand Rebbe that first Yom Kippur after the horror.

Everyone gathered in the shul began to weep uncontrollably – men, women, old, young, every single person in the large hall. All our anguish, all our unbearable losses, all the humiliation and senseless dehumanization came spilling out of our guts.

It was an unforgettable sight: 5000 people sobbing. Nit geveint. M’hot ge’chlipet. Not sobbing; bawling. The floor was wet with the tears gushing from all our eyes.

What a stirring hisorerus (awakening) we experienced that Yom Kippur eve, what a remarkable hisorerus – it was unbelievable.

The Rebbe's words rang in our ears, in every fiber of our broken beings – every one of us had just lost our closest relatives: fathers, mothers, brothers, sisters, uncles and aunts. We were indelibly scarred. The words rang out: "What do we need Tachrichim for?! Your father, mother, brother, sister, aunt, uncle, zeide, bobbe – they are all lying mangled in mass graves. Or in no graves at all – burned to ashes... What Tachrichim? What clothes? What Kittel?!..."

Picture the scene: The holiest night of the year. The awesome moment just before Kol Nidrei. All the Torah scrolls lifted out of the ark. 5000 broken Jews, left shattered, orphaned without families. The saintly Klausenberger Rav standing on the Bimah, ripping off his Kittel – "We don't need it..."

* * *

What more can be said? Yet, as another Rebbe once expressed himself: "It difficult to speak, but it's more difficult to remain silent."

Today, 61 years later, we are blessed to enter Yom Kippur without the misery that haunted Yom Kippur in 1945, immediately after the liberation from the camps. Yom Kippur today comes amidst many blessings and comforts. We live in freedom and have achieved many levels of success. It's almost impossible to imagine that in just six decades the Jewish people have gone through such a renaissance: With the growth of Israel, advancements in Jewish education and overall prosperity Jewish life today is nothing less than a modern miracle.

In stark contrast to 1945, we now enjoy a sumptuous meal before the holiday together with our intact families. We dress up, don our well-pressed Kittels and enter our synagogues in calm and peace.

But we must never forget, never lose sight of the get caught in the trap so succinctly captured in this week's Torah portion: "Vayishman Yeshurun Va'Yivat. Shomanto, ovis, koshiso" – He became fat and kicked. You became fat, thick and gross" from comfort and prosperity. Such is the nature of an easy and content life: It creates complacency.

On Yom Kippur we dedicate an entire section of prayer to "Eileh ezkera" – these I will remember. We recount the troubles that have befallen us since the destruction of the Temple, ending with the heart-rending story of the "ten martyrs" who were barbarically put to death by the cruel Roman Emperor.

Ten great men – the greatest of their time – are never forgotten, and live on in immortality despite (or perhaps because of) their premature, brutal deaths.

A little over 60 years ago not ten but... six million martyrs were massacred for no other reason than their being Jewish, with no Tachrichim, no Kittels, no dignity – with nothing at all.

But we remember. And we don't only remember. We recreate. We channel all our anger, pain and loss into a revolution, doubly and triply reinforced by the fact that we now have the responsibility to fill the void left by those six million and all that they and their offspring would have accomplished.

We don't just remember; we know that regardless of the mystery of life and death, despite the historical extremes from destruction to rebirth – we are all part of one mysterious cycle.

We may never know why six million martyrs suffered such cruel deaths and millions of others endured unspeakable degradation. We will never know why their bodies were never shrouded in white.

But we always know that we – all generations – are bound in one inextricable chain, and we do recognize each other despite our different, even diametric opposite, garments, cultures, backgrounds and levels of commitment. Because beneath it all lies a unifying force that connects us all.

On Yom Kippur – today, or in 1945, or 3278 years ago – we celebrate this inherent unity.

This week we read in the Torah how Moses, 3278 years ago, just a few days before he ascended on high not to return, designated heaven and earth as eternal witnesses to his final words for the Jewish people.

Look up at the sky; look down at the earth. The same clear sky and pure earth that Moses looked at 3278 years ago. The same smoke filled sky and blood drenched earth the Jews suffered in Gunskirchen 62 years ago. The same sky and earth we gaze upon today.

The same heaven and earth heard and absorbed Moses' words over three millennia ago. And they have stood ever since bearing silent witness to G-d's promises.

Yom Kippur is upon us. And heaven and earth are our witness that we are linked today to all generations past – both a gift and a responsibility.

As the sun sets this coming Sunday evening and we put on our Kittels, we have much to cry and sing about – for ourselves, our families, generations past, future generations, from the beginning of time into eternity itself.

Carrying the Sefer Torah around the Shul

After *Kol Nidrei* the *Sefer Torah* is carried around the *Shul* (synagogue). There are various customs as to how many *Sefer Torah* scrolls are carried around. While this is done, everyone in the congregation approaches the *Sefer Torah* and kisses it. There are certain prayers printed in *Machzorim* (Festival Prayer Books) related to this practice.

A very fitting parable is described about this practice:

There was once a king who had a very close advisor who he admired and sought his counsel all the time. One day, the king appointed this advisor as his son's personal tutor and teacher. He was to teach him all kinds of teachings of philosophy and ethics as well as other pertinent subjects relating to the duties of a prince. One day, the prince became upset that he had to do so much extra studying with his tutor, that he embarrassed him publicly in front of his father the king. The king became extremely upset at his son for causing such humiliation to his closest advisor as well as his disrespect to the king. He immediately summoned his royal guard to take his son away and to lock him up in the king's dungeon.

Many weeks passed by and the prince feeling sorry for himself, wished to have a meeting with his father to ask forgiveness. However, he knew that his father was extremely upset with him and that he wouldn't even see him to talk about the matter. The prince understood that if he would first find favor in the eyes of his tutor and be forgiven first by him, then he stood a chance that the tutor, the king's closest advisor, would himself get the king to forgive him for his misdeed.

The son carried out his plan and it wasn't long before he was back together with his father the king and again under the tutelage of the king's closest advisor.

The Sefer Torah: Hashem's Closest Advisor

The *Sefer Torah* is the King's closest advisor. We, the children of *Hashem* have to kiss the *Sefer Torah* to make up for our disrespect for *Hashem's* holy *Torah*. If at this time we express our remorse and sorrow for not appreciating the *Torah* that *Hashem*, our

loving father, gave us so graciously, and we take upon ourselves to return to the path of the *Torah*, by studying it and following its commands, then surely the *Torah* itself will plead for us in front of *Hashem's Throne of Glory* to grant us favor and forgive us for everything on this *Yom Kippur* day.